



# EXMOOR

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## NATIONAL PARK

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22 July 2021

### EXMOOR NATIONAL PARK AUTHORITY

**To: All Members of the Exmoor National Park Authority**

A meeting of the Exmoor National Park Authority will be held **at Dulverton Town Hall, 27 Fore Street, Dulverton TA22 9EX on Tuesday 3 August 2021 at 10.00am.**

The meeting will be open to the press and public subject to the passing of any resolution under s.100(A)(4) of the Local Government Act 1972.

There is Public Speaking at this meeting, when the Chairperson will allow members of the public two minutes each to ask questions, make statements, or present a petition relating to any item relevant to the business of the Authority or relating to any item on the Agenda. Anyone wishing to ask questions should notify the Corporate Support Officer as soon as possible, or at the latest by 4pm on the working day before the meeting of the agenda item on which they wish to speak, indicating a brief summary of the matter or matters to be raised (contact Judy Coles on 01398 322250 or email [jcoles@exmoor-nationalpark.gov.uk](mailto:jcoles@exmoor-nationalpark.gov.uk)).

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](http://www.exmoor-nationalpark.gov.uk)).

Sarah Bryan  
Chief Executive

## AGENDA

The first section of 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:

- 6 July 2021 (Item 4a)
- 15 July 2021 (Item 4b)

(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.

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

### 6. Development Management:

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

Agenda Item	Application No.	Description	Page Nos.
6.1	62/50/20/004	Proposed reinstatement of railway line, creation of cutting and embankment previously removed together with new railway bridge. (amendment to approved application ref. 62/50/16/001) – Land in Field to the North of the A39 West of Holwell Wood and Land on Access track to Rowley Barton	1 - 92
6.2	62/41/21/012	Proposed replacement of doors/screens in 3 no. locations with new aluminium units of style and colour to match existing - Lynton C of E Primary School, Market Street, Lynton, EX35 6AF	93 – 100
6.3	6/9/21/117LB	Listed building consent for the proposed internal and external works to dwelling – Chypleighs, 3 Rosemary Lane, Dulverton, TA22 9DP	101 - 107

7. **Application Decisions Delegated to the Chief Executive:** To note the applications determined by the Chief Executive under delegated powers (Item 7).
  8. **Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday, 3 September 2021 (am)).
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The remaining section of the meeting will be chaired by Mr R Milton, Chairperson of the Authority. If the Chairperson is absent, the Deputy Chairperson of the Authority shall preside.

9. **Rural Enterprise Exmoor Vision:** To consider the report of the Head of Planning and Sustainable Development and the Rural Enterprise Manager (Item 9)
10. **Farming in Protected Landscapes Programme:** To consider the report of the Head of Conservation and Access (Item 10)
11. **Exmoor National Park Authority Climate Emergency Response:** To consider the report of the Head of Strategy and Performance (Item 11)
12. **Internal Audit Arrangements:** To consider the report of the Chief Finance Officer (Item 12)
13. **Exmoor Consultative & Parish Forum:** To receive and note the meeting notes from the Exmoor Consultative and Parish Forum held on 10 June 2021 (Item 13)
14. **Personnel Update**  
**New Starter:**  
19/07/2021 – Louise Reynolds – FUN (Families United through Nature) Project Coordinator – 1 year fixed term contract
15. **Any Other Business of Urgency**

Further information on any of the reports can be obtained by contacting the National Park Authority at the address and telephone numbers at the top of the agenda. Details of the decisions taken at this meeting will be set out in the formal Minutes which the Committee will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions can be obtained from Judy Coles, Corporate Support Officer, at Exmoor House.

## ITEM 4a

### EXMOOR NATIONAL PARK AUTHORITY

**MINUTES** of the Annual Meeting of the Exmoor National Park Authority held on Tuesday, 6 April 2021 at 10.00am at Dulverton Town Hall, Dulverton.

#### PRESENT

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

Mrs L Blanchard	Mr E Ley
Mr M Ellicott	Mrs F Nicholson
Mr D Elson	Mr J Patrinos
Mr J Holtom	Mr B Revans
Mr J Hunt	Mr N Thwaites
Dr M Kelly	Dr S Warren
Mr M Kravis	Mr V White
Mrs C M Lawrence	Mr J Yabsley

Apologies for absence were received from Miss E Stacey and Mrs P Webber.

- 1. ELECTION OF CHAIRPERSON:** Mr R Milton was re-elected as Chairperson of the Authority for the ensuing year.

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

- 2. ELECTION OF DEPUTY CHAIRPERSON:** Miss A V Davis was re-elected as Deputy Chairperson of the Authority for the ensuing year.
- 3. ELECTION OF DEPUTY CHAIRPERSON (PLANNING):** Mr S Pugsley was elected as Deputy Chairperson (Planning) for the ensuing year.
- 4. DECLARATIONS OF INTEREST:** There were no declarations of interest.
- 5. CHAIRPERSON'S ANNOUNCEMENTS:**
  - Mr Jeremy Yabsley was welcomed to the meeting, as a Devon County Council appointed Member of the Authority
  - A Written Ministerial Statement was issued on 24<sup>th</sup> June in response to the Glover Landscapes Review. The statement also announced details of the Farming in Protected Landscapes programme which the Authority will be required to manage and deliver.
- 6. MINUTES**
  - i. Confirmation:** The **Minutes** of the Authority's meeting held on 4 May 2021 were agreed and signed as a correct record.
  - ii. Matters arising:** There were no matters arising.

- 7. PUBLIC SPEAKING:**

- (1) Mr P Jobin, Local Resident

Mr Jobin made a statement raising concerns amongst some local residents about the increasing prevalence of static mobile homes being placed on land across Exmoor. His statement urged the National Park Authority to take a leading role, along with other National Park Authorities, to lobby government and the Secretary of State to treat the National Parks as a special case.

See Minute 8 for details of further public speakers.

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**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**

### **8. Application No. 6/15/20/101**

**Location:** Hillside, Exton, Dulverton, TA22 9JT

**Proposal:** Proposed demolition of existing single storey garage and erection of new two storey garage with office/studio over

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

#### **Public Speaking:**

(1) Mr J A'Court, applicant's agent

**RESOLVED:** To refuse planning permission for the reasons set out in the report.

### **9. Application No. WTCA 21/09**

**Location:** Chypleighs, 3 Rosemary Lane, Dulverton, TA22 9DP

**Proposal:** Works to Trees in Conservation Area: T2, T3 Plane (*Platanus x hispanica*) – repollard in line with previous management regime to prolong life of trees and reduce shade on neighbouring apple trees; T4 mature hawthorn (*Crataegus monogyna*) – coppice as part of hedgelaying management; G1 beech (*Fagus sylvatica*), approx.. 20 stems – cut and lay as part of hedge management.

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

**RESOLVED:** To grant permission for works to trees in Conservation Area.

### **10. Application No. 6/9/21/111LB**

**Location:** Exmoor House, Dulverton, Somerset, TA22 9HL

**Proposal:** Application Under Regulation 3 of the Town & Country Planning General Regulations 1992 for Listed building consent for the proposed removal and replacement of stone capping on store room.

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

**RESOLVED:** To grant listed building consent for the reasons set out in the report.

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

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

The meeting closed for recess at 10.43am and reconvened at 11.02am.

**12. 2020/21 OUTTURN – BUDGET PERFORMANCE AND RESERVES**

The Authority considered the **report** of the Chief Finance Officer

**RESOLVED:**

- (1) To note the financial performance for 2020/21.
- (2) To approve the adequacy of the General Fund Balance at 31 March 2021; and
- (3) To approve the transfers between reserves.

**13. 2020/21 OUTTURN – STATEMENT OF ACCOUNTS**

**RESOLVED:** To consider and note the Statement of Accounts for 2020/21

**14. ANNUAL TREASURY MANAGEMENT REPORT**

The Authority considered the **report** of the Head of Finance and Operations

**RESOLVED:** To note the Treasury Management Outturn for 2020/21

**15. MEMBERS' ALLOWANCES SCHEME**

The Authority considered the **report** of the Chief Finance Officer

**RESOLVED:** To note the amounts paid to Members in 2020/21 through its Scheme for Members' Allowances.

**16. CORPORATE PLAN REPORT 2020-2021**

The Authority considered the **report** of the Head of Strategy and Performance

**The Authority's Consideration**

The Committee wished to formally record their thanks to all Authority staff in recognition of their hard work over the course of an extremely challenging year.

Particular note was paid to the Planning team, for their work to improve the overall planning performance statistics; to the Public Rights of Way team, for achieving a 98% Open and Easy score; and to the positive story being promoted by the staff at the Exford Depot for their use of timber from the Authority's own woodlands in our Rights of Way signage and furniture. Members looked forward to being able to

attend a site visit to the tree nursery to be located next to the depot when circumstances allow.

Members of the Committee were aware of local concerns over the increased visitor numbers during lockdown, which had led to some incidents of antisocial behaviour. With the lockdown now being lifted, there were additional concerns about whether there was sufficient tourist accommodation available, and the knock-on impact this may have on the availability and price of housing within the National Park – both in the private sector and of course for affordable housing.

The appointment of the Rural Housing Enabler for the Somerset side of the National Park was welcomed and it was hoped that continued liaison with North Devon Council would be productive in relation to the Devon side of the Park.

The Authority Committee recognised that the delivery of so many of the services and corporate priorities contained within the Corporate Plan 2020-2021 was a significant achievement during these unprecedented times.

**RESOLVED:**

- (1) To note the achievements in delivering the Authority's key commitments set out in the Corporate Plan 2020-2021 and to formally note Members' and Leadership Team's thanks to the staff for continuing to deliver services and corporate priorities despite the disruption caused by the Covid pandemic.
- (2) To delegate to the Finance and Performance Advisory Panel and Leadership Team further scrutiny of Authority performance across the Corporate Plan 2021-2022 actions for the reporting period to 31 March 2022.

## 17. ANNUAL APPOINTMENTS

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

### **The Authority's Consideration**

The Committee noted that an oversight had been made in relation to Member representation on the Pony Panel and Mr Milton confirmed he wished to continue his involvement with that group, along with Mr Thwaites.

As a new Member of the Authority, Mr Yabsley indicated that he would like to be involved with the Deer Monitoring Panel, the Exmoor Moorland & Farming Board and the Exmoor Woodland and Forestry Advisory Group. In order to facilitate this, Mr Ley and Mr Thwaites respectively advised they were happy to step down from the first two groups mentioned, and it was suggested that an additional Member representative would be acceptable on the Exmoor Woodland and Forestry Advisory Group.

The Committee requested that Officers liaise with all external organisations at which Member representation was required, to request that meetings be held remotely wherever possible, rather than in-person. Given the Climate Emergency declarations made by the Authority and many other organisations, it was the view of Members that the use of virtual meetings should be encouraged wherever possible, including for non-statutory meetings relating to the work of the Authority.

Members noted that Mr M Riggulsford had been observing the meeting and were pleased to note that his appointment as Independent Person was reconfirmed.

**RESOLVED:**

- (1) To make the following appointments for 2021/22 to the Authority's committees under the Scheme of Delegation and to those panels, working groups and other organisations as set out in the report.
- (2) To liaise with external organisations to request that wherever possible meetings be held remotely rather than in-person in order to comply with the Climate Emergency declared by Exmoor National Park Authority and many other organisations.

**Final Accounts Committee and Finance & Performance Advisory Panel:** Mr R Milton, Miss A V Davis, Mr M Ellicott, Mrs F Nicholson, Mr J Patrinos, Mr S J Pugsley, Miss E Stacey, Mr N Thwaites, Mr V White

**Standards Committee:** Mr M Ellicott, Mr J Patrinos, Mr S J Pugsley, Mr N Thwaites, Miss E Stacey

**Exmoor Local Access Forum:** Mr R Milton, Dr S Warren

**Exmoor Consultative and Parish Forum:** All Authority members  
Chairman of the Forum: Mr M Ellicott  
Deputy Chairman of the Forum: Mr V White

**Dartmoor and Exmoor Joint Member Liaison Meeting:** Miss A V Davis, Mr M Ellicott, Mr J Hunt, Miss E Stacey

**Deer Monitoring Panel:** Mr M Ellicott, Mrs P Webber, Mr J Yabsley

**Exmoor Historic Environment Advisory Panel:** Mrs L Blanchard, Mr J Holtom

**Exmoor Landscape Advisory Group:** Mrs L Blanchard, Mr R Milton

**Exmoor Learning and Engagement Panel:** Mrs L Blanchard, Mr B Revans, Dr S Warren

**Exmoor Moorland & Farming Board:** Mr D Elson, Mr J Holtom, Mr R Milton, Mr J Yabsley

**Exmoor Nature Conservation Advisory Panel:** Mrs L Blanchard, Mr J Holtom, Mr J Hunt, Dr S Warren

**Exmoor Rural Housing Network:** Mr M Ellicott, Mr J Holtom, Mrs F Nicholson, Mr S J Pugsley, Mr V White

**Exmoor Woodland and Forestry Advisory Group:** Mr J Holtom, Mr J Hunt, Mr J Yabsley

**External Funding Working Group:** Miss A V Davis, Mr D Elson, Miss E Stacey, Dr S Warren

**Planning Policy Advisory Group:** Mr R Milton, Miss A V Davis, Mr S J Pugsley, Mr J Holtom, Dr M Kelly, Mrs C Lawrence, Mrs F Nicholson, Mr V White

**Pony Panel:** Mr R Milton, Mr N Thwaites

**Simonsbath Project Group:** Miss E Stacey, Mr S J Pugsley, Miss A V Davis (sub), Mrs F Nicholson (sub)

**Visit Exmoor:** Miss E Stacey



**National Parks UK Executive Committee:** Mr R Milton, Miss A V Davis (sub)

**National Parks England Executive Committee:** Mr R Milton, Miss A V Davis (sub)

**National Parks Climate Change Group:** Mr D Elson

**Campaign for National Parks:** Miss A V Davis

**Exmoor Hill Farming Network:** Mr M Ellicott, Mr D Elson, Mr E Ley

**North Devon AONB Partnership:** Mr D Elson

**South West Uplands Network:** Mrs P Webber

**South West Water Recreation and Conservation Forum:** Mrs L Blanchard

**Independent Person:** Mr M Riggulsford

The meeting closed for recess at 12.28pm and reconvened at 1.06pm.

## 18. FARMING IN PROTECTED LANDSCAPES SCHEME

The Authority considered the [report](#) of the Head of Conservation and Access

### The Authority's Consideration

The Authority Committee recognised the exceptional opportunity that the Farming in Protected Landscapes Programme provided for Exmoor, and were equally aware of the reputational significance it would bring to the National Park Authority.

Members expressed a number of concerns at the very tight timescales allowed for the application window in Year 1 of the scheme, as there was a huge amount of work involved to set up the scheme, receive applications and award grants in just 7 months.

A number of suggestions were made by Committee Members, including consideration of whether it would be possible to use the funding to carry out an audit of all landholdings on Exmoor to establish what each farm has got, which would help to inform all other schemes that might come forward in the future. Members also flagged the need to be aware of double funding issues, to guard against a potential bias towards larger landowners, and to take into account previous learning from projects like Nature Improvement Areas.

The Committee were aware that it was important the programme was linked to the Authority's Partnership Plan and looked forward to considering a detailed report relating to the governance of the Farming in Protected Landscapes Programme at the August Authority meeting.

### RESOLVED:

- (1) To welcome additional funding from Defra in 2021/22 in order to deliver the first year of the farming in Protected Landscapes scheme.
- (2) To authorise the Chief Executive to set up a Local Assessment Panel which will consider and recommend the payment of grant applications over £5,000.

**19. ENGLAND TREES ACTION PLAN AND ENGLAND PEAT ACTION PLAN**

The Authority considered the [report](#) of the Head of Conservation and Access

**RESOLVED:** To welcome the England Trees Action Plan and the England Peat Action Plan as a mechanism to further the Climate Emergency declaration and the Nature Recovery Vision for Exmoor.

**20. PERSONNEL UPDATE:** The Authority noted the recent staff changes as set out on the agenda.

**21. ANY OTHER BUSINESS OF URGENCY:**

- The Chairperson noted that during the Member discussions surrounding the Annual Appointments, the Authority had neglected to appoint a Chairperson and Deputy Chairperson of the Exmoor Consultative and Parish Forum. Nominations were duly made, seconded and unanimously voted upon to re-appoint Mr M Ellicott as Chairperson and Mr V White as Deputy Chairperson of that Forum.
- On behalf of all Members, the Deputy Chairperson of the Authority thanked the Corporate Support Officer and all other members of staff involved in putting the necessary arrangements in place for the safe return of in-person meetings.

The meeting closed at 2.15pm

(Chairperson)

**EXMOOR NATIONAL PARK AUTHORITY**

**MINUTES** of the Meeting of the Exmoor National Park Authority held on Thursday, 15 July 2021 at 10.00am at Dulverton Town Hall, Dulverton.

**PRESENT**

Mr R Milton (Chairperson)  
Mr S J Pugsley (Deputy Chairperson (Planning))

Mrs L Blanchard	Mr E Ley
Mr M Ellicott	Mr J Patrinos
Mr D Elson	Mr B Revans
Mr J Holtom	Miss E Stacey
Dr M Kelly	Mr N Thwaites
Mrs C M Lawrence	Mr J Yabsley

Apologies for absence were received from Miss A V Davis, Mr J Hunt, Mr M Kravis, Mrs F Nicholson, Dr S Warren, Mrs P Webber and Mr V White.

**22. DECLARATIONS OF INTEREST:**

The following declarations were declared in relation to Item 6.2 – Application No. 62/36/21/002 - Proposed retention of exiting agricultural barn (406.3 sqm). Retrospective – Silkenworthy Farm, Down Lane, Kentisbury, Barnstaple:

- Dr M Kelly declared a pecuniary interest as a partner in the business acting as an Agent for the Applicant and indicated he would leave the meeting when this item was discussed.
- All Members declared receiving information from the Applicant's Agent prior to the meeting.

The following declarations were declared in relation to Item 6.6 – Application No. 62/62/20/005 - Proposed Succession Farm Workers dwelling and ancillary outbuilding – Town Farm, Road From Trentishoe Down to Trentishoe Coombe, Trentishoe, EX31 4QD:

- Mr J Holtom declared a pecuniary interest as he had provided professional assistance to the Applicant, prior to being appointed a Member of the Authority. Mr Holtom indicated he would leave the meeting when this item was discussed.
- Mr J Yabsley declared a personal interest as Chair of Devon County Council's Farm Estates Committee.

**23. CHAIRPERSON'S ANNOUNCEMENTS:**

- Devon County Council had instructed Mr Graham Cridland to provide legal support for this meeting, in lieu of Mrs L James.
- Members were reminded to turn on their microphones prior to speaking, to ensure the audio livestream picked up their comments.

**24. PUBLIC SPEAKING:** See Minute 26, 27 and 31 for details of further 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).

- 25. APPEALS:** The Committee noted the **decision** of the Secretary of State for Housing, Communities and Local Government to:
- A.** Dismiss the Appeal in relation to Application 6/8/20/109 – Edbrooke Farm, Acland Lane, Cutcombe, Wheddon Cross, TA24 7EL.
  - B.** Allow the Appeal in relation to Application 6/8/20/110LB – Edbrooke Farm, Acland Lane, Cutcombe, Wheddon Cross, TA24 7EL.

Mr B Revans joined the meeting.

## **DEVELOPMENT MANAGEMENT**

- 26. Application No. 6/3/20/123**  
**Location: Gupworthy Farm, Wheddon Cross, Minehead, TA24 7DA**  
**Proposal: Proposed conversion of traditional farm buildings to single Principal Residence dwelling (Use Class C3) and associated works including refurbishment of waterwheel and wheel pit**

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

### **Public Speaking:**

- (1) Statement on behalf of Applicant tabled

### **The Authority’s Consideration**

The Authority Committee agreed with Officers that the proposed development was contrary to the Exmoor National Park Local Plan 2011-2031 and its Housing Strategy, and did not consider that the Applicant had put forward any material considerations that would warrant setting aside that policy.

Members therefore resolved to refuse planning permission for the reasons set out in the report, however were reassured that Planning Officers felt there were policy pathways that the Applicant could explore to develop the building should they wish to do so in the future.

Members noted that in the reasons for refusal detailed on pages 20 and 21 of the report, there was an error in one of the policies referenced at the top of page 21. The sentence should have read “The proposed development is considered to be contrary to policies GP1, HC-S1, HC-S2, HC-S3 and **HC-D7** of the Exmoor National Park Local Plan 2022-2031.”

<p><b>RESOLVED:</b> To refuse planning permission for the reasons set out in the report.</p>
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Before the Officer presentation, Dr M Kelly left the meeting

**27. Application No. 62/36/21/002**

**Location: Silkenworthy Farm, Down Lane, Kentisbury, Barnstaple,  
Proposal: Proposed retention of existing agricultural barn (406.3 sqm).**

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

**Public Speaking:**

(1) Mr G Townsend, Applicant's Agent

**The Authority's Consideration**

The Committee noted that Planning Officers recommended the application be refused as they considered the erection of the application barn had led to the visual expansion of the built form of this isolated site in the open countryside, and that the development therefore resulted in significant harm to the landscape and visual amenity, which could not be mitigated with screen planting.

Members were aware that at prior notification stage, the Landscape Officer had verbally advised the Case Officer that screening should be sufficient to mitigate the harm to the landscape that could be caused by the proposed development. Due to the unique circumstances of this application, Members noted that this advice contrasted with the view of the Conservation Manager once the building was in-situ. In order for Members to assess the visual impact of the development for themselves, it was proposed and seconded to defer determination of the application to allow a site visit to take place. When put to the vote this motion was not carried.

As the debate continued, and based upon photographs contained within the Officer presentation, it became apparent that a majority of the Authority Committee considered the new build was physically and functionally related to the existing buildings, and that any harm caused to the landscape was not so significant that it could not be ameliorated or mitigated by conditions to implement a landscaping scheme.

Therefore, as Officers considered that both the principle and the design, scale and materials of the development were compliant with Local Plan policies, Members resolved to grant planning permission subject to a number of conditions, including for a landscaping scheme, the detail of which they delegated to Planning Officers to determine.

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

1. The development hereby approved shall be carried out strictly in accordance with drawing numbers 1910/1 and 1910/2, and the plans stamped by the Local Planning Authority as 'FILE No 1' and FILE No. 4', all of which were date stamped on 6th April 2021, unless otherwise required by condition(s) below.

**Reason:** To ensure a satisfactory standard of development in the interests of amenity

2. Within one month of the date of this planning permission, a landscaping scheme for screen planting along the north western boundary of the site shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter this screen planting shall be implemented in the first planting season following the date of this planning permission, or within such other time

as may be approved with the Local Planning Authority in writing beforehand. The screen planting shall be maintained in accordance with a maintenance schedule which shall first be approved in writing by the Local Planning Authority and any planting that is removed or found to be dead, dying or diseased shall be replaced with similar species during a period of five years following the completion of the screen planting scheme.

**Reason:** To ensure that screen planting is planted in the interests of conserving the National Park landscape and protecting visual amenity.

3. The development hereby approved shall be constructed with timber boarding to the external elevations where shown on the approved plans, unless an alternative material has previously been agreed in writing with the Local Planning Authority. The development shall be retained as such thereafter.

**Reason:** In the interests of the appearance of the development and to ensure the development harmonises with its surroundings in the interests of the visual amenities and character of this area.

4. The development hereby approved shall be retained with fibre cement roof sheets, unless otherwise previously agreed in writing with the Local Planning Authority.

**Reason:** In the interests of the appearance of the development and to ensure the development harmonises with its surroundings in the interests of the visual amenities and character of this area.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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 protecting visual amenity, wildlife interests and Exmoor's dark night sky

After the vote Dr M Kelly returned to the meeting

The meeting closed for recess at 11.27am and reconvened at 11.36am.

**28. Application No. 6/27/21/110**

**Location:** Worthy Toll Road, Porlock, TA24 8JL

**Proposal:** Application Under Regulation 3 of the Town & Country Planning General Regulations 1992 for proposed establishment of England Coast Path.

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

**RESOLVED:** To grant planning permission for the reasons set out in the report.

**29. Application No. 62/19/21/002**

**Location:** Cobblers Park, Hangman Path, Combe Martin, EX34 0DL

**Proposal:** Application Under Regulation 3 of the Town & Country Planning General Regulations 1992 for proposed improvements to footpath at Cobblers.

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

**RESOLVED:** To grant planning permission for the reasons set out in the report.

**30. Application No. 6/29/21/109**

**Location:** Land to the East of Hurlstone Point, Henners Combe, North Hill, Easting 291900 and Northing 148600

**Proposal:** Application Under Regulation 3 of the Town & Country Planning General Regulations 1992 for proposed improvements to current footpath at Henners Combe, North Hill as part of general improvements to create the England Footpath.

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

**RESOLVED:** To grant planning permission for the reasons set out in the report.

Before the Officer presentation, Mr J Holtom left the meeting

**31. Application No. 62/62/20/005**

**Location: Town Farm, Road From Trentishoe Down to Trentishoe Coombe, Trentishoe, EX31 4QD**

**Proposal: Proposed Succession Farm Workers dwelling and ancillary outbuilding.**

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

**Public Speakers**

(1) Mrs A Spry, Applicant

(2) Mr L Spry, Applicant

**The Authority's Consideration**

The Committee noted that Planning Officers recommended the application be refused as they considered it had not been proven that the farming business at Town Farm was financially viable in the long term and that it had not been shown that a planning obligation had been secured to ensure that there are secure and legal binding arrangements in place to demonstrate that the farm business is jointly held or that management of the farm business would be transferred upon planning permission being granted for the dwelling.

Members noted that agricultural appraisals had been received from two different consultants with differing views on the financial aspect of the proposal. Landsense Professional considered that the two businesses should be taken together and therefore the financial tests were passed, whereas Acorus Rural Property Services considered that the financial assessment should be based on the farm business alone and any third party income from off the holding must be disregarded, and therefore the business was not viable.

Whilst acknowledging that both appraisals contained some valid points, the Authority Committee took the view that given the uncertainty over future farming policy following Brexit, the diversification for farming businesses will become increasingly important.

The Authority's attention was drawn to Page 214, paragraph 7.47 of the Exmoor National Park Authority Local Plan 2011-2031, under the Agricultural and Forestry Development section, which stated:-

*Exmoor's agricultural land is dominated by mainly sheep and beef farming systems. Farming, both on Exmoor and nationally, has faced a number of challenges which have particularly affected smaller farms in upland areas. Within the National Park there is a continuing trend towards larger farms over 100ha, with numbers of smaller holdings declining. Diversification (on and off farm) continues to form part of the farm income, currently contributing over 16% of income on average, with suggestions that there will be an increase in the importance of diversification in the future. Evidence indicates that Exmoor's farms appear resilient with a good age structure amongst farmers and a range of farming strategies, with some signs of recovery in hill farm incomes and/or fortunes since 2005. However, low incomes from farming remain a widespread problem and therefore it appears that diversified incomes will become more important, as only a fifth of farm businesses on Exmoor provide all the household income. These changes have implications for Exmoor's economy.*



The Authority Committee therefore judged that the farm business was viable when including the off farm diversification income, and that therefore the development was compliant with Clause 1(b) of Policy HC-D10 of the Local Plan in relation to a Succession Farm Worker dwelling.

Nevertheless, Members did consider it was important that a planning obligation be secured to ensure that a legally binding S106 Agreement be put in place to demonstrate the farm business is jointly held or that a transfer of management will take place.

On that basis, the Authority Committee unanimously agreed that delegated authority to grant planning permission should be granted.

**RESOLVED:** To delegate authority to grant planning permission subject to appropriate conditions and the Applicant signing a S106 Agreement to demonstrate the farm business is jointly held, or that a transfer of management of the farm to the Applicant will take place.

After the vote Mr J Holtom returned to the meeting

- 32. APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE:** The Authority noted the **decisions of the Chief Executive determined under delegated powers**.
- 33. SITE VISITS:** It was anticipated that it might be necessary for a site visit to be held on Friday, 30 July in respect of Application No. 62/50/20/004 in relation to the Lynton & Barnstaple Railway Trust, which may be coming before Members at the August Authority Meeting, but this would need to be confirmed.

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

- 34. ANY OTHER BUSINESS OF URGENCY:** There was none

The meeting closed at 11.59am

(Chairperson)

# 6.1



## Committee Report

Application Number:	62/50/20/004
Registration Date:	04-Feb-2020
Determination Date:	30-Mar-2020
Applicant	Mr. P Miles, Lynton & Barnstaple Railway Trust
Agent:	Mr. J Shorten, Geo
Case Officer:	Joe White
Site Address:	Land in Field to the North of the A39 West of Holwell Wood, and Land on Access track to Rowley Barton
Proposal:	Proposed reinstatement of railway line, creation of cutting and embankment previously removed together with new railway bridge. (amendment to approved application ref 62/50/16/001)
Recommendation:	Approve subject to conditions
Reason for bringing before Authority Committee:	It is considered that the application ought more properly be referred to the Authority for decision in accordance with section 7 (3) (vi) of the Scheme of Delegation.

### Relevant History

62/50/16/001 Proposed reinstatement of railway line and ancillary development  
Land between Killington Lane and Blackmoor Gate, Parracombe, Barnstaple, Devon  
Approved 8 March 2020.

62/50/16/002 Proposed erection of engine shed (1749sqm), formation of railway sidings and change of use of agricultural barn to railway workshop  
Rowley Moor Farm, Kentisbury, Barnstaple, Devon  
Approved 8 March 2020

62/50/16/003 Proposed change of use of former hotel to railway car park with 162 car parking spaces and pedestrian underpass to station  
Site of former Blackmoor Gate Hotel, Blackmoor Gate, Barnstaple, Devon  
Approved 8 March 2020

62/50/16/004 Proposed demolition of public toilets and shelter, relocation of public car park, erection of new toilets and interpretation building together with provision of temporary car park (amended description)  
Site of current public car park, Blackmoor Gate, Barnstaple, Devon  
Approved 8 March 2020

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62/50/16/005 Proposed erection of two semi-detached dwellings replacing bungalow demolished to allow re-instatement of railway line – one local needs affordable dwelling and one for occupation by railway staff.

The Halt, Parracombe, Barnstaple, Devon

Refused 8 March 2020

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### Site Description & Proposal

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1.1 Planning permission has been granted for the proposed re-statement of railway line and ancillary development, under application reference 62/50/16/001 (the “existing permission”).

1.2 That planning permission was granted on 8 March 2018 and the planning permission is subject to 41 conditions being satisfied, including condition (number 4), which requires that:

*“The development hereby permitted shall not be commenced until –*

*(i) There has been submitted to the local planning authority documentary evidence –*

*a. Proving that the applicant owns all the land required for the development permitted by this permission and permissions 62/50/16/002, 62/50/16/003 and 62/50/16/004;*

*b. Proving that the application has entered into a construction contract or construction contracts which provide for the completion of all the development permitted by this permission and permissions 62/50/16/002, 62/50/16/003 and 62/50/16/004 within a specified period;*

*c. Showing that the applicant has sufficient funds to meet its liabilities under the above contract or contracts; and*

*(ii) The local planning authority has given notice in writing that documentary evidence which satisfies this condition has been submitted.*

*In addition, a programme of works confirming details for the removal of construction compounds and structures to be removed, as confirmed in the approved plans, together with a time period for such works to be carried out and details for the reinstatement of the land thereafter, shall be submitted to and agreed in writing by the Local Planning Authority prior to the development commencing.*

*Reason: To ensure a satisfactory and comprehensive development in accordance with the approved plans in the interests of the character and appearance of the landscape and local environment.”*

1.3 Application reference 62/50/16/002, referred to in the condition above, relates to proposals for the erection of engine shed, formation of railway sidings and change of use of agricultural barn to railway workshop, on land at Rowley Moor Farm, near

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Blackmoor Gate. Application reference 62/50/16/003, referred to in the condition above, relates to the proposed change of use of former hotel to railway car park with 162 car parking spaces and pedestrian underpass to station, on the site of the former Blackmoor Gate Hotel site at Blackmoor Gate. Application reference 62/50/16/004, referred to in the condition above, relates to the proposed demolition of public toilets and shelter, relocation of public car park and erection of new toilets and interpretation building together with provision of temporary public car park, on land of the current public car park at Blackmoor Gate. These applications were also granted planning permission on 8 March 2018 and together formed the applicant's proposals for the "Phase IIA" reinstatement of the Lynton to Barnstaple Railway.

1.4 Separate applications have been submitted to and considered by North Devon Council in respect of proposed development in connection with the reinstatement of the Phase IIA proposals where the railway line would pass under the A399 and terminate at the Wistlandpound Reservoir, i.e. relating to the areas outside of the National Park boundary.

1.5 In respect of application reference 62/50/16/001 (the existing permission) for the reinstatement of the railway line from the end of the current railway at Woody Bay Station (i.e. from Killington Lane), the applicant has advised that, in two instances in Exmoor National Park, and one in the administrative area of North Devon Council, drafting errors have been identified whereby the extent of engineering works in the approved drawings for the cuttings, embankments and new bridges partly fall outside the application red line areas already granted planning permission.

1.6 Fresh planning applications have therefore been made to seek to correct these errors, because a new red line needs to be drawn.

1.7 It had previously been thought that planning permission for all the works required for the reinstatement of the railway was granted by the permissions granted in 2018 and, in respect of the railway track bed, by permission 62/50/16/001 which had been thought to embrace all the essential railway infrastructure.

1.8 In respect of land within Exmoor National Park, the areas of the red line site under the approved application relate to the following two areas:

- The cuttings and embankments to the west of Holwell Wood; and
- The bridge (and cutting) at Rowley Barton.

1.9 North Devon Council are considering a similar application, proposing to correct the drafting of the redline site on land at Blackmoor Gate, but outside of Exmoor National Park.

1.10 Condition 2 of planning permission 62/50/16/001 identifies the approved drawings. The location of a proposed bridge at Rowley Barton is accurately shown on approved drawing LBR-56.7-001 Rev C. The location of proposed reinstatement

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works at Holwell Bank are accurately shown on approved drawing 5764.02.001 rev A and 5764.02.002 rev A. It has emerged, however, since the grant of planning permission that the bridge, the cutting and the embankment at these locations are partially or wholly outside the red line shown on the approved plans, which identify the application site for the permission.

1.11 The application also provides drawings showing the cutting on either side of the proposed Rowley Barton bridge.

1.12 The applicant has submitted an Environmental Statement (ES). That ES was prepared for the originally submitted applications. The development is Environmental Impact Assessment (EIA) development because it falls within paragraph 13 of Schedule 2 of the EIA Regulations 2017 – it is a proposal for an extension of already authorised development which falls within Schedule 2 of the EIA Regulations.

1.13 Although the environmental effects of the entire wider scheme for the proposed reinstatement of the railway, under application references 62/50/16/001, 62/50/16/002, 62/50/16/003 and 62/50/16/004, were considered in 2018, the Authority has to consider the effects afresh for the purposes of determining this application. This is because what is proposed through this fresh application is clearly a key part of the overall project.

1.14 Similarly, since the bridge, the cuttings and the embankment are key to any reinstatement of the railway, the Authority has to address the principle of the entire reinstatement before determining whether to grant planning permission for these elements.

### BACKGROUND AND CONTEXT OF APPROVED APPLICATION 62/50/16/001

1.15 The construction of the original 19 miles long Lynton to Barnstaple railway began in 1895 and was opened in 1898. It was built as a narrow-gauge railway (approximately 600mm wide) to lower the cost of construction and to follow the natural contours of the land. However, in the face of increasing competition from road transport the line closed in 1935. Annual passenger numbers before closure were 32,000 (1934) down from 72,000 in 1925 and a peak of around 100,000 during the period 1906-1913. The railway served the communities of Barnstaple, Chelfham, Goodleigh, Bratton Fleming, Blackmoor Gate, Parracombe and Lynton, providing a transport link for goods and passengers. Many of the buildings and some of the bridges survived, although some of these are now in a dilapidated state.

1.16 This narrow gauge railway is considered to be a rare type of railway in England in that it was built to a narrow gauge and built primarily for passenger use.

1.17 The current railway operates from Woody Bay Station and this opened to the public in 2004.

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1.18 The existing planning permission (ref 62/50/16/001) purports to permit the reinstatement of the railway line and ancillary development. That relates to the proposal to extend the existing narrow gauge railway from where the existing reinstated line ends at Killington Lane to Blackmoor Gate, extending the existing 1 mile track by approximately 3.4 miles. An application considered by North Devon Council purports to grant planning permission for the proposed reinstatement of a further approximately 1 mile of railway outside of the National Park boundary and that would extend the line to Wistlandpound.

1.19 The existing planning permission includes the re-construction of bridges, embankments and cuttings where these have been removed or filled in. The railway line would be extended southwards from the end of the existing line that leads from Woody Bay Station and pass under Killington Lane where a new cutting and bridge is required to pass under the highway. The railway line would then pass through farm land and alongside a public footpath (250FP8) to Parracombe Lane, where an old cutting would be reinstated and works to the existing bridge are necessary to allow the line to pass under the road, through the cutting and towards and then over Cricket Field Lane, before passing into Parracombe Conservation Area and Churchtown. The railway line would pass approximately 80 metres to the north east of the Grade II listed Heddon Hall and its Kitchen garden walls.

1.20 In Churchtown approximately 260 metres of the line is proposed through this section of the Parracombe Conservation Area. The line would then pass behind (east of) Hedna Cottage and immediately adjacent to Fair View, before passing to the west side of the Grade I listed Church of St Petrocks, and the Grade II listed Church Cottage and numerous listed tomb stones.

1.21 The line then passes under the bridge at Churchtown, over which public bridleway number 250BW5 passes.

1.22 A bungalow and stable building have been built on the former line at Parracombe Halt and there are also residential properties, including Grade II listed buildings (Court Place Farmhouse and Cottage) to the east side of the track. The approved proposals include the demolition of the bungalow to allow the reinstatement of the railway and cutting, and also the provision of a new passing loop with a halt and platforms, that were not present with the original railway, as well as ancillary buildings including a water tower and signal cabin and accommodation crossing.

1.23 From Churchtown the railway would pass over enclosed farmland, roughly parallel and to the west of the A39 for approximately 775 metres leading up to Parracombe Bank and the River Heddon Crossing. Evidence of the original cuttings and line can be seen, and existing water courses over farmland would be crossed by the railway.

1.24 Immediately adjacent to Parracombe Bank is the Highley Railway County Wildlife Site, which principally comprises two pastoral fields to the north/north west of

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the A39 and east of the River Heddon. A public footpath (250FP2) crosses north to south over this County Wildlife Site and the railway line.

1.25 Numerous construction compounds are proposed along the route of the proposed railway line, with a particularly significant compound proposed within the County Wildlife Site at Parracombe Bank, with access from the A39. The compound is proposed to assist the re-construction of the embankment to allow the railway to cross over the River Heddon, with the original embankment having failed during the 1952 Lynmouth flood, which caused flooding and led to tragic consequences in Parracombe.

1.26 The existing planning permission (62/50/16/001) includes proposals for the reinstatement of the embankment where this has previously washed away and over the River Heddon, which is proposed to comprise a new culvert. The culvert would span the width of the river for a length of approximately 57 metres at the base, this would taper back to the top of the culvert to provide a length of approximately 39.5 metres.

1.27 The culvert would have an arched or curved shape, and at the base would be approximately 10 metres wide to span the river. The top of the culvert would be approximately 5 metres high, with a total height of the embankment being approximately 17.5 metres high.

1.28 Once over the embankment, the proposed line passes through Holwell Wood and onto farmland. At this point, the railway would pass into the area of redline site under the existing permission (reference 62/50/16/001) that has been drawn inaccurately and which, therefore, this application seeks to correct and part of the red line site for this application includes land within the western end of Holwell Wood. An embankment and bridge would need to be reinstated in the field before the line crosses over an existing track that connects Lower Holwell farm, and passes to the south of the Holwell Castle Motte and Bailey Schedule Monument, which lies approximately 170 metres to the north.

1.29 The line continues to pass over farm and scrub land, and over an existing embankment and through a reinstated cutting to Rowley Cross. Here the railway line would pass under Leys Lane, which leads from the A39 to Parracombe, through a deep re-instated cutting and continue roughly parallel to the A39 over farmland towards Blackmoor Gate.

1.30 The line would pass under, with a new bridge, the private drive leading to Rowley Barton and Lower Rowley Cottage. This is a further area of the redline site under the existing planning permission (reference 62/50/16/001) that has been drawn inaccurately and which, therefore, this application seeks to correct.

1.31 From this point the railway would continue to Blackmoor Gate. At Blackmoor Gate the line is proposed to deviate from the position of the original line to avoid

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damage to the hedge bank and 4 Beech trees, which are subject of a Tree Preservation Order, and to account for changes to the alignment of the public highway at the Blackmoor Gate Junction. The line would then leave the National Park and pass under the A399 into North Devon Council's planning administrative area. At this point a temporary diversion of the A399 to allow construction of the railway under pass of the road is proposed and this is a matter that North Devon Council has considered through their own planning applications. It is anticipated that the temporary diversion of the A399 would be required for a 9-month period.

1.32 At Blackmoor Gate applications 62/50/16/002, 62/50/16/003 and 62/50/16/004 have permitted a new engine shed (1749sqm – together with railway sidings), 162 space car park for the railway and reordering of the existing public car park. These are all works in connection with the Phase IIA development proposals for the reinstatement of the Lynton and Barnstaple Railway.

1.33 Through application 62/50/16/001, the applicant advised that it is anticipated that, in total, construction activity for the development would take around 3 years to complete. The works for Parracombe Bank are anticipated to take 2 years to complete, where the significant construction compound is proposed. Other construction compounds, typically 10 metres by 10 metres or 20 metres by 20 metres in area, are proposed at various positions along the proposed route of the track bed reinstatement, including at Churchtown where the Halt is proposed at the site of an existing bungalow.

1.34 The wider proposals have the potential to impact on existing public rights of way. The applicant has advised that to enhance existing connections a new permanent public footpath will be provided from the existing Woody Bay Station to run next to the railway line to the west and link to the existing public bridleway, which lies approximately 500 metres to the west. At Killington Lane the applicant proposes to realign part of the permitted bridleway following the construction of the railway line. During the construction phase the applicant proposes to realign an existing footpath that passes over the land proposed to be used as a construction compound for those works associated with the reconstruction of the embankment at Parracombe Bank. The proposal is to divert the footpath for two years, while the construction works take place, and then reinstate to its original position.

1.35 At Blackmoor Gate, a permitted path has been proposed to follow a historic hedge boundary leading through the site of the proposed railway car park, and linking to the existing right of way network to the east.

### FURTHER UPDATE

1.36 For the specific redline sites under this application, for the areas of land where the redline has been drafted incorrectly under the original application, the Environmental Statement (ES) identified no specific environmental information. The ES submitted for application 62/50/16/001 has been re-submitted together with a review of the ecological information, including updated walk-over surveys. The ES



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surveys consider the land of the route of the historic railway and therefore relates to the land subject of this application.

1.37 Details relating to drainage and contamination have also been submitted. The papers explain that the embankment to the west of Holwell Wood (Holwell Bank) crosses a minor water course and that the bridge at Rowley Barton does not cross or affect watercourses. Hydrological matters for the application are considered in the original ES.

1.38 The infilled cutting to the west of Holwell Wood, which would require reopening, is a potential source of contamination, which is considered in the ES. An update version of the Contaminated Land Assessment report is submitted in support of this application.

1.39 A “Scoping Report in support of an Application for a Transport and Works Act Order” has also been submitted. The report follows a review of changes to the relevant legislation and guidance, alongside a comparison of the environmental baseline information gathered in 2015 for the original ES to the current situation. Based on the outcome of the work undertaken, the report advises that the original ES is considered sound, despite the passage of time since it was drafted, subject to the updated ecological information.

1.40 The further ecological information includes an Ecological Update Walkover report updated in May 2021.

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### Consultee Representations

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#### **Wildlife Officer – 31 March 2021**

To update the ecological data informing the proposal to date a baseline ecological walkover survey update was undertaken between the 28th - 30th September 2020 by LUC, and a further survey visit was made 19th January 2021 also by LUC.

#### SUMMARY OF 2020-21 WALKOVER UPDATE

- The alignment of the railway is already present in the landscape along the majority of the route. It passes through existing gaps in hedgerows and corridors in woodlands and occupies areas of improved grasslands, existing informal farm tracks, bare soil heavily poached by cattle, and regularly managed tall ruderal vegetation and low-level isolated patches of bramble scrub. All of low ecological value and unlikely to support protected species which would be affected.
- The presence or absence of specific species within habitats, remains as recorded in 2013-2016, or can be confirmed as no longer being present or affected by the proposals.
- The level of baseline survey and assessment completed to date is extensive and considered highly precautionary, representing a worst case scenario. If the project were to commence today without previous input, the majority of surveys previously completed

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would not be required because when the best practice avoidance methods are applied there can be sufficient certainty that impacts upon protected species and other important ecological receptors can be successfully avoided.

- The level of work required to implement the proposals (with the exception of reinstating the embankment at Parracombe Bank) is light touch and comparable to favourable ecological management.
- Conclusion: The walkover survey confirmed that habitats within the Site remained in accordance with those assessed within the 2016 ES and the 2019 walkover.

As the habitats, and the protected species for which they support, has not significantly changed since the last assessment, please proceed to use the assessment and recommended conditions outlined within Larry Burrow's consultation response on the 5th November 2020.

### 9 November 2020

Further to my comments of the 5th and 6th November and following discussion with the planning case officer in respect of the issue of dormouse dispersal across railway tracks, it is acknowledged that under the original planning application there is a requirement for an arboreal bridge being provided by condition of planning permission (unless evidence is provided to demonstrate this is not necessary) to ensure acceptable connectivity is retained for dormice. The specific condition is listed as number 27 and says:

- Prior to the substantial completion or first use of the development hereby approved, whichever is the sooner, details for an arboreal bridge for dormice and its position to be installed at a location in Holwell Wood shall be submitted to and agreed in writing by the Local Planning Authority. The agreed arboreal bridge shall thereafter be sited at the location of the agreed position prior to the railway tracks and bed being laid through Holwell Wood and the bridge shall thereafter be maintained. The above shall be the case unless evidence is provided to the Local Planning Authority to demonstrate that dormice can cross the railway track and the Local Planning Authority has provided written agreement that an arboreal bridge is not required.

Any subsequent grant of planning permission should retain this requirement to ensure that the favourable conservation status of the dormouse population would not be harmed.

### 6 November 2020

All the surveys originally undertaken for the application would now be considered out of date in accordance with Chartered Institute of Ecology and Environmental Management guidelines. However, a walkover survey carried out in July 2019, which is straightforward, confirmed that habitats remained unchanged, 'This was expected, given

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the nature of the habitats within the Site, the short timescale between the surveys, and the continuation of existing (or lack of) management regimes'. In light of this it is considered that further survey is unlikely to result in changes to the updated conditions set out below to protect species and habitats on the application site. This is broken down in Annex 1 of the Walkover survey report. Indeed further survey work will be required for example to inform details in the Construction Environmental Management Plan, which is required before any works commences, and the application for a European protected species licence for dormice to Natural England.

The proposed reinstated railway line will extend 4.4 miles from Killington Lane at the northernmost point, through Blackmoor Gate to Wistlandpound at the southernmost point. Much of the railway runs parallel with the A39 through grazing land and existing farm gates. A large proportion of the Works Area is grazing land comprising small pastoral field enclosures divided by hedgerows. It also supports a network of linear woodlands, and areas of dense gorse, bramble and willow scrub.

### European Sites

I note that Natural England has responded on the 01/03/2016 stating that they consider that there would be no impacts on the features of the Exmoor and Quantocks Oak Woodlands SAC. This would include Barbastelle and Bechstein's bat foraging habitat outside the SAC roosts and to Otters. A Habitats Regulations Assessment is not required. This was confirmed on 10/2/2017 following additional information being submitted.

### County Wildlife Sites (CWS)/ Habitats

The Environmental Statement (ES) stated that 'It is near certain that construction of the access track and construction compound will result in the direct loss of 1.24ha of poor-improved grassland habitats within the Highley Railway CWS, this loss will affect approximately 80% of the 1.5ha of grassland habitat within the CWS.' Dust effects will result in an effect on vegetation in particular, through smothering and changes in soil chemistry. This will need to be controlled to minimise impacts on non-directly affected habitat through a method statement in a Construction Environmental Management Plan (see below). The addendum additionally states regarding this CWS, 'The construction area, including road and compound, will result in the loss of approximately 0.26ha of grassland [as opposed to the previously stated 1.24ha?]. The total area of grassland within the CWS is approximately 1.6ha, and therefore the loss represents a proportion of 16% of the grassland habitat present within the site. The construction compound was specifically sited to avoid retained areas of increased floristic diversity and following the construction, will be re-seeded with seed collected from areas of unimproved grassland in the southern field. Nevertheless, it is recognised that without appropriate management, the effectiveness of grassland re-establishment and quality of grassland in the long term cannot be guaranteed. Whilst future management of the grassland affected is not required as mitigation due to its current low value, appropriate

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management of the grassland may be conditioned, if feasible and appropriate, as part of any planning consent to ensure its ecological benefit is preserved and maximised in perpetuity.'

The ES states with regard to semi-natural broadleaved woodland that the Works Area footprint is restricted to areas of woodland without mature trees or long established habitats, and the loss of 2.4ha will be temporary and the effects will be relatively long-term until replacement planting matures sufficiently post construction.

The creation of a 75m culvert over the River Heddon may encourage species to travel over the railway embankment rather than through the tunnel. In addition, this will result in the loss of 75m of riparian habitat which represents a typically favoured habitat for bat foraging. In the addendum the culvert length is given as 40m with sloping wing walls extending to a total of 55m.

The ES states 'The construction works will largely be restricted to the existing track bed and will involve relatively minor works utilising small scale operations and plant. The construction compound, access road and culvert construction will occur in the vicinity of the River Heddon which is particularly susceptible to contamination for example as a result of siltation, run-off, spilling of pollutants and creation of dust.' In order that this is prevented a Construction Environmental Management Plan should be conditioned stating the methods on how these impacts will be avoided. This should also include details of methodologies for avoiding harm to species as set out in the following sections.

1. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.
  - a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.

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- i) Details of enhancement measures including but not exclusively the restoration, replacement and enhancement of habitats including the grassland within the Highley Railway Fields CWS and woodland

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: A pre-commencement condition in the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006

In order that the National Park Authority ensures that the measures carried out in the CEMP are complied with by the developer the following condition is required:

2. Reports will be prepared by the Ecological Clerk of Works or similarly competent person certifying that the required surveys, mitigation and compensation measures identified in the CEMP (biodiversity), have been completed to their satisfaction, and include the results of surveys, site supervision, and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval prior to works taking place or subsequently on completion of the works as appropriate. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

Reason: To ensure that ecological mitigation and enhancement measures are delivered and that protected /priority species and habitats are safeguarded in accordance with the CEMP

The ES sets out measures to mitigate the effect of habitat loss through restoration, replacement and enhancement of habitats including the grassland within the Highley Railway Fields CWS and woodland. Following construction habitats will require restoring and management into the future to ensure that this is carried out the following needs to be conditioned:

3. A Habitat Management Plan (HMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the HMP shall include the following.
  - a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.

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h) On-going monitoring of habitat, Highley Railway Fields CWS, and species, including, bats, dormice and fish in the area of Holwell Wood, and remedial measures for each.

The HMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the HMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In accordance with Government and local policy for the maintenance of biodiversity

### Dormouse

The ES stated that 'Dormouse surveys focused on areas of suitable habitat within the Study Area. Nut searches confirmed dormice to be present at Holwell Wood and within a hedgerow in a field northwest of Wistlandpound Reservoir, while nest tube surveys confirmed dormouse to be present within the hedgerows and woodland directly north of Blackmoor Gate.' However, much of Holwell Wood could not be surveyed due to a refusal of access by the land owner. As a LPA we are obliged to consider the effects of the proposed development on the 'favourable conservation status' (FCS) of the population of a European protected species.

Much of the reinstated track will go through existing farm gates, reducing the need for hedgerow removal. However, the railway track reinstatement will certainly result in the direct loss of dormouse habitat comprising areas of sub-optimal habitat including isolated areas of dense and scattered scrub and an area of optimal dormouse habitat within Holwell Wood particularly for the construction of the culvert over the River Heddon would be lost, which although this 2.4ha loss will be temporary, could result in 'habitat crowding'. The habitats will be replaced the effects will be relatively long-term until replacement planting matures sufficiently. In Somerset individual dormice have an average home range of 0.39 hectares. Therefore it is possible at least 10 dormice, female and male, could be affected, which I would consider a significant part of a population

Dormice have been recorded travelling up to 500 metres through arable land between woodland and are known to be present of a central reservation of the A30 in Cornwall. However, my main concern in this case is that the installation of track bed and the vertical faces and shape of two rails may present a barrier to dormouse movement over the ground whilst dispersing and thus fragmenting the population. Currently Fraser

## 6.1

Combe of the Metropolitan University of Manchester is conducting genetic studies on dormice which include the effects of railways on populations. In need further information to be certain that no significant effect would occur to the FCS of the Holwell Wood population. However, information from the applicant on whether dormice are able to traverse railway lines at ground level during dispersal, given that arboreal connectivity would be lost due to the operational railway, has not been forthcoming since requested in 2017.

The condition is required, pending further information, to ensure that the National Park Authority fulfils its legal obligation for the strict protection of European protected species under the Habitats Regulations 2017 the following condition is required: [See End Note]

4. Vegetative clearance works in any area of suitable habitat, such as woodland, hedgerows and scrub, for Hazel Dormouse shall not in any circumstances commence unless the local planning authority has been provided with either:
  - a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
  - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure the strict protection of a European Protected Species  
Temporary loss of woodland will occur as a result of construction of the embankment and culvert within Holwell Wood. Permanent loss of woodland understorey will occur along the existing track bed where scattered scrub and trees have established. Following completion of construction the embankment will be replanted with native species appropriate to the woodland type. The above operations will effectively result in creation of a clearing within the woodland in the location of the culvert. In the short term this is likely to increase the suitability of habitat for species which favour open or edge habitats such as pipistrelle and Nyctalus species while potentially reducing the suitability for species which prefer foraging in cluttered environments such as horseshoe, brown long-eared and Myotis species.

As a LPA we are obliged to consider the effects of the proposed development on the 'favourable conservation status' of the population of a European protected species. We do not know the size of local populations. Tony Serjeant (former County Ecologist) commented, 'The activity surveys and static bat detector studies that underpin the EIA at present should be repeated in May and June/July. Although we have two season's worth of results both sets of surveys were conducted late in the survey season, so could have missed variations in foraging and roosting behaviour that take place over the course of the year.' The addendum states that, 'During the roost surveys no emergence or re-entry events were recorded. Regular foraging by pipistrelle species was recorded with occasional brown long-eared bat and Myotis species also recorded. During the May

## 6.1

survey, the westernmost surveyor recorded a procession of 12 lesser horseshoe bats passing the survey position along the railway track bed, apparently arriving from a north-westerly position. These species were not recorded by the surveyor positioned to the east.' It goes on to state that 'The behaviour of lesser horseshoe bats observed indicates that this species may be using the cleared section of railway in the west of Howell Wood as a movement corridor. Indeed, the conditions provide a dark linear route through the woodland, with the alignment flanked by mature woodland with overreaching high canopy vegetation and the conditions provide a preferred movement corridor for this species.

The number of lesser horseshoe bats, if they are in procession rather than an individual hunting back and forth in a circuitous manner, indicates that the wood is close to a roost site possibly of some importance (I cannot find the occurrence in the survey results provided in the addendum). A photo of the western 'cleared' section (albeit with grass and fern ground flora) of railway within Holwell Wood is shown in the addendum. The consultant's state that, 'This provides an example of the woodland structure expected as part of an operational steam railway and it is predicted by the consultants that further clearance of shrubs from the existing track bed is unlikely to unduly affect the behaviour or quality of foraging habitat for woodland bat species within Holwell Wood (or elsewhere), by creating increased structural variation at track edges and maintaining a dark linear corridor within the woodland.' Although I agree that a commuting corridor would be maintained I am not so certain that this would be the case with regards to hunting behaviour. The long swards of grass is likely to produce prey species hunted by lesser horseshoe bats, such as moths, and the replacement with track bed would result in loss of resource to this and other species. In addition the clearance of Howell Wood for work for the proposed culvert would also cause a temporary loss of habitat used for hunting. The prime habitat for lesser horseshoe bats is the interior of woodland and can be difficult to pick up on detectors. Nonetheless, the magnitude of this is likely to be small in the longer term and may only affect a small number of hunting territories exploited by lesser horseshoe bats. Monitoring of bats in Holwell Wood should be included in the Habitat Management Plan (HMP).

The following needs to be conditioned separately in order that the National Park Authority ensures itself that the strict protection of European Protected species, as required under the Habitats Regulations 2017, is observed by the developer in carrying out the works.

5. Vegetation clearance will be undertaken using a phased approach, well in advance of any construction works, clearing small sections of vegetation by hand. A plan showing the phasing will be provided to the local planning authority for approval. Updated tree inspection surveys will be undertaken prior to any tree removal and reported to, along with any proposed mitigation required, and approved by the local planning authority before action is taken. Similarly updated inspections of buildings



## 6.1

likely to support roosting bats will be undertaken and likewise reported. Where a Natural England European protected species licence is required this will be submitted before works to a building supporting bats commences.

A pre-commencement condition in the interests of the Favourable Conservation Status of populations of European protected species

Due to presence of light averse bat species no lighting will be permitted during the construction period and for the duration of the development unless otherwise authorised in writing by the local planning authority. This should be captured in the CEMP (see Condition 1 above)

### Otter

Several spraint sites were recorded along the River Heddon in Holwell Wood indicating regular usage by otter. No holts or shelters were identified although dense scrub and vegetation within Holwell Wood may provide suitable above ground lie-up shelters (hovers and couches) for otter. A camera trap was installed at the entrance to the existing River Heddon/A39 culvert for a period of approximately 10 weeks between 27.01.2014 and 16.04.2014. An otter was recorded entering the culvert in an upstream direction on 3 occasions indicating that otters are currently moving through the existing culvert. No otter shelters or field signs confirming the presence otter were recorded at Blackmoor Gate. Nevertheless, this wooded valley provided suitable habitat for otter and this species is considered likely to occur within the Study Area on occasion. As a LPA we are obliged to consider the effects of the proposed development on the 'favourable conservation status' of the population of a European protected species. The loss of suitable otter habitat is restricted to Holwell Wood where construction of the culvert will require permanent loss of semi-natural broadleaved woodland. Given the size of Otter territories I would consider that it is most likely that two adult Otters are likely to be affected by the works and that the magnitude of the habitat loss is not likely to be significant.

The culvert will have a 10 metre diameter arch – a squared section is considered better for Otters. Raised earth ledges along both banks within the culvert to enable safe terrestrial passage by otter during high water levels are proposed in the ES. However, I would consider that earth would potentially get eroded or swept away from the wall of the culvert in flood conditions and that fixed metal ones should be used instead.

6. Otter ledges will be provided on both sides of the River Heddon culvert. The ledge will be at minimum 45cm wide and set 15cm above the highest flood level with a minimum headroom of 60cm. The ledge must be provided with split ramps at each end such that the ledge is accessible both from the water and the bank. The surface of these ramps should also be roughened to enhance grip.

## 6.1

Reason: In the interests of the Favourable Conservation Status of a European protected species

Immediately prior to construction a survey of otter resting places will be carried out by a suitably qualified ecologist. The results of the survey, along with any mitigation required will be reported to and approved by the Local Planning Authority. This should form a method statement in the CEMP (see Condition 1 above)

### Badgers

The badger survey is missing from the appendices to the ES. The Study Area supported several disused outlier setts, three active outlier setts and a subsidiary sett. However, given the dynamic nature of badger activity and the length of time since the original surveys I would recommend that this is conditioned as a method statement with the CEMP (Condition 1 above)

### Birds

The ES considered that only small areas of common and widespread habitat types will be affected by the proposals given the nature of the railway track reinstatement. This was queried by Tony Serjeant who wanted to see an evaluation of how birds within Holwell Wood (and other substantial areas of broad-leaved woodland) would be affected. The addendum surveys showed that no Schedule 1 birds (Wildlife and Countryside Act 1981 (as amended)) were affected but Spotted Flycatcher, with a single recorded breeding territory directly affected, are listed on s41 of the Natural Environment and Rural Communities Act 2006 by which the LPA has to have regard for the conservation of. This species breeds between May and August and favours rides (such as the railway line) and glades. Otherwise it was considered that the original assessment for effects on birds is sound. I would recommend that the following be conditioned for birds generally and to support the conservation of Spotted Flycatcher in Howell Wood. Habitat clearance will take place over two or three winters to provide a gradual change in habitat and allow bird populations to displace. A plan showing the phasing will be provided to the local planning authority for approval. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. This should be included as a Method Statement within the CEMP (Condition 1 above)

To mitigate for the effects on Spotted Flycatchers the following condition is required:

7. Five Schwegler 2HW bird nest boxes will be erected in Holwell Wood on the northern aspects of mature trees with a good field of view and at least 50 metres apart.

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The locations of these boxes will be submitted to and approved by the local planning authority

Reason: In the interest a priority bird species listed on s41 of the Natural Environment and Rural Communities Act 2006

### Reptiles

Areas of suitable reptile habitat were identified intermittently within the Works Area and included areas of scrub, south facing grassland slopes, and short perennial vegetation. Suitable hibernation habitat was provided in the form of rubble piles and mounds of crushed aggregate. Reptiles were recorded from three locations (one of which is no longer within the Works Area). A low/medium population of slow worm and common lizard was recorded. Any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October under the supervision of experienced ecologist. Once cut vegetation should be maintained at a height of less than 10cm for the duration of the construction period. Any features such as rubble piles which potentially afford resting places for reptiles will be dismantled by hand by a competent ecologist in April or August to October and any individuals found translocated to a location agreed with the Local Planning Authority prior to works commencing on site. A letter confirming these operations and any findings will be submitted to the Local Planning Authority by the ecologist responsible. This should be included as a Method Statement within the CEMP (Condition 1 above)

### Fish

Brown Trout were recorded using the River Heddon. The culvert is designed to be set back from the river banks, thereby limiting habitat loss during construction. The construction of the culvert will certainly result in the permanent loss of a limited amount of fish habitat, mostly marginal vegetation, within and immediately adjacent to the footprint of the culvert (approximately 60m of the River Heddon through Holwell Wood). The habitat within the culvert footprint consists for the most part of juvenile salmonid habitat. Marginal vegetation provides cover for fish, as well as habitat for terrestrial invertebrates which are a valuable food source for fish. However, this loss represents a small proportion of the extent of similar habitat present within the local area and therefore its loss is not considered important in contributing to the sustainability of the local population.

The ES states, 'It is not possible to mitigate for permanent habitat loss in the same location. However, the habitat loss will be mitigated through improvement to existing

## 6.1

habitat in the River Heddon downstream. A commitment will be made to fund Wild Trout Trust advisory visits to landowners and undertake habitat works over a minimum of one 100m section of river channel. This work will concentrate on open, poached sections between the proposed development and Heddon Valley Mill, with the aim of improving spawning and nursery habitat for juvenile salmonids. Temporary severance as a result of construction activities will be mitigated by programming the culverting outside sensitive periods. Culverting is programmed for June and July thereby avoiding any potential downstream smolt migration (approximately mid-March to mid-May) and upstream adult migration (usually occurring in October and November). Therefore I would recommend that this be conditioned:

8. Culverting of the River Heddon will only take place in the months from June to August in any one year

Reason: To avoid impacts on an important fish species

Fish should also be monitored as part of the Habitat Management Plan (HMP) [see above].

### Invasive Species

The ES states that 'The Study Area supports four stands of Himalayan knotweed [?], three of which are located on or adjacent to the track bed.' The Arup report (2012) in Appendix to the ES states that Japanese Knotweed is present. Which is it? The Arup report is also now considered out of date. All Japanese Knotweed waste (the plant itself or material containing its rhizomes) is classed as a controlled/special waste and therefore needs to be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991. I would recommend that the following be conditioned:

9. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Himalayan Balsam and or Japanese Knotweed on the site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason: It is an offence under the Wildlife and Countryside Act 1981, as amended, to introduce, plant or cause to grow wild any plant listed in Schedule 9, Part 2 of the Act.

As afore mentioned please could you ask the applicant to provide evidence of dormouse dispersal across railway tracks, given that and arboreal connection would be severed by the operational railway. I cannot find a response to this question since April 2017 and the application has been approved without confirmation of Favourable

## 6.1

Conservation status of the dormouse population being determined. I therefore have a holding objection pending a satisfactory response.

End Note:

Advice has been given by the Association of Local Government Ecologists on the required use of this condition. The condition for a copy of an EPS licence is a standard one from BS42020 'Biodiversity — Code of Practice for Planning and Development'. Before inclusion the condition, as worded in BS42020, was consulted on for legal advice by the BS's authors and by Natural England.

It is a criminal offence (subject to certain defences) to consciously harm European protected species without a licence, which would only be issued if the statutory licensing body is satisfied that the derogation criteria are met. However, the risk of criminal prosecution might not prevent harm from taking place, as only a small proportion of reported disturbances of protected species lead to conviction, and the vast majority of incidents go unreported to the police. This condition therefore helps to ensure that a developer will apply for an EPS licence, thereby abiding by the law and preventing harm to the species affected.

Given the lack of enforcement it is considered the application of the condition a 'necessity' to fulfil the LPA's duty of 'strict protection' under the Habitats Regulations through Regulation 9 which refers to the provisions of the Habitats Directive. The Habitats Directive requires a system of "strict protection" for European protected species, and prohibits certain activities. This requires the planning system to effectively prevent harm to such protected wild animals (e.g. the injury, killing and disturbance of protected wild animals, and the damage and destruction of their breeding sites and resting places, or the taking or destruction of their eggs).

A chapter in Jones, G., Q.C. (ed.) 2012. *The Habitats Directive: A Developer's Obstacle Course?* Oxford: Hart Publishing, where the book is edited by a planning barrister and the chapter in question is written by a Planning QC and an additional planning lawyer, is devoted to the question of strict protection of EPS. In essence, as explained in the attached, the reasoning runs as follows:

- Local authorities have a duty under the Directive to prevent harm to EPS.
- In addition, under Section 17 of the Crime and Disorder Act (1998) Local authorities have a duty to do everything in their power to prevent crime – which includes wildlife crime (this isn't mentioned in the book – but applies to LPAs as confirmed in writing by the Head of the National Wildlife Crime Unit).
- Leaving the protection of EPS to licensing therefore does not satisfactorily ensure that LPA's meet their obligations.
- Also, if harm and an offence occurs as a result of development (because a licence was not obtained) then the only recourse is enforcement action (e.g.

## 6.1

prosecution by the police). However, this is action that may only take place after the harm has occurred and only if there is sufficient evidence to take a prosecution forward (which cannot be taken for granted) – but it does not prevent harm from occurring in the first place.

- Page 71 sets out four bullet points/options for how an LPA may address unlawful disturbance, etc. (e.g. activity that would otherwise require a licence). It concludes at the top of page 72 that only the fourth bullet is consistent with the requirements of the EU Directive and domestic law.
- At the bottom of page 72, the chapter also addressed the issue of whether conditions should be used to cover topics covered by other legislation and the extent to which such a condition might fetter the discretion of the LPA. Basically, it states that the Directive ‘trumps’ what might in other circumstances apply.

**CPRE – Devon** – No comments received

**Devon and Cornwall Police – Planning** – No comments received

**Devon and Somerset Fire and Rescue** – February 2020

No comments at this time

**Devon Wildlife Trust** – No comments received

**Environment Agency** – 28 June 2021

We note that further information has been submitted relating to project funding and we confirm that we have no comment to make on such details. We do, however, take this opportunity to provide a revised consultation letter following the provision of clarification by the applicant, to us directly on the matters previously raised. We therefore advise that we have no objection to the proposed development as submitted, subject to the inclusion on any permission granted of the relevant conditions which had been included on permission reference: 62/50/16/001. From our letter dated 17 February 2017 relating to application 62/50/16/001 which may include the following:

- The detailed design of the culvert in Parracombe Embankment to ensure it is designed to ensure passage for otters and fish and incorporate opportunities for habitat enhancement;
- The implementation and detailed design of the proposed trout habitat enhancement;
- A scheme to deal with the risks associated with the contamination of the route;
- Any unsuspected contamination;
- A Construction Environment Management Plan and
- Detailed design of any watercourse crossing over the River Heddon.

## 6.1

Reason for position – Our previous letter outlined two outstanding elements upon which we lacked clarity during the previous consultation. Further information was provided to us by representatives of Land Use Consultants Limited (LUS) which addressed our concerns, and identified the areas which could not be subject to the detailed ecological survey. The document also referenced the planning conditions which would be recommended to be carried forward which we support.

As the above conditions indicate, matters relating to flood risk and watercourse crossings, land contamination and pollution prevention, and habitat design are still relevant to the wider scheme with the consideration of the amended sections which have been considered as part of this application. We therefore wish to recommend that these are included on any decision notice in the event that planning permission is granted.

### 21 April 2021

Following our telephone conversation in March, we recognise the scope of the current application and the reasons behind the requirement for this current application subsequent to 2018 application.

We have reviewed the recently submitted information which related to ecological impact in the context of the two specific areas to which this applications relates, but are mindful of the wider scheme and the necessary assessment of impact of the wider scheme.

Therefore we offer the following comments:

Overall, according to the ecological walkover update, there is no reportable change since surveys were previously undertaken, with the conclusion that no further ecological survey is required. Notwithstanding this, there are two points in particular which we raise as follows:

1. The Phase 1 habitat mapping does not clearly indicate the sections that could not be walked during September 2020 and/or January 2021. It would be useful if this could be illustrated, particularly as it is not clear whether the sections that could not be walked included Holwell Wood and the watercourse (although we note that there is a Target Note (TN18)). The applicant should clarify this, highlighting the risk of ecological change in the absence of an updated walkover survey (i.e. the risk of relying on aerial photography), such as the presence of otters and their use of the site.
2. It would be useful to see a copy of the Target Notes, (if appropriate, perhaps submitted as part of this application) – these do not appear to have been included in the Ecological Update Walkover.

If you would consider it appropriate and justifiable to request the above addition information from the applicant, please re-consult us on relevant information which is

## 6.1

submitted. We may suggest also, that if it would be beneficial to you (as we believe it would be for us) that we arrange a telecon with you, myself and the biodiversity specialist with whom I consulted to provide this response. As you will of course be aware, the scheme has spanned many years and the fragmented nature of the current application makes it difficult to provide helpful, comprehensive comments in line with the constraints of the applications/ our remit.

21 Sept 2020

Environment Agency position

The amendments do not appear to involve any Main River crossings or works affecting the floodplain. On this basis we consider that the proposed development will be acceptable if conditions are included on any permission granted in respect of:

- Any unsuspected contamination; and
- A Construction Environment Management Plan

The suggested wording for these conditions and associated advice is set out below.

Condition – Unsuspected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: In order to protect controlled waters, most notably the Secondary A aquifer unit underlying the site that supports local springs and rural sources of supply.

Condition – Construction Environment Management Plan (CEMP)

No development shall take place until a detailed Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of all permits, contingency plans and mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site. Thereafter the development shall be carried out in accordance with the approved details and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: To ensure that adequate measures are put in place to avoid or manage the risk of pollution or waste production during the course of the development works.

Advice – Contaminated Land



## 6.1

We have reviewed the following documents relating to Planning Application 62/50/20/004:

- Lynton to Barnstaple Railway Reinstatement Phase I Contaminated Land Assessment, Fluid Environmental Consulting Ltd, dated 4th April 2019;
- Figure 1: Proposed development – Additional Information and Figure 2: Historical land uses and sensitive features - Additional Information (both dated 27th July) that were previously missing from the Phase 1 report;
- Drawing Location of Red Line Correction - Additional Plan (dated 27th July);
- Planning Application, dated 4th December 2019; and
- Lynton to Barnstaple Railway Reinstatement: Scoping Report in support of an Application for a Transport and Works Act Order, LUC, dated October 2019.

The application relates to works required along two short subsections of the Lynton to Barnstaple Railway Reinstatement development. The diagrams provided indicate that proposed works in these areas shall include:

- Line Section West of Holwell Wood: A crossing to provide access to Holwell farm and construction of Bridge 59; and
- Line Section near Rowley: A crossing of provide access to Rowley Barton and the culverting of the stream from Rowley Down.

A review of OS mapping and aerial photography suggests the neither section is located in an area of cut that may have been subject to historical infill. We are therefore in agreement ground contamination represents a low risk to controlled waters in these areas. Despite this low risk, there is an absence any intrusive investigations information to confirm this and the historical presence of a coal powered, narrow gauge steam railway (1898 – 1935) does represent a potential source of contaminated ground. Therefore, we recommend the above-mentioned precautionary condition within any permission granted to ensure that any unsuspected contamination is found to be present it is dealt with appropriately.

### Advice – Pollution Prevention

We refer the applicant to the advice contained within our Pollution Prevention Guidelines (PPGs), in particular PPG5 – Works and maintenance in or near water and PPG6 – Working at construction. These can be viewed via the following link: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

We recommend that a Construction Environment Management Plan (CEMP) is produced to pull together and manage the pollution control and waste management requirements during the construction phase. A CEMP is best prepared with the main Contractor. We recommend that a CEMP is drafted using the guidance from PPG6.

## 6.1

### Advice – Waste

Only suitable of materials should be used in the construction of embankments and/or watercourse crossing structures to ensure there is no adverse impact on water courses.

If materials that are potentially waste are to be used on-site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply.

Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us.

A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.
- We have produced guidance on the recovery test which can be viewed at <https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities>.

You can find more information on the Waste Framework Directive here:

<https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive>

More information on the definition of waste can be found here:

<https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here:

<https://www.gov.uk/government/collections/waste-exemptions-using-waste>

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the WFD). The 'Is it waste' tool, allows you to make an assessment and can be found here:

<https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests>

February 2020

## 6.1

We have started to review the submitted details and consider that it would be useful if the applicant could provide a clear plan that presents the extent of the “application area” relative to the entire length of reinstated track that was originally proposed and was the subject of the ES (i.e. extending from Wistlandpound Reservoir to Killington Lane). It seems that this application is for a specific subsection(s) of the original application.

We would also like the applicant to provide A clear summary plan that shows the application area and includes the key design / construction elements (i.e. areas of cut, areas of embankment, bridged/tunnelled sections etc.). The plans provided on the planning portal are unclear and difficult to place geographically. It is therefore difficult to understand what length(s) of track we are considering. This plan should include key baseline information referred to in the Phase 1 report, relating to the baseline environmental setting. In addition, the two figures that should be appended to the Phase 1 contaminated land assessment should be provided as they are missing. If the applicant is happy to provide this additional detail, we would ideally like to review this before we provide a substantive response to this planning application.

**Exmoor Associates** – No comments received

**Highways England Historical Railways Estate** – No comments received

**North Devon AONB** – No comments received

**Office of Rail Regulation** – February 2020

Note the contents of the planning application and have no comments to make

**Natural England** – March 2021

The advice provided in our previous response applies equally to this amendment.

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

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

July 2020

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 19 February 2020

## 6.1

The advice provided in our previous response applies equally to this amendment.

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

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

### February 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### Summary of Natural England's advice

No objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Natural England's generic advice on other natural environment issues is set out at Annex A.

#### European sites

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

#### Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

#### Protected Landscapes – Exmoor National Park

The proposed development is for a site within or close to a nationally designated landscape namely Exmoor National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and

## 6.1

information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the ‘landscape and scenic beauty’ of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park’s management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape’s sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to ‘have regard’ for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

### Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “Development in or likely to affect a Site of Special Scientific Interest” (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

**South West Tourism Alliance** – No comments received

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### **South West Water – July 2020**

No further comments to those already given.

### **February 2020**

I refer to the above application to which South West Water has no objection but would point out the presence of public water mains in the general area as shown on the attached, details of any works that may affect these need to be submitted for approval.

### **North Devon Council – February 2020**

In accordance with the agreed protocol, the District Council, as a consultee to the Exmoor National Park Authority, has no observations.

**Twentieth Century Society** – No comments received

**Victorian Society** – No comments received

**Georgian Group** – No comments received

### **Historic England – August 2020**

On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisors, as relevant.

### **February 2020**

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

**Society Protection of Ancient Buildings** – No comments received

**Ancient Monuments Society** – No comments received

**Council for British Archaeology** – No comments received

### **Devon County Council – Flood Risk Manager – February 2020**

We have no in-principle objections to the above planning application, from a surface water drainage perspective.

Observations:

We understand the application relates to correcting the extent of engineering works on the approved drawings for cuttings, embankments and new bridges. We have reviewed

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the drawings submitted and the new red line boundaries and have no objection to the application.

**Devon County Council – Highways** – No comments received

**Devon County Council – Archaeologist** – August 2020

Do not wish to make any comments on this particular scheme and refer you to the National Park's archaeological advisor.

February 2020

The Historic Environment Team has no comments to make on this planning application. However, I would advise that you consult with the Exmoor National Park Conservation Officer - with regard to any comments she may have on this scheme.

**Environmental Health Officer** – July 2020

I have reviewed the additional information posted on 27 July 2020 for this application in relation to Environmental Protection matters on behalf of North Devon Council.

I do not wish to add anything to my previous comments on 12 February 2020, which stand.

February 2020

I have reviewed this application in relation to Environmental Protection matters on behalf of North Devon Council's Environmental Protection service and comment as follows: The Planning Statement dated October 2019 states that this application relates to drafting errors in plans approved under applications 65/50/16/001 and NDC 66617. The errors concern the extent of engineering works in the approved drawings for cuttings, embankments and new bridges partly falling outside the application red lines. Applicable Planning Conditions I have commented on a number of previous related applications and it is my understanding that the overall railway reinstatement scheme is subject to permission 62/50/16/001. As such, I am assuming that any amendments approved under this application will be subject to planning conditions contained on permission 62/50/16/001 and any other relevant 'original' permissions (for example conditions relating to land contamination, construction phase impacts etc.). On this basis, I have no objection to the extension of red lines to encompass the relevant development areas

**ENPA Trees and Woodlands Officer** – No comments received

**Public Rights of Way Officer** – February 2020

There are no public rights of way in the immediate environs of the proposed amendments, so I have no comments to make on the application.

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**Landscape Officer** – No comments received

**Historic Buildings Officer** – No comments received

**Archaeologist** – No comments received

**Sustainable Economy Manager** – No comments received

### **Parracombe Parish Council** – July 2021

Parracombe Parish Council reconsidered this application in the light of the declared climate emergency, Nature Recovery initiative and ENPA aspirations for Carbon Neutrality by 2030 factors which were not present at the time of the original approval. The Parish Council is very aware that the L&BR proposals have both supporters and opposition within the community and a number of parishioners had contacted the Chairman as an ENPA Member to make their views known so that these views could be presented at the Planning meeting. The meeting heard that L&BR had written to ENPA alleging a possible Conflict of Interest on grounds of financial bias in relation to the Chairman's business, and that although the information included in the complaint was factually incorrect it was likely that the Chairman would be unable to represent parish views at the meeting. PPC Members agreed that parishioners' views should be included in this response.

The Parish recognises that the Re-instatement of the railway is supported under policy RT-S2 of the adopted plan, however the policy was adopted and the 2018 approval pre-dates the ENPA's climate emergency declaration and the international aspirations for combating climate change and nature recovery. Parishioners have stated that the application needs to be looked at afresh and its environmental impact re-assessed in the light of the changed background. Younger Parishioners made reference to Greta Thunberg and the need for the older generation not to burden following generation with a climate and nature damaging proposal and to consider the statutory purposes of National Park Authorities relating to natural beauty and wildlife. It was suggested that the cultural heritage of a railway that failed in 1936 was secondary to the climate and the impact on nature of the scheme.

Some Parishioners underline the perceived benefits to the economy and to the Lynton area particularly, others doubt the voracity of the information upon construction costs and the business case, particularly in the light of current rapid increase in cost of building materials, hire costs and availability of labour in some sectors. In addition, it was suggested that in the light of the impact upon the economy of Brexit and the Covid Emergency the supporting information for this application requires updating and further professional examination.



## 6.1

Concern remains at the impact on the Parish during construction (should the application be approved) and the consequences of the scheme being abandoned part way through and the need to ensure conditions are revisited.

Representations to PPC Chairman included concern at noise pollution, lack of any planning condition relating to carbon and the recent poverty of information and apparent lack of care about impacts to affected parties demonstrated by the applicants in relation to pollution of water supplies in recent discharge of conditions application.

Concerns were raised around the increase vehicular and pedestrian activity arising from the Halt being made into a platform. It was suggested that there is a likelihood that passengers wishing to board the train from the Halt will look to park in Church Lane where there isn't any provision. This will cause an increase in road traffic along a lane not designed for this quantity of vehicles. Church Lane is narrow and in poor condition with poor and blocked drainage. Any increase in activity will have a negative impact upon the Lane and its residents.

Concerns were expressed at the effects on the proposal of the reported imminent closure of the last UK coal mine producing 'steam coal' and the inevitable reliance upon poor quality (more polluting?) imports and the increased costs as heralded by the Heritage Railway lobby, should be seen in any railway cashflow data. Reference was also made to the reported financial plight of the West Somerset Railway which, it was felt, might indicate that the business case for the L&BR is not realistic.

### June 2020

After the Parish Council meeting (09/06/20) the Parish Council of Parracombe would like to add concerns from parishioners and Council should be included in the consultee response:

1. Concern about the Grampian Conditions attached to the extant consent- and if the undecided application could/would undermine those conditions (this is one of the concerns raised by Louise and David Grob's solicitor along with concern at having parallel applications etc.)
2. Concern at the TWAO actions and how a TWAO fits with the Grampian Conditions.
3. Concern at the actions of L&BR, allegedly, felling trees etc. without consent, in a conservation area and in apparent breach of Grampian Conditions.
4. Concern at the cost to those affected of L&BR commencing TWAO actions.
5. Concern that as time and circumstances have moved on, that the L&BR Business Case and Environmental Impact Assessment require re-visiting- It was noted that, ENPA and NDC have declared climate emergency, Covid crisis etc -The idea of 60,000 visitors using the road network to ride a coal fired train may no longer be acceptable, That Shearings holidays have gone into liquidation, The cost of construction has gone up, specifications have changed but not costed and so on.

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6. Concern at L&BR fund raising transparency and effect on fund raising for the project of a recession and Brexit etc and requirement to be fully funded in Grampian conditions.

March 2020 - After discussion it was agreed to ask for this item to be deferred on the grounds of late submission of supporting material and upon legal points raised by objectors (which need to be considered). Concern was also expressed as to the conditions attached to existing consent and perceived breaches by the applicants.

**Lynton and Lynmouth Town Council** – February 2020  
Resolved to support the application

**Martinhoe Parish Meeting** – No comments received

**Kentisbury and Trentishoe Parish Council** – September 2020  
Wish to reply – no comment

February 2020 – No comment to make

**East Down Parish Council** – No comments received

**Arlington Parish Council** – No comments received

**Berrynarbor Parish Council** – No comments received

**Bratton Fleming Parish Council** – No comments received

**Challacombe Parish Meeting** – No comments received

**Combe Marton Parish Council** – August 2020  
Support the application

**Planning Casework Unit** – February 2020  
I confirm that we have no comments to make on the environmental statement.

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### Representations

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22 letters of **SUPPORT** have been received from **17 different properties, including from properties outside the North Devon area.**

The comments include that the railway will create jobs and local apprenticeships and bring economic benefit to the National Park. That the proposal is an essential part of the

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ongoing reopening of the railway and that the proposal would contribute positively to the locality.

The comments also include that the proposals take full account of the environmental considerations and that it provides benefit for local and national industrial heritage, for tourism and employment. Comments include that there will be social benefits for many types of voluntary work and that despite increased coal consumption, with an extended line, there is scope to offset this by various environmental mitigation schemes.

11 letters of **OBJECTION** have been received from **6 different properties, including from an owner of the land** subject to the wider (application 62/50/16/001) proposals and properties adjacent to the line of the former railway.

The comments include that trees have already been taken down along part of the former line and site clearance works have been carried out in breach of the condition of the existing planning permission. Concern that works have encroached on to others land and that most support for the proposal is from people outside the local area. The point is made that the National Park did not exist when the original railway was constructed and that not all landowners impacted by the proposals are supportive.

There is objection in relation to the environmental impact of the proposed development, including its impact on clean air and climate change. There is objection on grounds that it will spoil the unique beauty and wildlife of this part of Exmoor.

Comments include that the proposal is an ill-conceived tourism attraction. There is concern regarding noise and intrusion from the railway, comments that the proposal will not serve the local community and that those visitors, who come to enjoy the peace and clear air of Exmoor will have their experience harmed by the railway.

There are objections on ground that the proposal will cause disruption for many years and there is concern regarding the attitude of the applicants and that works have already been carried out without the relevant permissions in place.

Objections include that the application is ambivalent, and that the proposal would be environmentally destructive and strongly opposed locally. That the original application is based on lots of misleading information and that this is major works in the National Park.

There is concern that this proposal, if approved, could weaken conditions attached to the existing planning permission and that the application should be made as a variation of the existing planning application.

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There is concern that the business plan and environmental statements are out of date and that the proposal is not in the public interest.

In relation to the additional information that has been received, concern has been expressed that the applicant has not responded to the significant financial questions raised, that the financing of the proposed expansion is fundamental to this application and there is concern that the applicant has no idea of the magnitude of the funding required and no possibility of raising the funds. There is concern that there is no understanding of the cost involved in building an approximately 15 metre high by 90-metre-long river crossing through a wooded Combe densely populated by protected wildlife.

There is concern that we were misled by the previous application and that a key element to the original plan was the acquisition of the station house and grounds at Blackmoor Gate. Concern is expressed that has failed and, if that cannot be achieved, there can be little confidence that the wider project will be a success.

Concern is expressed that there are still inaccuracies in the details of this application which relies on out of date reports on wildlife, environment, noise pollution, and tourism trends. 6 years have passed since the main reports were done. Since the authority gave permission 3 years ago, the habitat has altered and breeding has developed, and the government directives for environmental welfare and climate change has notably changed.

There is concern that in the present climate much of the United Kingdom's genuine heritage is on the brink of insolvency, many only surviving on COVID grants, so raising funds for a reproduction steam tourist ride from a car park to a car park, is expressed as lunacy.

Letters have been received **from Foot Anstey LLP on behalf of the owners of Court Place Farm** who own land of the former track bed near Parracombe and who **OBJECT** to the proposals.

The comments received include queries around the appropriateness of the application. There is concern about what the applications seeks and what would be granted if planning permission is approved – and what that may mean in terms of the existing planning permission granted for the reinstatement of the railway line.

The comments query the need for a full review of the Environmental Statement and suggest the application is withdrawn.

## 6.1

The writers advise that, as a full application, the environmental impact of the development, the means of planning control if permission is granted and the extent of inconsistencies between the application and the approved permissions are all relevant. There is concern that no further update on the Environmental Statement has been given and comment that the proposal would cause unacceptable environmental harm. The writer advises that any grant of planning permission would cause inconsistency, with difference red line areas subject of planning permission.

In acknowledging the further information provided through the application process, the writer refutes the comments made in the Summary Report submitted and is concerned that only a walk over survey has been conducted to update the ecological reports, and advises that this work is considered to be inaccurate. There are comments that there has been no evidence provided to back-up the assertion that the environmental effects remain largely unchanged and that the necessary environmental information is not available to make an informed decision on the impact of the development.

In terms of the socio-economic impact, the writer advises that there has been material change since the original Environmental Statement was done, including that build costs have increased.

The writer advises that the railway is not wanted by the majority locally and it is advised that planning permission be refused.

If permission is granted the writer advises that the specific Grampian conditions relating to land acquisition and proof of full funding are included as per the existing permission, and that any permission should be time limited to expire on the same date as the existing permission.

Additional comments are made in relation to the additional information that has been received. The writer advises that the submission of the Update Walkover report raises new points which his client has asked him to address.

The assessment of the likely environmental impact of the scheme is a statutory matter for the LPA. It is incumbent on the LPA to consider whether it has the necessary environmental information to form a reasoned view on the environmental impact of the scheme which, in this case, means the impact of the Application on the entire proposed railway. The writers considers that it is self-evident that the 2021 Report does not provide the requisite information for the LPA to make a reasoned assessment of the environmental impact. This is because the Report confirms that the walkover surveys did not cover the full extent of the railway scheme, relying on “accessible areas” only and assessments from “vantage points”. The writer advises it is unclear, for example, how a survey of dormouse activity can be made from a vantage point.

## 6.1

The writer considers that the 2021 Report misses the point and underlines the legal flaws in the applicant's approach to this issue. He points out that the purpose of the ES update is to provide updated environmental information on the entirety of the underlying scheme, but this is not considered to have been provided.

The writer comments that the 2021 Report relies heavily on the validity of the previous environmental reports and apart from recent walkover surveys, the majority of surveys were carried out between 2013 and 2015. The writer advises that it is necessary for the LPA to assess whether surveys which were mainly carried out six or more years ago provide necessary up-to-date data. The writer considers the ecological information is inadequate to enable the LPA to meet its legal tests.

The writer also raises concern that the 2021 Report does not address or seek to update the socio-economic chapter of the ES. This is considered to be a fundamental omission. The costs of the scheme are considered to have substantially increased since 2016 and the writer considers it noteworthy that despite having clarified why that is the case in previous correspondence, the applicant has not engaged with this point. The socio-economic impact of these increased costs have significant environmental consequences and although condition 4 of the existing permission seeks to minimise this risk, the applicant has confirmed that costs for the proposal are based on basic information. There is a prior statutory duty on the LPA to fully assess the environmental information in relation to the socio-economic impact of the Application and to either seek further information or, in the absence of such information, to refuse the Application if it not satisfied that the information is sufficient.

Taken together, the writer advises that his client's view is that the 2021 Report fails to provide the necessary environmental information. If the applicant does not provide additional information, it is suggested that the LPA should refuse the application, as it does not have the necessary environmental information on which to form a legally robust view on the significant environmental impacts of the Application.

The writer also advises that his client has also asked that he again point out that for the past six years, this scheme has been adversely affecting their lives and the lives of many others of their acquaintance. It remains a deeply unpopular scheme within this part of Exmoor and has limited supporters other than from people living outside the National Park. The current permission expires on 31 March 2023 and there is no reasonable justification for granting the Application in the absence of a confirmed TWAO. If the LPA is minded to grant the Application, its time period for implementation should be limited to 31 March 2023, in common with the current permission, as otherwise the stress caused by the scheme to my client and many others will be unnecessarily extended.

## 6.1

Further comments have been received in relation to additional information that has been submitted relating to project costs and an update business plan. The writer refers to the NPPF and raises concern that development, which is not demonstrated to be fully deliverable (i.e., financially robust and viable) will be harmful, as a part-built, poorly constructed or high-risk scheme will harm these areas rather than enhance them.

The writer refers to the importance of up to date and comprehensive costings and how this is reinforced in the National Planning Policy Guidance. The writer is concerned there is lack detail and inadequate information to determine the viability and deliverability of the development project of this complexity. The writer is concerned that there is no information or substance to inform the basis of estimates of costs and considers that a full and detailed analysis of the scheme's cost is a pre-requisite to any lawful determination of the application.

The writer considers that the business plan is based on numerous inaccurate assumptions and that it is irretrievably flawed. It relies heavily on volunteers, is unviable and there is no evidence to support assumptions that the anticipated extra income will be achieved.

The writer reiterates concerns previously expressed over the deficiencies in the ES. The writer raises concern that there are also other defects in the application, including inaccuracies in the line between Ivy Cottage and Court Place and the additional land needed to accommodate a passing loop.

The writer explains that his clients position remains that the scheme should not have been approved in 2018 due to its defects and significant planning harm. It is considered that material considerations weigh against approval and the allocation of the project in the Local Plan is no longer a reason for the Local Planning Authority to continue to support it.

The writer advises that the National Park does not need a reinstated, narrow gauge, tourist ride and urge the Local Planning Authority to reuse this unwanted and damaging application.

Letters of making **COMMENT and raising CONCERN have been received from the owners of Rowley Barton and Rowley Cottage** – the properties accessed via a private drive from the A39, which is subject of a proposal for a new bridge to allow the proposed reinstated to pass under, and which is subject of this application.

The comments received seek reassurance that this fresh application, if approved, will supersede the existing passed drawing on 6 March 2018 – to ensure there are not two live applications in existence simultaneously.

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The letter advises that the owners of these properties are satisfied that the new red line drawing detailing the extent of the engineering works is now the correct site of the original track bed. However, they are concerned that the extent of the redline engineering works do not go far enough on the north eastern stretch of the track bed to allow for a deep enough cutting. It is also advised that the access road to Rowley Barton also needs to be graded in both directions to ensure safety. The writers consider that the gradient of the access road must ensure a suitable slope for transit in all weathers and it is insisted that the road is graded far enough from the bridge in both directions to ensure this.

There is concern that the Grampian conditions of the previous planning permission would not be carried through to this application if permission granted. Also, if permission is granted, it is expected that the timeframe for the development would run concurrently with the existing planning permission and that the permission would not be granted for a further 5 year period.

Additional comments are made in relation to the additional information that has been received. The writers are perplexed as to how the applicant has obtained adequate environmental information on their land to support the updated environmental survey, because no permission to access their land for this purposes has been sought or given.

There is concern that in the current economic climate it would appear that the applicant's anticipations regarding revenue are in doubt. The viability of the business plan and its intention to provide local employment is doubted.

Further comments received voice concerns regarding the Estimate of Costs for the reinstatement of railway. The writers are puzzled that the newly revised Estimate Costs for the railway is apparently 30% lower than it was 5 years ago and advise that these figures appear to be at odds with the Construction industry's most recent survey of construction purchasing managers, who state that 'cost inflation has now reached its highest for a generation' with civil engineering costs at the fastest pace and at a 24 year high. The new Estimate of Costs is considered to be unacceptably low and the concern is raised that the estimate for the Railway is carried out by a firm with no apparent experience in civil engineering projects.

The writers consider the National Park Authority should require precise and detailed costings, as without this, how can the Authority be satisfied the Grampian conditions can be met without the risk of legal challenge. It is considered that the Grampian condition needs revisiting to make sure it cannot be easily circumvented, and the writers explain that without further assurances they are considering instructing their own legal counsel to look at the Grampian conditions.



## 6.1

The writers are concerned that the applicant has not instructed a civil engineering company to assist with the development of this project and without detailed costings, it is advised that the Authority should seek its own independent costing. The writers note that the applicant previously advised that funding would be ‘unlocked’ once planning permission was granted – but that this does not appear to have happened. The writers are concerned that the applicant has no clear strategy or understanding of how to raise capital to fund this project.

It is considered unwise to base a business plan on the use of so many volunteers, it is not considered feasible nor practicable because so many uncertainties exist. The experience of the West Somerset Railway is mentioned and issues experienced with increased staffing costs because volunteer working has reduced. The predicted operating costs are questioned given the lower passage count and other uncertainties including COVID-19 and inevitable increase in staffing costs. The business plan is considered to rely too heavily on volunteers.

It is noted that passenger numbers have fallen and it is considered that this new lower figure includes passengers who have been recounted by buying a ticket to travel all day.

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### Policy Context

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Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”. In this case, the development plan is the Exmoor National Park Local Plan adopted in July 2017.

The aims and purposes of national parks are laid out by law. The 1949 National Parks and Access to the Countryside Act, was a law made by parliament that set out what national parks would be like. When the aims and purposes conflict with each other, then the Sandford Principle should be used to give more weight to conservation of the environment. The Environment Act 1995 set out two statutory purposes for National Parks in England and Wales and these are as follows:

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

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

The key planning policies are detailed below.

# 6.1

## **EXMOOR NATIONAL PARK LOCAL PLAN ADOPTED JULY 2017**

GP1 General Policy: National Park Purposes and Sustainable Development  
GP2 Major Development  
GP3 Spatial Strategy  
GP4 The Efficient Use of Land and Buildings  
GP5 Securing Planning Benefits – Planning Obligations  
CE-S1 Landscape 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-S5 Principles for the Conversion or Structural Alternation of Existing Buildings  
CE-S6 Design & Sustainable Construction Principles  
CC-S1 Climate Change Mitigation and Adaption  
CC-D1 Flood Risk  
CC-S5 Low Carbon and Renewable Energy Development  
CC-D5 Sewerage Capacity and Sewage Disposal  
CC-S6 Waste Management  
CC-S7 Pollution  
SE-S1 A Sustainable Exmoor Economy  
SE-S2 Business Development in Settlements  
SE-S3 Business Development in the Open Countryside  
RT-S1 Recreation and Tourism  
RT-D10 Recreational Development  
RT-D12 Access Land and Rights of Way  
RT-D13 Safeguarding Land Along Former Railways  
RT-S2 Reinstatement of the Lynton and Barnstaple Railway  
AC-S1 Sustainable Transport  
AC-S2 Transport Infrastructure  
AC-D1 Transport and Accessibility Requirements for Development  
AC-D2 Traffic and Road Safety Considerations for Development  
AC-S3 Traffic Management and Parking  
AC-D3 Parking Provision and Standards  
AC-D4 Temporary Parking

A key material planning consideration is the advice from the **National Planning Policy Framework**. There is an emphasis on supporting a prosperous rural economy and supporting sustainable rural tourism. There is also an emphasis on conserving and enhancing the natural and historic environment.

Since the original application was considered the National Planning Policy Framework has been revised. The latest version of the NPPF was published in February 2019.

## 6.1

There are considered to be no material changes to the NPPF that are relevant to the proposed development.

### **English National Parks and the Broads UK Government Vision and Circular 2010**

is a material consideration. The National Park Circular provides policy guidance specifically for the English National Parks and for all those whose decisions or actions that might affect them including, amongst others, government departments, government agencies, local authorities and other public bodies. The Circular includes a vision and sets out key outcomes:

- a) a renewed focus on achieving Park Purposes;
- b) leading the way in adapting to, and mitigating climate change;
- c) a diverse and healthy natural environment, enhanced cultural heritage and inspiring lifelong behaviour change towards sustainable living and enjoyment of the countryside;
- d) fostering and maintaining vibrant, healthy and productive living and working communities; and
- e) working in partnership to maximise the benefits delivered.

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### **Planning Considerations**

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2.1 This fresh application is an endeavour to remedy the problem with the location of a bridge at Rowley Barton and the embankment on land west of Holwell Wood, at "Holwell Bank".

2.2 The main planning considerations are considered to be the impact of the proposals on the character and appearance of the landscape, the impact on ecology, heritage assets and the historic environment, matters of hydrology and flood risk, together with matters of potential contamination, impact on the local economy, impact on local amenity and highway safety. Impact on climate change is also a consideration.

2.3 In addition to this, because what is proposed in this application is clearly part of the overall project to reinstate the railway line, as proposed and approved under planning applications 62/50/16/001, 62/50/16/002, 62/50/16/003 and 62/50/16/004 in March 2018, the environmental effects of the overall project for the proposed reinstatement of the railway require fresh consideration.

2.4 Accordingly, with the entire wider scheme being 'major development', whether there are exceptional circumstances to justify Major Development requires fresh consideration.

### **3.0 MAJOR DEVELOPMENT**

3.1 The Exmoor National Park Local Plan (para. 3.23) acknowledges that Exmoor National Park's landscape is recognised as being relatively free from major structures or development. The Government's longstanding view has been that planning permission for major developments should not be permitted in National Parks except

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in exceptional circumstances, as set out in the NPPF and National Parks Circular 2010.

3.2 The NPPF advises that planning permission should be refused for major development in a National Park except in exceptional circumstances, and where it can be demonstrated to be in the public interest. Whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 172 of the Framework applies, is a matter for the relevant decision taker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

3.3 The Framework is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas irrespective of whether the policy in paragraph 172 for 'major development' is applicable. In relation to this national policy context, the term 'major development' is not specifically defined. Paragraph 172 of the NPPF advises that consideration of major development applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing elsewhere outside of the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

3.4 The Local Plan advises (para. 3.24) that due to the relative remoteness, tranquillity and natural beauty of the National Park and the scale and size of most proposals, 'major development' is considered to be of a scale that is context-specific and a matter of planning judgement, i.e. it would exceed the local-scale development to address the social and economic needs of Exmoor's communities, and would be considered to also have potential adverse impacts on the National Park's statutory purposes. In the context of this policy, major development is not defined just in terms of scale, but also the impact on the National Park and its special qualities.

3.5 The Local Plan explains that the National Park Authority will consider whether a proposed development is deemed to be 'major' on a case by case basis taking into account the potential impacts of the proposed development on the National Park and in its local context.

3.6 The Local Plan advises that the application of the following criteria will be relevant considerations, but may not determine whether the development is considered 'major':-

- a. whether the development is Environmental Impact Assessment (EIA) development, or

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- b. development that falls within Schedule 2 of the EIA Regulations, or
  - c. developments that require the submission of a Transport Assessment or Statement.

3.7 In isolation the development proposed through this application is unlikely to be considered to be major development. However, the development proposed in isolation makes little sense as it would comprise two short sections of railway track with a cutting, bridge and embankment. The proposed sections are clearly a key part of the wider proposals considered in 2018 and in that respect all of the above matters apply to the wider proposed scheme. And those proposals taken as a whole do comprise the reinstatement of approximately 3.4 miles of track bed within the National Park, which includes the re-construction of bridges, embankments (including that at Parracombe Bank/Highley Railway County Wildlife Site), cuttings and new bridges and a passing loop, which was not part of the original line, at Churchtown together with a new 1749 square metre engine shed, a new 162 space car park and works to re-order the existing public car park with alterations to existing accesses, landscaping works and underpasses to the A399 at Blackmoor Gate. In the context of the National Park and, although features of the historical railway remain visible in the landscape, the scale of development for the reinstatement of the railway involved leads Officers to conclude that the development is major development under the NPPF and National Parks Circular 2010 and the relevant tests therefore apply.

3.8 Whether the proposal is in the public interest and, therefore, whether there is a need for the development will also be a consideration for the Secretary of State when considering any subsequent request for a Transport and Works Act Order, which would be necessary in order to operate the proposed railway.

3.9 The consideration of major development is a matter revisited and discussed later in this report.

### **4.0 CHARACTER AND APPEARANCE OF THE LANDSCAPE**

4.1 In terms of potential impact on the character and appearance of the landscape, the land taken by the project lies in Exmoor National Park, which has the highest status of protection in relation to landscape and scenic beauty, and where great weight should be given to conserving landscape and scenic beauty.

4.2 The application site and land taken by the project lies in the Enclosed Farmed Hills with Commons character type in the Exmoor National Park Landscape Character Assessment (LCA), which was adopted in 2018. The LCA has been adopted following the grant of permission of the original application in 2018, and this supersedes the 2007 LCA, which was in force at that time. This landscape type extends over vast areas of the National Park and can be broadly separated into northern and southern character areas, with the application site falling within the northern extent. Key characteristics of the landscape character type comprise a medium scale landscape defined by broad rolling terrain of hills and ridges, the land cover is defined by permanent pasture enclosed by beech hedge banks, with areas of open commons

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occurring with fields demarcated by post and wire fencing. It has an elevation range of approximately 250m to 450m AOD and agricultural land use is defined by pasture, with sheep prevalent, but cattle and horses are also present. The nature of the landscape essentially remains the same.

4.3 The strength of Landscape Character is considered to have changed from 'moderate' in 2007 to 'moderate – strong' in 2018. This was reconsidered due to a greater appreciation being given to this Landscape Character Type in its own right rather than just being seen as 'the bits in between'. The Landscape Condition is considered to have changed from 'moderate' in 2007 to 'variable' in 2018. This change was due to some areas and individual farm holdings showing improvement over that period whilst other areas/holdings in this Landscape Character Type are considered to have declined (including for the development change associated with some of the new large buildings in the wider landscape).

4.4 From Holwell Wood, where this application proposes a revised red line area, the proposed railway would leave the cutting and pass onto farmland to the north of the A39. Here the railway would pass on to an embankment proposed to be reinstated, before shortly entering a cutting and then following roughly the natural ground level below and immediately adjacent the A39 into a cutting.

4.5 The application ensures the redline site now accurately encompasses this area of the former track bed. The former line of the railway, its remnant embankment and cutting are still visible in the landscape.

4.6 From Rowley Cross the railway line passes over farmland following roughly the existing ground level, where evidence of the original line is again visible, and parallel with the A39 at about 50 metres from the road, to Rowley Gate (above Rowley Barton) and into the revised red line area proposed under this application. At Rowley Gate the private drive providing access to Rowley Barton and Rowley Cottage leads down from the A39. The railway enters a cutting at this point, which is a change from the original and historic railway. The cutting is to allow the lowering of the railway to enable it to pass under the existing driveway leading to Rowley Barton and Rowley Cottage, to seek to address concerns in relation to the potential interference of the railway on access to those residential properties and farm and its safe operation.

4.7 In terms of this application, the details of the proposal previously submitted have not altered, although more detailed information is provided in relation to the level of the cutting of the railway passing under the proposed bridge to the private drive. The application does however seek to correct the area over which the red line application site is drawn to accurately reflect and include that area of the railway line, cutting and bridge that the detailed drawings of the existing planning permission reflect.

4.8 The landscape of the National Park has the highest status of protection in relation to landscape and scenic beauty and this is a matter to be afforded great weight in the determination of the acceptability of the proposed development. The landscape

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impacts of the proposed development, of the wider scheme, are considered afresh in the Scoping Report, which has been prepared in support of an application for a Transport and Works Act Order and also submitted in support of this planning application. The Report summarises the findings of the original ES, material changes to planning policy and guidance and the landscape baseline.

4.9 The Scoping Report, considering the impact of the proposed operational development (i.e. the correct development), not the impact of the notional operational development entirely within the 62/50/16/001 red line, concludes that, although there are changes to the 'strength of character' and 'condition' ratings in the updated Exmoor LCA (2018) that affects some detail of the wording used in the original ES, these changes do not make any difference to the susceptibility, value or effect judgements made in the original ES. The Report considers that the level and significance of effects remain as previously reported and that no further assessment of effects is required.

4.10 The reinstatement of the railway, including the track, fencing and engineering features, between Killington Lane and Blackmoor Gate is likely to introduce some noticeable features in the landscape. The acceptability of this impact, to some extent, is likely to depend on your viewpoint of heritage railways. It is, however, acknowledged that the alignment of the proposed track follows the contours of the land, winding around the undulations and relating to the landform, rather than work against it.

4.11 The Landscape and Visual Impact Assessment (LVIA) forming part of the ES shows that the proposed railway is likely to be visible from many locations and it is considered that this is unlikely to be distracting or seen at odds with the landscape.

4.12 The railway would follow the route of the former line, except for the realignment (by moving over by about 4 metres) of the proposed line at Blackmoor Gate to avoid beech trees protected by a Tree Preservation Order. The alignment of the proposed project does, therefore, pass through existing hedge gaps and gateways, avoiding the need for hedge or tree removal. Where trees have grown on the line since its closure, it is proposed these would be removed to allow the proper functioning of the new railway, otherwise trees that have grown up are generally proposed to be retained.

4.13 The embankment providing Parracombe Bank and the former crossing of the Heddon River would be reinstated. The site is within 100 metres of the A39, but well screened by trees and, although some trees would need to be removed along the top of remaining sections of the embankment, those trees that have grown up on the sides would be retained and the new faces of the re-instated bank would be planted. This element of the proposals is not considered to result in a significant wider landscape impact through the operational phase, but there is concern in relation to the impact of the proposed development during the construction phase in terms of harm to the character and appearance of the combe locality, and also in views from Parracombe.

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4.14 Various construction compounds are required along the route of the railway to enable its construction. A significant compound is proposed at Parracombe Bank to enable the construction works to take place and this is considered to cause landscape harm. The construction phase for Parracombe Bank is anticipated to take 24 months. The main compound area is proposed to be located in a field to the north east of the embankment and this would be served by a temporary access from the A39. Construction working areas are required in addition to the compound area, which would lie at the base of the embankment to its northern side, and to either side of the Heddon River. These working areas would be connected via a temporary 5 metre wide bailey bridge to cross the river. The working areas would require clearance of vegetation within the areas. The temporary construction compound and related access lie in the Highley Railway County Wildlife Site (HR CWS), which is designated for its unimproved neutral grassland and bracken communities on the south-east facing slope of the river.

4.15 A public footpath (number 250FP2) crosses the railway track and passes over the HR CWS. The alignment of the path runs through the access for, and part of, the construction compound proposed to serve the building works to reinstate the Parracombe Bank. The applicant proposes to diver the footpath for the duration of the proposed works and to reposition the footpath east of its current alignment in the field.

4.16 There would be harm to the character and scenic beauty of the landscape through the construction phase. Construction activities are the source of landscape impact, which includes the presence of personnel and machinery needed to strip the existing track bed, construct a level route for the railway, new halts at Parracombe and a new rail tunnel at Blackmoor Gate, as well as personnel and vehicle movements relating to earthworks and works to bridges, temporary work compounds and access, fencing and lighting and some removal of vegetation. The ES considers that the greatest impact will be experienced at locations where new infrastructure will be constructed and this includes at Parracombe Halt (where a new passing loop and infrastructure is proposed) and also at Parracombe Bank, as well as those other locations where bridge works are required. The construction activities are considered to result in a medium scale change to the character of the route, which will affect the site and immediate setting of the construction areas. This impact is considered to be negative and to a significant degree. The impact will however be short term once the construction has been completed both at Parracombe Bank and those other areas of significant construction.

4.17 Policy RT-S2 accepts the principle of the reinstatement of the Lynton & Barnstaple Railway and advises that proposals for its reinstatement should accord with certain criteria. In terms of the track bed, the proposals should seek to reinstate and replicate the former narrow-gauge railway including the line of the original route, and siting, design, appearance and materials of the associated structures or buildings. Any additional features should provide evidence that it is essential for the operation of the railway.



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4.18 The project proposes a track alignment that follows the route of the original railway and seeks to reinstate former cuttings, where they have been filled in, and embankments where they have been removed. The alignment of the railway would alter and deviate from the original line at Blackmoor Gate, and this is considered to be essential to avoid harming the beech trees protected by a Tree Preservation Order. Whilst the railway would follow the original line, at Rowley Gate, the new bridge that is proposed is considered essential to enable safe access to Rowley Barton and Rowley Cottage. A passing loop and additional shelter building are proposed at Parracombe Halt, together with a water tower and signal cabin, which is necessary to allow the proper functioning and operation of the Railway.

4.19 Whilst the reinstatement of the railway line, with bridges, cuttings and embankments would be visible in the landscape, the impact is judged to be minor overall and acceptable in relation to this element of the overall proposals. There would be significant landscape harm through the construction period of the whole wider scheme, but this would be a temporary impact. The wider project, including the proposals for a new engine shed and railway car park at Blackmoor Gate, is considered to cause minor harm to the character and appearance of the landscape. The more significant works are located at Blackmoor Gate and the impacts of the new building, car park and related changes through the project are reduced by the proposed landscaping, the siting and design of the proposals and the removal of a building at Rowley Moor. The new railway track follows the original route, which in many cases remains apparent in the landscape. Taking the project as a whole there would be impact to the character and appearance of the landscape and any harm overall is judged to be minor.

### 5.0 ECOLOGY

5.1 Policy RT-S2 1.f) of the Local Plan advises that proposals for the reinstatement of the Lynton & Barnstaple Railway should safeguard wildlife, habitats and sites of geological interest. The proposals do not impact on sites of geological interest in this case. Policy CE-S3 is a more detailed policy in terms of biodiversity and green infrastructure. Policy CE-S3 advises that the conservation and enhancement of wildlife and habitats, (and site of geological interest), within the National Park will be given great weight.

5.2 Policy CE-S3 also requires, among other things, that sites designated for their international, national or local importance, protected species, ancient woodland or veteran trees be protected from development likely to have direct or indirect adverse effects on their conservation objectives, including notified features and ecological functioning of cited habitats and species. The Policy advises that where, in exceptional circumstances, the wider sustainability benefits of the development are considered 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 mitigation and appropriate compensatory measures are required.

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5.3 The details submitted in support of the application explain that, since the original ES was approved, there have been two relevant changes to regulation, policy and best practice. These are:

- The Chartered Institute of Ecology and Environmental Management's (CIEEM) Ecological Impact Assessment guidelines, which were updated in September 2018; and
- CIEEM has also released a guidance note 'On the Lifespan of Ecological Reports and Surveys' (2019).

5.4 The original ES outlines that the majority of the statutorily designated sites within the surrounding landscape are not functionally or structurally connected to the works areas and given the isolated and relatively short term nature of construction, no significant effect on these sites were predicted. It is however recognised that the River Heddon provides a corridor providing ecological connectivity and this would be impacted by the wider proposal and project as a whole.

5.5 All the surveys originally undertaken for the initial application and ES would now be considered out of date in accordance with Chartered Institute of Ecology and Environmental Management guidelines. The applicant has however provided further information and with an updated site visit in July 2019, September 2020 and January 2021 the applicant considers that the baseline for ecological impact has not materially changed. The findings of the ES are therefore argued to be sufficient for the purposes of the application. An update on the protected species surveys, which informed the original ecological chapter of the ES is advised as not being required, because:

- the extent and condition of site habitats have remained the same;
- the 2019/20/21 walkover surveys have not indicated any changes to environmental conditions that would materially affect the distribution and/or abundance of protected species which would affect the findings of the original ES ecology chapter;
- the surveys will be updated for European Protected Species (EPS) licencing at a later date, where required and/or to satisfy various planning conditions.

5.6 Although Officers do not agree that further surveys being carried out at EPS licencing stage is relevant to reliability of existing survey works, it is acknowledged that the applicant considers that it would not be proportionate to update surveys in support of the application in line with best practice and the British Standard on Biodiversity. The submitted report concludes that the original ES remains valid. It is recognised by the applicant that evidence of use by protected species within inaccessible areas along the route of the railway would not be recorded by the updated survey, which relies on aerial photography and survey from adjacent land. Specifically, in relation to Holwell Wood and the watercourse, the Ecological Impact Assessment has proceeded on the basis that protected species are present and that

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significant impacts would be avoided through mitigation and avoidance measures already committed to within the ES, including for otter.

5.7 Concern has been expressed in relation to the suitability and appropriateness of the walkover survey, including the additional information received and contained within the “Ecological Update Walkover” and submitted in support of the application, as a basis to inform the consideration of the project and its potential impact on ecology.

5.8 Public representations have been received expressing concern that the ecological information, including the 2021 Update Report, does not provide the necessary information for a reasoned assessment of the environmental impact.

5.9 The ES submitted in support of the applications approved in 2018 was prepared in 2015 and updated in 2017. That detail continues to be relied upon by the application and the applicant has set out reasoning for that. This is criticised by some residents and their advisors.

5.10 Further detail for ecology since the 2015/2017 documents for the ES comprise a walkover survey conducted over 2 days in July 2019 and more recently an ecological walkover survey conducted in September 2020 and a further survey visit in January 2021. The subsequent surveys have informed the Ecological Update Walkover dated February 2021 and subsequently updated in May 2021.

5.11 The line of the railway passes through areas of varying ecological value and there are areas of national importance close to the site, but the railway would not pass through these. The railway line by Parracombe Bank passes through the locally designated County Wildlife Site known as Highley Railway County Wildlife Site, and the proposed construction compound and related access would be within the County Wildlife Site.

5.12 The ES through the 2015/2017 documents identifies badger setts within the project area (identified to comprise three active outlier setts, which lie at Blackmoor Gate and Holwell Wood) and 13 species of bat have been recorded. Evidence of dormice have been found at Holwell Wood and Blackmoor Gate. Brown trout were recorded in low densities and it is considered likely this species is present on the Heddon River catchment. Survey findings indicated that otter pass along the Heddon River in Holwell wood. Common lizard and slow worm populations are likely to be supported in the area of the project as are brown hare and hedgehog.

5.13 Although not located within, the land for the project is ecologically connected to the Exmoor and Quantock Oakwoods Special Area of Conservation (SAC) and the West Exmoor Coast and Woods Site of Special Scientific Interest (SSSI) via the Heddon River, which passes through Parracombe Bank with a proposed culvert. It is considered that with the implementation of best practice measures, contamination is

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considered unlikely through the construction phase, and that there would be no adverse effect on these designations through the operation of the railway.

5.14 The habitat within the project area is a mix of improved, semi-improved grassland, marshy grassland, scrub and tall ruderal communities, there is also woodland and species rich hedgerows and water courses.

5.15 The further details that have been submitted in support of the application, including the 2021 Update Report seek to respond to the criticism of the robustness of the ecological assessment of the railway proposals, given the age of the survey data that is presented with the ES.

5.16 The detail is provided by Land Use Consultants Ltd (LUC), on behalf of the applicant, who advise that in the context of the information required to inform the application, the presence or absence of species within habitats, remains as record in the ES, or can be confirmed as no longer present or affected by the proposals. LUC advise that the level of baseline survey and assessment completed to date is extensive and considered highly precautionary/representing a worst-case scenario. LUC comment that the alignment of the railway is present in the landscape along the majority of the route. It passes through existing gaps in hedgerows and corridors in woodlands and occupies areas of improved grasslands, existing informal farm track, bare soil heavily poached by cattle, and regularly managed tall ruderal vegetation and low-level isolated patches of bramble scrub. It is considered that the level of work required to provide the railway line, with the exemption of reinstating the embankment at Parracombe Bank, is light touch and comparable to favourable ecological management of a nature reserve, or public footpath. LUC advise that with best practice avoidance methods applied, there can be sufficient certainty that impacts upon protected species and other ecological receptors can be successfully avoided.

5.17 Objections to the proposal do however remain, including criticism of the ecological information and its adequacy to inform the planning decision.

5.18 It is the case that the application seeks to rely on survey information from 2015/2017. The further details that have been prepared and provided by professional ecologist advises that the presence or absence of specific species within habitats remains as recorded in the original ES or can be confirmed as no longer being present or affected by the proposals.

5.19 With the consideration that species within habitats remain as recorded in the ES there are considered to be potential minor ecological effects through the construction and operation of the project. Mitigation measures are proposed for the construction and operation. For the construction, the main impact would be at Parracombe Bank and the proposal includes a 'floating' surface for the construction compound to minimise soil disturbance and the use of Construction Method Statements. For the Highley Railway CWS the construction compound would be in the northern field, where it is considered to be of notably lower ecological value.

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5.20 During operation management of habitats will involve regular clearance of vegetation along the track verge by small working parties undertaking tasks by hand. The ES advises that this small-scale approach to management largely negates the risk of significant ecological effects during operation. The ES also advises that a Habitat Management Plan will be produced and that a potential effect of the operational phase is severance of fish habitat at Parracombe Bank. This would be mitigated through planting with native species to ensure a light/dark interface at either end of the culvert is graduated and that woody debris may have to be installed in the first instance.

5.21 Holwell Wood has a population of dormice as identified through the 2014 survey information. The Wildlife Officer considers the details generally satisfactory, subject to conditions of planning permission, including a Habitat Management Plan. It is considered that there is currently insufficient evidence available to conclusively say dormice movement would not be unacceptably affected by the proposal and, therefore, an arboreal bridge is required through condition of planning permission to ensure acceptable connectivity is retained for dormice either side of the proposed railway track. With such condition, the favourable conservation status of the dormice population would not be harmed and the provision of bridge in Holwell Wood would ensure suitable connections either side of the track. A condition of the existing planning permission requires an arboreal bridge.

5.22 The land for the project includes foraging and commuting habitat for bats. Notably at Holwell Wood where there is a high degree of activity and diverse species assemblage, but also within areas including at Blackmoor Gate and through the project site, as confirmed in the ES and survey information from 2013, 2014 and 2016. The development, with appropriate mitigation, including a phased approach to vegetation clearance that is necessary along the line, would not cause unacceptable harm to bat interests or habitat.

5.23 Otters have been recorded along the River Heddon at Holwell Wood in 2014. The 2021 Report considers the habitat to remain in accordance with the earlier findings. The loss of suitable otter habitat identified is restricted to Holwell Wood, where the construction of a culvert would require the loss of semi-mature broadleaf woodland. The existing planning permission is subject of conditions that requires further survey of otter resting places prior to the construction works being carried out and to ensure ledges are provided through the proposed culvert to allow otter access.

5.24 Badger habitat is identified at Blackmoor Gate and Holwell Wood. The ES predicts no significant residual impact on badgers, the 2021 Report identifies no additional habitat and a Habitat Management Plan is condition of planning permission to ensure that habitats are maintained as of value for biodiversity.

5.25 Although there remain objections from local residents and their advisors to the proposed development, having regard to the additional information received, it is

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considered that with the proposed mitigation, it will be possible to reduce the effects of the project to at least 'not significant' for all ecological features.

5.26 The 2015/2017 surveys are considered to remain reliable. Those surveys were thorough, and the habitats have seen a lack of change since. The habitats are generally low quality and so unlikely to support some species which might be affected by a project of the kind proposed. The nature of works means that some species which may be present in the survey area will not be affected. The Ecological Update Walkover Report (2021) by LUC directly engages with the issue of reliability. It explicitly concludes that the presence/absence of species likely to be affected by the project remains as recorded in the surveys. Significant impacts would be avoided through mitigation and avoidance measures already committed to within the ES and Officers consider this is appropriate and that the survey information remains reliable, particularly having regard to the comments received from Natural England, Environment Agency and the Authority Wildlife Officer. Natural England consider the proposal unlikely to have significantly different impacts on the natural environment than the original proposal. The Environment Agency having regard to the further information and clarification provided, raise no objection subject to conditions, including relating to detailed design and a Construction Management Plan. The Authority's Wildlife Officer is satisfied that the proposals are acceptable subject to conditions being imposed on grant of planning permission. A number of the conditions that have been recommended relate to the development of the whole project and that relates to the existing planning permission 62/50/16/001, 62/50/16/002, 62/50/16/003 and 62/50/16/004. Conditions already apply to those permission and there is no need to repeat those conditions through this application, except in the circumstances that the proposed area of development relevant to the works at Rowley Barton and Holwell Bank. The conditions would therefore include the requirement for construction environment management plan and habitat management plan, as well as conditions relating to works within the western end of Holwell Wood where some vegetation works would be required to accommodate a reinstated cutting and railway track as part of these application proposals.

5.27 The proposals, with appropriate conditions and mitigation, are considered unlikely to have significant effects for ecological features.

### **6.0 IMPACT ON HERITAGE ASSETS**

6.1 Policy CE-S4 (Cultural Heritage and Historic Environment) of the Local Plan advises that, among other things, Exmoor National Park's local distinctiveness, cultural heritage, and historic environment, will be conserved and enhanced to ensure that present and future generations can increase their knowledge, awareness and enjoyment of these special qualities. The Policy advises that development proposals should make a positive contribution to the local distinctiveness of the historic environment and ensure that the character, special interest, integrity, and significance of any affected heritage asset and its setting is conserved and enhanced. Where development proposals are likely to cause significant harm to, or loss of, designated

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heritage assets or assets of national significance, permission should be refused in accordance with Policy CE-S4.

6.2 Paragraph 8.105 of the Local Plan makes it clear that the former Lynton & Barnstaple Railway is an important heritage asset and considers that, in order to further National Park purposes, its reinstatement should seek to replicate the original narrow-gauge railway as far as possible. Policy RT-S2 has the effect of facilitating the reinstatement of the Lynton & Barnstaple Railway, where the policy criteria are met.

6.3 The proposal is to ensure the railway track bed follows the historic line of the railway, although a new bridge and cutting would be introduced at Rowley Barton and the track would move off the original alignment at Blackmoor Gate. Additional platform and facilities are proposed at Parracombe Halt.

6.4 The details submitted in support of the application consider that the original ES remains relevant and valid and therefore no updates to the heritage assets assessment has been carried out.

6.5 In terms of the wider project, the original ES identifies two scheduled monuments, 1 No. Grade I listed building and 21 no. Grade II listed buildings within 500 metres of the proposed restored railway route. Four of the Grade II listed buildings lie outside the National Park and near Wistlandpound, with the others located in Parracombe and Churchtown. The scheduled monuments of Kentisbury Down Round Barrows and Camp, which lies to the west of Blackmoor Gate, and Holwell Castle, which consists of a motte and bailey, lies next to Parracombe. The Grade I listed building is the Church of St. Petrock in Churchtown, with various Grade II listed chest tombs and tomb stones. There is also Parracombe Conservation Area, which the application site lies within at Churchtown. At Churchtown there are the Grade II listed properties of Church Cottage, Court Place Farm and the Cottage, east of Court Place Farm. Heddon Hall (and the kitchen walled garden) (Grade II) lies to the north west and other Grade II listed buildings lie in the main Parracombe village further to the west.

6.6 Heritage assets (e.g. scheduled monuments, listed buildings and Conservation Areas) benefit from special statutory protection, where section 16 of the NPPF also provides a special framework for their consideration as a matter of national planning policy.

6.7 In terms of this application and impact on heritage assets, other than the remnant railway itself, Holwell Castle, which is a scheduled monument, is the most significant heritage asset and that lies approximately 200 metres to the north of the application site at its closest point to the west of Holwell Wood.

6.8 Historic England have been consulted on the application and have confirmed they do not wish to comment. The whole linear formation of the railway, where it survives is considered to be a non-designated heritage asset and the line is considered to have historic, evidential, aesthetic and communal value.

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6.9 The proposed laying of track, cutting, bridges and embankment (i.e. the works of the wider project), and the subsequent running of trains, are not considered to affect the historic significance of Holwell Castle.

6.10 Whilst there has been changes to the NPPF since 2018 when application 62/50/16/001 was determined, there are considered to be no changes to the NPPF that are of particular consequence to the consideration of impact on heritage assets. The relationship to, and impact of, the proposals on those heritage assets is fundamentally considered to be the same now. The original ES identified only negligible impact on heritage assets. Minor harm is however identified to the setting of the Kentisbury round barrows and camp (principally because of the engine shed proposed at Blackmoor Gate). That impact remains. The impact on Holwell Castle is considered negligible and the impact on St Petrock's church and Parracombe Conservation is considered to be positive. The reinstatement of the railway itself is considered to be positive as this would better reveal its significance and secure the optimum viable use of the heritage asset as a railway. There has been no change since the original ES was prepared. The minor, or less than substantial harm identified to the barrows and camp has to be weighed up against any wider public benefits of the development, including the heritage benefits identified.

### **7.0 HYDROLOGY, FLOOD RISK AND CONTAMINATION**

7.1 Policy CC-D1 of the Local Plan refers to flood risk and advises among other things that development will be permitted where they do not increase the risk of flooding elsewhere and use development to reduce the risk of flooding through location, layout and design, and incorporate sustainable drainage systems to minimise surface water run-off and avoid pollution.

7.2 Policy CC-S7 requires that development should seek to avoid pollution, which would include noise pollution, where possible through using preventative measures and working in partnership.

7.3 The embankment to the west of Holwell Wood crosses a minor water course. The application site for the bridge at Rowley Barton does not cross or affect a watercourse.

7.4 The details submitted in respect of hydrology do not update those details previously submitted with the original planning application. Hydrological issues for the original application are considered in the original ES. In addition, a Flood Risk Assessment and Surface Water Drainage Strategy has been provided for Blackmoor Gate. The original application was accompanied by a Contaminated Land Assessment, and this application is accompanied by an updated version of that report, provided by Fluid Environmental Consulting and dated 4 April 2019.

7.5 The details identify that the most recent use of the land for the project as a railway up until the mid-1930s could have the potential to cause localised hydrocarbon



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contamination from the former operation of the railway. However, the potential is assessed to be low because the railway has not been in operation for over 80 years and it is considered that any sources of contamination are likely to have degraded, evaporated or leached away.

7.6 The details advise that, more recently, localised sections of the former railway cuttings have been infilled with unknown materials and there has been some localised sections of fly tipping of materials. The surrounding area is predominantly agricultural and there is recognition that there is some potential for ground contamination. The majority of the site is assessed as being low risk of having significant contamination, with some areas of localised medium risk when taking the whole project into consideration.

7.7 The Lead Local Flood Authority have advised no in-principle objection to the proposed development from a surface water drainage perspective. They consider the proposed development is unlikely to cause harm to hydrology and are unlikely to increase the risk of flooding. The Environment Agency have advised they consider the proposals acceptable subject to conditions to manage unsuspected contamination and to secure a Construction Environment Management Plan. The Environmental Health Officer considers that the proposals are acceptable subject to planning conditions contained on permission 62/50/16/001 and any other relevant 'original' conditions (for example conditions relating to land contamination, construction phase impacts etc.) being applied to subsequent planning permission, where that is necessary.

7.8 The original planning permission (reference 62/50/16/001) is subject of conditions relating to unsuspected contamination and a Construction Environment Management Plan. The proposed development includes the reinstatement of cuttings, including that to the west end of Holwell Wood and within the revised application site. Should planning permission be granted in respect of this application it would be necessary to repeat conditions requiring a Construction Environment Management Plan and to manage unsuspected contamination, because the conditions relating to application 62/50/16/001 in this respect would unlikely govern works carried out pursuant to a permission granted on this fresh application.

7.9 With such conditions the proposal is considered acceptable from a flood risk management, water environment and contamination point of view.

7.10 The details submitted explain that there have been no significant changes to considerations and that the original ES is considered to remain relevant and valid and therefore no updates to the hydrology, hydrogeology or geology chapter in the original ES are considered to be required. In this regard and subject to the planning conditions previously applied – the Environment Agency, Environmental Health and the Lead Local Flood Authority are satisfied that the proposals are acceptable, and Officers are content that there is no reason to conclude otherwise. With appropriate

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conditions and mitigation, there should be no material adverse impact on these considerations.

### **8.0 IMPACT ON RESIDENTIAL AMENITY**

8.1 Policy CE-S6 of the Local Plan requires that, among other things, the use and activity of new development should not detrimentally affect the amenities of surrounding properties and occupiers, including by way of overlooking, loss of daylight, overbearing appearance, or other adverse environmental impacts.

8.2 Rowley Cottage and Rowley Barton lie over 150 metres from the proposed railway line at the application site and occupy lower ground. The occupiers of these properties have commented on the proposals and the original application. They advise that they are satisfied that the new red line drawing detailing the extent of the engineering works is now the correct site of the original track bed, but do raise some reservations including concern that the Grampian conditions of the previous planning permission are carried through to this application if permission is granted.

8.3 It would be likely that the occupiers of these properties, as well as other residential properties, would be aware of the railway, not least because the access to Rowley Cottage and Rowley Barton in particular would pass over the railway, but they would be able to hear trains operating and, it is likely that they would be able to see the railway and trains in operation. Notwithstanding that, because of the nature of the proposed narrow-gauge railway, with relatively slow-moving trains passing along, and the distance between the railway and dwellings, the proposals are not considered to bring an unacceptable impact on the residential amenity enjoyed at Rowley Cottage and Rowley Barton.

8.4 In having regard to those works to the west of Holwell Wood, residential neighbours are further from the application site than Rowley Cottage and Rowley Barton. The proposals, by their nature, the distance of neighbours away from the site and the nature of the topography and intervening vegetation lead officers to consider that the proposals would bring an acceptable impact to residential amenity.

8.5 The proposals under the application are considered to cause an acceptable impact on residential amenity. As such, the proposals are considered to comply with policy CE-S6.

8.6 Turning to the wider project, the relationship of the railway to residential neighbours remains identical to that considered in 2018. The impacts are considered to be the same as those assessed through the original ES. The ES considers the potential effect of construction noise on receptors in areas adjacent to the works and the potential effects of noise and vibration from the operation of the proposed railway on receptors in the areas adjacent to the proposed railway track.

8.7 The ES identifies that, within the National Park, there would be one location where the threshold noise level is anticipated to be exceeded and where there will, therefore,

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be significant effects without further appropriate mitigation. This property is Fair View in Churchtown, Parracombe. The significant effect is considered to arise during the works carried out to the Cattle Creep Bridge that lies to the north side of the house.

8.8 In terms of the operational effects of the proposed railway, the ES considers the proposed operation times for the railway (that there would be no more than 20 trains per day and that trains would have an average speed of 15mph) and considers that there would be no significant effects as a result of the operation of the railway either in terms of noise or vibration.

8.9 Through the previous planning application (62/50/16/001) the Authority sought independent advice from Acoustic Associates South West Ltd, who considered the noise and vibration analysis provided through the ES. Acoustic Associates South West concluded that the predicted sound levels at the neighbouring properties appear to be conservative and that the omissions of corrections for breaking/accelerating/whistling is not expected to fundamentally undermine the overall conclusions reached in the reports and that no significant noise effects will arise as a result of the operation of the railway.

8.10 A condition of the 2018 planning permission is to require a Construction Management Plan, which is required by Environmental Health, to ensure potential impacts through construction are acceptable.

8.11 It is the residential properties in Churchtown (including Fair View) that are considered likely to have the most significant potential to be impacted upon, both as a result of the construction and through the future operation of the railway. There are a number of residential properties in close proximity of the railway land, including Ivy Cottage, Court Place Farm, The Halt, The Haven, Glen Laurel, Fair View and Hedna Cottage, and Heddon Hall.

8.12 The details for the project were amended through the previous planning application, with the platforms associated with the Halt in Churchtown being 'pulled' into the confines/boundaries established at that location, reducing the potential for the platforms to impact on amenity, namely privacy, enjoyed at Court Place Farm.

8.13 Fair View and Hedna Cottage are identified as particular properties impacted by the proposals. The relationship between these properties and the railway proposals remains the same as that assessed through the 2018 application. Although the level of amenity enjoyed at these properties will be harmed, with mitigation through Construction Management Plan and having regard to the scale and character of trains, being slow moving, the harm is considered to be minor and acceptable.

### **9.0 HIGHWAY SAFETY**

9.1 Policy AC-D1 (Transport and Accessibility Requirements for Development) advises that new development should demonstrate all opportunities have been taken advantage of to encourage safe and sustainable modes of transport, including

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through improved infrastructure such as footpaths, cycle paths and rights of way linkages. Policy AC-D2 refers to traffic and road safety considerations for development and advise that development which will cause unacceptable levels of traffic in terms of the environment or physical capacity of the local road network, or would prejudice road safety interests, will not be permitted. Policy AC-S3 (Traffic and Parking) advises that there is a presumption against providing for peak parking demand and, Policy AC-D3 provides parking provision and standards. Policy AC-D4 advises that temporary overflow measures may be permitted to accommodate peak parking demand where there is no adverse impact on the environment and character of the area.

9.2 The proposed railway does not aim to provide an alternative to the private car or public transport as such. The proposal relates to the reinstatement of a heritage railway and the principal importance is as part of the heritage to the area and as a visitor attraction.

9.3 The proposals under this application themselves are not considered to prejudice highway safety in that they would comprise two short sections of railway track.

9.4 The proposals are though very clearly a key part of the wider project, which was granted planning permission in 2018. The original ES considered the potential effects of the proposed development on the local and wider road network, with the assessment being informed by a separate Transport Assessment. A key issue identified by Devon County Council, as the Local Highway Authority, in the process leading to the formal submission of the planning application 62/50/16/001 is the potential effect of traffic at the Blackmoor Gate junction. The ES advised that no significant residual effects were predicted in relation to traffic and transport as a result of the construction of the proposed development. Significant beneficial effects were predicted as a result of the traffic flow reduction at Blackmoor Gate junction during operation of the proposed railway as a result of parking proposals with the provision of a station car park. No cumulative effects on traffic and transport were identified in relation to the proposed railway developments.

9.5 The Transport Assessment (dated 2015) for the project compared the passenger situation of the Railway (with approximately 46k visitors per year) with a do nothing or fall-back scenarios of approximately 50k passengers a year on the existing line using Woody Bay Station, and the new railway proposals for the project with approximately 70k passengers a year. The Assessment concludes that traffic impact of the project at the Blackmoor Gate junction would not be classed as severe, and at Woody Bay traffic will be marginally reduced compared to existing. The Railway car park, as part of the project proposals, for Blackmoor Gate is considered to “take” passengers arriving from the south, and from the South Molton direction, meaning these visitors would not need to route through the Blackmoor Gate junction. This leads to the prediction that there would be a reduction of traffic flow on the A39 to Woody Bay Station due to visitors to the Railway.

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9.6 The overall impact through the operational phase of the project on both the A39 and A399 is concluded in the original ES to be beneficial in terms of reduced traffic flows east of the junction, and that one effect of providing additional parking at Blackmoor gate junction will be reduced traffic flows associated with the Railway along the A39 between Blackmoor Gate and Woody Bay Station.

9.7 In terms of traffic and transport considerations through the construction phase of the project, the ES advises that at its peak there will be 74 additional HGVs per day (37 two-way movements) on the A39 east of Blackmoor Gate, which it is assumed will be evenly distributed through eight working hours of the day. The ES considers this to be an increase of moderate significance as existing HGV movements were assessed as being in the order of 48 vehicles per day. The ES comments that, however, the overall effect in terms of vehicles per hour will mean that there will be one additional HGV every seven to eight minutes along the A39, and this, overall, it is considered that this will constitute an effect of minor significance as it will be for three months out of the 18 months construction delivery period, with HGV flows being significantly lower in the remaining months of construction. The ES advises that, in line with best practice, even though only minor adverse effects are predicted, it will be necessary to implement traffic management and highway safety mitigation measures to keep construction related disruption to a minimum.

9.8 The further details submitted with this application advise that there is no need to update the original ES (2015) or the Transport Assessment (2015) due to there being no significant changes in policy or guidance either national or local during the intervening period. The details consider that there have not been any significant changes in traffic flows locally or alterations to either adjacent or local highway provision.

9.9 The Local Highway Authority have been further consulted on this fresh application and no comments have been received.

9.10 The original ES (2015) sets out that there would be no significant residual effects in relation to traffic and transport as a result of the construction of the project. Beneficial effects were predicted as a result of the traffic flow reduction at the Blackmoor Gate junction during operation, because parking improvements would be made. Although the ES dates to 2015, the Scoping Report dated October 2019 submitted with this application advises that there has been no significant change in traffic flows locally. This is reasonably expected as there have been no significant changes locally that would cause a material change in traffic flows – other than the COVID-19 pandemic, which has clearly disrupted traffic flows, but that is considered unlikely to have caused change to baseline considerations, other than to have the effect of reducing traffic during periods of lockdown. There has been no new roads or alterations to the local roads that cause material change to the considerations. While there were criticisms of, and objections to, the wider proposals considered in 2018, the project on consideration of transport, traffic and highway safety is considered to be identical today. The project is considered likely to have an acceptable impact on

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highway safety interests. Planning conditions can be/are used to ensure a suitable form of development and impact on highway safety considerations.

### **10.0 DARK NIGHT SKY**

10.1 Exmoor National Park was designated as an International Dark Sky Reserve in 2011 for its remote, open moorland and the lack of human habitation. Dark Sky Reserve status has provided an important boost to tourism, attracting visitors to experience Exmoor's dark night sky and inspiring interest in astronomy. The reserve consists of a core zone and critical buffer zone around it which supports the preservation of dark sky in the core.

10.2 Policy CE-S2 seeks to protect Exmoor's dark night sky and requires that development proposals should seek to reduce light spillage and eliminate unnecessary forms of artificial outdoor lighting.

10.3 The application site lies outside the core and critical buffer zone.

10.4 The proposals themselves do not include provision of external lighting. The development is therefore not considered to bring issue in respect of Exmoor's dark night sky.

10.5 The wider project requires lighting for areas with public access during operational hours and for buffer periods before and after, as people arrive and leave. External lighting is also required for those areas used by railway staff. The existing planning permission requires a detailed lighting strategy to ensure that lighting is suitable and appropriate having regard to the character and amenity of the area and also to ensure that the artificial lighting does not cause unacceptable harm to bat habitat, including foraging areas. This condition remains applicable. The considerations around external lighting strategy and Exmoor's dark night sky are considered to be identical with the assessment made in 2018. The principle of suitable external lighting at Blackmoor Gate, where there is already external lighting resulting from existing activities, which would be replaced, is considered to be acceptable in the interests of safety and security. With condition requiring a detailed lighting strategy to be agreed, it is considered that the project will not cause harm to the character and amenity of the area, nor harm the status of the National Park as a Dark Sky Reserve and to also ensure that there is no unacceptable harm to bat habitat, including foraging areas.

### **11.0 PROSPECTS FOR COMPLETION AND ECONOMIC BENEFITS**

11.1 In isolation there is little economic impact of the proposals under this application. The proposals are, however, a key part of the development approved in 2018.

11.2 Through the original application there has been detailed analysis of the potential economic benefits of an extended railway. Through the original application the Authority commissioned its own report, which set out benefits to the local labour market and advises that the proposed development would generate a total of 41

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gross FTE jobs, with 28 FTEs being a net additional benefit to the labour market. The report considers the project has the potential to generate £13.8m in Gross Value Added (GVA) in the economy by 2031. The report considered that the extended scale of the railway is likely to attract a sizeable increase in prominence and an associated increase in visitor numbers, and that, because of this, the applicants' target of 70,000 visitors per year appears achievable. That report was carried out in September 2016 and is 5 years old. It is however expected that the project would have a similar ability to bring similar economic benefits with the ability to attract the target of 70,000 visitors per year. It was recognised that the railway has approximately 50,000 passengers per year who, whilst spending money at the site, also visit the local area and contribute to the local economy and it is considered that an extended railway would add to this visitor spend and that the benefit would be substantial. It is acknowledged that more recently annual passenger numbers have dropped, with total passenger numbers in 2018 being approximately 43,000. That number dropped to 40,500 in 2019 with the weather being considered the main reason for fall in passengers. However, in 2020, despite COVID related restrictions, the applicant considers that visitor numbers are back to expected numbers and this continues to be the trend for 2021.

11.3 Objectors to the proposal have however raised concern with this assessment and economic case for the project, commenting that there has been material change since the original Environmental Statement and economic analysis was done, including that build costs have increased. Foot Anstey, in raising concerns, have advised that build costs have and will increase. Taking account of this, Foot Anstey have advised that the estimated costs of construction as confirmed in the original application submission, being £16,580,000, will have increased to £19,398,600 in August 2020 and that this is forecast to increase to £22,696,362 by 2025. This thereby brings to question the likelihood that the proposal could be completed. These concerns are echoed by others who have commenting on the application.

11.4 The applicant has advised that the cost estimates included in the original planning application includes numerous items that are not directly related to the construction works, including allowances for a new locomotive, rebuilding coaches and sundry vehicles. The applicant advises that some of these have already been provided and are operational on the existing railway. The total of these items is advised as being £1,606,000. The applicant has also explained that there was also a large allowance for land purchase, some of which has been expended. The applicant has advised that the revised total cost for construction of the Phase IIA proposals is £12,711,000.

11.5 The applicant advises that the total cost estimate for the 2016 applications includes various items of works that have now been completed, land that has now been purchased and legal costs that have been expended. The applicant advises that, in addition, the estimate was based on preliminary design work which has since been refined and developed.

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11.6 The applicants have provided a revised “form of estimate of cost” from a firm of Chartered Surveyors, which outlines general costs of construction, and costs for specific transport systems, including tunnels, bridges and associated infrastructure. The applicants have advised that acquisition of further land for future extension has been achieved by legacies, appeals and donations. The papers advise that recent acquisitions include the remainder of the property and trackbed to Parracombe, including The Halt and further trackbed along the formation of Rowley Cross. The applicant says they are close to concluding agreement of a lease with Forestry England for land around Wistlandpound.

11.7 In terms of the Old Station House Inn, just outside the National Park, the applicant explains that having previously stalled, negotiations have re-started and are now advanced. Purchase of the Inn is anticipated to happen in 2021.

11.8 Opposition to the proposals have raised concerns with regard to the business case for the development and whether there would be meaningful economic benefit from the development and whether, in particular, the economic benefit would be considered to outweigh the potential harm of the development during its construction and operational phases. Opposition raises concern in relation to the thoroughness of the applicant’s assessment of development costs given the limited experience of civil engineering projects and also the limited explanation and breakdown of those costs that have been outlined. Concern is also expressed in relation to the likelihood of the business having to rely on volunteer staff and, therefore, the likelihood that operating costs will outweigh financial return that is generated by the project.

11.9 The project is however considered to present a development capable of delivering a sustainable form of rural tourism, bringing direct economic benefit to the area, enabling visitors an opportunity to better understand the aims and work of the National Park. Although visitor numbers did drop for the existing Railway at Woody Bay Station for 2018 and 2019, it would appear visitor numbers, when the Railway has been able to open are near to the expected figure of about 50,000 visitors per year, and the target of an extra 20,000 visitors per year with the proposed extended Railway is still considered to be an achievable figure. It is considered that the extended scale of the railway is likely to attract a sizeable increase in the prominence and an associated increase in visitor numbers, such that the applicants’ target of 70,000 visitors per year has been and is considered achievable.

11.10 The Authority’s own commissioned report leading to the 2018 decision assessed the likely economic benefits of the scheme and concluded that the proposed development would generate a total of 41 gross FTE jobs, with 28 FTEs being a net additional benefit to the labour market and with the scheme having the potential to generate £13.8 in GVA in the economy by 2031 (£10.9m in present value). It is considered that an extended railway with the related facilities of the project would be a valuable tourist addition to the local area and the National Park.



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11.11 The applicant is reliant on further gifts of money to fund construction of the scheme and cannot carry significant debts. The applicant considers that the viability of future railway operations have improved since the Authority considered the application in 2018. This is due to the Railway having elements of the overall construction project already funded and completed and because the Railway considers there have been improvements to existing railway income and passenger levels. The applicant has advised that the overall scheme costs have been benchmarked against the construction costs of the Welsh Highland Railway, which was completed in 2010, and there is considered to be good correlation.

11.12 The applicant has operating experience through the Phase 1 proposal and operating the railway from Woody Bay Station. The applicant advised that despite the COVID19 restrictions during 2020, when the railway was permitted to open, passenger numbers were 14% higher than the corresponding periods in 2019. A summary of current financial information is provided with future fare income calculated from a base fare price with the current proportion of actual fares paid per passenger applied. The applicant also considers non-fares sales, through the shop and tea-rooms, which have been assumed as 50% above current levels per passenger due to the extended visit time for a longer railway journey.

11.13 Objectors to the proposal remain concerned by the appropriateness of the applicant's viability assessment and its business case for development and its ability to provide such an assessment.

11.14 Although there can be considered to have been changes in build cost since the time of the original application, the applicant has advised that some of those costs have already been met. The applicant also has a good track record of raising funds and has acquired more land needed for the Phase IIA proposals since 2018. This matter, or concern relating to this matter, can be addressed through similar Grampian condition as with the original application, which is discussed later in this report.

11.15 The projected level of use of the completed scheme is considered achievable and it is considered that the completed scheme would generate sufficient income to cover operating costs. The existing railway operates with a profit margin and is a popular destination for visitors.

11.16 Overall, the Railway has a good track record through its running of the existing railway attraction out of Woody Bay station and it is considered that an extended railway would add to this visitor spend and that the benefit would be substantial. It is considered that there is prospects of the actions required for the development being performed.

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## 12.0 SITE SPECIFIC POLICY – LYNTON AND BARNSTAPLE RAILWAY – POLICY RT-S2

12.1 This report has considered the development management issues in relation to the application proposals and it has also revisited the environmental effects of the entire scheme considered in 2018.

12.2 While this may be seen as duplication to that analysis, it is considered necessary, for the avoidance of doubt, to analyse the proposals against the criteria for the specific Policy RT-S2 concerning the Lynton and Barnstaple Railway.

12.3 Policy RT-S2 states as follows:

1. Proposals for the reinstatement of the Lynton and Barnstaple Railway should be in accordance with the following criteria:
  - a) The proposal should seek to reinstate and replicate the former narrow gauge railway including the line of the original route and the siting, design, appearance, and materials of the associated structures or buildings;
  - b) Any additional new development over and above the original historic former railway should provide demonstrable evidence that it is essential for the operation of the reinstated former railway or is a restoration of a historic feature and that there are no alternative solutions which would reasonably meet the need for the development in any other way;
  - c) Reinstatement proposals should:
    - i) Seek to re-use the original buildings associated with the former railway.
    - ii) Where it can be demonstrated that the re-use of the original buildings cannot be achieved, existing buildings in suitable proximity to the reinstatement proposal may be considered.
    - iii) New buildings will only be considered where it can be demonstrated that there are no existing buildings suitable for re-use.
  - d) New infrastructure, buildings and structures should complement the character of the original railway;
  - e) The proposal should respond to landscape character and ensure landscaping is appropriate to the site and character of the area and having regard to traditional features of the former railway (CE-S1);
  - f) The proposal should safeguard wildlife, habitats and sites of geological interest (CE-S3);
  - g) Sustainable construction methods should be used, unless they compromise the historical accuracy and appearance of the former railway;
  - h) The proposals should accord with AC-D1 and provide a travel plan to incorporate measures to enable safe access by walking,

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cycling and public transport that will help to minimise traffic generation and the need for parking;

- i) Parking provision should be in accordance with policies AC-S3 and AC-D2; and
- j) Provision of temporary overflow parking to help address peak parking demand should accord with AC-D3.

12.4 The development is assessed against these criteria as follows:

- The proposals seek to correct a drafting error of the original application and reinstate the former narrow gauge railway to the former position of the historic railway at the two locations, as far as the National Park is concerned. This corrects the original application to ensure the original railway is followed including in terms of the line of the original route. The proposal thereby satisfies criterion 1.a. of RT-S2. The wider scheme includes new infrastructure, including a passing loop at Parracombe Halt, and the line of the railway would deviate from the original line at Blackmoor Gate to avoid important trees and account for the realignment of the Blackmoor Gate road junction. These are, however, considered to be acceptable and essential changes from the original railway in accordance with the approach under the Policy.
- The weight of evidence demonstrates that new development over and above that with the original historic line, which in the specific case of this application relates to a cutting to enable the railway to pass under a private access drive, is essential for the operation of the reinstated railway, and that there is no alternative for these developments, satisfying criterion 1.b of RT-S2.
- Original buildings of the former railway are reused where they exist (criterion 1.ci of RT-S2). Namely, in the National Park context, the original passenger shelter at the halt in Parracombe through the project.
- Existing suitable buildings are re-used only where this is appropriate and where original buildings are not available (criterion 1.cii of RT-S2). Namely the existing farm building at Rowley Moor through the project.
- New buildings are proposed only where no existing suitable building exists (criterion 1.ciii of RT-S2).
- Any new infrastructure for the railway is considered to complement the vernacular of the original railway (criterion 1.d of RT-S2).
- The proposals respond to the landscape character and the traditional features of the railway. Landscape mitigation is appropriate. Criterion 1.e. of RT-S2 is therefore satisfied.
- The proposals, subject to the mitigation measures proposed, is considered to have an acceptable impact on important wildlife interests (criterion 1.f. of RT-S2).
- Sustainable construction methods are used where possible (criterion 1.g. of RT-S2).

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- The impact on traffic, transports and highway safety, and parking provision is considered to be to an acceptable level – in accordance with criteria 1.h and 1.i of RT-S2.
  - Temporary overflow parking to help address peak parking demand, proposed through the wider scheme, would be met on the existing livestock market site, thereby satisfying criterion 1.j of RT-S2.

12.5 In conclusion, based on an analysis of the various issues, it is judged that the proposals meet the detailed criteria set out in Policy RT-S2.

### 13.0 MAJOR DEVELOPMENT

13.1 The proposals under this application in themselves would not comprise major development. The proposal is however a key part of the wider scheme, which is major development and the Authority is required to consider whether there are exceptional circumstances to justify major development. In 2018 the Authority considered there was exceptional circumstances. This is however a matter that must be considered afresh through this application given the relationship of the proposed development and the wider project.

13.2 The previous sections of this report have analysed the impacts of the proposed developments and the environmental impact of the project. The report considers, where relevant, that the proposals comply with policy RT-S2.

13.3 Compliance with policy RT-S2 is important but is not in itself sufficient to approve the application. The project involved is works of major development within a National Park. If the application is to be considered acceptable exceptional circumstances within the NPPF paragraph 172 must be shown. This wording is set out earlier in this report.

13.4 In addition, the Local Plan Policy GP2, relating to major development in the National Park states:

1. *In the context of the National Park, major development is defined as development which has the potential to have a significant adverse impact on the National Park and its special qualities due to its scale, character and nature.*
2. *In securing National Park purposes and responding to the National Park's duty to foster the social and economic wellbeing of its communities, applications for major development will not be permitted except in exceptional circumstances; where applicants can demonstrate that they are in the public interest.*
3. *Proposals for major development will need to demonstrate:*
  - a. *The need for the development, including in terms of any national considerations;*
  - b. *The impact of permitted it, or refusing it, upon the local economy and local communities and the extent to which it will provide a significant net benefit to the National Park;*

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- c. *The cost of, and scope for, developing elsewhere outside the National Park, or meeting the need for it in some other way;*
  - d. *That there are no significant effects in proposed or designated European sites for nature conservation both within their boundaries and in the areas that ecologically support the conservation objectives of the site;*
  - e. *Any detrimental effect on the natural and historic environment, the landscape, and recreational opportunities, taking into account the National Park's special qualities, and the extent to which any such effect could be moderated (through applying the avoidance mitigation and compensation sequence of tests set out in clause 4 of this policy);*
  - f. *That the cumulative impact of the development when viewed with other proposals and types of development is acceptable; and*
  - g. *The scope for adequate restoration of the land once the use has ceased.*
4. *Where the tests of clause 3 have been met, then every effort to avoid adverse effects will be required. Where adverse effects cannot be avoided, appropriate steps must be taken to minimise harm through mitigation measures. Appropriate and practical compensation will be expected for any unavoidable effects that cannot be mitigated.*

13.5 The “tests” for major development are the same as that when the original application was considered in 2018, when the Authority considered that there were exceptional circumstances to justify major development. Although it is acknowledged that the major development requirements now fall under paragraph 172 of the NPPF, which was revised in February 2019. Paragraph 172 of the NPPF requires exceptional circumstances to be shown for major development.

13.6 Having regard to this, on balance, Officers consider that there are exceptional circumstances in accordance the requirements of paragraph 172 of the NPPF and that the criteria in GP2 of the Local Plan are essentially satisfied. The Local Plan countenances the ‘reinstatement’ of the railway. This can only be achieved by something more or less identical to the project and by major development in the National Park. Policy GP2 must assume that development in accordance with RT-S2 is acceptable. NPPF paragraph 172 does not contain an exhaustive list of criteria. The fact that the proposal is in accordance with the Local Plan and cannot be achieved without major development in the National Park is a significant component of exceptional circumstances.

13.7 The wider project, which this application forms a key part, is the reinstatement of the Lynton and Barnstaple Railway, which is a non-designated heritage asset, and secures the optimum viable use of this heritage asset, as a railway. The project is considered to bring public benefits with positive impacts on Parracombe Conservation Area and St Petrock’s Church, and improved recreational facilities. The proposals provide opportunities for the understanding and enjoyment of the special qualities of

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the national park by the public, including of its landscape and heritage assets, and bring potential for significant benefits to the economy of the National Park.

13.8 Officers consider that, in combination with the wider proposals, the following constitute exceptional circumstances:

- There is a specific policy in a recently adopted Exmoor Local Plan (RT-S2), which contemplates the reinstatement of the Railway and the proposals are judged to comply with this policy;
- The location of the proposal is a location contemplated by the Local Plan policy.
- The Lynton and Barnstaple Railway is location specific and cannot be reinstated elsewhere;
- The proposals accord with the development plan and therefore paragraph 11 of the NPPF indicates that planning permission should be granted. Guidance from the development plan is not absent, silent or out of date. Paragraph 11 suggests that the development plan should be followed even if there will be harm to the National Park;
- The Lynton and Lynmouth Neighbourhood Plan (Policy E12) supports the reinstatement of the Railway within that parish area within the National Park;
- There will be heritage benefits. The railway is acknowledged to be an important heritage asset and the proposals will see the asset reinstated. Restoration of the historic railway will better reveal its significance in accordance with paragraph 200 of the NPPF;
- The extended railway will provide a significant boost to the local economy increasing visitor spend and stays;
- The reinstated railway will support both the National Park purposes and will help to foster the economic and social well-being of local communities;
- No technical statutory consultee has raised objections to the proposals;
- The proposals follow the historic route and infrastructure where ever possible except where the need for a variation or addition has been demonstrated;
- The potential impacts on the environment are considered to be minor and where they occur some can be mitigated and moderated to the extent that they are judged to be acceptable and others are outweighed by the overall benefits of the scheme.

### 14.0 CLIMATE CHANGE

14.1 In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. The Local plan includes policies which seek to influence, contribute and challenge development to help mitigate climate change. 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

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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.

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

14.3 The original ES was written prior to this declaration and did not include an assessment of climate change. The additional details submitted in support of this planning application provide an assessment of climate change. The details advise that during the construction phase of the whole project, there is the potential for greenhouse gas emissions to arise from the transportation of materials to the site and from the production of materials. The details advise that the applicant will be employing local fabricators/casters during the construction phase, thereby reducing the length of trips the workforce need to travel. The details advise that options for sleepers to be constructed from recycled materials is being investigated, particularly along those area of track bed not visible to the public, and that because of the limited scale of the project it is considered that significant effects are unlikely to arise in relation to greenhouse gas emissions during the construction phase.

14.4 In terms of operation the details advise that the main contributing greenhouse gas sources will arise from the combustion and transportation of coal. It is explained that the coal will be mined in Wales and transported by road. The source is considered to be relatively close source within the UK and the papers explain that, given the limited scale of the proposed operations of the tourist railway, it is not considered that the transportation of coal to the railway will give rise to significant effects with regard to climate change. The proposal is considered likely to increase coal consumption by around 237.5 tonnes per annum compared to about 62.5 tonnes of coal currently used per year.

14.5 The papers explain that greenhouse gas emissions cannot be entirely avoided for this development as it is a fundamental requirement of a heritage railway. The papers do however advise that the scale of development is relatively small and short

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in length and would have a limited number of train movements. The details advise that measures are taken to reduce emissions where possible, including the planting of native hedgerows, native scrub and woodland. It is considered that residual emissions would not be of a significant level and new locomotives are more efficient and powerful than the historic engines.

14.6 The papers advise that the effect on climate of greenhouse emissions in relation to an additional 20,000 visitors per annum arriving by private car, compared to the do nothing scenario, is not anticipated to be significant.

14.7 The details provided consider that the findings of the ES are likely to remain valid following consideration of projected climate change in respect of ecology, hydrology and heritage assets and no significant effects are anticipated in terms of the development's vulnerability to climate change or in relation to major accidents and disasters.

14.8 The proposed extension of the steam railway line would have an impact on climate through increased carbon emissions. The details submitted consider this unlikely to be significant because of the limited scale of the development and with the ability to consider options for the use of some recycled materials in the construction of the railway, the use of more efficient locomotives and with the proposals for additional landscape planting, principally at Blackmoor Gate, but also along the new formed Parracombe embankment, there will be some mitigation of this impact.

14.9 It is however also the case that the reinstatement of the railway will require the clearance of some areas of scrub and woodland, notably along the railway line through Holwell Wood, and the development and operation of an extended steam railway will have a negative impact on the climate through greenhouse emissions. This seems inevitable and unavoidable and this weighs against the proposal. It is also the case that the proposals are likely to increase car journeys with additional visitors, which is not desirable in terms of trying to reduce the overall carbon footprint of the National Park.

14.10 It is, however, acknowledged that the applicant proposes measures to seek to mitigate the climate impact of development and that the development is considered to comply with the site-specific railway policy. These matters, together with the matter that the proposals reinstate an important heritage asset of the National Park supported by a specific Local Plan policy, better revealing its significance, and that the proposals are likely to bring significant economic benefit, the proposals are on balance considered to cause an acceptable impact.

14.11 The details submitted also consider "human health" as an additional topic introduced by the 2014 EIA directive, which were not considered under the original ES. The information explains that the respects in which the proposed development, of the whole scheme, might affect human health are via recreation, noise and air quality



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and advises that the proposals are not anticipated to have significant negative effects in respect of these.

### **15.0 GRAMPIAN CONDITIONS & CONDITIONS OF EXISTING PLANNING PERMISSION**

15.1 The existing planning permission is subject to a number of conditions including Grampian conditions. Because any permission granted to this fresh application (ref 62/50/20/004) would be additional to the existing planning permission (62/50/16/001), it must contain all the conditions that are appropriate to the development it permits.

15.2 The Grampian conditions of the existing planning permission are numbers 4 and 6. These conditions are as follows:

- 4. The development hereby permitted shall not be commenced until –*
- (i) there has been submitted to the local planning authority documentary evidence –*
    - a. proving that the applicant owns all the land required for the development permitted by this permission and permissions 62/50/16/002, 62/50/16/003 and 62/50/16/004;*
    - b. proving that the applicant has entered into a construction contract or construction contracts which provide for the completion of all the development permitted by this permission and permissions 62/50/16/002, 62/50/16/003 and 62/50/16/004 within a specified time period;*
    - c. showing that the applicant has sufficient funds to meet its liabilities under the above contract or contracts; and*
  - (ii) the local planning authority has given notice in writing that documentary evidence which satisfies this condition has been submitted.*

*In addition, a programme of works confirming details for the removal of construction compounds and structures to be removed, as confirmed in the approved plans, together with a time period for such works to be carried out and details for the reinstatement of the land thereafter, shall be submitted to and agreed in writing by the Local Planning Authority prior to the development commencing.*

*Reason: To ensure a satisfactory and comprehensive development in accordance with the approved plans in the interests of the character and appearance of the landscape and local environment.*

*6. The use of the development hereby permitted in connection with the operation of a railway shall not commence until (i) all the operational development permitted by this permission and permissions 62/50/16/002, 62/50/16/003 and 62/50/16/004 has been completed and (i) all existing*

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*structures shown on the approved plans as being demolished and any construction compounds have been demolished and the relevant land restored in accordance with the details approved under condition 2.*

*Reason: To ensure a satisfactory and comprehensive development in accordance with the approved plans in the interests of the character and appearance of the landscape and local environment.*

15.3 Condition 4 has been considered necessary to ensure a comprehensive development is possible and reflects that it has not been certain that the Railway will be able to raise the necessary funds. It has, however, acknowledged that the Railway have demonstrated an ability to raise funds and to buy assets along the line to help form the necessary infrastructure and a continuous route. The condition reflects that there is more to do, and it is understood that the potential funding streams will include Heritage Lottery Funds and, given the applicants past record, it was considered that there are mechanisms and ability to fund the application proposals. There are prospects of the actions being performed within the time limit of the planning permission.

15.4 The applicant has explained that the lack of planning permission has itself previously been the most significant barrier to providing viability of the scheme, as securing planning permission would provide the key to unlocking substantial grant funding streams for construction of the project. The matter of the drafting errors of the application site at these locations along the former railway line have caused delay and further barrier, and the applicant has explained that this matter needs to be resolved prior to making a TWAO. The deliverability of the scheme is also a matter that the Secretary of State would need to be satisfied with in considering whether to grant any subsequent TWAO, and this is a matter that Officers have placed some significance.

15.5 Condition 4 is of importance. This ensures that no development commences until such time that the applicant can demonstrate that it has the funds and a let contract to ensure the delivery of the embankment at Parracombe Bank, railway track bed and engine shed. These are critical elements that were they to be started and not completed would leave an unacceptable environmental impact.

15.6 A condition equivalent to condition 4 of permission 62/50/16/001 will be necessary for a grant of planning permission for this fresh application. Presently the condition relates only to the original permission to the land required for, and the costs associated with that length of railway permitted by that permission and the works covered by permissions 62/50/16/002, 62/50/16/003 and 62/50/16/004.

15.7 A condition requiring that the permission can only be implemented if planning permission 62/50/16/001 is implemented would also be appropriate. All the conditions in permission 62/50/16/001, which are relevant to the works at Rowley Barton and Holwell should also be repeated.

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15.8 In addition, the original planning permission (62/50/16/001) is subject of a 5 year period for the commencement of development. A 5 year period to commence the development (starting from 8 March 2018) was considered appropriate having regard to the nature and complexity of the proposed development. Some local residents' comments against this revised application seek assurance, should planning permission be granted, that the applicant will be required to start the development embraced by this application (62/50/20/004) by the date required for the original planning permission (62/50/16/001) – i.e. by 7 March 2023.

15.9 This has been considered, however, if permission 62/50/16/001 had not had the error with the drafting of the application red line site, the applicant would have had freedom as to when it built the works at Rowley Barton and Holwell Bank – provided that it had started works somewhere by 7 March 2023. In that case, it is considered that the normal 3 year time limit should be imposed on any permission granted pursuant to application 62/50/20/004. If permission 62/50/16/001 lapses, there is no prospect of any permission granted pursuant to application 62/50/20/004 being implemented.

### **16.0 TRANSPORT AND WORKS ACT 1992**

16.1 The railway would also require separate consent through an order made under the Transport and Works Act 1992 (the TWA). The TWA is the usual way of authorising a new (or for this purpose reinstated) railway in England and Wales, except for nationally significant rail schemes in England, which require development consent under the Planning Act 2008.

16.2 Whilst it is possible through a TWA Order (TWAO) to request the Secretary of State to grant planning permission for an development described in the order, the TWAO would not otherwise in itself grant planning permission. The organisation/applicant applying for a TWAO can apply for planning permission separately to the local planning authority. In this instance, the applicant has applied for planning permission separately and has explained that they have done this so that the planning merits of the proposals can be considered and determined at local level. This continues to be the case.

16.3 Applications for TWAOs are made to the Secretary of State and are made by the promoters of a proposed scheme. The process may follow a public inquiry and the purpose of the procedure is to allow the Secretary of State to come to an informed view on whether it is in the public interest to make the TWAO and enable the development to proceed.

16.4 The powers that can be given in a TWAO can be wide-ranging and can include powers to close or alter roads and footpaths and can also include compulsory powers to buy land.

16.5 In terms of the compulsory purchase powers, while the applicants explain they have been gradually buying the former track-bed land along the whole route of the

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Railway between Lynton and Barnstaple, not all the land within the application site is owned. Currently land from Woody Bay Station to Churchtown is owned by the applicant. Land to the west of Parracombe Bank up to approximately Ley's Lane/Rowley Cross is also owned together with a section of land (and farm buildings) at Rowley Moor near Blackmoor Gate. If the other land necessary to deliver the development is not owned, the applicant may be able to seek compulsory purchase powers to buy the land under the TWAO, if that is judged to be acceptable.

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### Human Rights

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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.

Any compulsory acquisition required to implement the project will be authorised by an entirely separate process. Compulsory acquisition is the only way in which the project will interfere with the human rights of anyone.

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### Conclusion

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17.1 Planning permission has been granted for the re-statement railway line and ancillary development under application reference 62/50/16/001. That application relates to the reinstatement of the railway line from the end of the current railway line at Woody Bay Station, from Killington Lane to Blackmoor Gate. The applicant has identified drafting errors for the application red line site boundary for the existing planning permission, with that red line application site being drawn incorrectly in two places along the approved development where it falls within Exmoor National Park.

17.2 This application (62/50/20/004) seeks to correct that error with permission 62/16/50/001 and the application proposes new red line application sites to ensure the proposed development is over the route of the historic railway. The railway track, bridge, embankment and cuttings of the proposal are otherwise essentially the same as that approved under the original application 62/50/16/001.

17.3 In relation to the application, and the wider project of the railway reinstatement and the proposals therein, the development plan is not silent, absent or out-of-date. This development is in accordance with a specific policy in the adopted Local Plan, namely Policy RT-S2. Accordingly, NPPF paragraph 11 indicates that planning permission should be granted for the development.

17.4 The application is clearly a key part of the wider proposal and accordingly has been treated as EIA development by the applicant.

17.5 The development, taken as a whole with the wider project, is clearly major development for the purposes of NPPF paragraph 172. Because it would not be proper to avoid the implications of NPPF paragraph 172 by 'salami-slicing', Officers consider that it would not be proper to permit the application, unless the development covered by all the application satisfies the tests in NPPF paragraph 172.

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17.6 This major development is specifically countenanced in the adopted Exmoor National Park Local Plan. Officers accept that there would be some positive effect on the historic environment through the reinstatement of the railway. Paragraph 8.105 of the Local Plan makes it clear that the Authority regards the former Lynton and Barnstaple Railway as an important heritage asset and considers that, in order to further National Park purposes, its reinstatement should seek to replicate the original narrow gauge railway as far as possible. The railway is part of the historic and cultural heritage of the National Park, and its reinstatement would promote opportunities for the understanding and enjoyment of the National Park's special qualities.

17.7 The adoption of Policy RT-S2 of the Local Plan must reflect an assessment that there is adequate justification for the reinstatement of the Lynton and Barnstaple Railway within the National Park, even though the development is major development within Policy GP2 of the same Plan.

17.8 Officers consider that the project will increase recreational opportunities in the National Park and will provide opportunities for increasing the understanding and enjoyment of the natural beauty, wildlife and cultural heritage of the National Park – both through the experience of travelling on the train itself and the opportunities for viewing and better understanding and appreciating the National Park from it.

17.9 Officers consider that the impacts of the project are impacts contemplated by the Local Plan Policy RT-S2 and that the Policy is judged to be met. It is, therefore, considered that the impacts remain in accordance with the development plan and can, therefore, be regarded as acceptable even though they involve some harm. This harm is inevitable if the Railway is to be reinstated.

17.10 The proposed development in the case of this application is not considered to harm the character, appearance or setting of heritage assets, but to better reveal the significance of the historic Lynton and Barnstaple Railway. The proposal, as part of the wider project, is considered to harm the setting of the Kentisbury round barrows and camp, a schedule monument, above Blackmoor Gate. That harm is considered to be less than substantial harm and, in accordance with the NPPF, that harm remains of considerable importance. There are also positive heritage impacts with the project, including on Parracombe Conservation Area and St Petrock's Church and, also, by restoring the railway itself, which is a heritage asset. There is also public benefit in reinstating the railway, which is considered to bring significant economic benefit to the National Park, and in promoting peoples' understanding and enjoyment of the landscape and cultural heritage of the National Park. In accordance with paragraph 196 of the NPPF, considering the less than substantial harm caused to the heritage asset, with the public benefits outlined, the public benefits of the project is judged to outweigh the minor harm caused to the heritage asset.

17.11 The development proposed under this application is considered to have a landscape impact, particularly the introduction of a new bridge at Rowley Barton and

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also the reinstatement of an embankment at Howell Bank, which would see the railway track elevated above the wider farmland. In combination with the wider project, the proposals will cause minor harm to the landscape of the National Park, particularly as a result of the scale of development at Blackmoor Gate. In accordance with paragraph 172 of the NPPF, this harm is something to which great weight should be given. The project will, however, have many countervailing benefits. These include enhancement of some heritage assets, improved recreational facilities and significant benefits to the economy of the National Park. Many of these benefits advance the purposes of the National Park.

17.12 Officers consider that minor harm to the landscape by the project is inevitable if the development provided for by Policy RT-S2 is carried out and, therefore, must be countenanced by that policy. And, in any case this is outweighed by the overall benefits from the application proposals.

17.13 The further ecological survey carried out in support of this application confirms that the baseline assessed through the original application has not materially changed. The proposals under this application are considered to be acceptable, subject to conditions, in relation to wildlife.

17.14 The proposals are considered acceptable, subject to conditions, in relation to potential impacts on hydrology and are acceptable from a flood risk management, contamination and neighbour amenity point of view.

17.15 No statutory consultee objects to the development proposed in the application.

17.16 There is a general need to support the rural economy (see paragraph 83 of the NPPF and guidance in the Local Plan) and the project will assist in providing this support, which is in accordance with Policy GP2.3(b). There is conflicting evidence about the economic impact of the proposals and this has been discussed above. Officers have stated their conclusions and in summary consider that the proposal is likely to produce significant economic benefits to the rural economy and that once completed the scheme would generate sufficient income to cover operating costs. In addition, it is considered that there are prospects of the actions being performed within the time limit of the planning permission.

17.17 There are considered to be exceptional circumstances, which support the development covered by the application and the project. Further the development is judged to be in the public interest. Accordingly, the requirements of NPPF paragraph 172 are met.

17.18 There would be an impact on climate as a result of the reinstatement of the railway, but given the size and scope of the project, the measures that will be implemented to avoid or mitigate its impact and having regard to the public benefit associated with the development, the proposal is considered to be acceptable.

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17.19 Objectors have raised concerns about the ability of the applicant to complete all the development, particularly given the changes in the economic climate since the grant of the original application in 2018. Officers consider that the applicant has an impressive record in raising funds. However, the applicant will need to raise many millions of pounds before it can fund all the development covered by the applications. It would be unacceptable for the development to be started but not completed. Accordingly, Officers consider an equivalent Grampian condition to ensure that the development is not started until there is some certainty that it will be completed is necessary and Officers are content that there are prospects that the actions required to carried out the development will be performed.

17.20 Officers consider that, if the development can be constructed without the applicant incurring significant debts, the income generated by the use of the completed development will exceed the operating costs. In this event significant benefits to the rural economy will be generated.

17.21 On balance the proposal is judged to be acceptable and in accordance with the development plan. It is recommended that planning permission be granted subject to conditions listed below.

17.22 The list of conditions includes “pre-commencement” conditions. In accordance with the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018, which came into force on the 1 October 2018, the Authority is required to have written agreement before issuing planning permission for any pre-commencement conditions that may be required. If agreement of the pre-commencement conditions is not secured prior to the Committee meeting, Officers would ask that the Authority Committee resolve to grant planning permission and delegate Officers to resolve conditions of planning permission, on the basis of those outlined below. In the event that agreement on the pre-commencement conditions cannot be reached with the applicant, Officers will report the application back to Authority Committee.

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### **Recommendation**

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Approve 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 development hereby approved shall be carried out strictly in accordance with the following schedule of plans and details, unless otherwise required by condition below:

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- Bridge 59 to Bridge 60 Location Plan, drawing number LBR-B59-B60-LP rev A and date stamped 4 February 2020;
  - Holwell Farm AC & Bridge 59 Location Plan, drawing number LBR-B59-LP rev A and date stamped 4 February 2020;
  - Rowley Barton Crossing Location Plan, drawing number LBR-RBC-LP rev A and date stamped 4 February 2020;
  - Bridge 59 Holwell Bank Section, drawing number 003 issue A and date stamped 4 February 2020;
  - Bridge 59 Holwell Bank Plan (1), drawing number 001 issue A and date stamped 4 February 2020;
  - Bridge 59 Holwell Bank Plan (2), drawing number 002 issue A and date stamped 4 February 2020;
  - Rowley Barton General Arrangement, drawing number LBR-56.7-001 revision C and date stamped 4 February 2020;
  - Location of redline corrections, drawing number LBR-LRC-LP and date stamped 27 July 2020;
  - Rowley Barton Supplementary Detail to dwg LBR-56.7-001, drawing number LBR-56.7-002 and date stamped 27 July 2020;
  - Accommodation Crossing Proposed Elevations, drawing number LBR-AC-PE-20150713 and date stamped 27 July 2020;
  - Cattle Creep Bridge Proposed Elevations, drawing number LBR-GD-CCPE-20150707, date stamped 27 July 2020;
  - Accommodation Crossing Proposed Plan, drawing number LBR-AC-PL-20150713 and date stamped 27 July 2020;
  - Line on Cutting Longitudinal Section, drawing number LBR-LC-LS-02-20150916 and date stamped 27 July 2020;
  - Cattle Creep Bridge Proposed Plan, LBR-GD-CCPP-20150707 and date stamped 27 July 2020;
  - Line on Cutting Plan, drawing number LBR-LC-P-02-20150916 and date stamped 27 July 2020;
  - Line on Cutting Transverse, drawing number LBR-LC-TS-20150709 and date stamped 27 July 2020;
  - Line on Level Transverse Section, drawing number LBR-LL-TS-20150709 and date stamped 27 July 2020;
  - Line on Level Plan, drawing number LBR-LL-P-20150916 and date stamped 27 July 2020;
  - Line on Embankment Longitudinal Section, drawing number LBR-LE-LS-02-20150916 and date stamped 27 July 2020;
  - Line on Embankment Plan, drawing number LBR-LE-P-02-20150916 and date stamped 27 July 2020;
  - Line on Embankment Transverse Section, drawing number LBR-LE-TS-20150709 and date stamped 27 July 2020; and
  - Line on Level Longitudinal Section, drawing number LBR-LL-LS-02-20150916 and date stamped 27 July 2020.



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Reason: To ensure a satisfactory standard of development in the interests of complying with planning policies and the visual amenity of the area.

3. This permission shall not be carried out, unless planning permission 62/50/16/001 is implemented. Where the development pursuant to this application, reference 62/50/20/004, coincides with the red line application site of planning permission 62/50/16/001, the development shall not be carried out other than strictly in accordance with the details approved as part of this application – reference 62/50/20/004. If any work pursuant to application 62/50/16/001 takes place in respect of the construction of a railway, where that lies in a position parallel to the application site in respect of application 62/50/20/004, any works already completed on site pursuant to this permission (62/50/20/004) shall be demolished, removed from the site and the land shall be restored to its former condition within one month of the those works commencing under 62/50/16/001 where that coincides with a position parallel with the red line application site of this permission.

Reason: The planning permission is proposed as an alternative to 62/50/16/001 in respect of two sections of railway track, being at Rowley Barton and Holwell Bank. The condition is necessary to ensure only one line of railway track is permitted in the interests of the character and appearance of the landscape, the character and appearance of the heritage asset of the former railway and in the interests of local amenity.

4. The development hereby permitted shall not be carried out unless planning permission 62/50/16/001 is implemented and it shall not be commenced until -

- (i) there has been submitted to the local planning authority documentary evidence –
  - a. proving that the applicant owns all the land required for the development permitted by this permission and permissions 62/50/16/001 (except in respect of the approved application site where it lies parallel with the application site hereby approved), 62/50/16/002, 62/50/16/003 and 62/50/16/004;
  - b. proving that the applicant has entered into a construction contract or construction contracts which provide for the completion of all the development permitted by this permission and permissions 62/50/16/001, 62/50/16/002, 62/50/16/003 and 62/50/16/004 within a specified time period;
  - c. showing that the applicant has sufficient funds to meet its liabilities under the above contract or contracts; and
- (ii) the local planning authority has given notice in writing that documentary evidence which satisfies this condition has been submitted.

Reason: The planning permission is proposed as an alternative to 62/50/16/001 in respect of two sections of railway track, being at Rowley Barton and Holwell Bank. To

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ensure a satisfactory and comprehensive development in accordance with the approved plans in the interests of the character and appearance of the landscape and local environment.

5. The use of the development hereby permitted in connection with the operation of a railway shall not commence until all the operational development permitted by this permission and permissions 62/50/16/001 (except in respect of the approved application site where it lies parallel with the application site hereby approved), 62/50/16/002, 62/50/16/003 and 62/50/16/004 has been completed.

Reason: The planning permission is proposed as an alternative to 62/50/16/001 in respect of two sections of railway track, being at Rowley Barton and Holwell Bank. To ensure a satisfactory and comprehensive development in accordance with the approved plans in the interests of the character and appearance of the landscape and local environment.

6. No part of the development hereby permitted shall be commenced until a detailed permanent surface water drainage management plan is submitted to, and approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This detailed permanent surface water drainage management plan shall be in accordance with the principles of sustainable drainage systems, and those set out in the Flood Risk Assessment submitted in support of the application.

Reason: To ensure that surface water from the development is managed in accordance with the principles of sustainable systems.

7. Prior to the commencement of the development hereby permitted a land contamination assessment and associated remedial strategy, together with a timetable of works, shall be submitted to and approved in writing by the Local Planning Authority:

- (a) The land contamination assessment shall include a desk study and site reconnaissance and shall be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses, identify risks to human health and the environment, and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any investigations commencing on site.
- (b) Any subsequent site investigations shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- (c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority

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shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

- (d) Where relevant, approved remediation works shall be carried out in full on site under a Quality Assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority in writing.
- (e) Where relevant, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The verification report shall include details of the proposed remediation works and Quality Assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required cleanup criteria shall be included in the completion report together with the necessary waste transfer documentation detailing what waste materials have been removed from the site.
- (f) A certificate signed by the developer shall be submitted to the Local Planning Authority confirming that the appropriate works have been undertaken as detailed in the completion report.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the National Planning Policy Framework.

8. Should any contamination of soil or groundwater not previously identified be discovered during development, the developer shall immediately notify the Local Planning Authority. Site activities within that sub-phase or part thereof, should be temporarily suspended until such time as a procedure for addressing such contamination, within that sub-phase or part thereof, is agreed upon in writing by the Local Planning Authority.

Reason: To ensure that any contamination existing and exposed during the development is identified and remediated.

9. Prior to the commencement of development hereby approved a Construction Traffic Management Plan (CTMP) to manage the impacts of construction during the life of the works at the relevant location shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt and where relevant, the CTMP shall include:-

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- a) measures to regulate the routing of construction traffic and expected number of construction vehicles per day;
  - b) the times within which traffic can enter and leave the identified construction sites;
  - c) the importation and removal of spoil and soil on site;
  - d) the removal /disposal of materials from site, including soil and vegetation;
  - e) the location and covering of stockpiles;
  - f) details of measures to prevent mud from vehicles leaving the site and must include wheel-washing facilities;
  - g) control of fugitive dust from earthworks and construction activities; dust suppression;
  - h) a noise control plan which details hours of operation and proposed mitigation measures;
  - i) details of any site construction office, compound and ancillary facility buildings;
  - j) specified on-site parking for vehicles associated with the construction works and the provision made for access thereto;
  - k) a point of contact (such as a Construction Liaison Officer/site manager) and details of how complaints will be addressed.

The details so approved and any subsequent amendments, as shall be agreed in writing by the Local Planning Authority, shall be complied with in full and monitored by the applicants to ensure continuing compliance during the construction of the development.

Reason: The planning permission is proposed as an alternative to 62/50/16/001 in respect of two sections of railway track, being at Rowley Barton and Holwell Bank. To minimise the impact of the works during the construction of the development in the interests of highway safety and the free-flow of traffic, and to safeguard the amenities of the area. To protect the amenity of local residents from potential impacts whilst site clearance, groundworks and construction is underway.

10. The development hereby permitted shall not be commenced until such time as a Water Resources Risk Assessment has been submitted to and approved in writing by the local planning authority. The assessment shall include details of the following:

- Identification of all public and private water supply sources, and groundwater
- dependent features that could potentially be impacted by the development;
- Delineation of the catchment areas of these sources and features;
- Identification of the construction and operation phase activities that could potentially impact these sources and features;
- An assessment of the risk of impact of the development on these sources and features; and
- A monitoring and mitigation strategy to ensure that these sources and features are not adversely impacted by the development.

The monitoring and mitigation strategy shall be fully implemented as approved.

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Reason: The planning permission is proposed as an alternative to 62/50/16/001 in respect of two sections of railway track, being at Rowley Barton and Holwell Bank and to protect controlled waters.

11. No development shall take place until a detailed Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of all permits, contingency plans and mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site. The CEMP shall specifically include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

Thereafter the development shall be carried out in accordance with the approved details and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: The planning permission is proposed as an alternative to 62/50/16/001 in respect of two sections of railway track, being at Rowley Barton and Holwell Bank. To ensure that adequate measures are put in place to avoid or manage the risk of pollution or waste production during the course of the development works and in the interests of wildlife.

12. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.

Reason: To help record and protect the archaeological heritage of the district. This includes recording standing fabric associated with the railway as well as potential buried earlier remains.

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13. Prior to the commencement of development hereby approved a Habitat Management Plan (HMP) shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the HMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring of habitat and species, including, bats and dormice in the area of Holwell Wood, and remedial measures for each.

The HMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the HMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In accordance with Government and local policy for the maintenance of biodiversity.

14. Vegetation clearance in Holwell Wood will be undertaken using a phased approach, prior to construction works commencing in accordance with a time table and phasing plan previously submitted to and agreed in writing by the Local Planning Authority. The phasing plan shall include details for clearing small sections of vegetation by hand. Updated tree inspection surveys for bat roosts will be undertaken prior to any tree removal and reported to, along with any proposed mitigation required, and approved by the Local Planning Authority before action is taken. Similarly updated inspections of buildings likely to support roosting bats will be undertaken and likewise reported.

Reason: In the interests of the strict protection of European protected species that have been identified as present at these sites and to ensure that any additional mitigation that may be required by virtue of passage of time is included.

15. No lighting shall be permitted during the construction period and for the duration of the development unless otherwise authorised in writing by the local planning authority.

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Reason: In the interests of the strict protection of European protected species and the character and appearance of the National Park landscape, including its dark night sky.

16. Notwithstanding the provisions of Class A to Part 8 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that Order, any proposal for the erection of structures or buildings, car park or other development provided under transport legislation shall be the subject of a separate planning application to the Local Planning Authority.

Reason: In order that the Local Planning Authority can consider the potential impact of development on the local environment and in the interests of the character and appearance of the landscape.

17. Vegetative clearance works in any area of suitable habitat, such as woodland, hedgerows and scrub, for Hazel Dormouse shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure the strict protection of a European Protected Species Temporary loss of woodland will occur as a result of within Holwell Wood. Permanent loss of woodland understorey will occur along the existing track bed where scattered scrub and trees have established.

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### **Informatives**

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#### **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](mailto:plan@exmoor-nationalpark.gov.uk).

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### CONDITIONS AND INFORMATIVES AND THE SUBMISSION OF FURTHER DETAILS

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 on an informal basis.

The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

### POSITIVE & PROACTIVE STATEMENT

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

### ENVIRONMENT AGENCY NOTES

Advice – Contaminated Land

We have reviewed the following documents relating to Planning Application 62/50/20/004:

- Lynton to Barnstaple Railway Reinstatement Phase I Contaminated Land Assessment, Fluid Environmental Consulting Ltd, dated 4th April 2019;



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- Figure 1: Proposed development – Additional Information and Figure 2: Historical land uses and sensitive features - Additional Information (both dated 27th July) that were previously missing from the Phase 1 report;
  - Drawing Location of Red Line Correction - Additional Plan (dated 27th July);
  - Planning Application, dated 4th December 2019; and
  - Lynton to Barnstaple Railway Reinstatement: Scoping Report in support of an Application for a Transport and Works Act Order, LUC, dated October 2019.

The application relates to works required along two short subsections of the Lynton to Barnstaple Railway Reinstatement development. The diagrams provided indicate that proposed works in these areas shall include:

- Line Section West of Holwell Wood: A crossing to provide access to Holwell farm and construction of Bridge 59; and
- Line Section near Rowley: A crossing of provide access to Rowley Barton and the culverting of the stream from Rowley Down.

A review of OS mapping and aerial photography suggests the neither section is located in an area of cut that may have been subject to historical infill. We are therefore in agreement ground contamination represents a low risk to controlled waters in these areas. Despite this low risk, there is an absence any intrusive investigations information to confirm this and the historical presence of a coal powered, narrow gauge steam railway (1898 – 1935) does represent a potential source of contaminated ground. Therefore, we recommend the above-mentioned precautionary condition within any permission granted to ensure that any unsuspected contamination is found to be present it is dealt with appropriately.

### Advice – Pollution Prevention

We refer the applicant to the advice contained within our Pollution Prevention Guidelines (PPGs), in particular PPG5 – Works and maintenance in or near water and PPG6 – Working at construction. These can be viewed via the following link: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

We recommend that a Construction Environment Management Plan (CEMP) is produced to pull together and manage the pollution control and waste management requirements during the construction phase. A CEMP is best prepared with the main Contractor. We recommend that a CEMP is drafted using the guidance from PPG6.

### Advice – Waste

Only suitable of materials should be used in the construction of embankments and/or watercourse crossing structures to ensure there is no adverse impact on water courses.

If materials that are potentially waste are to be used on-site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...' in order for

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the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply.

Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us.

A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.
- We have produced guidance on the recovery test which can be viewed at <https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities>.

You can find more information on the Waste Framework Directive here:  
<https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive>

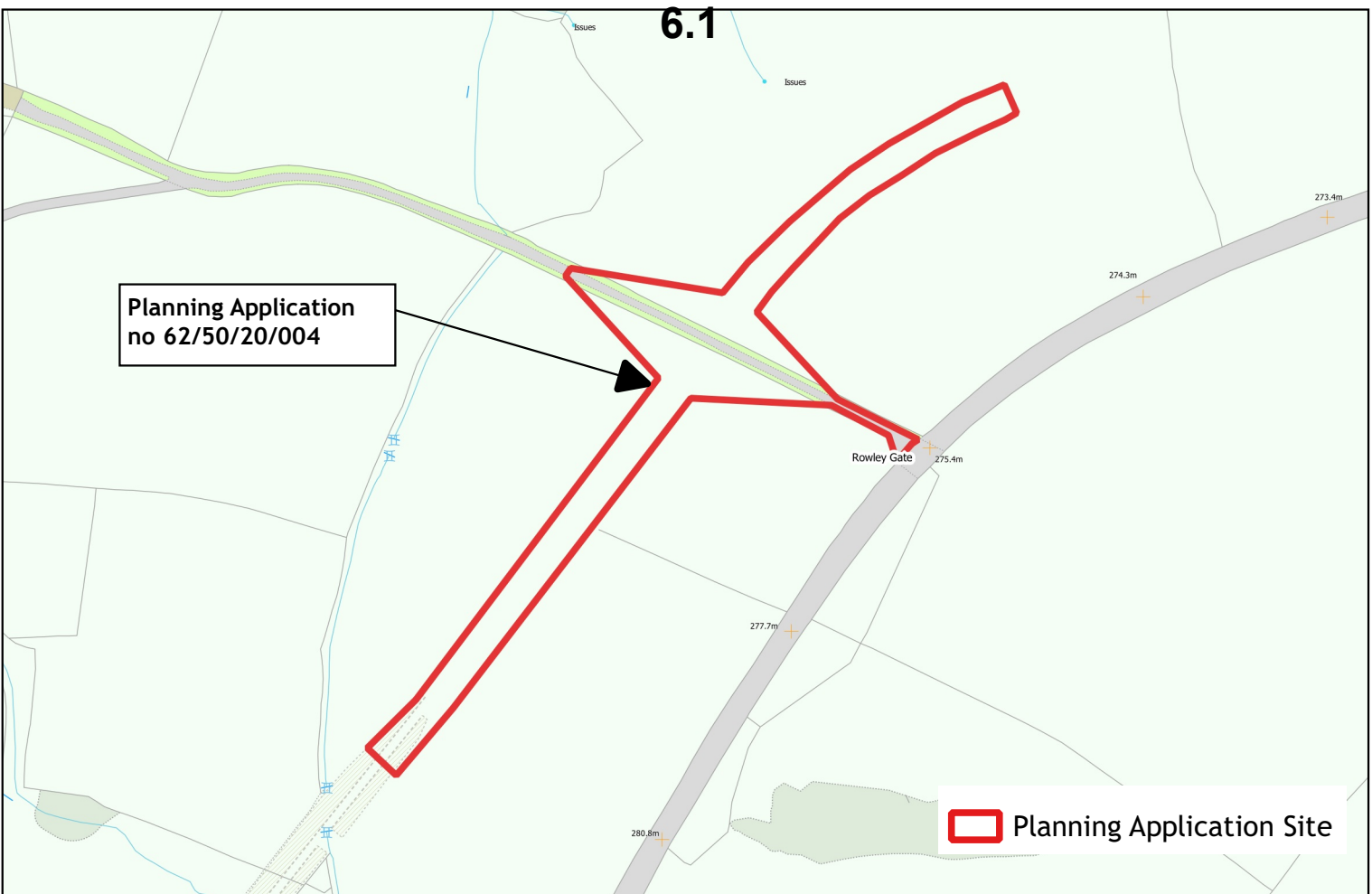
More information on the definition of waste can be found here:  
<https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here:  
<https://www.gov.uk/government/collections/waste-exemptions-using-waste>

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the WFD). The 'Is it waste' tool, allows you to make an assessment and can be found here:  
<https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests>

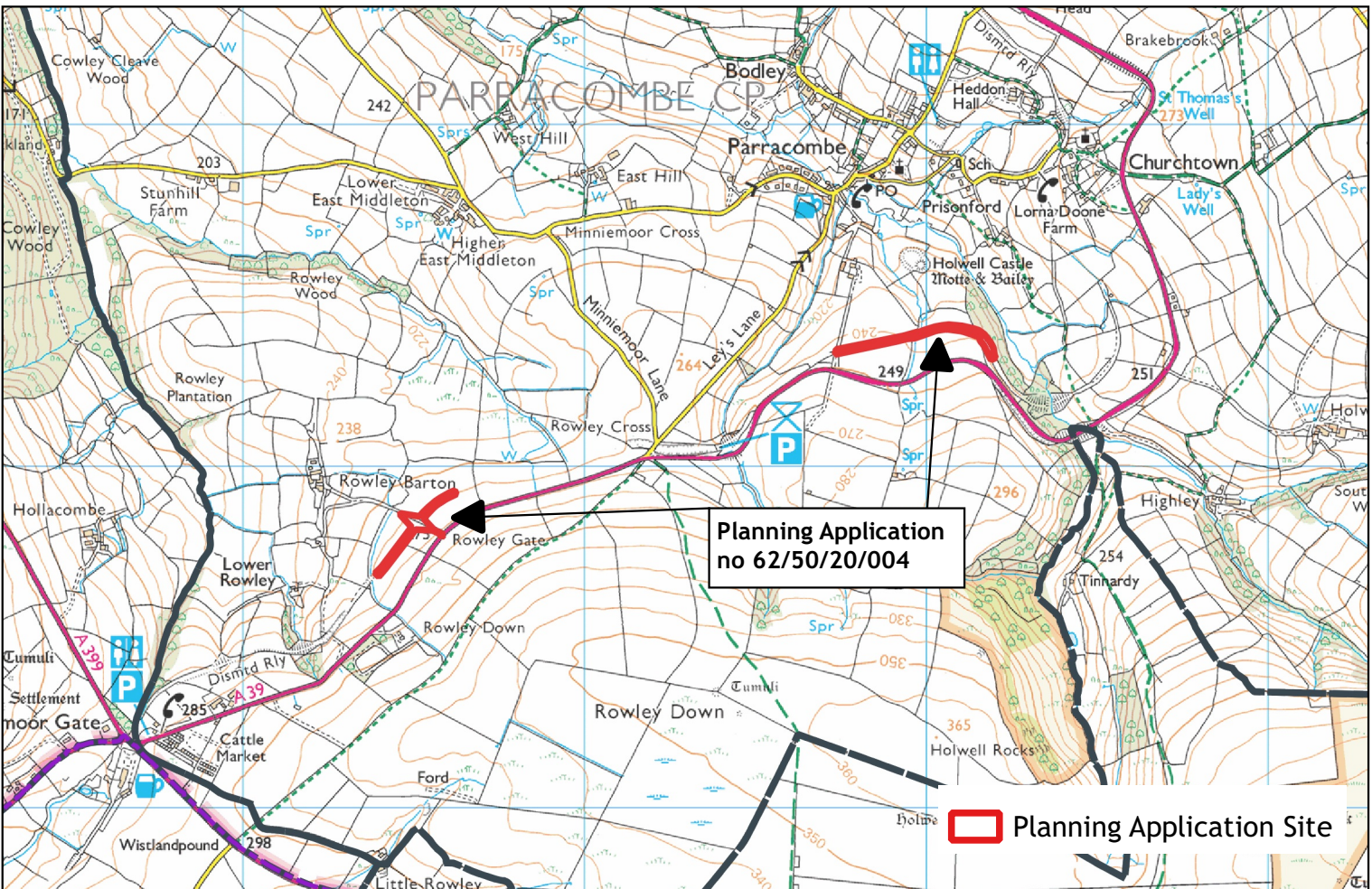
Planning Application no 62/50/20/004

Planning Application Site



Site Map  
Scale 1:2500

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Overview Map  
Scale 1:20000

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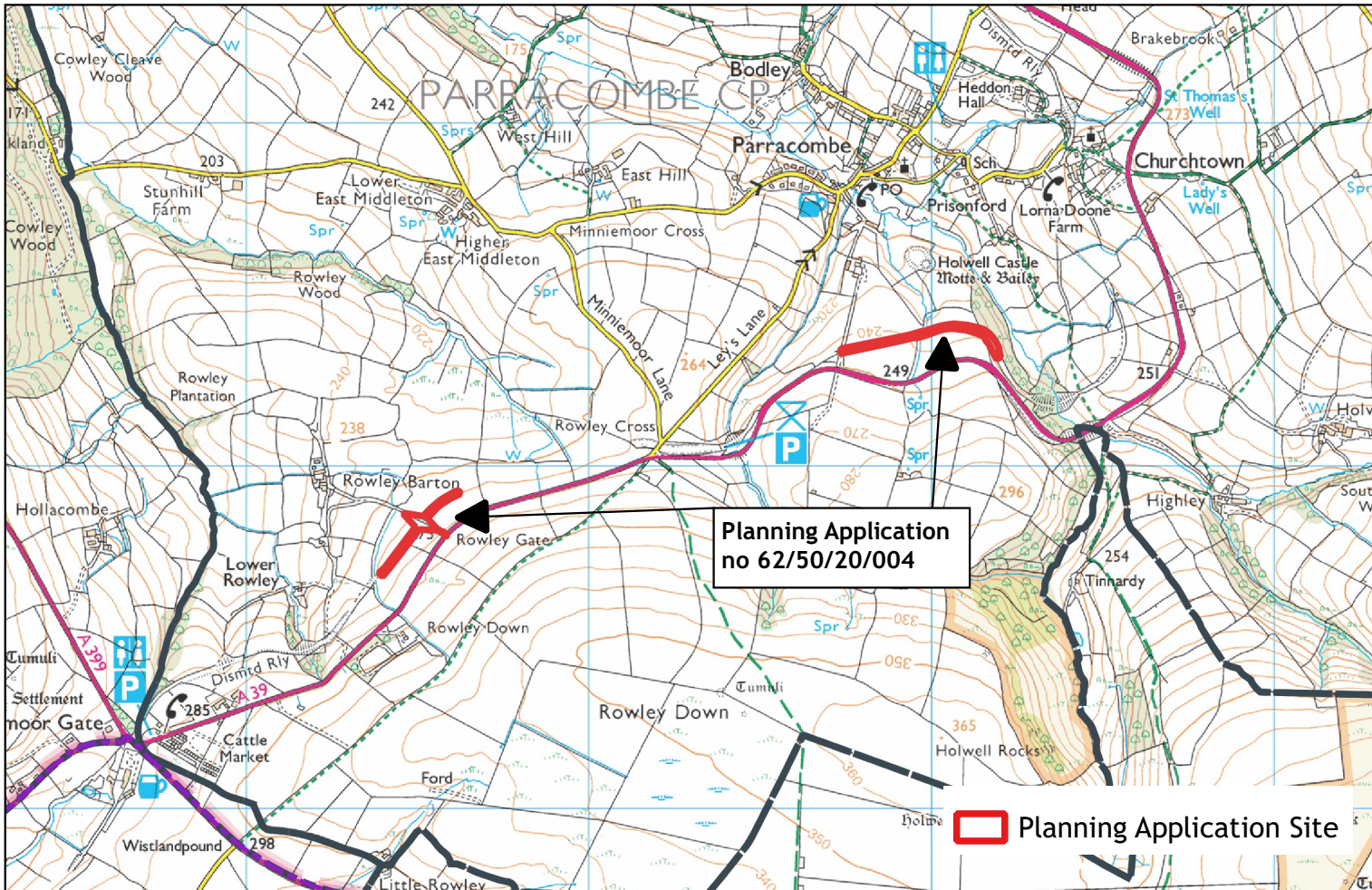
Planning Application no 62/50/20/004

Planning Application Site

Site Map

Scale 1:2500

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Planning Application no 62/50/20/004

Planning Application Site

Overview Map

Scale 1:20000

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## 6.2



### Committee Report

Application Number:	62/41/21/012
Registration Date:	25-May-2021
Determination Date:	
Applicant	Governing Body of The West Exmoor Federation
Agent:	Mr. M Puddicombe, Hart-Ireson Ltd
Case Officer:	Amy Sanders
Site Address:	LYNTON C OF E PRIMARY SCHOOL, MARKET STREET, LYNTON, EX35 6AF
Proposal:	Proposed replacement of doors/screens in 3 no. locations with new aluminium units of style and colour to match existing.
Recommendation:	Refusal
Reason for bringing before Authority Committee:	The application comes before the Committee in accordance with the Scheme of Delegation, because the Officer recommendation to refuse planning permission is contrary to the view of the Town Council.

### Relevant History

NE 804 Proposed extensions  
Approved 23 August 1972

62/41/92/012 Renewal of Temporary Planning Consent (62/41/81/042) on Kitchen and Dining Room  
Renewal Approved 11 June 1992

NE 821 Proposed extension to north elevation of boy's and girl's toilets  
Approved 20 December 1972

NE 445 Proposed temporary classrooms  
Withdrawn 10 September 1965

62/41/05/019 Extension to main hall to provide additional space  
Approved 14 July 2005

62/41/92/002LB Demolition of Redundant Building in School Grounds  
Refused 07 April 1992

62/41/75/047 New Playground

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Rejected 07 April 1975

62/41/75/046 Modernisations and extensions to existing School Buildings  
Approved 07 August 1975

62/41/03/033 Erection of 2.4m high vertically timber boarded fence along boundary with car park and installation of replacement timber framed windows.  
Approved 02 October 2003

62/41/16/031 Proposed replacement of 1no. metal framed window with new white powder coated aluminium double-glazed unit. (Full)  
Approved 26 September 2016

NE 526 Proposed erection of temporary classrooms  
Approved 30 December 1966

NE 535 Proposed erection of 2 no. temporary (timber) classrooms  
Approved 16 February 1967

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### **Site Description & Proposal**

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Lynton Church of England Primary School is situated within the centre of Lynton adjacent to the Bottom Meadow car park. The building dates from the mid-19th Century and has later additions attached to it. It was apparently built on the site of the Old Parsonage, which was the residence of the Parish Clerk.

The application site is located within the Lynton Conservation Area and the Lynton Historic Settlement Core.

#### **PROPOSAL**

This application seeks permission to replace three of the existing timber doors with double-glazed aluminium framed doors and side screen and glazing above. It is proposed that the profile and panels of the existing doors will be replicated on the replacement doors. The replacement doors will be of the same colour as the existing doors. The door referred to as D1 on the proposed plans, is the front entrance door and is located on the north east facing elevation. Doors D2 and D3 are on the south west facing side of the property.

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### **Consultee Representations**

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## 6.2

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### **ENPA - Conservation Area Officer, 25-June-2021**

Although the building has examples of aluminium windows in-situ the majority of the doors and windows in the building are currently timber. Local Plan Policy CE-S6 and CE-D4, both encourage the use of sustainable materials, in particular for traditional buildings within conservation areas. Following discussion with the case officer, it is considered that as door D1 is largely hidden from view and not readily visible from the conservation area, that the use of aluminium here could be considered acceptable. Doors D2 and D3 are more visible from the conservation area it is recommended that these are replaced with timber units.

### **Lynton & Lynmouth Town Council, 16-June-2021**

Support the application.

### **North Devon Council – Planning, 11-June-2021**

No Observations

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### **Representations**

No representation received.

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### **Policy Context**

Exmoor National Park Local Plan 2011-2031  
GP1 General Policy  
CE-S4 Cultural Heritage and Historic Environment  
CE-S6 Design and Sustainable Construction Principles  
CE-D3 Conserving Heritage Assets

Lyn Plan 2013 – 2028  
P1 – Overall Objectives for New Development

National Planning Policy Framework is also a material consideration.

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### **Planning Considerations**

The main material planning considerations in this case are considered to be the design and materials, and the impacts on the character and appearance of the Conservation Area.

The application site is located within the Lynton Conservation Area, the key consideration is whether the proposed replacement doors would conserve or enhance the character and appearance of the Conservation Area.

### **Design and Appearance and Impacts on the Character of the Conservation Area**



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

The proposed doors would be constructed using aluminium. This is a fenestration material which is less preferable to a timber alternative. Policy CE-S6 is clear in its approach that the use of non-traditional materials is not considered appropriate for aesthetic reasons. Therefore, the proposal is not compliant with Policy CE-S6.

The protection of the cultural heritage and historic environment of Exmoor is a high priority for the National Park Authority, and forms part of the purposes of the National Park. Policy CE-S4 of the Local Plan relates to the Cultural Heritage and Historic Environment of Exmoor.

The development site is located within the Conservation Area of Lynton. The Conservation Area Appraisal states about Market Street:

*‘This is the most intimate part of the Conservation Area thanks to the narrow lanes and mainly three-story buildings right up to the highway. The buildings on Market Street are lower in height, the long former market building is single storey, as is the primary school, while the cottages on the opposite side of the road are again on a smaller scale and mainly two storey.’*

The appraisal states about Lynton Primary School:

*‘The Primary School (Fig 52) was built as a National School in 1844. The present building has later 19th and 20th century extensions. The 19th century part is built of stone rubble with brick dressings, pointed arch windows in larger brick arched recesses. The windows incorporate some iron glazing bars, there is a school bell under a small, hipped gable, and there is an unusual, shouldered brick stack with randomly inlaid dressed limestone.’*

The doors at the Primary School are not specifically mentioned within the appraisal, however, the appraisal does refer to the risks upon the character and appearance of the Conservation Area of Lynton. One such risk is the use of non-traditional materials. The appraisal notes that:

*‘A further detraction is the tendency to replace original timber windows and doors, many of which are capable of restoration, with PVCu replacements. This is a trend also identified in 2002 and is continuing. It has resulted in a considerable loss of historic character. It is acknowledged that repair or restoration of period features, especially timber joinery, ornate glazing detail and cast or wrought ironwork, can be costly and time consuming, and may require specialist advice, but it invariably repays the effort involved... Where replacements are required, they need to be in timber and respect the joinery tradition of the time at which they were installed. Unlisted buildings*

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*are especially vulnerable, yet their group value is often of vital importance in the street scene’.*

The proposed location of the replacement doors D2 and D3 are equally in a visually prominent position within the Conservation Area of Lynton. Therefore, for these two replacements doors, the use of a non-traditional material is likely to have a negative impact on the street scene, and the proposal does not positively contribute to the character of the Conservation Area of Lynton. The current use of timber materials on the doors harmonises with the traditional character of the building and the conservation area, and thereby makes a positive contribution to the locality. It is acknowledged that there are examples of non-traditional materials at the site, however as part of application reference number 62/41/16/013, the Officer concluded that the use of a non-traditional material in this instance was acceptable because the replacement window was in a discrete and well screened location, so therefore would not be visible from the Conservation Area.

Policy CE-S4 states - ‘to be consistent with the conservation and enhancement of the cultural heritage of the National Park, proposals which may affect Exmoor’s settlements, whether or not they are currently designated as conservation areas, should seek to preserve or enhance their historic/architectural interest, character and appearance’. Therefore, weight should be given in the decision-making process to the preservation and enhancement of the historic character of the traditional buildings.

Policy CE-S4 permits development that conserves and enhances the local distinctiveness, cultural heritage and historic environment of Exmoor National Park. The proposal to replace doors D2 and D3 is likely to erode the historic character of the building and settlement by installing a modern artificial material, which is not sympathetic in design or appearance.

Policy CE-S4 also notes that the historic character of buildings and settlements is easily eroded by small incremental changes over time, and the character of historic buildings can easily be destroyed by unsympathetic or inappropriate repair. This is an important consideration for the Lynton Conservation Area which has seen the gradual increase of Upvc/non-traditional materials which has had accumulative negative impacts. The Conservation Area Appraisal specifically states that as a way of managing and enhancing the character of the Conservation Area, traditional materials should be used.

Upon a site visit to assess the proposal, it was noted that door D1, the front entrance doorway on the north eastern facing elevation is in a more discrete location. It is set back from the highway, and under the cover of the canopy front porch. In light of this, door D1 is not overtly visible from the conservation area, so the use of a non-traditional material and design in this instance, for the door D1, is not considered to cause an unacceptable level of harm upon the Conservation Area of Lynton.

The Historic Building Officer has commented on the proposal and writes-

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'Although the building has examples of aluminium windows in-situ the majority of the doors and windows in the building are currently timber. Local Plan Policy CE-S6 and CE-D4, both encourage the use of sustainable materials, in particular for traditional buildings within conservation areas. Following discussion with the case officer, it is considered that as door D1 is largely hidden from view and not readily visible from the conservation area, that the use of aluminium here could be considered acceptable. Doors D2 and D3 are more visible from the conservation area it is recommended that these are replaced with timber units.'

In light of the above considerations, the proposal to replace doors D2 and D3 with a non-traditional material is not considered to make a positive contribution to the local distinctiveness of the historic environment, nor does it ensure that the character of the heritage asset and its setting is conserved or enhanced, so is not compliant with Policy CE-S4 of the Local Plan. The proposal for the use of aluminium on the door D1 is considered acceptable due to its discrete and sheltered location at the site.

### **Other Matters**

Lynton and Lynmouth Town Council support the application.

There would be no increase in overlooking from the replacement of the existing doors. As such, the proposed development is not considered to harm neighbouring amenity.

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### **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.

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### **Conclusion**

In light of the above considerations, the proposed replacement doors D2 and D3 are considered to have an unacceptable impact on the character and visual amenity of the Conservation Area, the street scene, and the building because of the material and design. The application is recommended for refusal.

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### **Recommendation**

Recommendation of refusal for the following reason:

1. The proposed works by virtue of its materials, and appearance, is not considered to be an acceptable form of development as it detracts from and is incongruous with the character and appearance of the traditional building and fails to conserve the special qualities and character and appearance of Lynton Conservation Area. It is, therefore, contrary to Policies GP1, CE-S4, CE-D3, and CE-S6 of the Exmoor National Park Local Plan 2011 - 2031, and the National Planning Policy Framework.

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### **Informatives**

## 6.2

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### 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.

However, in this instance the relevant planning considerations have not been addressed and the application has therefore been refused.



**Site Map**  
 Scale 1:2,500

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**Overview Map**  
 Scale 1:20,000

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## 6.3



### Committee Report

Application Number:	6/9/21/117LB
Registration Date:	17-Jun-2021
Determination Date:	06-Aug-2021
Applicant	Sarah Bryan
Agent:	Annie Evans Architect
Case Officer:	Amy Sanders
Site Address:	Chypleighs, 3 Rosemary Lane, Dulverton, TA22 9DP
Proposal:	Listed building consent for the proposed internal and external works to dwelling.
Recommendation:	Approval subject to conditions
Reason for bringing before Authority Committee:	The application is brought before Committee because the applicant is an employee of Exmoor National Park Authority.

### Relevant History

6/9/90/137 - Proposed conversion of disused building to form extension to dwelling at The Old Brewery - Approved: 08/01/1991

6/9/90/138LB - Proposed conversion of disused building to form extension to dwelling at The Old Brewery - Approved: 08/01/1991

6/9/94/103 - Proposed erection of back porch/greenhouse - Approved: 07/04/1994

6/9/94/104LB - Proposed erection of back porch/greenhouse - Approved: 07/04/1994

### Site Description & Proposal

Chypleighs is a Grade II listed property on the edge of the medieval centre of the town of Dulverton. It is located within the Conservation Area of Dulverton. The property is accessed via Rosemary Lane. The property has garden space to the south of the site.

Dulverton Conservation Area Appraisal references the house as follows:  
*'Off Rosemary Lane, Chypleighs is an early 19th century cottage, roughcast over rubble and possibly adapted from an earlier two-cell and cross-passage plan dwelling with stone stacks at either end.'*

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The Historic England list entry for Chypleighs reads as follows:

*'Cottage. Early C19. Roughcast over rubble, shallow pitch slate roof, stone stacks gable ends. Plan: 2-cell and cross passage with outbuilding returned west gable end. Two storeys, 3-bays, pointed arch Gothic casements with divided tracery heads, pointed arch central doorway with plank door. One bay slate roofed, weather boarded outbuilding adjoining, returned as corrugated iron roofed loft over coach house with 2-light window.'*

### PROPOSAL

The application seeks listing building consent for the following works:

- repair/renewal of the sash windows to the rear (south) elevation
- new oak flooring in the hall and sitting room
- new boarded floor in the third bedroom and bathroom
- new fire surround in the sitting room
- provision of a window seat in the third bedroom

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### Consultee Representations

#### **ENPA - Historic Buildings Officer, 29-June-2021**

The proposed works solely relate to the 20th century alterations and are beneficial to the listed building. Further details on the following areas will be required via condition:

- Further detail of new fire surround to sitting room following opening up works -
- Sample of proposed flooring to hallway

No other comments received.

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### Representations

No representation received.

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### Policy Context

Exmoor National Park Local Plan 2011 – 2031 (including minerals and waste policies)

GP1 – General Policy

CE-S6 – Design and sustainable construction principles

CE-S3 – Biodiversity and Green Infrastructure

CE-S4 – Cultural Heritage and Historic Environment

CE-D3 – Conserving Heritage Assets

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

For Listed Building applications, the proposed works must be considered under the Planning (Listed Buildings and Conservation Areas) Act 1990. Under Section 16, the

## 6.3

Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building.

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### Planning Considerations

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The main material planning considerations in this case are considered to be the impact on the listed building, the desirability of preserving the listed building or its setting or any features of special architectural interest which it possesses and whether the proposed works cause a degree of impact that would be unacceptable.

Policy CE-S4 relates to cultural heritage and the historic environment and states that Exmoor National Park's local distinctiveness, cultural heritage, and historic environment, will be conserved and enhanced to ensure that present and future generations can increase their knowledge, awareness and enjoyment of these special qualities and that development proposals affecting heritage assets and their settings, will be considered in a manner appropriate to their significance.

Policy CE-D3 states that development proposals that affect a heritage asset and its setting should demonstrate a) a positive contribution to the setting through sensitive design and siting; b) promote the understanding and enjoyment of the heritage asset and its setting or better reveal its significance and appreciation of the setting; and c) avoid unacceptable adverse effects and cumulative visual effects that would impact on the setting.

This Authority's Historic Building Officer has commented on the application. Their comment is as follows:

*'The proposed works solely relate to the 20th century alterations and are beneficial to the listed building. Further details on the following areas will be required via condition: -Further detail of new fire surround to sitting room following opening up works - Sample of proposed flooring to hallway.'*

The condition as suggested by the Historic Buildings Officer shall be attached to any grant of listed building consent.

The proposed works will not involve the removal of historic fabric from the property. The proposals relate to elements of the property that were altered within the phase of twentieth century work, and therefore the harm to the historic asset is considered to be acceptable. The Historic Building's officer is content with the scheme and notes that the proposal will be of benefit to the listed building. The works to the windows will see them being replaced like for like, with the use of traditional materials as per policy requirement CE-S6.

The condition requiring further details of the fire surround and flooring materials will allow for the architectural interest of the listed building to be conserved and enhanced, in line with Policies CE-S4 and CE-D3. With the use of the conditions, the



## 6.3

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proposal is considered to have an acceptable impact on the Listed building, and that the proposed works would not have an adverse impact on the setting of the Listed Building.

The distinctiveness, cultural heritage and the historic environment will be conserved in accordance with policies CE-S4 and CE-D3 of the Local Plan. In accordance with the NPPF requirements, the proposal is not considered to cause harm to the heritage asset.

### **Other Matters**

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. The Wildlife Trigger list has not been activated in this instance because of the nature of the proposal, so the proposed works are not considered to be of potential harm to protected species.

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### **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.

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### **Conclusion**

The proposed works are not considered to harm the significance of the building or its setting. The proposed works are not considered to cause an unacceptable impact on the Listed Building. This Authority's Historic Buildings Officer has raised no concerns with the proposed works, and the conditions shall be attached as per their request. The proposed works, therefore, accord with policies CES4 and CED3 of the Local Plan and it is recommended that consent be granted for the proposed works.

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### **Recommendation**

Approval subject to conditions

1. The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The works hereby approved shall not be carried out except in complete accordance with drawings numbered 255.1004A, 255.06, 255.08A, 255.11, 255.04, 255.01 and 255.07, and date stamped 17th June 2021, unless otherwise required by condition below.

## 6.3

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

3. Prior to their use on site, a sample of the proposed flooring to be used in the ground floor hallway and sitting room of the works hereby permitted, shall be submitted to and be approved in writing by the Local Planning Authority.

Reason: To ensure that the details are appropriate to the architectural and historic character of the building of special architectural or historic interest and in accordance with policies GP1, CE-S1, CE-S3, CE-D1, CE-S6, CE-S2, CE-S4, CE-D3 of the Exmoor National Park Local Plan 2011-2031.

4. Following the works hereby approved, and the opening up of the existing fireplace in the ground floor sitting room, and before the fireplace is replaced, photographs of the opened up fireplace in the sitting room shall be produced and submitted to the Local Planning Authority, along with details of the proposed new fire surround to the sitting room fireplace shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the details are appropriate to the architectural and historic character of the building of special architectural or historic interest, and to ensure appropriate information is secured to enable an agreed programme of repairs in accordance with policies GP1, CE-S1, CE-S3, CE-D1, CE-S6, CE-S2, CE-S4 and CE-D3 of the Exmoor National Park Local Plan 2011-2031.

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### **Informatives**

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CONDITIONS AND INFORMATIVES AND THE SUBMISSION OF FURTHER DETAILS  
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.

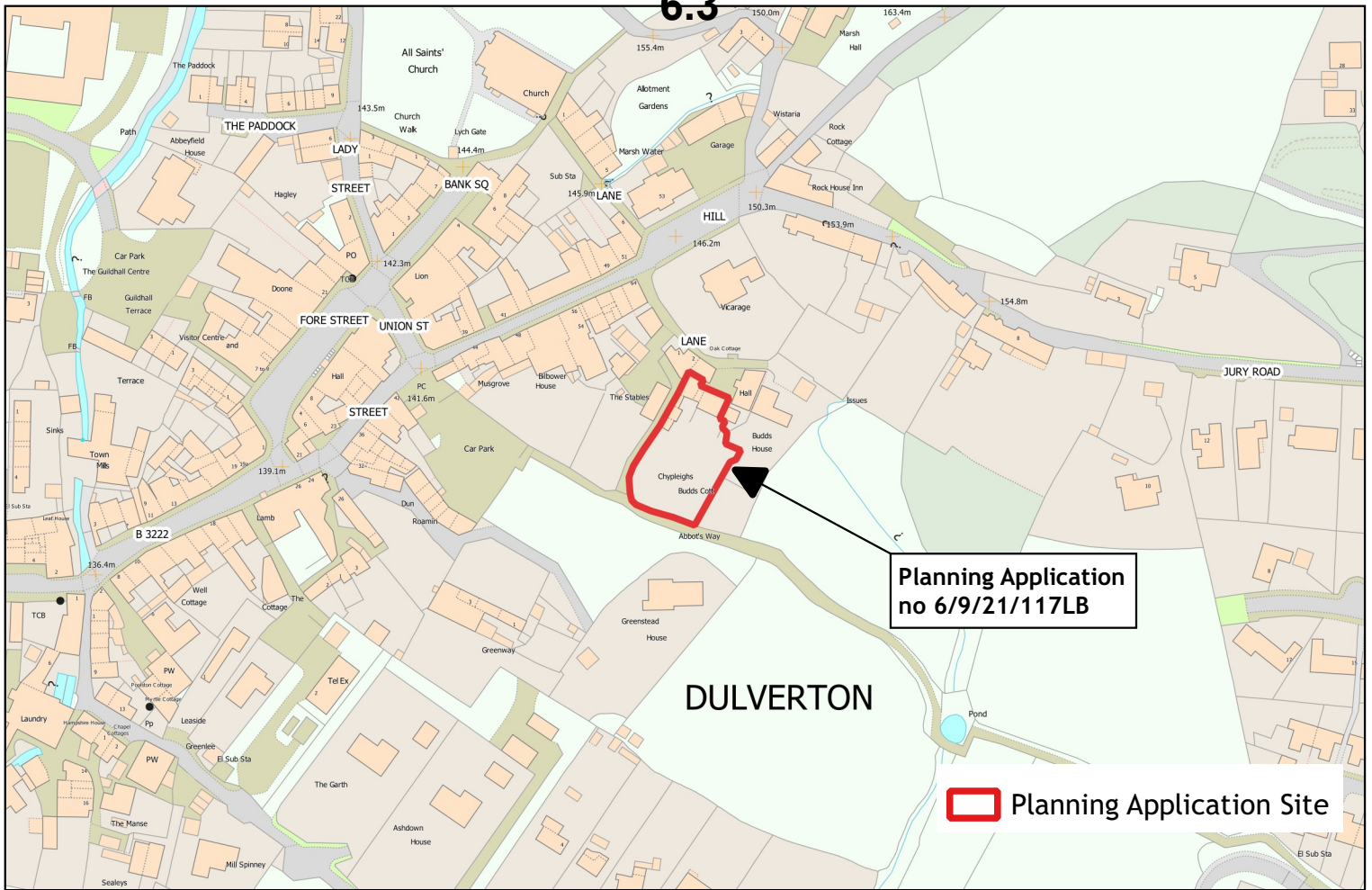
## 6.3

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 on an informal basis. The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

### POSITIVE & PROACTIVE STATEMENT

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

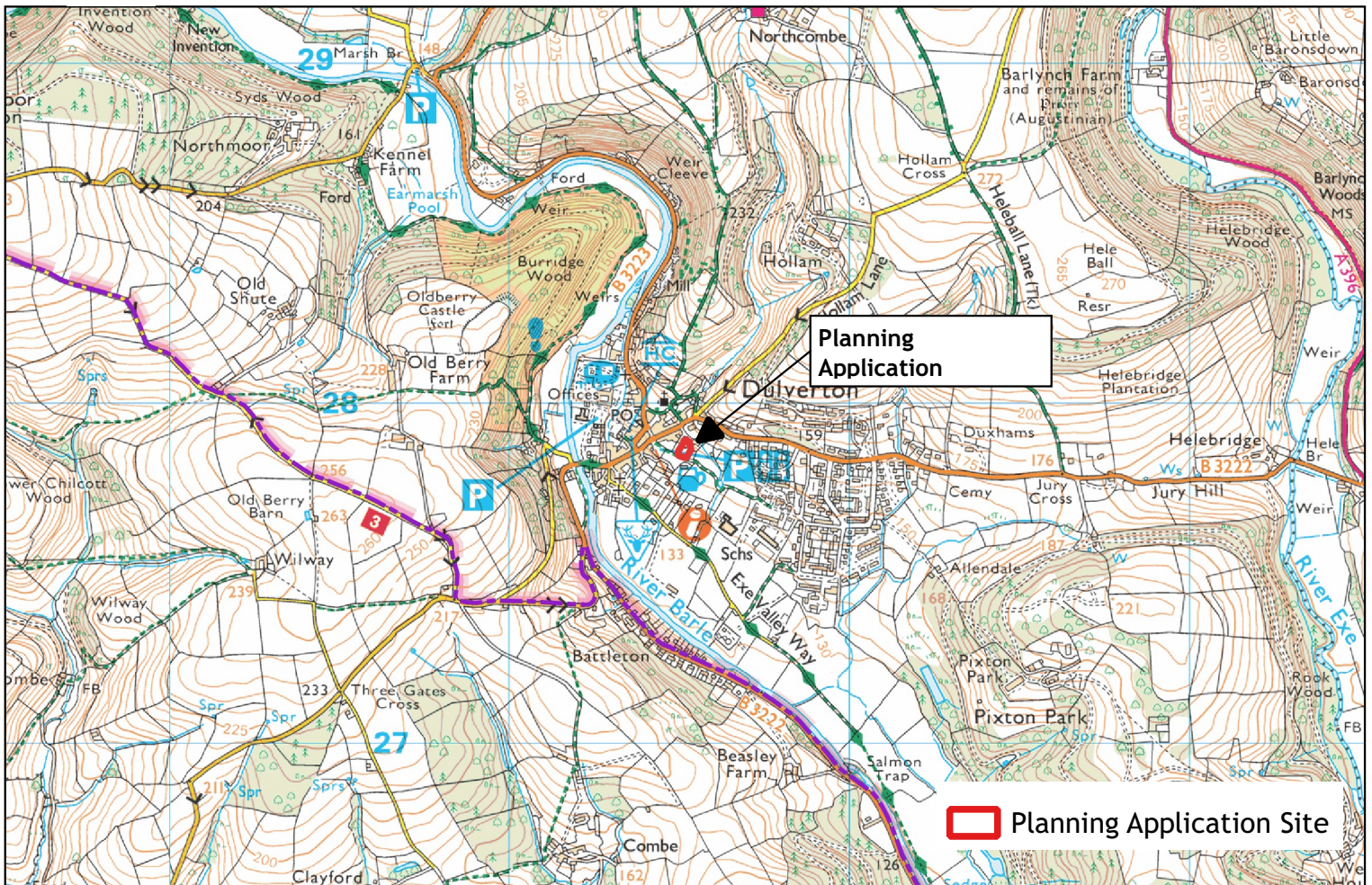


Planning Application no 6/9/21/117LB

Planning Application Site

Site Map  
Scale 1:2,500

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Planning Application

Planning Application Site

Overview Map  
Scale 1:20,000

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**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
62/41/21/016DC	Carly Glover, Severn Seas Ltd - Discharge of Condition 3 (materials) as approved application 62/41/21/004 (Discharge of Condition ) - The Flat, BATH HOTEL, LYNMOUTH STREET, LYNMOUTH, EX35 6EL	Approved 07-Jul-2021
62/11/21/008DC	Mr Hill - Discharge of condition 3 (removal of lenses) of approved application 62/11/20/006LB. (Discharge of Condition ) - Lynmouth Foreland Lighthouse, Foreland Point, Countisbury, Lynton, EX35 6NE	Approved 07-Jul-2021
WTCA 21/10	Fields - Works to Trees in Conservation Area: T1, T2 western Red Cedar- Removal of two poorly formed trees previously topped to create halo area for existing specimen Macrocarpa. (WTCA ) - Hillside, 23 , St Georges Street, Dunster, TA24 6RS	Approved 14-Jul-2021
6/29/21/113	Mr C Williams - Non-Material Amendment - Full - to approved application 6/29/20/102 (Proposed siting of two shepherds huts for glamping and conversion of redundant slaughterhouse to washroom and toilet facility) to alter the internal layout of the washroom and toilet facility to accommodate one washroom and toilet facility for disabled access and use. (NMA - Full ) - Brandish Street Farm, Brandish Street, ALLERFORD, MINEHEAD, TA24 8HR	Approved 07-Jul-2021
6/9/21/113	Mr P Govier, Pegga Holdings Ltd - Proposed installation of ground source heating system and associated works. Part retrospective. (Full ) - DUXHAMS, 41, JURY ROAD, DULVERTON, TA22 9EJ	Approved with Conditions 13-Jul-2021
62/41/21/014DC	Mr S Glover, Tors Park Estate Ltd - Discharge of Condition 13 (Windows & Doors) of approved application 62/41/20/021 (Discharge of Condition ) - The Tors Hotel, Tors Park, Lynmouth, Devon, EX35 6NA	Approved 16-Jul-2021
6/26/21/108DC	Mr G Cole - Discharge of conditions 4 (access surface details) and 5 (surface water disposal and access gradient) of approved application 6/26/20/112. (Discharge of Condition ) - Land at Batallers Lane, Roadwater	Approved 13-Jul-2021

**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
62/41/21/013	Coast & Country Parks Ltd - Proposed retention of decking area for use as base for single bell tent. Retrospective. (Full ) - Lynmouth Holiday Retreat, Barbrook, EX35 6LD	Approved with Conditions 08-Jul-2021
6/9/21/112	Mr. P Govier, Pegga Holdings Ltd - Proposed demolition of stable block and erection of garage outbuilding. (Householder ) - DUXHAMS, 41, JURY ROAD, DULVERTON, TA22 9EJ	Approved with Conditions 16-Jul-2021
6/3/21/108	Ian Baldock - Proposed single storey first floor rear extension to existing cottage – renewal of approved application 6/3/17/102. (Householder ) - LOWER GOOSEMOOR, WHEDDON CROSS, MINEHEAD, TA24 7BY	Approved with Conditions 20-Jul-2021
6/8/21/106	Mr & Mrs C & F Richards - Proposed erection of greenhouse (3.9m x 2.6m). (Householder ) - CUTTHORNE, WHEDDON CROSS, MINEHEAD, TA24 7EW	Approved with Conditions 09-Jul-2021
6/40/21/106	Mr C Beeden - Proposed erection of garden shed. (Householder ) - Luttrell House, Royal Oak Court, Halse Lane, Winsford, TA24 7JE	Approved with Conditions 12-Jul-2021
6/13/21/103	Mrs N Evans - Proposed removal of old septic tank and pipework, and installation of new waste water treatment plant and associated works. (Householder ) - Mill Cottage, Exford, Minehead, TA24 7QF	Approved with Conditions 25-Jun-2021
6/3/21/107	Mr P Sillitoe - Proposed removal of existing garage and erection of new double garage. (Householder ) - School House, Kingsland Lane, Withiel Florey, Brompton Regis, TA24 7DE	Approved with Conditions 02-Jul-2021
6/10/21/120	Mr C Harborne - Proposed conversion of garage to bedroom, together with retention of works carried out in breach of conditions attached to planning permission 6/10/11/107. Part retrospective. (Householder ) - 30A West Street, Dunster, Minehead, TA24 6SN	Approved with Conditions 06-Jul-2021

**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
6/15/21/103	Mr. Philip Stephens, Phil's Fabrications - Change of use of agricultural building to an industrial unit (Use Class B2). Retrospective (Full ) - LUCKYARD FARM, WHEDDON CROSS, MINEHEAD, TA24 7HF	Approved with Conditions 06-Jul-2021
6/3/21/106	J Scott - Proposed erection of agricultural building (18.3m x 13.5m). Retrospective. (Full ) - RUGGS FARM, BROMPTON REGIS, DULVERTON, TA22 9NY	Approved with Conditions 05-Jul-2021
6/10/21/119	Mr D M Hall - Proposed widening of opening in barn attached to dwelling to enable pedestrian access and storage. Resubmission of refused application 6/10/20/109. Retrospective. (Householder ) - 39, WEST STREET, DUNSTER, MINEHEAD, TA24 6SN	Approved with Conditions 01-Jul-2021
6/26/21/105	Mr C Sampson - Proposed conversion of first floor studio/storage in outbuilding to bedroom/living space with en-suite shower, together with the construction of external timber stairs, replacement of external door and windows, and installation of Velux and flue to log stove. (Householder ) - ROSE VILLA, ROADWATER, WATCHET, TA23 0QY	Approved with Conditions 08-Jul-2021
62/41/21/010	Sam Glover - Advertisement consent for proposed advertisement (22.5m x 3m) on temporary construction hoarding. (Advert ) - Tors Park Apartments, Countisbury Hill, Lynmouth, EX35 6NB	Approved with Conditions 25-Jun-2021
6/34/21/103	Mrs K Dymond - Proposed erection of summerhouse (3m x 2m). (Householder ) - EMBELLEWOOD, TIMBERSCOMBE, MINEHEAD, TA24 7TY	Approved with Conditions 02-Jul-2021
62/11/21/003LB	Messrs T Bentz & O Luehr - Listed building consent for proposed alterations to listed building, including replacement of existing rooflights. (Listed Building Consent ) - Glenthorne, Countisbury, Lynton, EX35 6NQ	Approved with Conditions 02-Jul-2021
62/62/21/004	Mr G Stanbury - Proposed conversion of existing barn to local needs dwelling. (Amended description) (Full ) - The Glebe, Trentishoe, Parracombe, Barnstaple, EX31 4QD	Refused 16-Jul-2021

**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
6/9/21/109	Mr. P Govier, Pegga Holdings Ltd - Proposed erection of domestic outbuilding to the west of the dwelling for use as a store and changing rooms. (Householder ) - DUXHAMS, 41, JURY ROAD, DULVERTON, TA22 9EJ	Approved with Conditions 25-Jun-2021
62/62/21/001	Ms A Blay - Lawful development certificate for the existing siting and use of Caravan 1 as ancillary accommodation and the existing siting and use of Caravan 2 as hobby room/storage (also incidental to dwellinghouse). (CLEUD ) - Dean Lodge Farm, Trentishoe, Parracombe, Barnstaple, EX31 4PJ	Approved 06-Jul-2021
62/50/21/005	Mr & Mrs A & J Lipscomb - Proposed siting of shepherd hut for holiday accommodation and construction of toilet block. (Full ) - The Ark, Road From Parracombe Lane Head To Rowley Cross, Parracombe, EX31 4RG	Refused 28-Jun-2021
6/27/21/111	Marcia Shekerdemian - Proposed demolition of conservatory and erection of replacement extension, together with proposed external alterations, including replacement and restoration of windows and doors. (Householder ) - The Coach House, Hacketty Way, Porlock, TA24 8HZ	Approved with Conditions 08-Jul-2021
62/49/20/004	Ms. J Wilkes, The Libra School - Lawful development certificate for the existing use of property for educational purposes in breach of Condition 4 of planning permission 62/49/07/004 stating that the educational use hereby permitted shall be limited to no more than ten pupils being enrolled at the school at any one time, of which not more than five shall attend the educational facility hereby permitted simultaneously. (CLEUD ) - Edgemoor Court, Road Past South Radworthy, North Molton, EX36 3LN	Approved 07-Jul-2021



## EXMOOR NATIONAL PARK AUTHORITY

3 August 2021

### RURAL ENTERPRISE EXMOOR VISION

#### Report of the Head of Planning and Sustainable Development & the Rural Enterprise Manager

**PURPOSE OF THE REPORT:** To present the Rural Enterprise Exmoor Vision (developed via a partnership approach) to Members for adoption by the Authority.

**RECOMMENDATION:** The Authority is recommended to:

1. ADOPT the vision as a shared approach to sustaining our rural economy in the context of our National Park status and the significant drivers of change identified.
2. DELEGATE to the Chief Executive, in consultation with the Chairperson and Deputy Chairperson, responsibility to make any changes to the draft Vision, taking on board Member comments.
3. AGREE to transition the Rural Enterprise Exmoor Steering Group to become a Partnership Plan Group, overseeing the sustainable economy ambition within the Exmoor Partnership Plan, and facilitating opportunities to take the vision forward as a partnership.
4. APPOINT Member representation to sit on the Rural Enterprise Exmoor Partnership Group.

**Authority Corporate Plan:** The Exmoor National Park Partnership Plan 2018-2023 has an ambition within the prosperity theme “that the local economy is more sustainable, with increased innovation, entrepreneurship and improved economic prospects”. There is also an ambition that “Exmoor is celebrated for the value it brings to the region and nationally”.

Corporate plan 2021-22 Action 40: Develop the Rural Enterprise Exmoor vision and support businesses to deliver this.

**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.”

In delivering National Park purposes the Authority has a duty to foster the social and economic wellbeing of local communities.

**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). Engagement through the delivery of the vision is designed to have a positive impact on protected groups.

**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 financial or risk implications to the National Park Authority resulting from the adoption of the Rural Enterprise Exmoor vision. The delivery of the vision will be achieved by working in partnership with stakeholders to deliver positive change that may be supported through external funding opportunities or other sources of funding. The vision will help guide budget decisions and resource allocations by partners in prioritising areas of focus of support for Exmoor’s rural economy.

**Climate Response:** In October 2019 the Authority declared a Climate Emergency. The vision identifies an increasingly green agenda as a key driver of change given both the climate and nature emergency faced globally. It is within this context that the vision has been developed.

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## 1. Introduction

- 1.1 The Rural Enterprise Exmoor Vision is a high level vision for 2030 that has been developed on behalf of a partnership including Local Authorities, the Heart of the South West Local Enterprise Partnership, the National Park Authority, and business groups.
- 1.2 The Vision sets out an approach to supporting “an economy building community wealth, sitting lightly in its environment and creating opportunities from its special qualities.”
- 1.3 It does not seek to provide a detailed delivery plan, rather it is intended to provoke discussion and guide future activity amongst partners, as well as being used to feed into the work of others.
- 1.4 A copy of the final draft vision can be found attached as Appendix 1.

## 2. Background

- 2.1 In the autumn of 2019 the Rural Enterprise Exmoor Partnership was formed between the National Park Authority, the four constituent Local Authorities covering the National Park, and the Heart of the South West Local Enterprise Partnership to commission a significant research project identifying the breadth and depth of business activity across Exmoor. This work also included the largest known business survey of its kind on Exmoor to ascertain views of the key challenges and opportunities faced by businesses within the National Park.
- 1.2 In the summer of 2020 the Rural Enterprise Exmoor Research Report<sup>1</sup> was published. It provided an up to date baseline of business activity pre Covid-19 (data collection was completed approx. 6 weeks before the first lockdown). The report revealed a 60% increase on the number of businesses in the National Park than previously identified via national data sets and provided a significant insight into business views.
- 1.3 In the autumn of 2020 the project partnership was expanded to include representative business groups (Exmoor Hill Farming Network, Visit Exmoor, West Somerset Business Group and the Federation of Small Businesses) to develop a long-term vision for Rural Enterprise on Exmoor in response to the research work, as well as the impacts of Covid-19 and other drivers of change.
- 1.4 Funding for both the research phase and vision development phase of the initiative was secured from a range of partners including the Local Authorities and the Local Enterprise Partnership.

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<sup>1</sup> [https://www.exmoor-nationalpark.gov.uk/data/assets/pdf\\_file/0018/324630/Rural-Enterprise-Exmoor-Research-Report-REE-Version.pdf](https://www.exmoor-nationalpark.gov.uk/data/assets/pdf_file/0018/324630/Rural-Enterprise-Exmoor-Research-Report-REE-Version.pdf)

### **3. The Need**

- 3.1 Exmoor is a remote and deeply rural area. The area has low social mobility, below average wages and higher than average house prices. Our economy is highly reliant on two sectors (tourism and agriculture) both of which are inextricably linked to the delivery of National Park purposes but are also particularly vulnerable to externalities.
- 3.2 Exmoor's National Park designation, and its high quality landscape, present a number of unique opportunities and challenges in respect of our economy. It is a national designation and all public bodies must have due regard to National Park purposes. Therefore, a specific approach to rural development is required.
- 3.3 All project partners have a collective role to develop the economy of Exmoor, whilst maintaining its special qualities. ENPA specifically has a role to play in facilitating a thriving economy:
- By nature of our duty to foster social and economic well-being whilst delivering National Park Purposes
  - As the Planning Authority in implementing the strategic and development management policies of the Local Plan.
  - By working within the ENP Partnership Plan / Local Plan policies and actions to facilitate and encourage economic activity with the community, which delivers National Park purposes over the longer term and helps to engage the community in the value of the National Park.
- 3.4 In 2008 the 'Greater Exmoor Economic Development Strategy' by the New Economics Foundation was published. This helped to shape the policies and practices of both the National Park Authority and partner organisations – in particular in feeding into consultations by partners on their own economic development work.
- 3.5 A lot has happened since then (recession, restructuring of economic development at a regional level, austerity, the vote to leave the European Union and more recently the impact of Covid-19). It is therefore timely to work with partners to agree a clear approach to supporting our rural economy going forward.

### **4. Developing the Vision**

- 4.1 From the outset the brief was not to create a traditional economic development strategy / action plan. Instead, partners sought to develop a strategic vision to support the rural economy in harmony with Exmoor's status as a National Park.
- 4.2 The brief sought to develop a vision that identified:
- Principles – to guide and focus individual activities as part of a shared approach in support of Exmoor's economy.
  - Priorities - to identify key areas of focus
  - Propositions – a suite of key propositions that might form the future focus of partnership work and funding bids, ensuring we move from ahead with delivery.
- 4.3 As per the previous Greater Exmoor Economic Development Strategy this will feed in to the setting of future policies and initiatives on Exmoor and be used to influence external plans and strategies.
- 4.4 A consortium of experienced practitioners, led by Simon Hooton of Ash Futures, was appointed early in 2021 to work with partners to develop the vision, in consultation with businesses, communities and stakeholders.

- 4.5 Over the last six months Ash Futures have
- Completed an extensive review of existing research and relevant national, regional, and local policies and strategies.
  - Run a series of Focus Groups with both businesses and community representatives
  - Conducted a number of 1-2-1 interviews with key policy makers and leaders within the area
  - Run an extensive survey<sup>2</sup> attracting over 100 business responses, 30 community responses and 80 responses from young people
- 4.6 The funding secured also allowed us to appoint a contractor (Kerrie Wilson) as a Business Engagement Facilitator to work on the ground; Linking businesses with one another; with support opportunities; and with the development of the vision.
- 4.7 In addition to ensuring businesses (especially micro providers and sole traders) had a voice feeding into the vision development this engagement work also offered some tangible benefits in terms of networking and promotion. For example, through the #WeAreExmoor social media campaign, which highlighted Exmoor businesses and their links to the landscape.
- 4.8 This engagement provides a positive platform and a level of business ownership, on which to build upon in terms of delivering the vision. A summary of business feedback is attached as Appendix 2.

## 5. The Vision

- 5.1 As per the brief the final draft is not a traditional economic strategy in either its content or structure. No single organisation has a sole remit covering the breadth of activity incorporated.
- 5.2 There are new ideas and suggestions in the vision. There are also elements that are more familiar, identifying topics and issues well known to many of us. The vision brings this thinking together into a single document that has been developed in partnership and on the basis of evidence and extensive consultation. It provides a stronger basis for feeding into future plans and policies.
- 5.3 The overarching ambition of the vision is to support *“An economy building community wealth, sitting lightly in its environment and creating opportunities from its special qualities.”*
- 5.4 The focus on community wealth building moves us away from solely measuring success on traditional economic / financial measures. This vision is about creating opportunities for entrepreneurs to develop their ideas, for people to thrive and for the environment to recover. On Exmoor there is a strong connection between these three things and the vision seeks to measure success via a range of indicators such as well-being, environmental quality and social demographics, in addition to business and economic activity.
- 5.5 The structure is not prescriptive. It does not seek to set out a specific action plan, but rather provides partners with some guidance on key areas of focus. It is purposefully described as a live document and will, from time to time, be updated to take account of changing contexts and priorities, whilst maintaining a long term approach.

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<sup>2</sup> [https://www.exmoor-nationalpark.gov.uk/\\_data/assets/pdf\\_file/0023/393314/Survey-result-final.pdf](https://www.exmoor-nationalpark.gov.uk/_data/assets/pdf_file/0023/393314/Survey-result-final.pdf)

5.6 As summarised on page 7 of the vision document it identifies:

- Two overwhelmingly significant 'drivers of change':
  - An increasingly green agenda in response to the climate and nature emergencies.
  - A technologically driven digital world, of which Exmoor has to be a part of.
- Three priority areas that are viewed as essential for the future economy on Exmoor - enabling other opportunities to happen:
  - Housing
  - Digital Connectivity
  - Working Together
- Four propositions - Ideas that will have significant impact on the success of businesses and communities:
  - Successful businesses
  - Community Assets
  - Brand & Identity
  - Flourishing Farms
- Six proposals – Activities that will be important for specific sectors or parts of the economy
  - Quality Experience
  - Multi-use hubs
  - Natural Capital Markets
  - Skills and Learning
  - Transport Networks
  - Digital Networks

5.7 It is important to note that none of these are fixed commitments at this stage. They are suggestions - to be discussed, agreed and delivered in ways which are appropriate to Exmoor and its particular circumstances.

## **6. Next Steps**

6.1 In order to continue to facilitate a shared conversation and ownership of the vision it is proposed that the current project steering group is continued as a Partnership Plan group, bringing key partners together around the sustainable economy ambition of the Exmoor National Park Partnership Plan.

6.2 The partnership will take the following steps

- Map out existing activity underway that can help deliver the key themes identified in the vision
- Consider any key gaps in provision and identify relevant opportunities.
- Agree metrics on which to measure progress.
- Ensure genuine buy-in and engagement with businesses and communities on an ongoing basis.

- 6.3 The current project funding allows us to continue the part time business facilitation role to the end of December 2021 in order to support some of the early stages of implementation. There are likely to be a number of opportunities to use the vision to seek to secure additional resources and the partnership will need to remain high in its ambition to make a sizeable impact.
- 6.4 A formal launch will be arranged for the autumn involving partners, stakeholders, communities and businesses.

**Dan James,**  
**Rural Enterprise Manager**  
July 2021

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

Links are included to relevant reference material within the report.

**Appendix 1:** Rural Enterprise Exmoor - Economic Vision 2030 (Final Draft, August 2021)

**Appendix 2:** Summary business feedback on facilitation and engagement work.



A vision for Exmoor's economy - 2030



Final draft  
August 2021

## What this document is about

- a vision to provoke discussion and guide future activity

This Vision has been commissioned by Rural Enterprise Exmoor (REE) - a partnership that includes Devon County Council, Exmoor Hill Farming Network, Exmoor National Park Authority (ENPA), Federation of Small Business, Heart of the South West LEP, North Devon Council, Somerset County Council, Somerset West and Taunton Council, Visit Exmoor and West Somerset Business Group. REE have produced this document to stimulate discussion on the ways forward for Exmoor's economy. It does not aim to be a conventional economic strategy in either its tone, format or content. The vision will be used to guide a co-ordinated approach amongst partners, businesses and communities and will provide the basis for an Exmoor input to the work of local and regional organisations.

It builds on a number of other reports, strategies and existing activities - aiming to provide an overarching vision which all partners can support, as well as a number of principles, priorities and propositions. In particular, it follows on from a research report completed by Wavehill and the Covid Impact Study. This work, like others has relied on a great deal of consultation with businesses, community organisations and young people throughout Exmoor and beyond. We are very grateful for their time and ideas.

The context for this work is the special status of Exmoor National Park which is designated to conserve and enhance Exmoor's natural beauty, wildlife and cultural heritage, and to provide opportunities for greater understanding and enjoyment of the park's special qualities. In fulfilling these purposes there is a duty on ENPA to foster the social and economic wellbeing of Exmoor's communities. Of course, the local economy does not work to neat boundaries, so this vision covers the Greater Exmoor area. In addition, the Vision takes account of the strengths and weaknesses of the place and the potential opportunities and threats to a thriving economy on the Moor.

### STRENGTHS

- Rich and varied wildlife
- Wild and remote natural environment
- High quality natural resources
- Exceptional heritage
- Thriving rural culture
- Pride in the area
- Tranquility
- Loyal visitors and some high quality offerings
- Excellent local community services
- Low crime levels / high public safety
- Supports prosperity in wider areas

### WEAKNESSES



- Insufficient affordable housing
- Reliance on tourism-based economy
- Patchy digital infrastructure
- Low wages and limited social mobility
- Declining population
- Older demographic
- Limited transport infrastructure
- Variable quality of tourism offer
- Access to suitable training
- Limited access to childcare
- Employment space for growing businesses

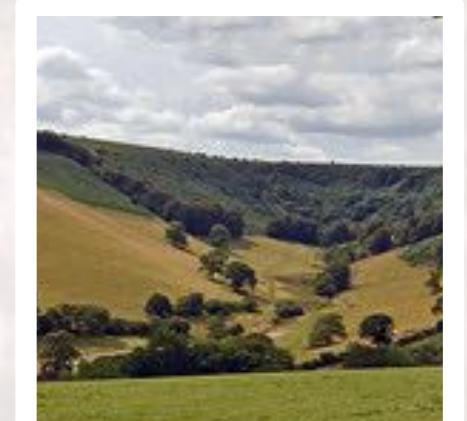
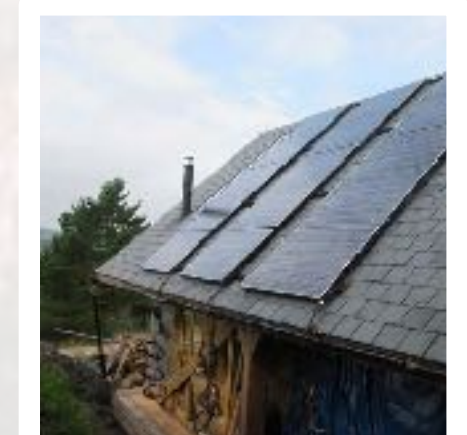
### OPPORTUNITIES

- Shared leadership
- Increased self-sufficiency
- New models for affordable housing
- Strong sustainability offer
- Support for environmental land management
- Adding value to low carbon agenda
- Growth in green tourism
- Place to pilot new ideas
- Increased remote working
- Training for future economy
- Building local supply chains

### THREATS

- Increasing competition from other destinations
- Reducing public investment
- Radical changes to farm support
- Reducing viability of services
- Continued depopulation
- Wider impacts of climate change
- Volatility in post-Brexit environment
- Training provision not keeping up with future needs
- Viability of local primary schools

This is an interactive document when viewed onscreen. You can navigate around the document using the menu and arrows at the bottom of each page. The section you are in will be highlighted on the menu. There are also a number of clickable links, indicated by  which will take you to other parts of the document and by  which will take you to external resources.



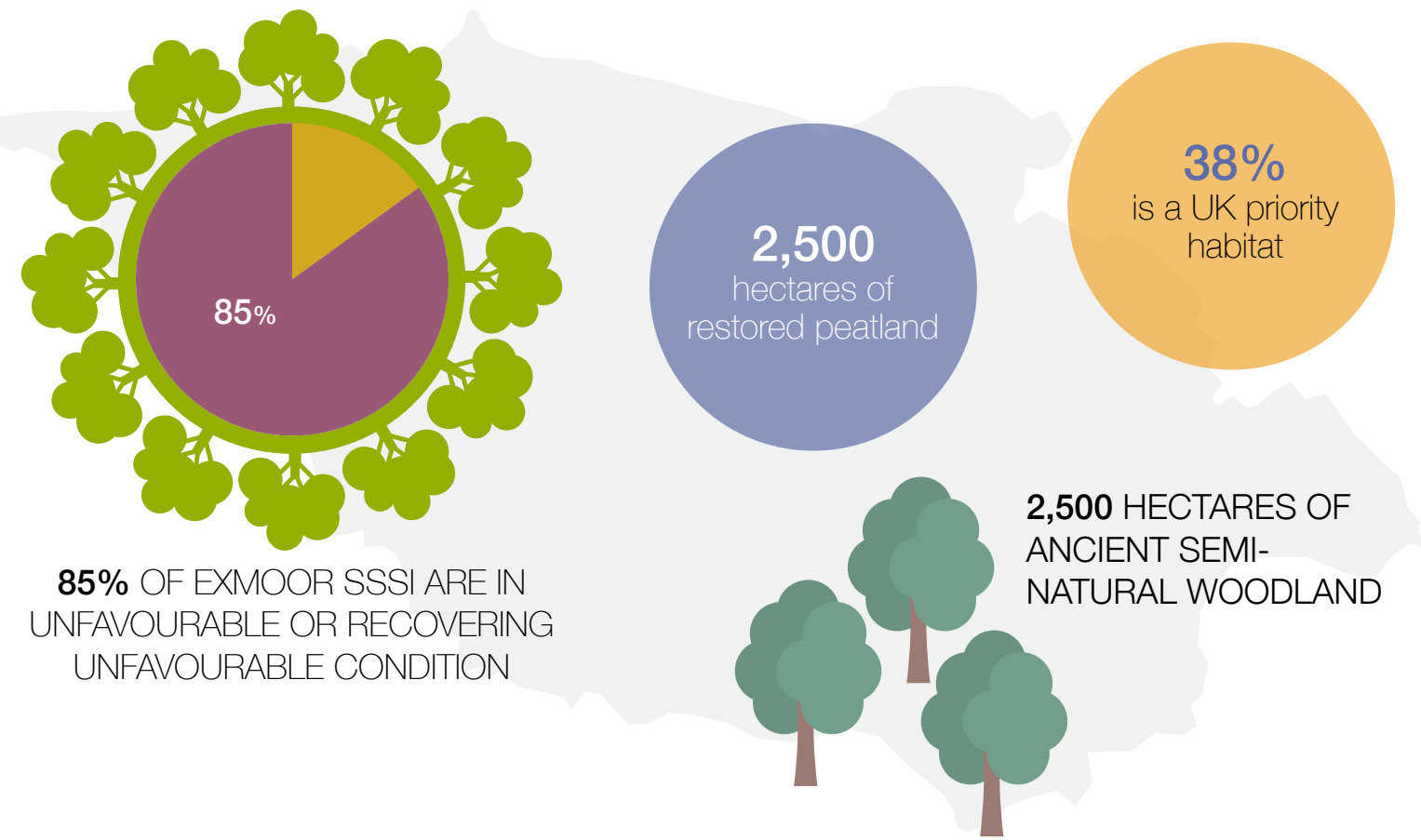
Background: Exmoor heather



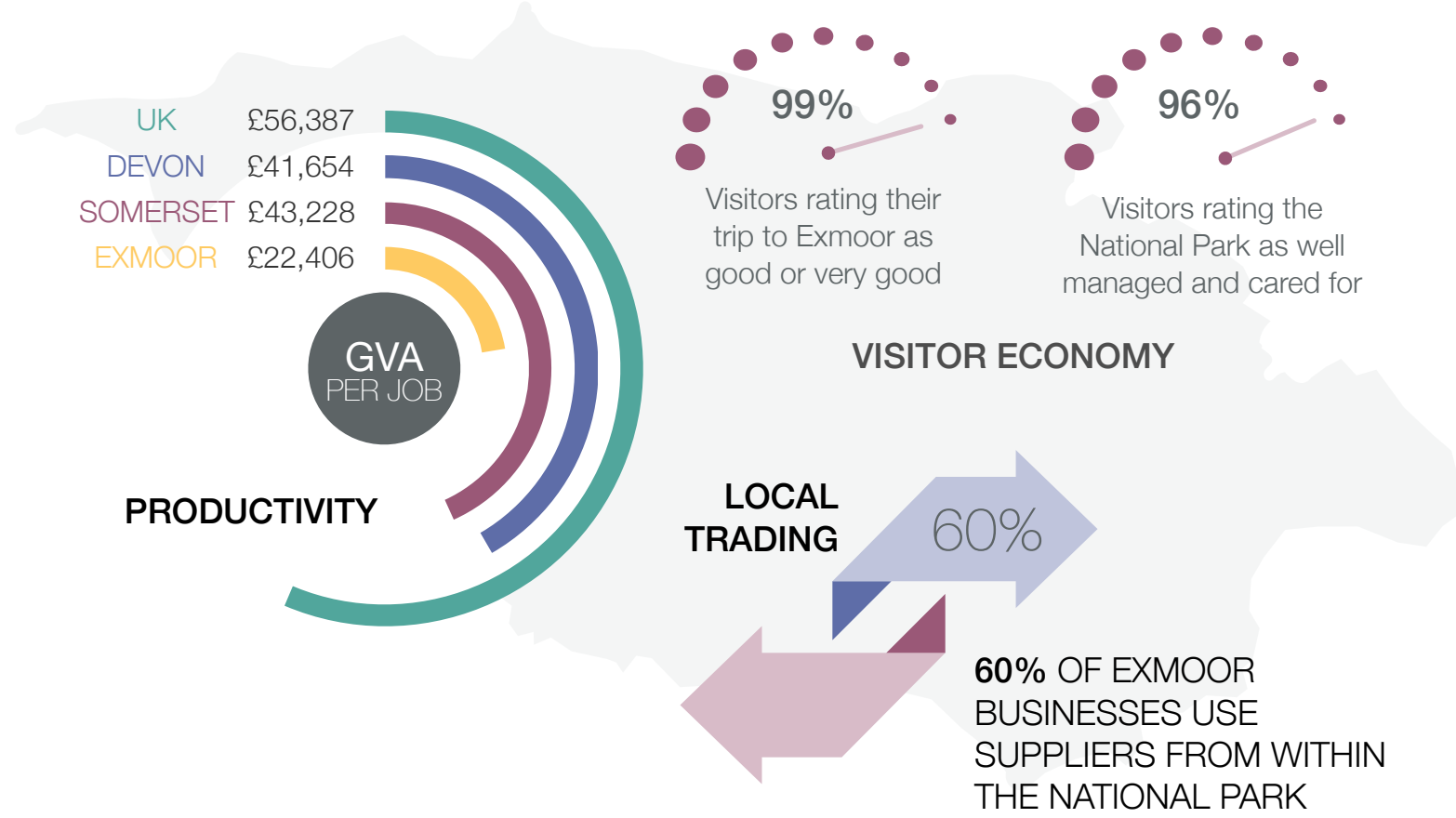
# Exmoor - a snapshot

For data sources - see page 24

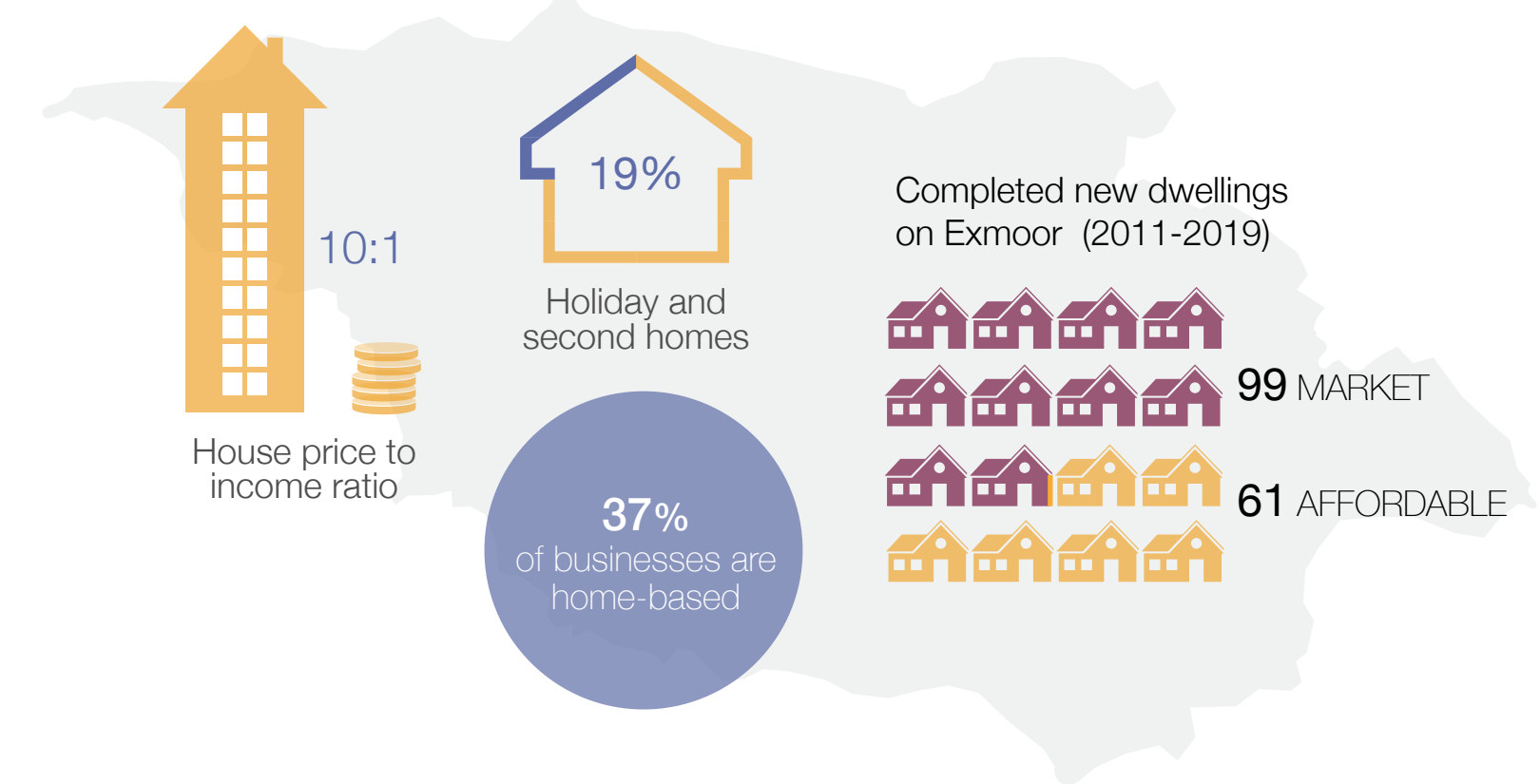
## ENVIRONMENT ON EXMOOR



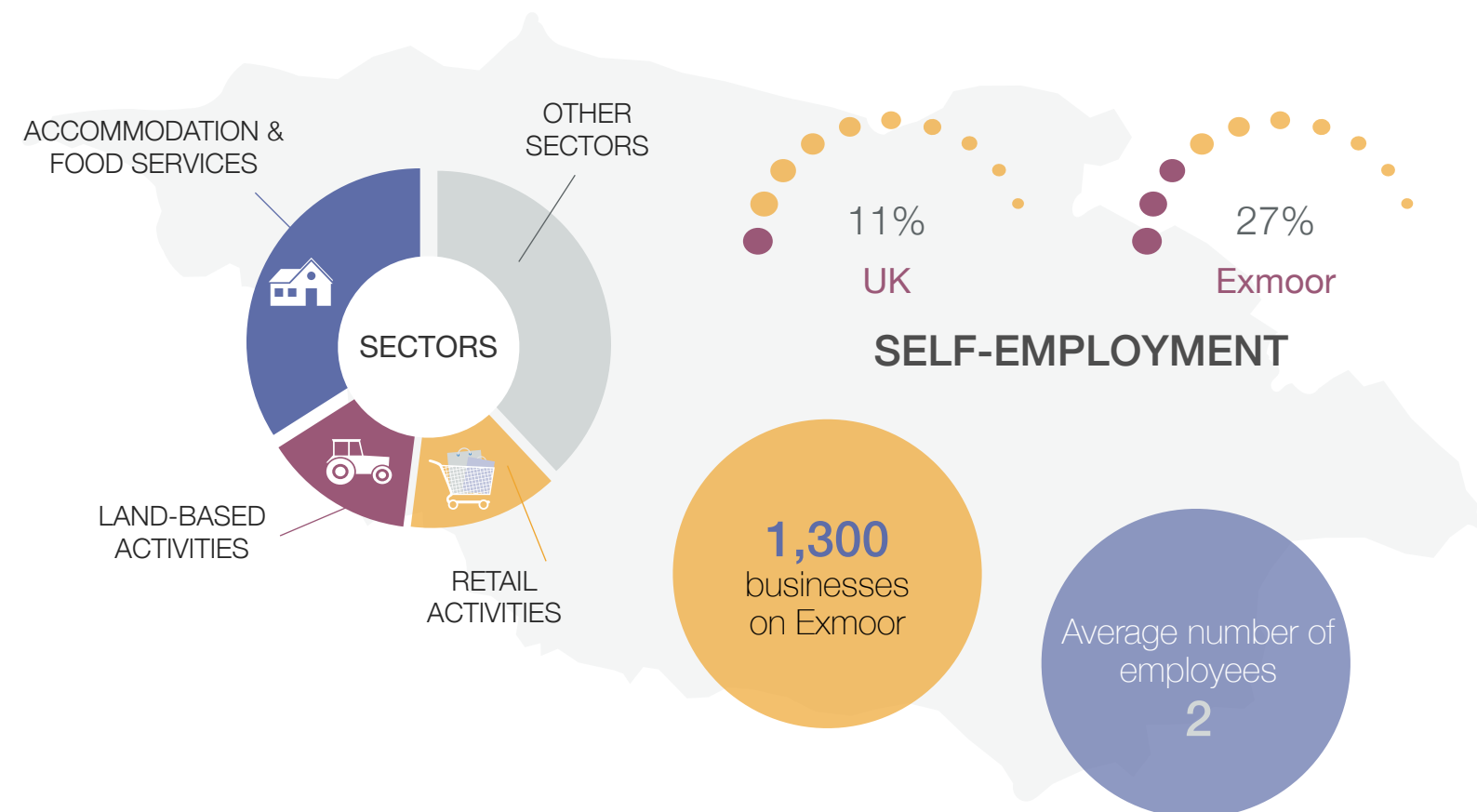
## ECONOMY ON EXMOOR



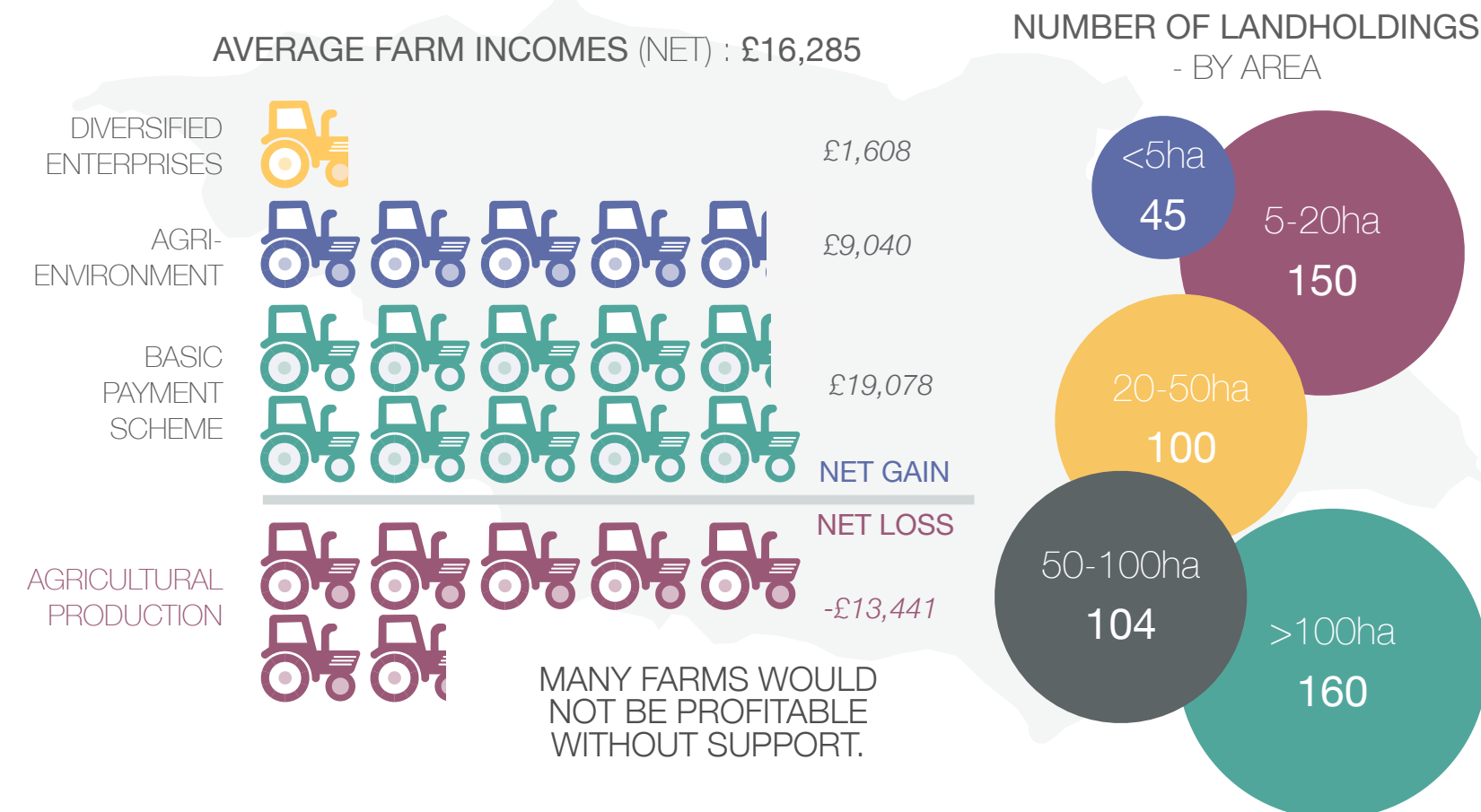
## HOMES ON EXMOOR



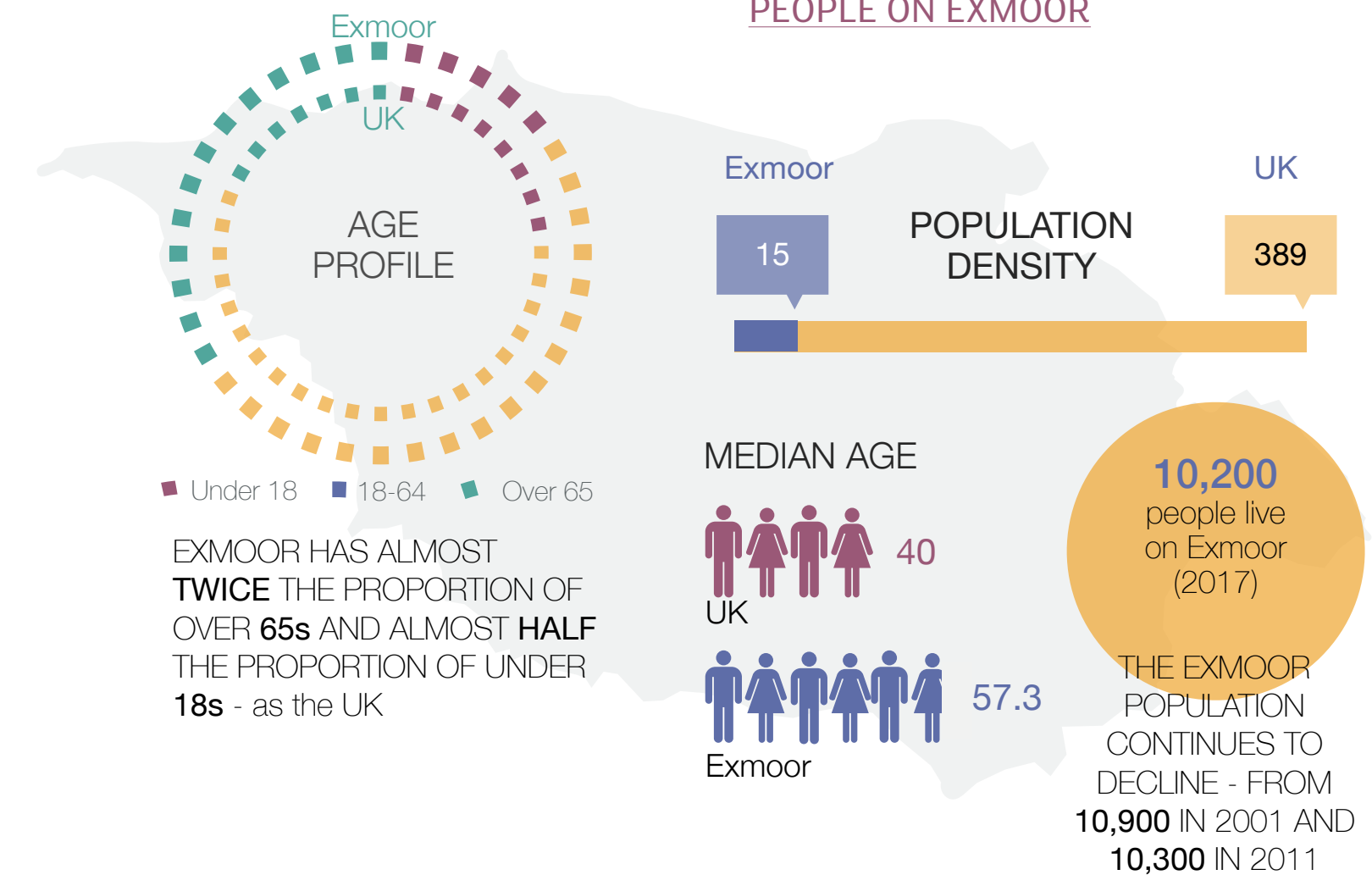
## BUSINESS ON EXMOOR



## FARMING ON EXMOOR



## PEOPLE ON EXMOOR



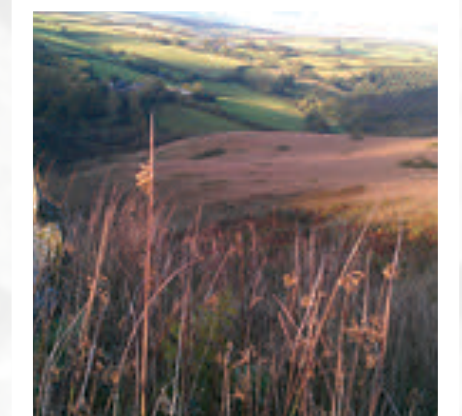
## Keeping it live

This document is a starting point. A starting point for a 'live' vision, one that will be constantly checked and updated by the people, communities and businesses of Exmoor.

The next ten years and beyond will bring unprecedented levels of change for all of us. No place, no community, no business can stay static. Change is needed to adapt to the rapidly changing world and change is needed to ensure that local working people will continue to have a future on the Moor. We will need to do things differently - being open to new ideas, new types of investment and new entrepreneurs - adding to the rich mix that is Exmoor.

- Changes to our environment have finally started alarm bells ringing with policy makers and politicians around the world. They realise that the way we are treating nature, both wildlife and natural resources, is already causing actual harm to communities and economies. They realise that the climate crisis is poised to cause major disruptions in a multitude of ways. Adapting to the climate and nature crises is a 'given'. Over the next 20 years, they will become dominant drivers of economic development and government policy.
- The pace of disruptive new technologies is increasing - changing the way markets and sectors work. The need to change, adapt and learn new skills will be paramount for a successful business or economy - in any sector. Whether it is robotics and sensor technology for farming; data analytics and augmented reality for the visitor economy; or artificial intelligence and big data to manage complex supply chains.
- As populations age and lifestyle diseases increase, we need to find different ways to manage health and wellbeing. Delivering care services will become more expensive, with the increased costs falling on the working population. While social media has opened up virtual communities without boundaries, young people feel increasingly isolated. The continuing pressures and challenges of modern life have left many with profound mental health issues.
- Inequality in the UK is at the highest level for over 50 years. Poverty is no longer just a factor of worklessness but a more complex set of circumstances. Government's ability to respond is likely to be reduced as public debt has increased massively following the pandemic. As this will have to be reduced, we can expect higher taxes and reduced public expenditure.

Because the way these crucially important issues are evolving is uncertain, we need to keep testing, keep talking, keep adapting. Exmoor, for all its outstanding landscape, its natural capital, its rich culture and heritage, its community spirit and its innovative businesses, is vulnerable. It is small and remote. It will require all the determination and ingenuity of its people and institutions to keep it as a place where communities can increase their wellbeing, where businesses can continue to thrive and where nature can be at the centre of recovery.



🔍 MORE INFORMATION

🔍 MORE INFORMATION

Background: Two Moors Way boundary stone at Badlake Moor Cross

## A different approach

A successful economy is one that aims to give people meaning and purpose. It is one where everyone is able to participate and share in the common wealth that is created. A successful economy is one that values the health and wellbeing of the whole population. It is one that understands the critical relationship with nature.

Exmoor's status as a National Park demands a special approach to measuring its economic development that is based on much more than just money and financial wealth.

This vision is about creating opportunities for entrepreneurs to develop their ideas, for people to thrive and for the environment to recover. On Exmoor especially, there is a strong connection between these three things. Only if they work together will we have an economy that is forward looking, open and innovative, inclusive and just. The Wellbeing of Future Generations Act in Wales is a groundbreaking piece of legislation which requires all public bodies to take account of the long-term impacts of their decisions. A Commissioner has been appointed to be the guardian of future generations and who advocates a long-term view, an integrated approach, involving people in decisions, and collaborating on solutions. There could be a voluntary equivalent for Exmoor to ensure plans and policies are sustainable over the long term.

Collective wellbeing is the ultimate indicator of progress. Therefore the measure of our success will not be increases in profits or GDP; it will be in the wellbeing of the people of Exmoor, in the health of nature and in the dynamism and resilience of its businesses. By putting people and the environment at the heart of the vision we can build an economy of lasting value. In doing so we understand that:

- the scale and pace of change is challenging and we will all need support on this journey
- we are on the journey together - businesses, communities and public bodies
- we need to deliver meaningful public participation at every opportunity.
- there is boundless local wisdom and knowledge - so we should keep people involved
- the co-creation of ideas, policies and projects builds understanding and involvement
- we need to pay more attention to marginalised communities and young people in creating and implementing our future plans
- we should support a regenerative economy - one that uses resources in a way that helps them replenish
- we need to examine every policy through the lenses of wellbeing and environment - in how we measure, monitor and evaluate progress.

 MORE INFORMATION

 MORE INFORMATION



Background: Exmoor wool

## At the heart of it

The essence of the Vision for Exmoor's economy is set out on the following pages.

It is built on extensive consultation, on considerable research, on good practice from elsewhere and on the experience and expertise of many people.

Exmoor's special qualities and assets are important. They are what attracts people to live, work and visit. The history and heritage, the communities rooted in the land and landscapes, the wildlife and wild places are important - and they are why the area was designated a National Park in the first place. However, to thrive in a rapidly changing world requires change. Exmoor will need to be more self-sufficient, more resilient to future threats and more willing to grasp opportunities.

Our overall aspiration is for Exmoor to have:

*an economy building community wealth, sitting lightly in its environment and creating opportunities from its special qualities*

The diagram on the following page summarises the elements of this Vision, distinguishing between:

- 🌿 The two major factors which are **driving change** both in the economy and wider society and which demand a response.
- 🌿 The few things which seem essential for the future economy on Exmoor - enabling other opportunities to happen. These are called **Priorities**.
- 🌿 Ideas that will have significant impact on the success of businesses and communities. These are called **Propositions**.
- 🌿 Activities that will be important for specific sectors or parts of the economy. These are called **Proposals**.

All these are suggestions - to be discussed, agreed and delivered in ways which are appropriate to Exmoor and its particular circumstances.

This vision is based on two fundamental principles: that everyone on Exmoor should have the essentials for a good life; and that together we do not put more pressure on the environment upon which all of us depend.

This is best shown using the doughnut model.

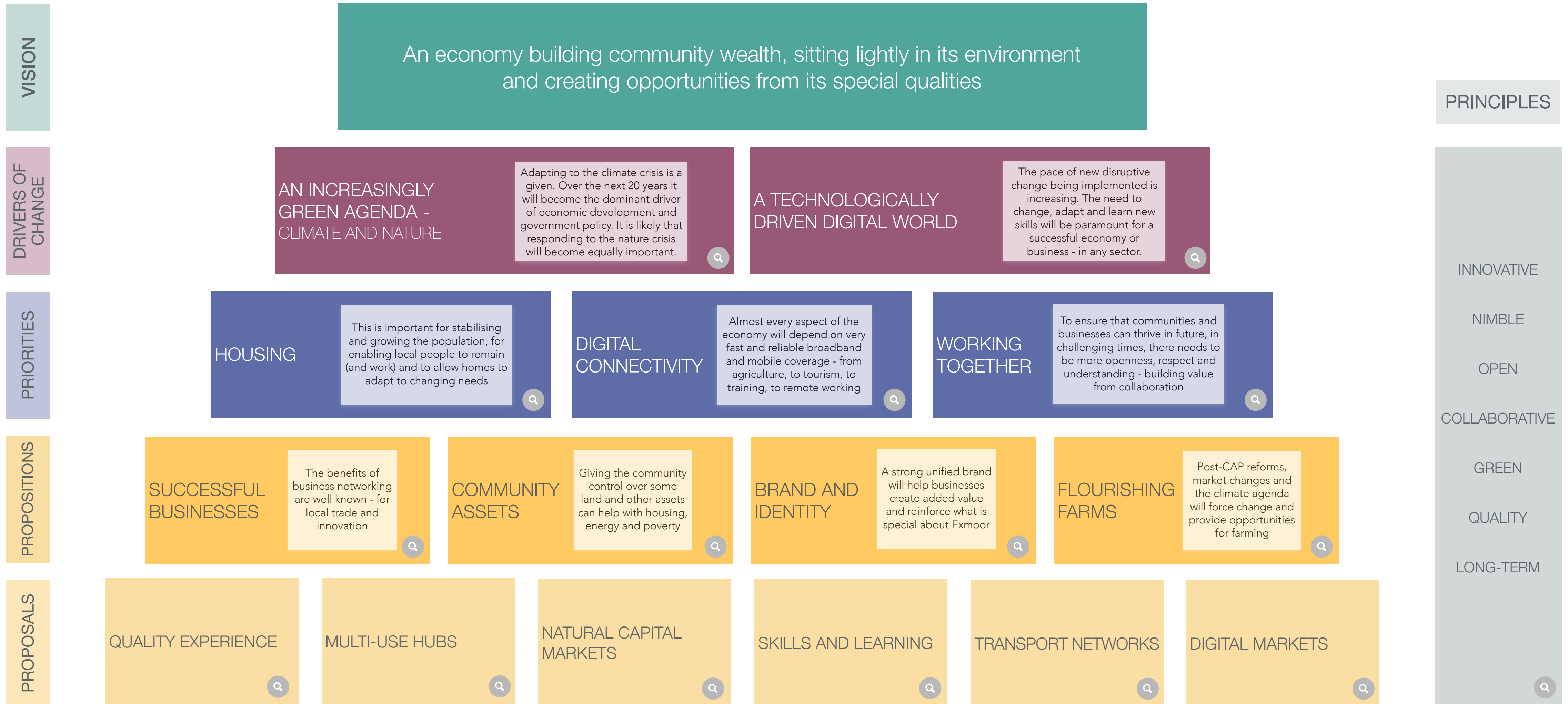


Exmoor, like the rest of the UK, is overshooting many of the environmental limits and is failing to deliver some of the social and economic needs for everyone on Exmoor. This is not a sustainable situation and should not continue.

Any economic plan, any recovery for Exmoor, should aim to tackle the climate emergency, improve the prospects and wellbeing of local people, create meaningful jobs and secure a green future.

Background: Bossington Beach, Porlock

# Summary



# Principles

“Open your arms to change but don’t let go of your values.”

DALAI LAMA

The way in which an economy is managed and businesses are run is critically important to long term success.

This vision identifies a number of principles which should guide the way in which we take forward the economic vision and how we make change happen.

## Nimble

Change is happening quickly. In order to keep up with change and make the most of opportunities, Exmoor has to be nimble in all that it does - willing and able to act as quickly as possible on new ideas and opportunities.

## Collaborative

Partnership and collaboration has to be at the core of all economic activity – our businesses must work together and with other stakeholders – it is a shared endeavour. Collaboration within and beyond Exmoor will drive innovation and resilience.

## Open

Exmoor has to be open to new ideas and opportunities, looking forward to the future with confidence. The most successful economies are outward looking, finding value in connections with others.

## Quality

Quality has to underpin all that we do – it is essential for the visitor economy and for building a strong brand. Whatever the activity, we need to drive for quality.

## Green

Exmoor is ambitious for a net zero carbon economy and to improve the natural environment on which so much depends – so whatever we do in and for the economy, we need to do this in as green a way as possible. All new developments on Exmoor should be net-zero carbon.

## Innovative

Businesses on Exmoor can be very innovative and we can do more to encourage this – so in whatever we do, we need to embrace new ideas and be creative in response to the challenges and opportunities that lie ahead.

## Long-term

Any developments and policies should consider the long-term impacts on the environment and communities of Exmoor. Thinking and planning for the needs of future generations remains important.



# Drivers of change

Change is the law of life and those who look only to the past or present are certain to miss the future

JOHN F KENNEDY

It is not an exaggeration to say that the next 10 years will define our future on this planet.

## Climate

The IPCC has warned that exceeding 1.5°C warming will push us into "a highly uncertain world" - adding that "the current global commitments are not sufficient to prevent temperature rise above 2°C, let alone 1.5°C. The critical issue is whether, and how soon, we reach some of the major climate 'tipping points'. These include the melting of polar icecaps and glaciers; the melting of permafrost. and subsequent release of methane and the loss of forest cover.

The biggest ever global survey on climate change, in December 2020, has found that almost two-thirds of the 1.2 million people asked think it is a global emergency. In the UK, voters believe that the government should be more radical and a 2020 survey by Opinium found 48 per cent of the public agree that the government should respond "with the same urgency to climate change as it has with Covid-19".

## Nature

We are approaching critical tipping points for nature as well as climate. Over half of the world's GDP is moderately or highly dependent on nature while the 2021 WEF Global Risk Report has extreme weather, climate failure, human environmental damage and biodiversity loss as four of the top five most likely global risks - from a survey of over 800 business and political leaders. Business as usual is no longer good for business.

The HM Treasury/Dasgupta report on the Economics of Biodiversity was released in February 2021 and makes sobering reading. Biodiversity is declining faster than at any time in human history. Current extinction rates, for example, are around 100 to 1,000 times higher than the baseline rate, and they are increasing. The safeguarding of natural ecosystems is crucial if we are to meet both biodiversity and climate goals.

## Technology

The empowered consumer and emerging technologies have sent businesses scrambling to find new strategies and business models for creating consumer value. At the same time, businesses have to overhaul their operating models to drive innovation and increase their market agility. This potentially disruptive phase is being termed the 'Fourth Industrial Revolution' and will affect systems of production, distribution and consumption. These new technologies (e.g. robotics, the internet of things, artificial intelligence) are driving a step change in business performance, and allowing businesses to offer once-impossible services.

The World Economic Forum projects that consumer industries will change more in the next 10 years than in the last 40. Businesses that thrive over the next 10 years will embrace new technologies, will be driven by data and will be externally oriented.

## Opportunities from change

While there is no doubt that adapting to future changes will be challenging, there are a huge range of opportunities from that process - new business ideas, new ways of running existing businesses, new jobs and new courses for students and workers.

There is little doubt that a growing number of consumers would like to buy products and services from companies that exhibit socially and environmentally responsible behaviours. According to a new survey of 6,000 people worldwide by Accenture, more than half of consumers are willing to pay more for sustainable products that can be recycled or reused.

Eco-friendly business measures can also lead to savings. Practices such as energy conservation, recycling, use of water-saving devices, energy-efficient equipment, solar power and reduced waste have been proven to be more efficient and cost-effective.

The OECD has recognised the economic opportunity alongside the environmental necessities. They advocate that cleaner air quality, healthier water, effective waste management, and enhanced biodiversity protection not only reduce the vulnerability of communities to pandemics and improve resilience, but have the potential to boost economic activity, generate income, create jobs, and reduce inequalities.

Artificial Intelligence (AI) has been positioned as a major commercial opportunity for companies across the world, particularly as a result of the COVID-19 pandemic. AI can be used to enhance and improve many different aspects of business for SMEs including making marketing and sales smarter and more insightful, reducing repetitive, tasks, managing back office functions, tracking and analysing a website user's journey, and much more.

Robotics and Autonomous Systems (RAS) are set to transform many global industries and will have greatest impact on sectors of the economy with relatively low productivity such as food and farming. Whether it is sensing, mapping and monitoring of soils, crops and livestock; or the use of agile, autonomous tractors, emerging technologies can build efficiency and value on upland farms.

FURTHER INFORMATION ON THESE DRIVERS OF CHANGE IS SHOWN ON THE FOLLOWING PAGES

Climate and nature



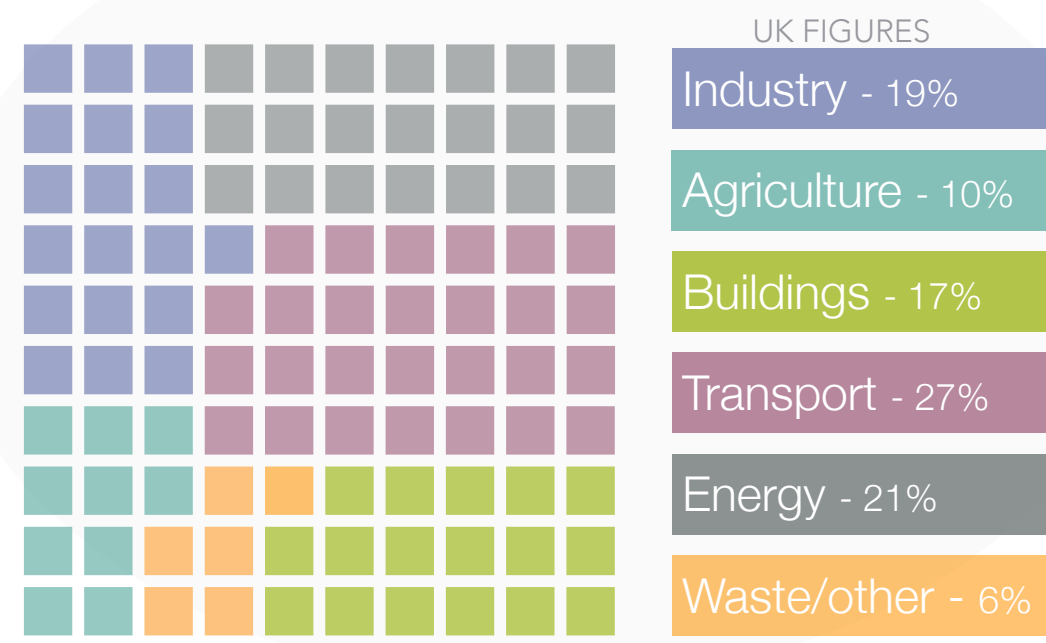
Technology



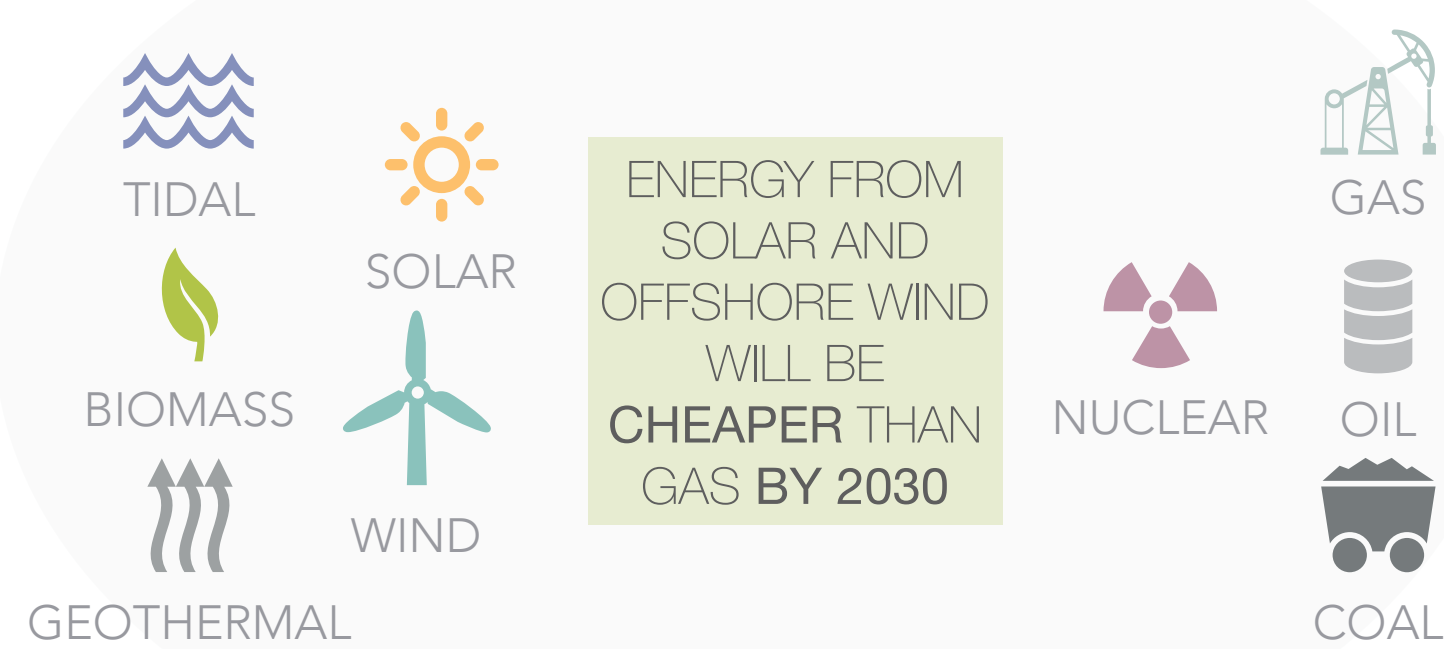
# Driving change - climate and nature

For data sources - see page 24

## WHERE EMISSIONS COME FROM

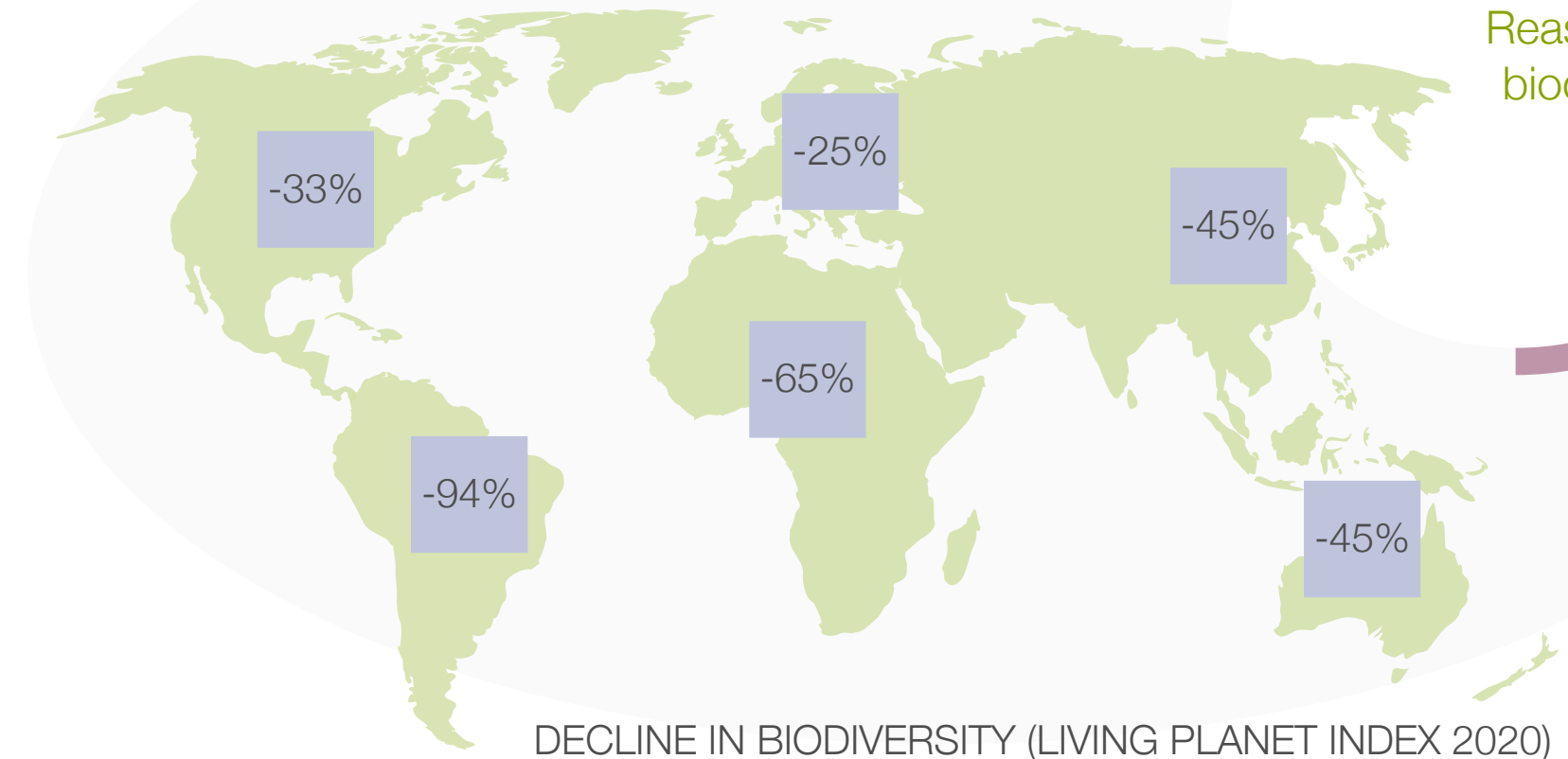


## THE RENEWABLES REVOLUTION

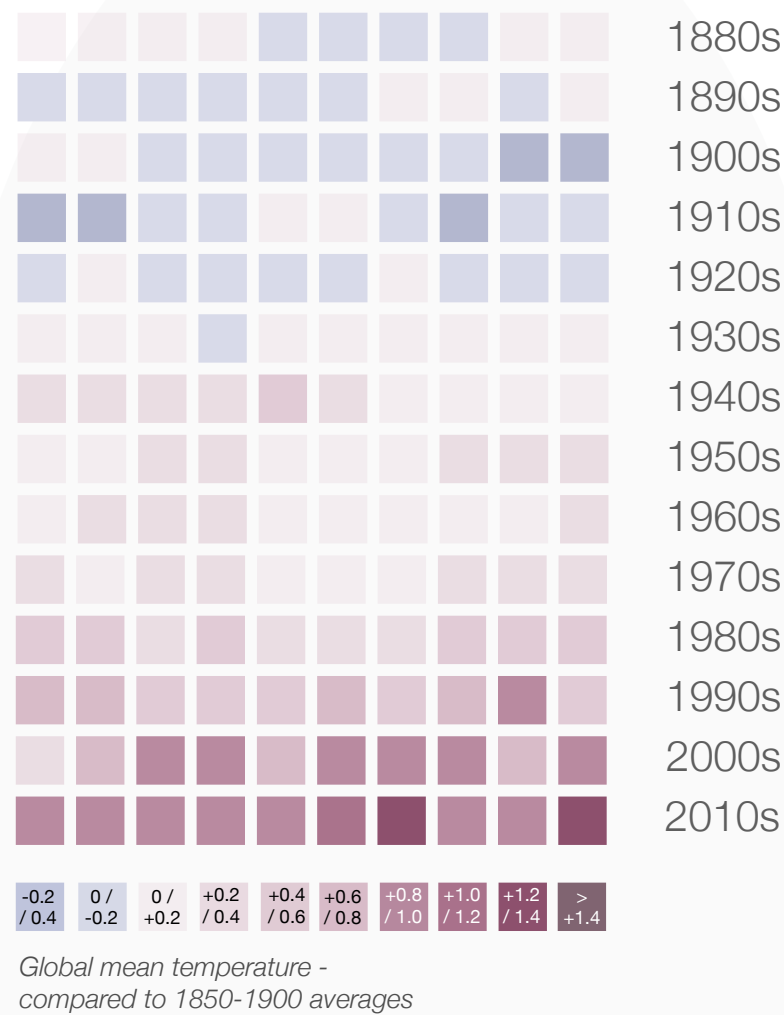


Rising demand, new technology and economies of scale are driving down the cost of renewables. Many are becoming competitive without subsidy.

## WILDLIFE IN DECLINE



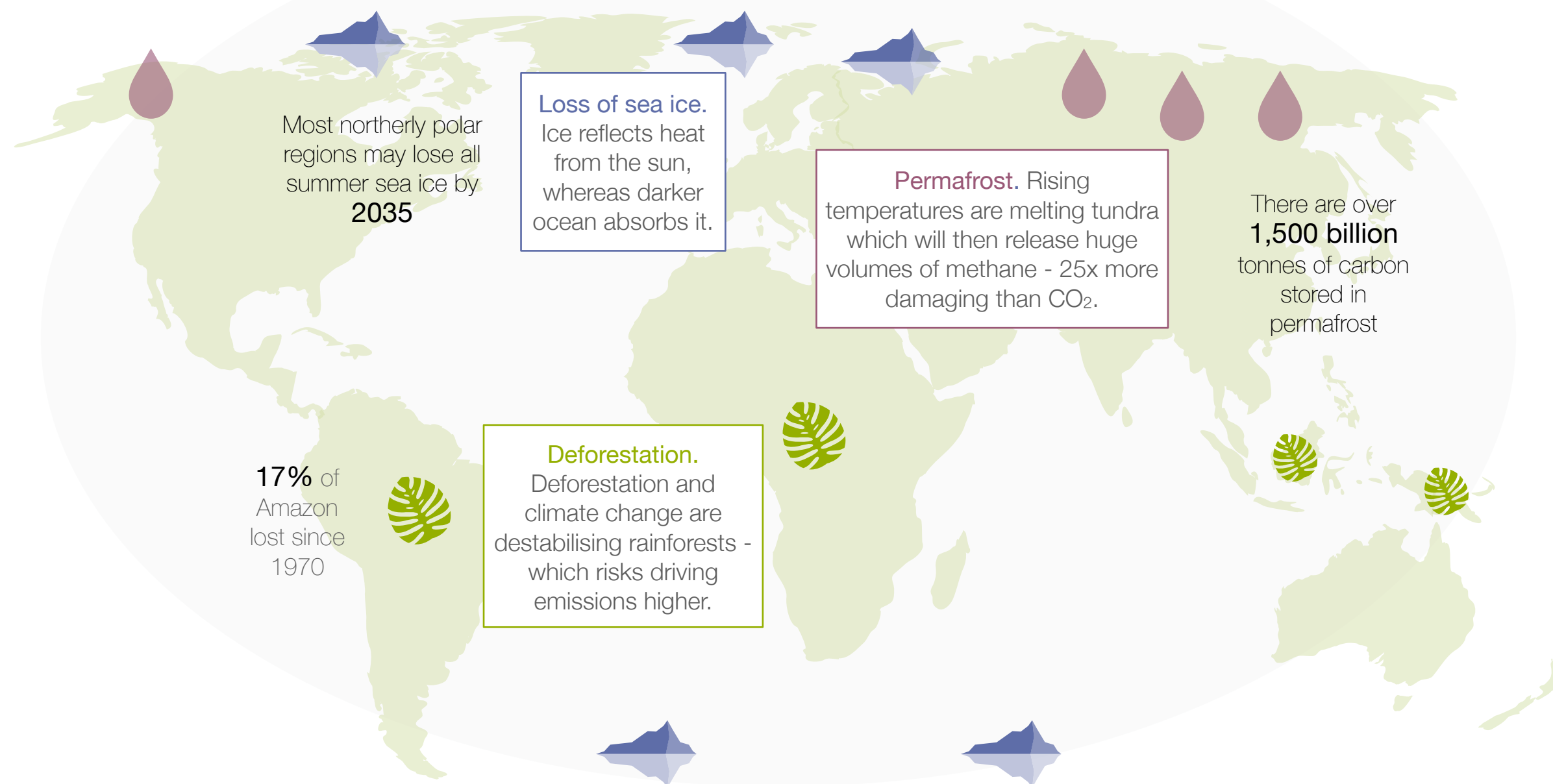
## HEATING OUR WORLD



Industrialisation, increasing consumption and fossil fuel use have driven a huge increase in greenhouse gas emissions. Scientists agree that we need to keep global average increases to less than 1.5C and emissions below 400 parts per million. We are already at 419ppm.

## TIPPING POINTS

Rising temperatures are triggering 'tipping points' which will accelerate the heating even further.



## WHAT DO WE THINK [2020]



School Strikes for Climate

4,000,000+ young people

4,500 locations

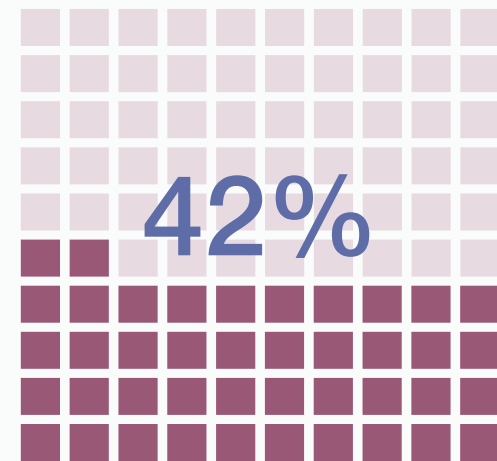
150 countries



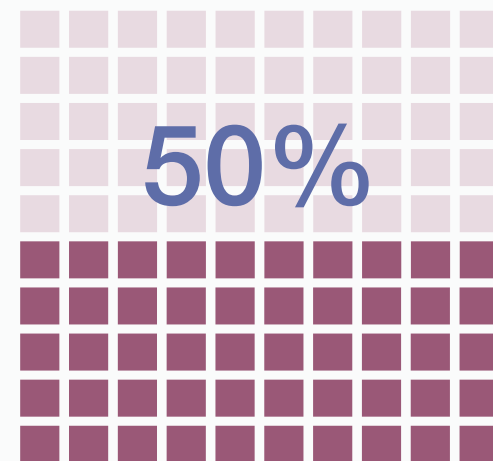
# Driving change - technology

For data sources - see page 24

## FUTURE SKILLS

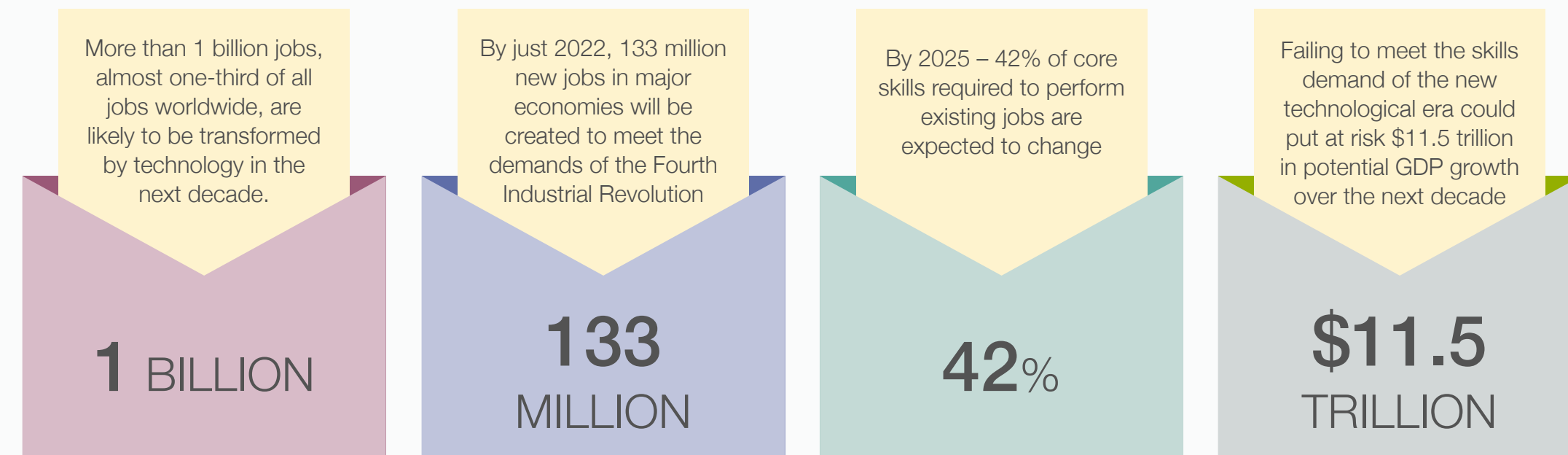


of current workers core skills expected to change by 2025

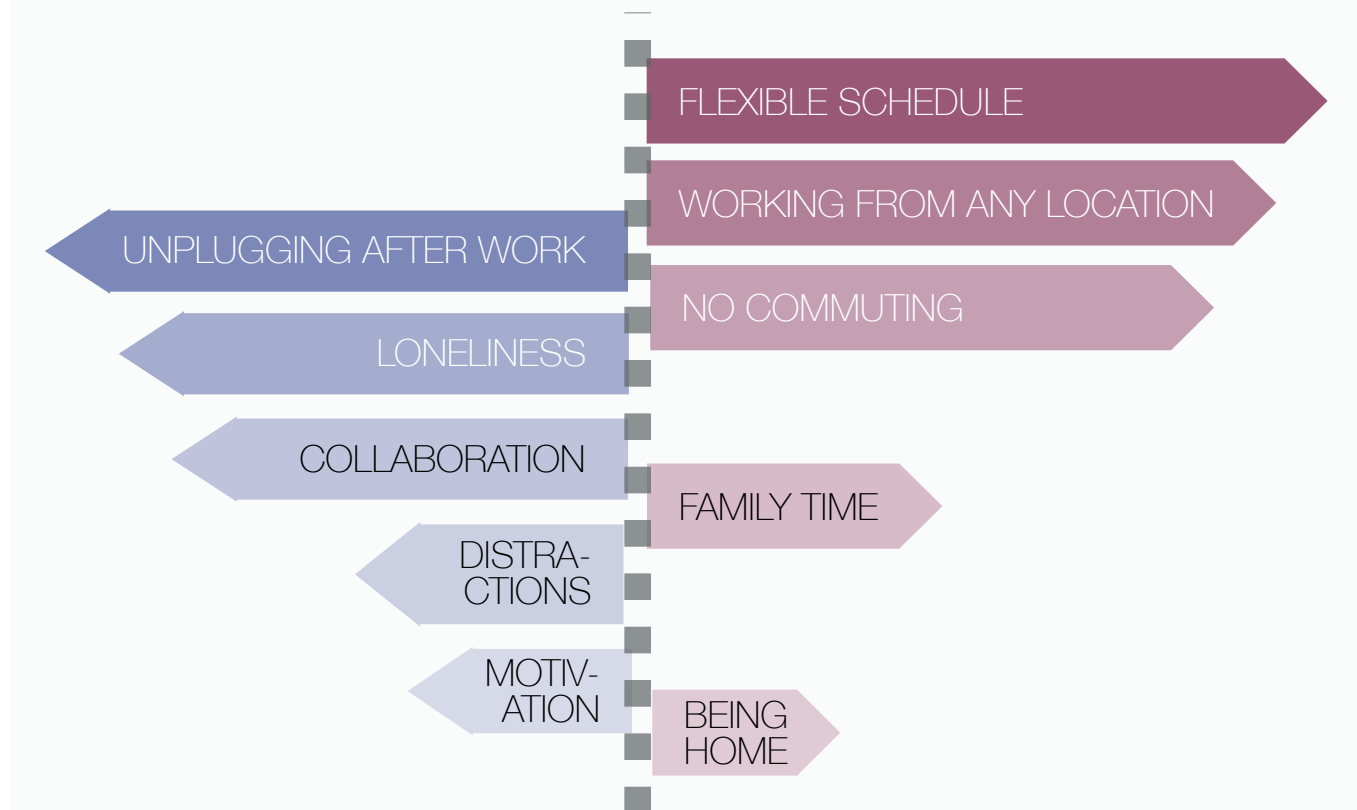


of all employees will need re-skilling by 2025

## A RESKILLING REVOLUTION



## PROS AND CONS OF REMOTE WORKING

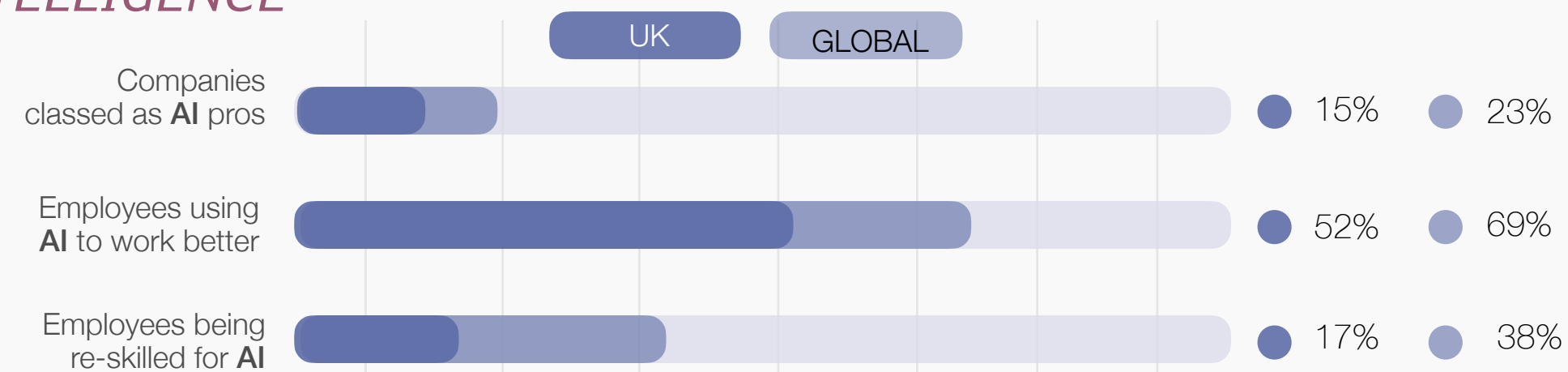


## FUTURE JOBS

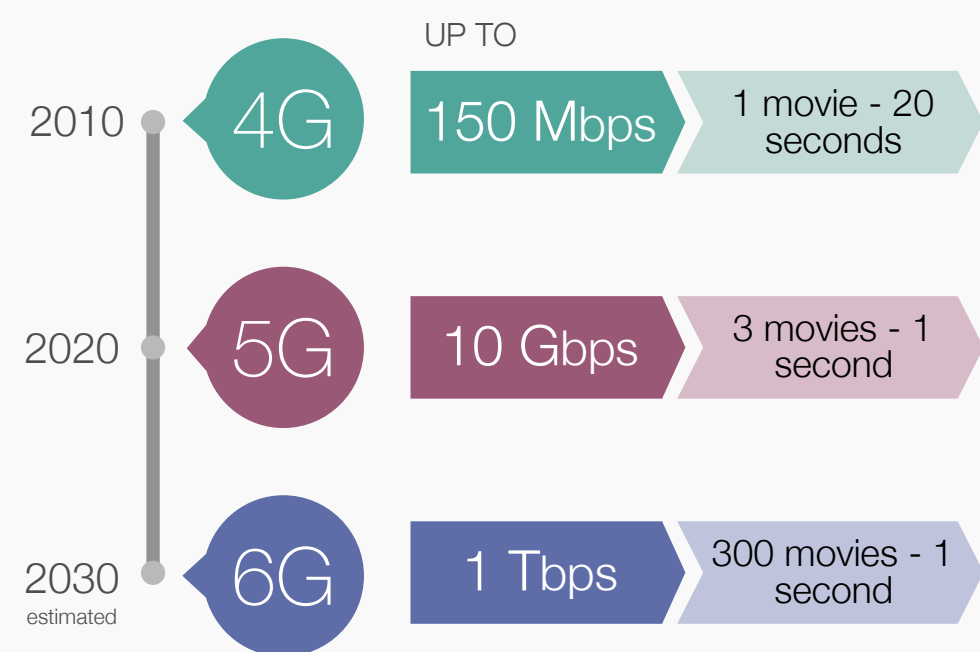
- 1. Data Analysts and Scientists
  - 2. AI and Machine Learning Specialists
  - 3. Big Data Specialists
  - 4. Internet of Things Specialists
  - 5. Digital Transformation Specialists
  - 6. Process Automation Specialists
  - 7. Information Security Analysts
  - 8. FinTech Engineers
  - 9. Database and Network Professionals
  - 10. Business Development Professionals
- FEWER MORE
- 1. Data Entry Clerks
  - 2. Accounting, Bookkeeping, Payroll Clerks
  - 3. Administrative and Executive Secretaries
  - 4. Accountants and Auditors
  - 5. General and Operations Managers
  - 6. Client Information and Customer Service
  - 7. Assembly and Factory Workers
  - 8. Business Services and Administration Managers
  - 9. Statistical, Finance and Insurance Clerks
  - 10. Bank Tellers and Related Clerks

## ARTIFICIAL INTELLIGENCE

AI could deliver a **10%** increase in UK GDP in 2030 if approached correctly.

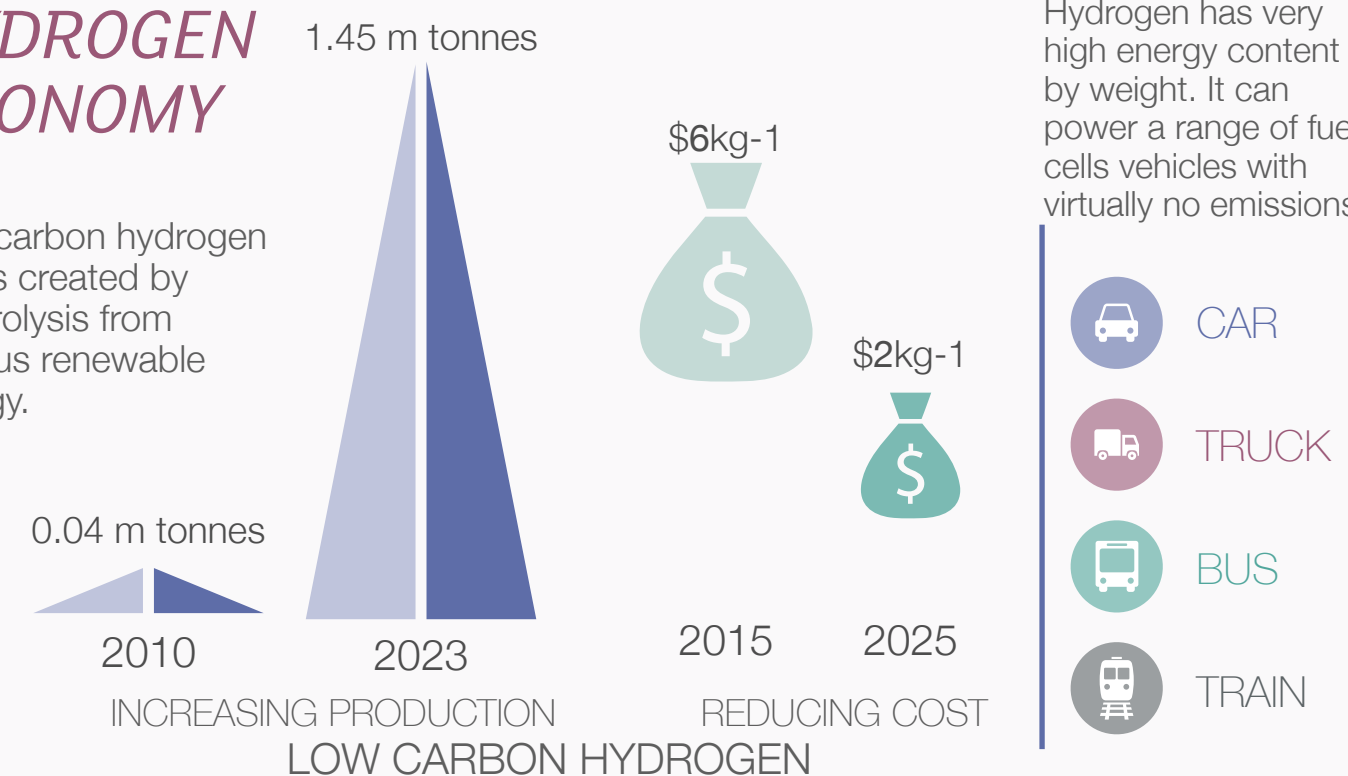


## MOBILE SPEEDS



## HYDROGEN ECONOMY

Low carbon hydrogen gas is created by electrolysis from surplus renewable energy.



## TOP 10 EMERGING TECHNOLOGIES

- 1 Micro-needles for Painless Injections
- 2 Sun-Powered Chemistry
- 3 Virtual Patients
- 4 Spatial Computing
- 5 Digital Medicine
- 6 Electric Aviation
- 7 Lower-Carbon Cement
- 8 Quantum Sensing
- 9 Green Hydrogen
- 10 Whole-Genome Synthesis

In 2020, an expert group from Scientific American and WEF singled out these technologies as ones to watch.

# Priorities to enable a thriving economy

“If everything’s a priority, then nothing’s a priority.”

FRANK SONNENBURG

More homes for local people



## Housing

More homes for people with a local connection will be needed on Exmoor to help reverse the decline in population. Providing more, and affordable, homes for local people is key to encouraging a skilled local workforce to stay in the area. Given the changes in working practice accelerated by Covid-19, more homes will need to have the capacity for home working. The urgency of the climate crisis demands that all new homes achieve the highest possible sustainable standards. Many of these suggestions are already catered for within the Exmoor Local Plan.

Using digital technologies



## Digital connectivity

Almost every aspect of the economy will be dependent on digital communications and other emerging technologies. If businesses on Exmoor are going to be successful in future, broadband and mobile connectivity will need constantly updating and will need more reliable coverage. Equally all businesses will need to take advantage of technologies such as robotics, data analytics and artificial intelligence which will enable them to remain competitive.

Working better together



## Working together

In a remote, rural area, such as Exmoor, the opportunities from collaborating more effectively are significant. Change is difficult but needed - both the community and businesses need to come together, virtually and face to face, to understand what will be needed and decide how to respond. That will require greater openness and transparency, more understanding and respect and new ways of involving young people.

# Priorities to enable a thriving economy - HOUSING

More homes for people with a local connection will be needed on Exmoor to help reverse the decline in population. Providing more, and affordable, homes for local people is key to encouraging a skilled local workforce to stay in the area. Given the changes in working practice accelerated by Covid-19, more homes will need to have the capacity for home working. The urgency of the climate crisis demands that all new homes achieve the highest possible sustainable standards. Many of these suggestions are already catered for within the Exmoor Local Plan.

More affordable housing



## More affordable housing

On Exmoor, house prices are impacted by the high demand from people moving to the area or purchasing second/holiday homes which have limited benefit to the local economy. Working with councils, housing associations and community organisations, **more homes need to be built, for sale or rent, which are truly affordable by local working households.** Of course, higher wages would also address the affordability issue.

More homes for local people



## More homes for local people

Many local people, especially the young, have been forced to move away to the larger towns and cities, around Exmoor and beyond. In doing so, their close ties with the moor can be cut and businesses lose local skilled people. **More homes are needed which are available in perpetuity for people with a history of living and working in the Exmoor area.**

More housing overall



## More housing overall








**A modest increase in new homes to address the needs of local communities could help to build a sustainable population across all age groups.** This needs to respect the heritage and environment of Exmoor and embrace new construction methods to minimise carbon footprints. The population on Exmoor has been declining for the last 20 years or so. If left unchecked, it will continue to affect the viability of local services and businesses.

More adaptable homes



## More adaptable homes

**Homes need to be adaptable and sized to suit the needs of local workers and the climate crisis.** This also applies to commercial land and property. Covid has accelerated a trend towards more flexible working and home working, reinforcing Exmoor as an attractive place to live and work. **There needs to be support for changes of use, to enable home working, and for retrofitting to make buildings greener.**

-  The Passivehaus Trust
-  Rural Worker and Succession Farm Dwelling Guidance
-  Exmoor Local Plan - housing policies
-  Rural housing and rural recovery
-  Exmoor Rural Housing Network
-  Somerset survey on home working
-  Local makers of office pods

# Priorities to enable a thriving economy - DIGITAL CONNECTIVITY

Almost every aspect of the economy will be dependent on digital communications and other emerging technologies. If businesses on Exmoor are going to be successful in future, broadband and mobile connectivity will need constantly updating and will need more reliable coverage. Equally all businesses will need to take advantage of technologies such as robotics, data analytics and artificial intelligence which will enable them to remain competitive.



## Fast broadband speeds

A deeply rural and fairly remote area like Exmoor will tend to find it harder and more expensive to keep up with the fastest broadband speeds available in larger towns and cities. The commercial decisions taken by providers are stacked against deeply rural areas. Nevertheless, in order for the economy to remain competitive, **partner organisations will need to find new ways and new funding to continually improve coverage and speed.**



## Fast and reliable mobile

As with broadband, Exmoor will need to keep up with speeds and coverage elsewhere. Many businesses and visitors rely heavily on mobile coverage. **If it were feasible to roll out 5G coverage across much of the moor, it would allow speeds faster than many broadband services today.** It would also allow for connected agri-technologies and seamless home-working.



## New skills for a digital age

There is a surging demand for workers who can fill green economy jobs, roles at the forefront of the data and AI economy, as well as in engineering and cloud computing. The constituent activities of many jobs will go or change, **so workers will require constant retraining in a mix of technical and soft skills.** This will also apply in more traditional sectors such as farming, tourism and retail.



## Widespread adoption of new technologies

The next decade will be one of digital disruption affecting whole systems of production, distribution and consumption. It is transforming the way consumers discover, evaluate, purchase and use products and services. **Businesses that thrive over the next 10 years will embrace the empowered consumer and disruptive technologies.** New technologies are changing agricultural production in most areas.

- Gigabit Voucher Broadband Scheme
- Guidance for community-led broadband
- Government's Shared Rural Network plans
- New law to speed up 5G rollout in rural areas
- Digital transformation in business - post Covid
- PWC report on the workforce of the future
- Article on potential for automation in different sectors
- Current work on Superfast Broadband on Exmoor

# Priorities to enable a thriving economy - **WORKING TOGETHER**

In a remote, rural area, such as Exmoor, the opportunities from collaborating more effectively are significant. Change is difficult but needed - and the community needs to come together to understand what will be needed and decide how to respond. That will require greater openness and transparency, more understanding and respect and new ways of involving young people.

Shared leadership



## Shared leadership

No one organisation is responsible for the future of the greater Exmoor economy. The tools and powers to effect change are held by different public bodies, by local communities and by businesses themselves. At a time of diminishing public funds, **a strong and creative partnership is needed** to show what is possible and support future opportunities. Build on the REE partnership to help deliver change.

Involving young people



## Involving young people

As younger people will be heavily involved in the future economy on Exmoor, it is important to understand what matters to them, especially the 16-25 age group. **Engaging differently is key, using digital convening tools to bring together the voice of young people to help shape the future they will inherit.** And young people are keen to be involved, to use their ideas and understanding to make change happen.

Shared understanding



## Shared understanding









Collaboration requires that all the participants have similar levels of knowledge and understanding. This helps to create trust between parties and improves the quality of decision making in fast-changing times. **A regular series of online events, focused on different topics, with examples of good practice, will help to build understanding and explore differing views.**

Regular open forums



## Regular open forums

Public bodies need to listen actively to the views of businesses and local people and they need to be held to account. An effective way of doing this is to **hold informal 'town hall' meetings both virtually and in different communities** across Exmoor. Once a year, there should be **an Exmoor-wide event to consider and agree changes to the Vision** and propositions that fall from it.

-  Exmoor Young Voices
-  Exmoor Local Access Forum
-  New Forest Green Halo Partnership
-  Co-production in policy and research
-  Exmoor Parish and Consultative Forum
-  Cornwall Council's Decision Wheel (based on the doughnut)
-  Cairngorm National Park - Heritage Horizons 2030
-  Commissioner for Future Generations in Wales

# Propositions

“It’s only by being bold that you get anywhere.”  
RICHARD BRANSON

To deliver a step change for Exmoor’s economy, we are proposing four important and strategic interventions. Each will provide local benefits and will create ways to strengthen the economy as well as building natural capital and community wellbeing.



## Successful businesses

Businesses are the lifeblood of any economy. They are the wealth generators - contributing to prosperity and wellbeing. The Exmoor economy is characterised by small and micro enterprises, with many dependent on traditional activities such as agriculture and tourism. In a post-CAP, post-Covid world, businesses face an uncertain environment over the next few years. Nevertheless, Exmoor has a progressive entrepreneurial spirit with many businesses finding opportunity in change.



## Community assets

Communities that have some control over land and other assets tend to be stronger, more resilient and more engaged. They can also provide local services that are needed by that community, such as local housing, community energy and growing food. In a remote, rural area such as Exmoor, a community development trust, or similar model, could help create and manage a range of initiatives as well as becoming a focus for community leadership.



## Brand and identity

Exmoor’s outstanding natural beauty and distinctive rural culture attract its visitors and give its products prestige. A strong, unified brand will help businesses in Exmoor create added value and reinforce the area’s special qualities. This will be most relevant to the hospitality, food, farming, craft and culture sectors. There are merits in using common resources and marketing guidelines to improve consumers’ recognition of, and value for, Exmoor as a place.



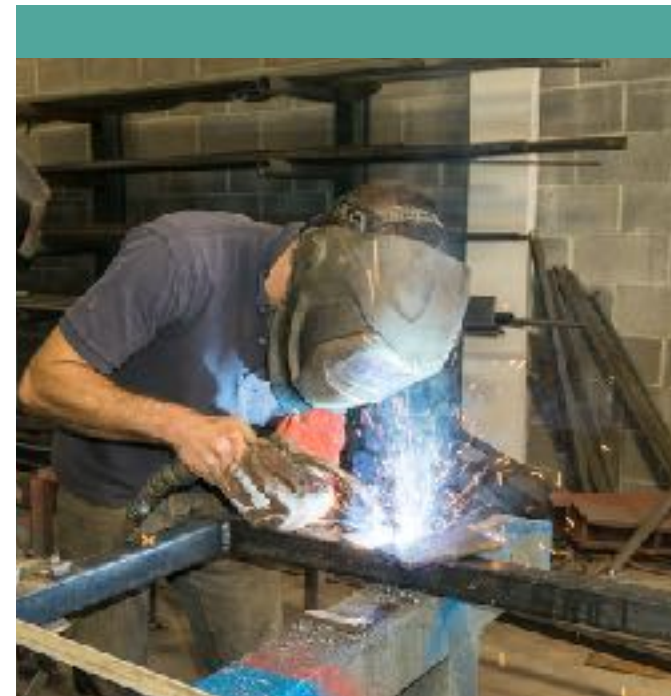
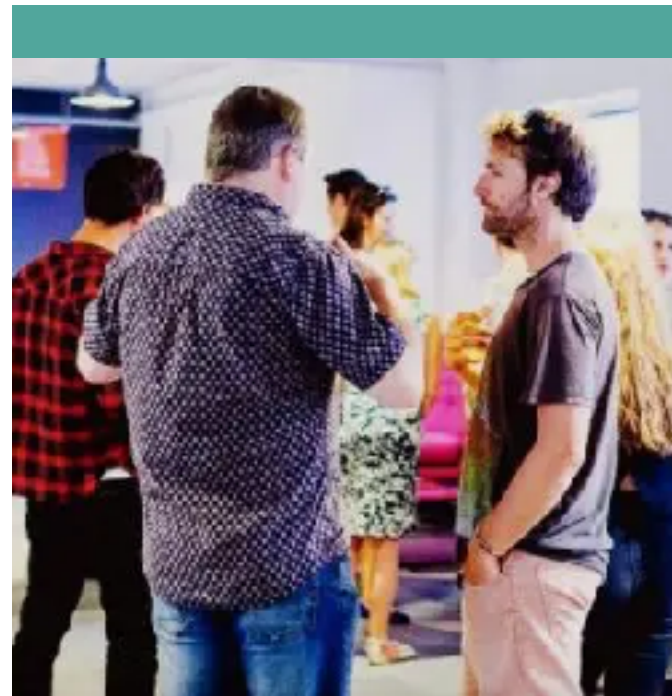
## Flourishing farms

Farming on Exmoor is facing a period of major change. Challenges for businesses include how to maintain profitability while moving from subsidies to public good payments; how to replace expensive and high carbon inputs with more cost-effective and sustainable practices; how to adapt to changing markets and how to earn more from farm products and services. Exmoor has a sound base of good practice and a supportive farming community to build from.



# Key propositions - SUCCESSFUL BUSINESSES

Businesses are the lifeblood of any economy. They are the wealth generators - contributing to prosperity and wellbeing. The Exmoor economy is characterised by small and micro enterprises, with many dependent on traditional activities such as agriculture and tourism. In a post-Brexit, post-Covid world, businesses face an uncertain environment. Nevertheless, there is a progressive entrepreneurial spirit on Exmoor with many businesses embracing change and helping to shape a fairer, greener future.



## Business support

Navigating a dynamic and uncertain environment remains important for businesses. Operating within a National Park also presents particular issues. **Locally delivered technical advice will help businesses understand and exploit new opportunities.**

**Successful businesses need a mixture of incubation space and move-on accommodation in or close to Exmoor** - keeping ties to a local workforce and supply chains.

## Collaboration

Working more closely with other businesses has been proven to be a successful way to strengthen local resilience and increase innovation. Exmoor already has successful networks in place, particularly in some sectors.

**Build on the capacity and capability of existing networks to improve collaborative opportunities further.** Add further structures only when required.

## Innovation

Productive businesses tend to be those that innovate the most. Exmoor could **act as a testbed for zero carbon options using innovation partnerships** - where rural firms are connected to innovation networks in cities and universities.

Successful, innovative economies are open to new ideas from elsewhere. **The post-Covid world is an opportunity for Exmoor to benefit from new entrepreneurial activity.** The key is how to harness this to build wealth and opportunities within the Exmoor communities.

## Good business

Local businesses can play their part in creating a greener, fairer Exmoor. Reducing waste, sourcing locally, using clean energy, developing staff and paying fair wages will all help deliver benefits for a sustainable future.

**Exmoor should consider declaring itself to be a fair-trade, living wage, zero carbon Park.** Encouraging all organisations and businesses to adopt these principles will give Exmoor a clear aspiration, will position itself for the future and improve community wealth and wellbeing.

- Heart of the South West Growth Hub
- New agreement to promote innovation in the area
- Business as a force for good - B corporations
- A plan for clean growth in the HotSW area
- Living Wage Foundation
- Fair Trade Foundation
- Low Carbon Devon

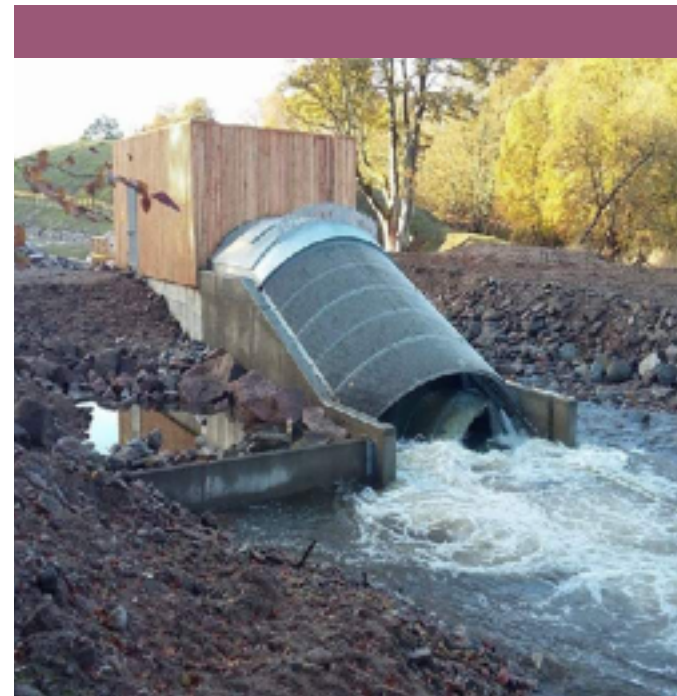
# Key propositions - COMMUNITY ASSETS

Communities that have some control over land and other assets tend to be stronger, more resilient and more engaged. They can also provide local services that are needed by that community, such as local housing, community energy, transport and growing food. In a remote, rural area such as Exmoor, a community development trusts could help create and managing a range of initiatives as well as becoming a focus for community leadership. However, they often need support in the early stages.



## Local housing

One of the most effective ways of keeping housing for local people, in perpetuity, is for those homes to be owned in trust on behalf of the community. **Local land trusts or community development trusts could provide a vehicle for building and protecting local homes.** Given the size of Exmoor, it might make sense to help create a single 'trust' for the whole of the moor.



## Community energy

Given the costs of installing solar PV or small scale wind on individual homes, it would be sensible for **communities on Exmoor to develop small scale renewable energy and storage options in collaboration.** These assets would not only provide zero carbon energy but help provide investment in community projects and alleviate fuel poverty. It may be possible to invest in clean community and shared transport options.



## Community food

Many places have shown the value of bringing the community together to grow and share food. If a community trust could acquire land in different locations, it could **provide opportunities for local allotments, for community orchards and even community managed woodlands.** This would support better health and wellbeing, more voluntary activity and community ownership of assets.



## Stronger communities

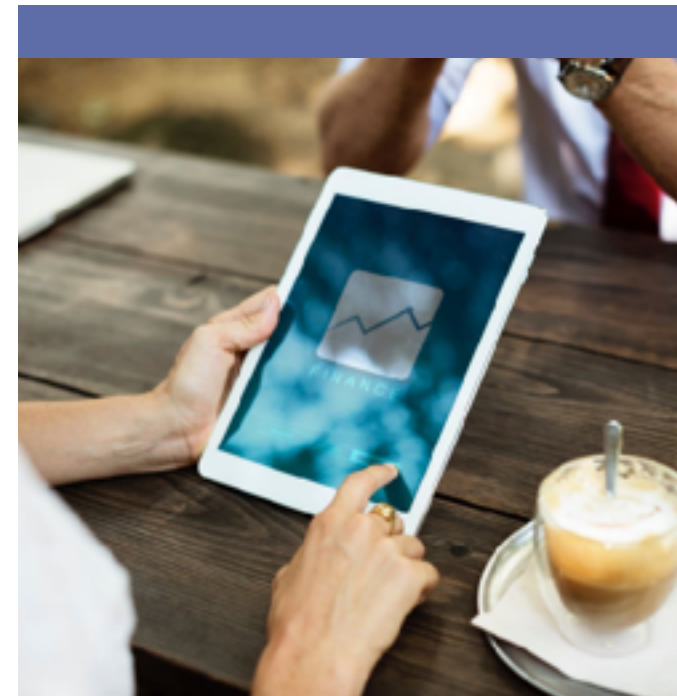
The ownership of assets, usually in the form of land or property, can help provide communities with a springboard for further activities. As a community-led initiative, this could provide shared income, underpin borrowing for major projects and create a more resilient and cohesive community. **Initially land could be gifted, leased or acquired using grant funding - providing Exmoor with shared assets to build community wealth and wellbeing.**

-  Paper on Community Land Trusts from South Downs National Park
-  Website for Community supported agriculture
-  A community land trust in Dartmoor building homes for local people
-  Website for Devon Community Energy Network
-  Rural Services Network - online reports
-  Directory of social enterprises in Devon and Somerset



# Key propositions - BRAND AND IDENTITY

Exmoor's outstanding natural beauty and distinctive rural culture attract its visitors and give its products prestige. Evolving a strong, unified brand will help businesses in Exmoor create added value and reinforce the area's special qualities. This will be most relevant to the hospitality, food, farming, craft and culture sectors. There are merits in using common resources and marketing guidelines to improve consumers' recognition of, and value for, Exmoor as a place.



## Market intelligence

Understanding how people perceive Exmoor and what they most value about it is important, particularly during a period of change.

**Maintaining the regular surveys of Exmoor's visitors and consumers, and informing businesses of their findings,** will help businesses respond to changing demand.



## Unified brand

Many local businesses are keen to make better use of the strong Exmoor branding to help market their products and services. Using a consistent set of messages, values and visual imagery, which build on this vision, will help shape consumers' perceptions of Exmoor's and its green credentials.

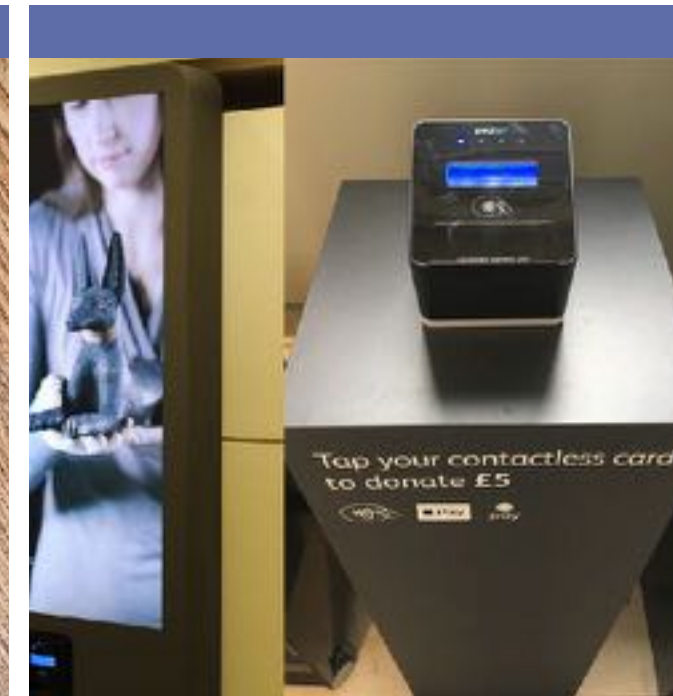
Looking ahead, evolving **the brand identity will help to ensure that all the sub-brands use a shared set of Exmoor resources.**



## Promoting Exmoor

Exmoor has taken part in the UK National Parks' 'Breathing Spaces' campaign, English National Park Experience Collection and is promoted through Visit Exmoor. Exmoor businesses can help promote these initiatives by using their resources and linking consumers to them.

**Place marketing to attract green, creative and digital companies should be a priority,** working with surrounding areas.



## Visitor gifting

New technology, particularly cheap contactless card readers and mobile apps, are being used to provide an easy and spontaneous way for visitors to demonstrate their love for a place and support its conservation.

**Opportunities should be explored for their use on Exmoor** - enhancing the existing scheme.

- Exmoor visitor research
- The challenge of recruitment in the hospitality sector
- Guidance on Exmoor brand
- Celebrating business success - We Are Exmoor
- Visit Exmoor site
- English National Parks Experience Collection
- Research on visitor gifting
- Exmoor's visitor giving scheme
- Lake District contactless gifting scheme

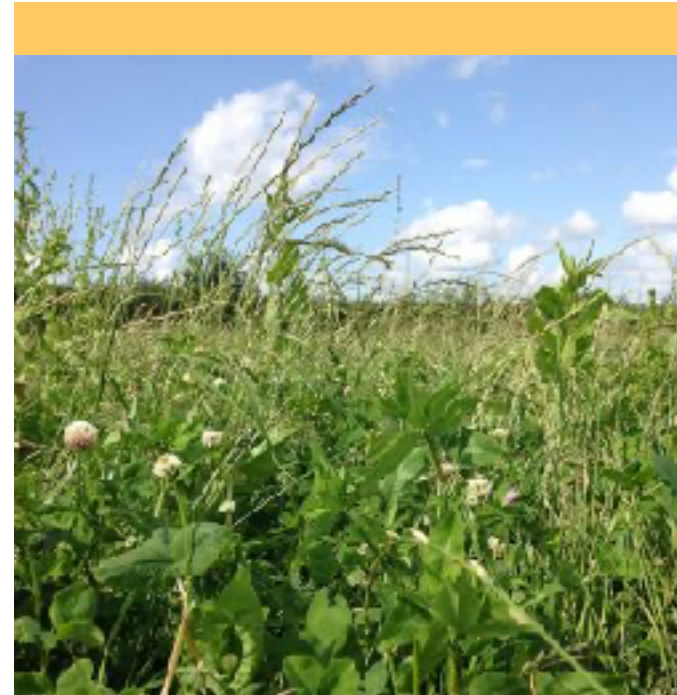
# Key propositions - FLOURISHING FARMS

Farming on Exmoor is facing a period of major change. Challenges for businesses include how to maintain profitability while moving from subsidies to public good payments; how to replace expensive and high carbon inputs with more cost-effective and sustainable practices; how to adapt to changing markets and how to earn more from farm products and services. Exmoor has a sound base of good practice and a supportive farming community to build from.



## Nature and landscape

Farming will continue to play a pivotal role in the conservation and recovery of Exmoor's habitats, landscapes and natural resources, alongside its core role of providing food. Revenue from the Government's Environmental Land Management (ELM) schemes and, potentially, from new 'green finance' markets should help support this. **Locally delivered advice on schemes and land management options will help farmers make the most of the new opportunities.**



## Prosperous livelihoods

Many of the changes facing farm businesses will threaten their existing business models. Reliance on expensive inputs (which often have negative environmental impacts) and on low value undifferentiated markets will make many businesses uneconomic. **New approaches such as agroforestry, regenerative agriculture, direct marketing and the sharing of costs and equity along the supply chain will need to be examined and adopted.**



## The next generation

The new farming economy will require new energy and skills, provided by the next generation of farmers from within and without current farming families. **Successful restructuring will be supported by collaborative networking and knowledge exchange, access to exemplars of best practice and appropriate legal and accountancy services.**



## Local supply chains

A flourishing farming economy will enrich the wider Exmoor economy both up- and down-stream of land-based activity, including contractors, vets, hauliers, abattoirs, wholesalers and retailers. **Improving the trading connections and retaining as much value within the local economy as possible will require good networking and trusted contractual arrangements.**

- Exmoor Ambition - post Brexit plans
- Certified regenerative agriculture pilot programme
- Regenerative farming and producing sustainable food.
- UK silvopasture trial begins in Devon
- Learning woodland conservation skills
- National Park directories of local food and drink
- Dartmoor
- Pembrokeshire
- Upstream Thinking - the Exmoor Mires partnership
- SW Partnership for Environmental and Economic Prosperity
- Exmoor Nature Recovery Vision

# Proposals

“The way to get started is to quit talking and start doing.”  
WALT DISNEY

## Quality experience

Tourism is a big part of the Exmoor economy and visitors come because of Exmoor's special qualities. To thrive, every aspect of the visitor experience on Exmoor must be high quality - from accommodation to signage and from electric charging points to major events. **An Exmoor synonymous with quality, at whatever price point, brings more value locally and builds respect for the quality of Exmoor's environment.** Building on opportunities post-Covid, the sector should develop a year round visitor offer, extend the 'field to fork' opportunities, and build shared Exmoor standards.



## Multi-use hubs

Not everywhere in Exmoor has fast and reliable connectivity for reasons of access or affordability. As more people are working from home, there is a continuing need to meet clients, have contact with other businesses to network and innovate. Education and training is moving towards a hybrid model of remote and in class learning. **These opportunities, and more, could be supported by a network of multi-use hubs using available spaces** - from the back room of the pub, the village hall, or a school classroom.

## Natural capital markets

The next few years are likely to see a growing trade in natural capital assets such as biodiversity, clean water and stored carbon. **Land owners and managers on Exmoor who can provide a supply of these assets** to buyers such as developers, utilities and other large companies **will potentially have a new income stream that recognises their stewardship of Exmoor's natural environment.** The administration and contractual mechanisms to this will need to be developed and Exmoor needs to play a part in these national developments.

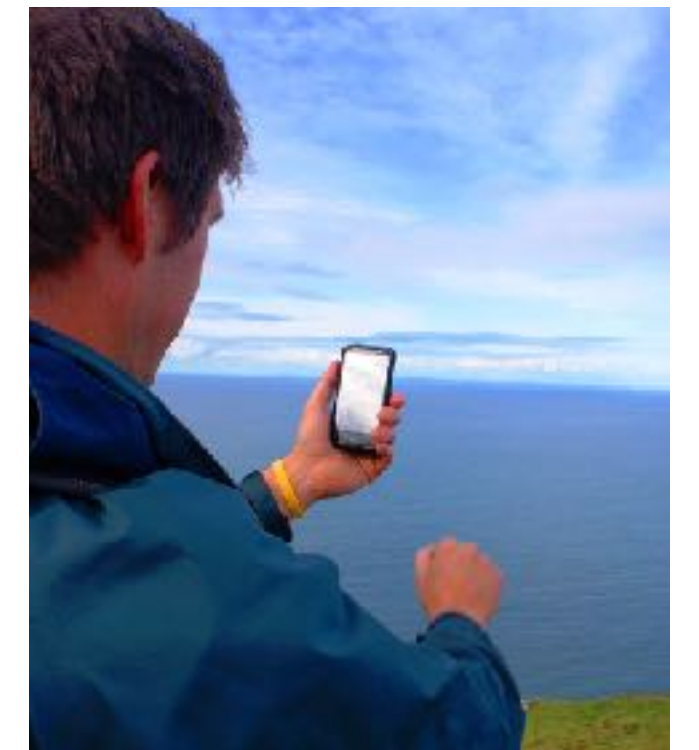


## Skills and learning

Retaining and attracting young people within Exmoor remains important – to sustain its communities and ensure a supply of skilled workers. Young people on Exmoor face challenges in travelling further to access work and training. As new hybrid models of learning emerge, Exmoor can be at the vanguard of new models, such as **community hubs that allow young people to access online learning – potentially for part of the week – whilst maintaining important social contact.** Breaking down barriers to learning and improving community cohesion are positive outcomes.

## Transport networks

The lack of transport options is seen as a barrier for accessing work and training. While the road network is unlikely to change, there are opportunities to enhance the shared and community transport options across Exmoor. **Mobility hubs offer opportunities to link public transport with low cost solutions** such as e-bikes, scooters and car share schemes. **Exmoor will also need a network of public and private EV charging points** - supporting visitors and local people alike.



## Local marketplace

Keeping money circulating locally is an important way to improve the resilience of the local economy. For that to be effective, it requires mechanisms to help people and businesses sell goods and services to one another. **An online directory and trading system is a simple tool to make these transactions easier.** Extending the coverage of physical local markets beyond Dulverton to more locations will help generate more opportunities for farmers, growers and makers. This is particularly important during the tourism season.

# Delivering the vision

“Hope doesn’t come from words. Hope only comes from actions.”

GRETA THUNBERG

The real test of this Vision is how effectively it can be realised.

The next 10 years are going to be very challenging for businesses and the economy. The issues we face are multi-faceted and will require many partners offering many solutions. No one idea can provide a silver bullet. Equally, it is clear that making a policy or setting a vision does not in itself deliver change. We will need to work hard to turn good intentions into practice, using new ideas alongside tried and tested methods.

- **Strong Partnerships.** A strong and clear local voice for a shared vision is key. The Rural Enterprise Exmoor initiative is a very positive step in developing a strong local partnership. Continuing and extending that partnership is vital, with everyone sharing responsibility for delivering the vision. There needs to be open dialogue with businesses and other organisations with independent facilitation to manage disparate views.
- **Effective Leadership.** The Rural Enterprise Exmoor initiative has been vital to progressing work so far. Exmoor National Park Authority is an important enabler in this initiative – but is only one of the partners. Maintaining and developing the momentum that has built up through the initiative remains important. There is scope to set up a ‘business sounding board’ to discuss ideas and opportunities for the Exmoor economy.
- **Resources.** Following the pandemic, public funds are likely to decrease. If the Exmoor area wants to get things done it will need to look for new ways of funding as well as be ready to bid for funding from national or local programmes. Working with social enterprises, community trusts and social investment organisations offers a way of securing value in the community. Locally, businesses and other organisations will need to look at what they could fund themselves - perhaps using models such as Business Improvement Districts, adapted for an Exmoor context.
- **Planning.** This Vision is only a first stage. It needs partners to agree which are the important and urgent actions and plan how to make them happen.

Rural Enterprise Exmoor Partnership

[www.exmoor-nationalpark.gov.uk/rural-enterprise](http://www.exmoor-nationalpark.gov.uk/rural-enterprise)



# Measuring success

“What get’s measured, gets done.”

TOM PETERS

It is now widely argued that traditional measures of economic success such as Gross Domestic Product (GDP), or Gross Value Added (GVA), are poor measures for understanding whether economic growth is resulting in increased prosperity and/or wellbeing for the population. In particular, the benefits of economic growth have been unequally distributed. As a result, several countries have adopted a wider set of indicators that aim to measure success in a more holistic manner.

Given the emphasis of this Strategy, we do not feel that any future growth of the Exmoor economy can be simply measured by a single indicator.

There is one statistical problem which is difficult to address. Exmoor National Park is not a statistical entity. Most published statistics are based at local authority level, so many relevant datasets will only be available for North Devon and Somerset West and Taunton local authority areas. For example, the ONS annually publishes Personal Measures of Well-being for local authorities. This measures changes over time for four well-being domains – ‘Anxiety’, ‘Happiness’, ‘Life Satisfaction’, and ‘Worthwhile’ (whether people feel their life is worthwhile). This would have been a useful resource if available at an Exmoor level. There is a danger that Exmoor would simply be lost in the ‘noise’ of Barnstaple, Taunton etc.

The ONS allows users to request specific datasets on an ad hoc basis and **Exmoor, possibly alongside the other English National Parks, should investigate whether the Personal Measures of Well-being and other indicators could be made available at an ENPA level.** This data could be tracked on an annual basis.

In the absence of published data at an Exmoor level, an alternative is to collect specific data to measure change. This could be done through an annual survey of residents, households or businesses - though there is a risk of survey fatigue.

We propose using existing datasets to understand change, supplemented by surveys if needed. Whilst this may not be perfect, it represents a practical way forward. Potential indicators are outlined below. These could be combined into a dashboard to illustrate progress.

- 🌿 **Landscape Quality:** hectares of new woodland; hectares of restored peatland; % of designated sites in favourable condition
- 🌿 **Community Development:** number of affordable housing completions (from ENPA planning); number of community enterprises (using local intelligence)
- 🌿 **Post-CAP agriculture:** number of ELM schemes (from Defra); upland farm turnover/profitability (from annual Farm Business Survey)
- 🌿 **Digital Connectivity:** proportion of premises with superfast broadband availability (from Ofcom); 4G and 5G coverage (from Ofcom)
- 🌿 **Demographics:** total population (from ONS mid-year population estimates); population of working age and retirement age (from ONS mid-year population estimates)
- 🌿 **Climate change:** parish level CO2 emissions (from IMPACT community carbon calculator)
- 🌿 **Wellbeing:** either ONS Personal Measures of Wellbeing indicator set at Exmoor level, or annual survey to measure similar issues
- 🌿 **Business:** visitor satisfaction (visitor surveys); number of planning approvals providing additional space for enterprise (from ENPA planning).
- 🌿 **Economy:** Gross Value Added; household income (ONS - both currently available at district level)

# Links to relevant policies and strategies

## DATE SOURCES:

### EXMOOR SNAPSHOT

Natural England, Mires Project, Forestry Commission, ENPA, REE/ Wavehill Research Report, ONS, Exmoor Visitor Survey, Farm Business Survey

### CLIMATE AND NATURE

DBEIS/National Statistics; Committee on Climate Change Annual Report 2018; Living Planet Index 2020; Visual Capitalist 2021; Carbon Brief 2020; UNDP, Opinium, and Ipsos Mori 2020.

### TECHNOLOGY

World Economic Forum (WEF) Future of Jobs 2020; WEF Reskilling Revolution 2020; Microsoft UK 2020; International Energy Agency; WEF Emerging Technologies 2020; Ozy 2019; SPICA 2020.

### OTHER RESEARCH

REE Exmoor Vision survey report, 2021; Rural Enterprise Exmoor Covid-19 Economic Impact Study, 2020; Rural Enterprise Exmoor Research Report, 2020

## PHOTO CREDITS:

COVER - ENPA

PAGE 2 - Tim Edmonds, ENPA, Nigel Stone, Adrian Cubitt

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PAGE 5 - Heather Lowther, S Applegate, ENPA

PAGE 12 - ENPA, Dorset LEP, West Somerset Free Press

PAGE 13 - Mitchell Architects, Campaign for National Parks, ENPA

PAGE 14 - Emerging Europe, Somerset Live, IoT Business News, Farmers Weekly

PAGE 15 - ENPA, Civil Service Local, Brian Tracy

PAGE 16 - ENPA, Christow Community Land Trust, Everything Exmoor, South West Farmer

PAGE 17 - Devon Work Hubs, ENPA

PAGE 18 - John Gilbert, ACE, Gardening Knowhow, ENPA

PAGE 19 - B2B Rentals, ENPA, Eat Exmoor, National Museums of Scotland

PAGE 20 - ENPA, Jeremy Sabel

PAGE 21 - Exmoor Magazine, Devon Work Hubs, Brook Meadow Conservation Group, Lantra Scotland, Somerset Live, ENPA

## EXMOOR

- Exmoor National Park Partnership Plan, 2018
- Exmoor National Park State of the Park Report 2017
- Exmoor National Park Local Plan 2017
- Exmoor National Park Nature Recovery Vision, 2021

## LOCAL AUTHORITIES

- North Devon Launchpad 2030 - Covid Recovery Strategy, 2020
- Team Devon Recovery Prospectus, 2020
- Somerset Growth Plan, 2017
- Somerset Recovery and Growth Plan, 2021
- Somerset West and Taunton Economic Strategy, 2021

## HOTSW LOCAL ENTERPRISE PARTNERSHIP

- Local Industrial Strategy, 2020
- Blueprint for Clean Growth, 2021
- Plan to Build Back Better, 2021
- Great South West Securing Our Future prospectus, 2019

## NATIONAL

- Agriculture Act, 2021
- National Food Strategy
- 25 year plan for the Environment
- UK Shared Prosperity Fund



SIMON HOOTON, JO TALBOT, ROBERT DEANE, SHANE VALLANCE, ALAN CALDWELL

## Appendix 2 – Rural Enterprise Exmoor Business Engagement feedback



The following is a selection of feedback on the programme to May 2021 (presented in no particular order).

The Selworthy Pantry	"REE has helped us gain more recognition on our social media platforms and helped us to reach out to customers further afield"
Primrose Cottage Exmoor	"The exposure and service that you have given us has allowed us to connect with other local businesses who now supply us. Add followers but also feel supported and made us aware of the branding we can use to help grow our business. We are really impressed with the support and love the community support. It's also great to see other businesses we admire being promoted"
HinamFarm Wood Fuels	"REE has helped the promotion of my services and expanded my knowledge of other small local businesses and how they are working"
Hannah Alice Illustrations	"For me it is all about the promotion and help you have given for my small "tiny" business. It gives a hope of connecting, building networks and forming collaborations as well as selling my cards in local shops. Really appreciated the effort and time you have put into creating my feature and helping small local businesses"
Latitude 50 Landscapes	"REE has definitely helped awareness of my products locally but equally increased by awareness of so many smaller businesses across Exmoor offering so many wonderful things I may not have otherwise known about"
Belle Cole WMA	"REE is providing professional and productive networking of businesses and connecting the local community across Exmoor by creating a strong social media presence. I have been fortunate to be a part of this and can personally say I have been very happy with the experience"
Exmoor Salty Glass	"The write up you did on my business was great"
Unique Cloud Design	"REE has provided more interaction. It's shown me so many other local businesses I didn't know were out there and will definitely be looking to spend more locally. REE has helped me support other businesses too by liking, commenting and sharing their posts. Until now, I didn't realise how important this was"
Exmoor Fudge Kitchen	"REE has opened the door to a much wider audience for my small business. The exposure given has resulted in a surge of interest in my fudge"
Peppermint Grove Prints	"REE has given me the opportunity to not only advertise my business but also connect with other local small businesses"
Stanbury Rural Services	"REE has given our business an exposure boost. We feel supported and follow other businesses you are promoting being more inclined to use their services if we need to. It's a nice local link"
Hannah Norman Pet Portraits	"REE has connected me again to the close community networking with like minded local creatives"

The Fizzy Pheasant	"REE has increased our optimism for a thriving future Exmoor economy. It is also refreshing to see such optimism from other businesses"
Thir13en	"REE has helped us find new local producers and customers to collaborate with, thank you for your help"
Little Oak Pork Farm	"REE has certainly made more people aware of what we do. It has increased awareness of our business. Thank you for promoting our little farm, very much appreciated"
Matthew Tapp Design	"REE has assisted my business by providing a local platform for me to advertise to my target audience, other businesses owners in the Exmoor and Greater Exmoor areas"
Exmoor News	"As a supporter and promoter of the local community and businesses, REE is another opportunity to network across the wider Exmoor area"
Salt Wood Farm	"REE is a great way to discover other Exmoor based businesses"
Salad Days and Holi Moli	"REE has added to my social media exposure both locally across Exmoor and further afield. We would love to be a part of another campaign in the future"
Two Rivers Paper	"It has been really interesting to find out about other businesses locally and understand the community better. Exmoor as a destination is well known and having a link with REE has been helpful for us to connect with other local businesses as well as individuals further afield who may not have known about us"
The Wild Pear	"REE has championed small businesses like ours and increased our exposure to those living on Exmoor, thank you"
Grown Up Marshmallows	"REE has given my business more promotional opportunities"
Limeberry	"We have gained a wider audience especially locally through the works of REE, thank you again"
Esme The Baker	"REE has helped build and grow my business through social media engagement"
Ashleigh Bishop	"REE scheme is brilliant for getting people aware and talking about Exmoor based businesses and future ideas for the area. I've had customers in the gallery mention they have seen the social media so it is really helping with promotion"
Megan Jane Copywriting	"REE has helped me realised just how many other small businesses are on Exmoor and shown me there is a potential audience right on my doorstep. I have followed each business featured and haven't connected with them yet however, intend on doing so. I wouldn't have known these businesses exist"
Lyndale Tearooms	"It has been great to be given the extra opportunity of further promotion alongside other Exmoor businesses. Having always been lucky enough to have lived on Exmoor, it is a real privilege to now own my own business in the heart of it and recognise all the other amazing small businesses there are on Exmoor"
Wivey Weaver	"Your promotion of local businesses is important but most importantly it is showing both locals and visitors alike the wealth of talent which exists within the Exmoor area. At the same time, it is promoting the wild beauty and diversity which exists in and around Exmoor"
Katie Lewis Fine Art	"REE have not only supported my small business but promoted other and increased the knowledge of the Exmoor Brand"
Heale Farm	"REE has been instrumental in connecting our business to local businesses increasing our Heale Pantry offering"



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Esme The Baker	"REE has helped build and grow my business through social media engagement"
Ashleigh Bishop	"REE scheme is brilliant for getting people aware and talking about Exmoor based businesses and future ideas for the area. I've had customers in the gallery mention they have seen the social media so it is really helping with promotion"
Megan Jane Copywriting	"REE has helped me realised just how many other small businesses are on Exmoor and shown me there is a potential audience right on my doorstep. I have followed each business featured and haven't connected with them yet however, intend on doing so. I wouldn't have known these businesses exist"
Lyndale Tearooms	"It has been great to be given the extra opportunity of further promotion alongside other Exmoor businesses. Having always been lucky enough to have lived on Exmoor, it is a real privilege to now own my own business in the heart of it and recognise all the other amazing small businesses there are on Exmoor"
Wivey Weaver	"Your promotion of local businesses is important but most importantly it is showing both locals and visitors alike the wealth of talent which exists within the Exmoor area. At the same time, it is promoting the wild beauty and diversity which exists in and around Exmoor"
Katie Lewis Fine Art	"REE have not only supported my small business but promoted other and increased the knowledge of the Exmoor Brand"
Heale Farm	"REE has been instrumental in connecting our business to local businesses increasing our Heale Pantry offering"

## EXMOOR NATIONAL PARK AUTHORITY

3 August 2021

### FARMING IN PROTECTED LANDSCAPES PROGRAMME

#### Report of the Head of Conservation and Access

**Purpose of the report:** To set out the detailed operation of the Farming in Protected Landscapes programme (this paper follows a paper that was approved by the Authority on 6<sup>th</sup> July 2021).

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

- (1) APPROVE the proposed governance model for the Farming in Protected Landscapes Programme in Exmoor National Park.
- (2) DELEGATE to the Chairperson of the Authority and to the Chief Executive Officer the appointment of Authority Members of the Local Assessment Panel.

**Authority Priority:** Support delivery of the Exmoor National Park Partnership Plan – These proposals will help farmers and other land managers move towards the future Environmental Land Management Programme. The Farming in Protected Landscapes programme will provide opportunities to enhance habitats, enhance the landscape of Exmoor and protect the historic environment and will also 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:

- i. ENPA will receive £507,486 for the delivery of the Farming in Protected Landscapes programme on Exmoor in 2021/2. This will be added to the annual Defra grant as a variation.
- ii. Responsibility for the programme and accountability (to the RPA) for the spend within year rests with ENPA. In respect of any grants awarded, works will need to be completed and claimed within year and accounted for to RPA.
- iii. Considerable focus will be placed on this programme and in that sense it is of great reputational significance – to our farmers and land managers, to our stakeholders and to our funding body.

**Climate Change Response:** Two of the key targets of the programme spend are to recover nature and to address the impacts of the climate emergency. This therefore offers an important opportunity to assist our climate change response.

## **1. INTRODUCTION / BACKGROUND**

- 1.1 Defra has set aside an additional £22 million in 2021/22 for protected landscapes (both NPs and AONBs). This funding is allocated to the new 'Farming in Protected Landscapes' programme ('FiPL'). Defra intends that this is the first in a three year programme of funding although only the first year of funding is confirmed.
- 1.2 Section 72 of the Environment Act 1995 applies enabling the Secretary of State to make grants to a National Park Authority for such purposes, of such amounts and on such terms and conditions as he thinks fit to:
  - Conserve and enhance natural beauty, wildlife and cultural heritage.
  - Promote opportunities for the public understanding and enjoyment of the special qualities of the Park.
  - A statutory duty to "seek to foster the economic and community wellbeing of the local communities within the National Park in pursuit of purposes."
- 1.3 The funding is intended to encourage farmers and other land managers to align more closely with providing public goods for public money as part of the transition away from the Common Agricultural Policy (CAP) towards Environmental Land Management (ELM).
- 1.4 The programme has four broad priorities:
  - i. nature and nature recovery
  - ii. climate change mitigation
  - iii. people (engaging groups with protected landscapes)
  - iv. place (landscape, beauty and heritage)
- 1.5 ENPA will receive £507,486 for 2021/22 of which Defra has stipulated that administration of the programme is up to £34,000 and advice, guidance and engagement is up to £59,000. This makes a minimum of £414,486 available for grant funded activity and any underspend from administration or advice and guidance can be added to this.
- 1.6 The remainder of this paper sets out how the Farming in Protected Landscapes Programme will run on Exmoor.

## **2. HOW THE FARMING IN PROTECTED LANDSCAPES PROGRAMME ALIGNS WITH THE EXMOOR NATIONAL PARK PARTNERSHIP PLAN**

- 2.1 Defra require that the Farming in Protected Landscapes Programme aligns with the Exmoor National Park Partnership Plan.
- 2.2 Annex 1 ENPA Management Plan Priorities for FIPL sets out how FIPL can support delivery of the Partnership Plan including identifying priority project types.

## **3. RESOURCING THE PROGRAMME: ROLES AND RESPONSIBILITIES**

- 3.1 The Farming in Protected Landscapes Programme will be managed by Alex Farris, Conservation Manager. He will be supported by the Conservation Officer (Farming & Wildlife). Two new posts are being recruited to the Programme and these are the Farming in Protected Landscapes Officer and Administrator.
- 3.2 Given the extensive expertise of current ENPA officers, we will require staff to engage with the Programme by discussing and encouraging applications from land managers and supporting them to deliver. Together with the new posts they will form the ENPA FIPL team.

- 3.3 We are also working closely with the Exmoor Hill Farming Network to promote the opportunity to the farming community, encourage interest in applying and to carry out suitable training events.
- 3.4 We will also use some of the advice and guidance budget to procure additional farm liaison capacity from an experienced third-party organisation to assist in encouraging high quality applications.
- 3.5 Our network of partners and stakeholders will help by encouraging applications with their contacts in the local farming community.

#### **4. GOVERNANCE AND FINANCIAL ACCOUNTABILITY**

- 4.1 The funding for the Farming in Protected Landscapes Programme within Exmoor National Park has been added to the National Park Grant as a variation and ENPA remains the accountable body for the budget and spend.
- 4.2 Approval for expenditure of the funds via grant allocation is as follows:
- Grant applications up to £5,000 are assessed by ENPA Officers and recommended for approval by the ENPA CEO
  - Grant applications between £5,000 and £100,000 are assessed by ENPA Officers and the Local Assessment Panel recommended for approval by the ENPA CEO
  - Applications over £100,000 will automatically be referred to Authority following Officer and Local Assessment Panel recommendation
  - Applications between £5,000 and £100,000 may be referred to Authority if there is doubt such as over the likely benefit, value for money or concern over competing interests

The assessment process is set out in further detail in Section 7 below.

- 4.3 A minimum project value of £250 will apply.
- 4.4 ENPA is responsible for ensuring due diligence is undertaken to avoid double funding of project activity. Should double funding occur ENPA will be required to ensure allocated funds are repaid. Checking for double funding forms part of project monitoring process and will be carried out in partnership with the RPA and Forestry Commission.

#### **5. KEY PROJECT CRITERIA**

- 5.1 Applications will be accepted from farmers and land managers who have management control of all the land subject to the application and all the activities needed, or the written consent of all other parties who have management control. Applications will also be accepted from third party partner organisations and individuals, so long as they are applying in collaboration with a farmer or land manager.
- 5.2 Funding is for both capital and revenue activity including provision of specialist advice and training. Defra's recommended split of expenditure across the programme is 85% capital, 15% revenue. This is separate from the amounts allocated for administration, advice and guidance.
- 5.3 To ensure the programme funds a range of projects with a reasonable geographical distribution, Defra has set a suggested maximum grant size for projects. This is

£250,000 for a single project must offer exceptional outputs and value for money. This sum is also within the “Special Drawing Rights” subsidy control threshold as stated in the EU-UK Trade and Cooperation Agreement.

- 5.4 Multi-year projects are permitted, spanning more than one financial year.
- 5.5 Projects where there is an existing legal duty to undertake the work or where they relate to the conditions of planning application are not permitted.
- 5.6 Applications with match funding may increase their value for money scoring as part of the assessment process.
- 5.7 Projects must not include activities that are already funded by existing Defra land management schemes such as Countryside Stewardship and Forestry and Woodland grants.

## **6. THE APPLICATION PROCESS**

- 6.1 In 2021/22 the window for applications has already been set by Defra, running from 1<sup>st</sup> July 2021 to 31<sup>st</sup> January 2022. The ENPA website currently displays details of the programme including both national and local guidance on applying, data protection details and relevant contact information.
- 6.2 Interested parties are encouraged to register their interest via a simple Expressions of Interest Form setting out potential project ideas. This will help ENPA officers provide suitable advice to encourage high quality applications including guidance on payment rates, procurement and maximising environmental benefits.
- 6.3 Following discussion with the FIPL Officer, interested parties will be sent the standard Defra application form to complete and return within the timeframe above. Advisors will help with completion of this where needed.

## **7. ASSESSING APPLICATIONS**

- 7.1 Applications will be initially screened, including checking for eligibility and double funding, by the Farming in Protected Landscapes Administrator.
- 7.2 Applications will then be scored by the FIPL Officer under the National Framework as laid out by Defra and in consultation with appropriate ENPA specialists, such as Access Officer or Woodland Officer. The scoring includes a minimum requirement to ensure that all projects funded will make a meaningful contribution to the aims of the programme.
- 7.3 A fortnightly meeting of the ENPA FIPL team will review scored applications received and make recommendations to an appropriate officer under the ENPA Scheme of Delegation for approval of suitable applications under £5,000 in value.
- 7.4 All applications over £5,000 will be presented to the Local Assessment Panel (LAP) for further assessment regardless of their initial scoring. The LAP will also be made aware of all successful applications made under £5,000.
- 7.5 The Rural Payments Agency and Forestry Commission will carry out an independent check for potential double funding and will advise within 20 days of any discrepancies. Projects are not expected to be delayed pending results of these external checks.

## **8. THE LOCAL ASSESSMENT PANEL – MEMBERSHIP AND OPERATION**

- 8.1 To help ensure the programme has a ‘bottom up’ approach, projects are to be recommended for approval by a Local Assessment Panel (LAP) which will support Protected Landscapes’ local priorities.
- 8.2 Applications over £5,000 in value will be referred to the LAP, after initial scoring by the FIPL Officer. The LAP will review the scoring and make recommendations for approval of projects by the CEO.
- 8.3 The LAP will comprise up to six Members of Exmoor National Park Authority, one officer from ENPA, one officer from Natural England, up to three members of the Exmoor Hill Farming Network and one member representing wildlife conservation groups. Additional expert panel members, such as Forestry Commission and Environment Agency staff, may be called to attend to advise on specific applications.
- 8.4 Selection of Authority Members for the LAP will be undertaken by the Chairperson and CEO to ensure a wide range of expertise to represent the diverse aims of the programme such as access, wildlife, heritage, landscape and climate.
- 8.5 The LAP will meet a minimum of once every eight weeks and is expected to meet initially on a monthly basis to ensure the programme targets are met.
- 8.6 The LAP will use the Management Plan Priorities paper as a reference point when assessing applications.
- 8.7 LAP members commit time on a voluntary basis with any necessary travel and subsistence covered from the Administration budget.

## **9. AWARDING AND ADMINISTERING GRANTS**

- 9.1 Approved applications will be awarded grant funding via a formal agreement setting out conditions including payment schedule, monitoring and aftercare requirements. For tenanted land the landowner’s signature is required and for common land the signatures of all owners and commoners or an agreed nominated representative.
- 9.2 The FIPL team will work with applicants to ensure that all necessary permissions have been secured prior to works beginning.
- 9.3 The FIPL team monitors progress of the project according to agreed timescales and milestones set out in the grant agreement.
- 9.4 The applicant submits claims in line with agreed delivery of milestones, overseen by FIPL Administrator.

## **10. COMPLAINTS AND APPEALS**

- 10.1 Applicants can appeal against a decision to award a grant if they think;
  - a mistake was made with the application
  - a processing error was made
  - interpretation of any legal implications was wrong
- 10.2 An appeal must be made within 10 working days of receiving an application decision and response about the appeal will aim to be provided by ENPA within 15 working days from when it was submitted.

10.3 Where necessary, an appeal can be escalated to Defra for advice and further management.

10.4 Complaints will be dealt with under standard ENPA complaints procedure.

## **11. MONITORING AND EVALUATION**

11.1 ENPA submits monthly, quarterly and annual progress reports to Defra on overall programme delivery.

11.2 Monitoring reporting includes:

- Progress on individual projects
- Programme expenditure including the split between capital and revenue spend
- Case study examples
- A forward look at projects in the pipeline
- Any lessons identified (annual reporting)

11.3 Programme evaluation will be conducted nationally by an external contractor on behalf of Defra. Lessons on the first year in terms of value for money and effectiveness in achieving programme aims will be used to inform delivery in the following two years. Compulsory evaluation activity will be directed by Defra's contractor in due course.

11.4 Reporting to Authority Members on project progress and outcomes will take place as part of six-monthly corporate plan reporting.

## **12. PUBLICITY**

12.1 At the end of each financial year a list of all successful grants from must be uploaded onto the ENPA website.

12.2 Success stories will be publicised by ENPA via standard media channels.

**Rob Wilson North**  
**Head of Conservation and Access**  
**July 2021**

**Alex Farris**  
**Conservation Manager**

**Annex 1: How FiPL relates to the ENPA Partnership Plan – 'FiPL Management Plan Priorities'**



## FiPL Management Plan Priorities (draft)

### 1.0 Policy guidance

The Farming in Protected Landscapes programme is a part of Defra's Agricultural Transition Plan. It offers funding to farmers and land managers in Areas of Outstanding Natural Beauty (AONB) and National Parks to provide additional investment to allow farmers to work in partnership to deliver bigger and better outcomes for the environment for people and for the place. This is an opportunity for Protected Landscapes, farmers and others within these areas to work better together, building on existing relationships. This is a time limited programme (2021-2024) to provide additional investment in our most special places. It will work alongside – not in competition with - existing schemes and add value where it is most needed.

#### 1.1 Defra FiPL target outcomes<sup>1</sup>

The Farming in Protected Landscapes programme has clear national guidance on the range of benefits that the scheme is expected to deliver in helping farm businesses prepare and adapt for ELM.

- **Climate**
  - More carbon is stored and/or sequestered.
  - Flood risk has been reduced.
  - Better understanding among farmers, land managers and the public as to how different habitats and land uses can store carbon and reduce carbon emissions.
  - The landscape is more resilient to climate change.
- **Nature**
  - There is a greater area of wildlife rich habitat.
  - There is greater connectivity between habitats.
  - Existing habitat is better managed for biodiversity.
  - There is an increase in biodiversity.
- **People**
  - There are more opportunities for people to explore, enjoy and understand the landscape.
  - There are increased opportunities for more diverse audiences to explore, enjoy and understand the landscape.
  - There is greater public engagement in land management, for example through volunteering.
- **Place**
  - The quality and character of the landscape is reinforced or enhanced.
  - Historic structures and features are conserved, enhanced or interpreted more effectively.
  - Nature friendly, sustainable farm businesses are better supported and contributing to a more thriving local economy.

Projects that achieve more than one of the target outcomes are encouraged to maximise the impact of this programme.

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<sup>1</sup> The FiPL National Framework - Defra June 2021

## 1.2 ENPA Partnership Plan priorities

The national themes correspond to several Partnership Plan<sup>2</sup> ambitions. The most relevant ambitions are listed below, under the appropriate thematic heading (N.B. some ambitions are listed under more than one heading).

### Climate

- Rivers streams and associated valleys are in good condition and flood risk reduced.
- River catchments store more water reducing run off and protecting soils from erosion.
- Moorland – extent retained and restored.

### Wildlife

- Rich in Wildlife, habitats are in good condition, expanded connected and support a greater number of species.
- Woodland – well managed, productive with natural beauty, wildlife and cultural heritage.
- Rivers streams and associated valleys are in good condition with native flora and fauna thriving.
- Moorland – extent retained and restored with quality of heather increased.

### People

- The Exmoor Experience: get involved and learn about the special qualities.
- Well managed recreation and access: first class rights of way network.
- Thriving tourism built on sustainability.

### Place

- Celebrated landscapes: natural beauty and distinct character are celebrated, conserved and enhanced.
- Valued Historic Environment and Cultural Heritage, better understood cared for and protected.
- Working landscapes, supporting special qualities including Exmoor Ponies and Red Deer.
- Moorland – extent retained and restored with quality of heather increased.
- Farmland – distinctive farmed landscapes are conserved and enhanced as part of an active farming system, delivering a health natural and cultural environment.
- Coast – better understood, enjoyed and conserved.

### Other relevant priorities from ENPA policy

**The Climate Emergency declaration**<sup>3</sup> highlights the urgency of action to combat climate change sets climate action as a priority in all aspects of Authority activity.

**The Nature Recovery Vision**<sup>4</sup> sets out more detail on how the Rich in Wildlife ambition can be achieved, guided by the ‘Lawton’ principles of More, Bigger, Better and Joined habitats. It also identifies the coast and moorland zones as being focus areas for nature recovery.

Recent consultation with the farming community including the Exmoor’s Ambition Test and Trial<sup>5</sup> project and Defra’s Agricultural Transition Advocacy Project has shown a willingness to deliver on

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<sup>2</sup> Exmoor National Park Partnership Plan 2018-2023

<sup>3</sup> ENPA website: [Climate Change Emergency Declaration](#)

<sup>4</sup> ENPA Nature recovery Vision November 2020 [ar-enpa-03.11.20-Item-13.pdf \(exmoor-nationalpark.gov.uk\)](#)

<sup>5</sup> Exmoor’s Ambition Test and Trial project report March 2021 [Exmoor - DEFRA Tests and Trials \(exmoor-nationalpark.gov.uk\)](#)

environmental outcomes, provided resources are realistic. FiPL provides an excellent opportunity to explore this further with real work on the ground.

## 2.0 Priority opportunities on Exmoor

The above Partnership Plan ambitions show how FiPL themed outcomes are applicable on Exmoor. This section explores opportunities to deliver the outcomes on the ground for optimum benefit. Here they are themed by broad Exmoor landscape type.

### Farmland

#### Wildflower rich pasture and meadow with low input

This supports a wide range of wildlife, including pollinators, enhances the landscape, encourages water retention in the soil, and helps conserve any archaeological features present. This can include enhancing the margins to allow habitat corridors through the landscape and restoring meadows back to flower-rich condition. Given the predominance of pasture in the Exmoor landscape this is a high priority outcome for FiPL on Exmoor.

#### Regenerative farming systems

Farming systems that work more sympathetically with the environment including innovative rotational grazing and wood pasture to encourage healthy soils and carbon storage. The multiple benefits of this approach make this a high priority.

#### Field boundary management

Creation and enhancement of hedges and field banks. Enhancements can help conserve the historic landscape, create additional habitat, help connect habitats and store more carbon. Newly created hedge banks can help with reducing flood risk by holding back surface run-off. The restoration of lost boundaries to re-establish historic field pattern should be considered and the traditional style of hedging, walling and planting. Whilst the benefits are significant, this is a lower priority for FiPL as other schemes are available.

#### Trees outside woodland

New trees within fields and on field boundaries create more habitat and link wooded areas for woodland wildlife and are needed to help deal with the impact of Ash Dieback Disease. Further considerations include the historic landscape pattern and the potential for the re-establishment of orchards and historic landscape features. Species established also need to be resilient to tree disease and changes in climate.

#### Reducing plastic reliance

Adapting the farm system to use less plastic, such as silage bales has benefit to the landscape and the environment at a whole. This could combine with wildflower-rich meadow (above) as a high priority outcome.

#### Pond creation

Creates wildlife habitat and stores more water in the landscape. It can also contribute to sustainable grazing systems by providing drinking water for stock away from watercourses. Ponds needs to be sensitively located in areas lacking in wetland habitat and have consideration for the health of livestock. Consideration should also be made for historic or archaeological sites and for the reinstatement of former ponds shown on historic mapping.

### Ditch blocking

To reduce the speed of water run off into rivers and streams and help re-establish a healthy functioning river catchment. Also helps establish damp areas that provide additional habitat.

### Wood pasture

Grazing systems that incorporate trees and woodland help create additional habitat, store carbon and can have benefits for grazing livestock. Where this is next to a woodland it helps create a beneficial 'transition' habitat.

### Leat restoration

These historic features are part of Exmoor's traditional agricultural landscape and can provide additional aquatic habitat as well as assisting with water retention.

### Historic buildings and structures

Sensitive works to traditional buildings and structures such as farm and industrial buildings play an important role in helping to conserve the cultural environment. Beyond this intrinsic benefit they can also provide habitat for wildlife such as bats and nesting birds as well as specialised plants. This can range from the traditional repair of roofed historic farm buildings to the sensitive consolidation of ruins and historic landscape features. Small interventions made early on buildings can provide effective solutions at low cost.

### Archaeological and historic landscape conservation

Protected landscapes contain some of the best preserved archaeological sites and measures to prevent erosion or damage to earthwork or buried archaeological sites are important in protecting Exmoor's cultural heritage. In many instances such sites also form rich wildlife habitats and they form part of its landscape setting. This could include earthwork consolidation, vegetation control (plantation, scrub, bracken), arable reversion, the establishment of wildflower rich pasture or meadow over the site, the re-establishment of setting, views and connections. A landscape scale approach could be considered for designed landscapes and Principal Archaeological Landscapes.

## **Moorland**

### Moorland expansion

Re-establishing moorland in key locations helps reconnect upland habitat and the historic landscape. Where moorland has been lost to agricultural improvement, there are opportunities for restoration to more wildlife-rich habitat such as rough grassland, scrub or potentially heathland. The main benefits are for wildlife and landscape. Some opportunities have been previously identified in the Moorland Units project<sup>6</sup> and there are additional opportunities these areas could offer to create more mosaic or transitional habitat. Buffering of moorland edges is also desirable (see below).

### Moorland vegetation enhancement

Bespoke management of moorland is sometimes needed to ensure diverse mosaic moorland habitat is maintained in good condition including retaining and restoring heather. Innovation to achieve this in a sustainable way is a high priority. Peatland restoration is part of this but is expected to be largely resourced via alternative funding mechanisms.

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<sup>6</sup> ENPA 2010 [Moorland Units report](#)

## Fence removal

Restoring an open landscape through removal of fences enhances the quality of the landscape and creates a feeling of openness associated with the former royal forest and traditional commons and moors. This is a high priority for the distinctiveness of Exmoor.

## Woodland

### Woodland management and establishment

Woodland is highly beneficial for many environmental outcomes. Innovation in woodland management is strongly encouraged to ensure woodland is more resilient to both the stress caused by climate change and potential future diseases. This may also include invasive species management and opportunities to re-establish lost wildlife and sustainable methods such as avoiding plastics and herbicide. It is expected that existing Woodland and Forestry grant schemes will for the most part support creation of new woodland so this aspect is not expected to be a high priority for FiPL. Measures to respond to the impact of Ash Dieback are especially encouraged.

## Rivers and streams

### Leaky dams and woody debris

Using 'soft engineering' methods to delay the flow of water across the landscape helps reduce the damage of frequent extremes in weather. This needs to be carried out in a co-ordinated way to ensure water course catchments function effectively and works are sensitive to the historic environment and landscape.

## General opportunities

### Transitional habitat

Blurring the edges between different habitat types such as moorland and woodland can create some of the most diverse and vibrant habitat as well as making the adjoining habitats richer. It can also improve landscape quality where sudden transition appear harsh and artificial. This is a high priority opportunity for nature recovery.

### Invasive species management

Invasive species such as Japanese and Himalayan knotweed, skunk cabbage, and Himalayan balsam are a major threat to the health of habitats and ecosystems and eradicating them before they get out of all practical control is a high priority. Whilst they may often be found in riparian habitats they are also invasive in hedges, woodlands and moorland. American signal crayfish are highly damaging non-native invasive species and have established themselves in some of Exmoor's watercourses such as the Exe and the Barle.

### Species re-establishment and reintroductions

Species that once thrived on Exmoor and have become rare or extinct are often indicators of good habitat condition. Targeted reintroduction can be supported by coordinated work of multiple landowners. Such projects may be beyond the timescales of the FiPL programme, however some activity could pave the way for future projects.

### Access opportunities

New paths create additional opportunities for safe enjoyment of the landscape, and repairs to eroded path surfaces and drainage can enhance enjoyment as well as reducing soil erosion and water flow rates into water courses. Consider enhancement of existing public rights of way to allow other users e.g. allowing cycling and horse riding on a Public Footpath, or allowing use by less able people, where convenient and safe to do so. 'Access' improvements can also be non-physical by providing facilities, information or hosting activities. Farmers may want to partner with other

organisations such as schools and charities to help people understand more about Exmoor, its farming, its wildlife and its special landscape. Levels of potential public use will be an important factor when assessing new access proposals, along with the potential to provide for a greater diversity of users, health and wellbeing outcomes and local economic benefits. Also consider new access to archaeological sites and landscapes, viewpoints and the re-use of former lanes and routeways.

#### Natural capital assessment

Auditing the natural capital of land holdings, including habitat and soil health will help land managers plan ahead for delivering ELM public goods. The Exmoor Test and Trial developed methods to assess natural and cultural capital and could help act as a blueprint for others to follow.

#### Sustainable management techniques

We want to encourage use of sustainable methods and materials such as planting trees without plastic tubes, using hardwood posts in place of machined treated softwood. FiPL could add value to existing planned work by funding the difference to do so as sustainably and sensitively as possible to the landscape.

### Challenge fund opportunities

#### Independent farmer challenge fund

It is a specific aim of the FiPL programme to help prepare the farming community for ELM. Whilst we welcome applications from all land managers we are keen to encourage applications from those with less access to professional advisors. It is the aim of the programme to engage at least 100 separate land managers and farmers throughout the life of the scheme.

#### Collaboration and farm cluster challenge fund

A focus of the fund is to facilitate joint working between landowners to work towards a more ecologically rich landscape that is resilient to more frequent weather extremes. The coastal belt for example has high potential for farmers to work together to enhance the coastal woodlands habitat. This can also include helping to connect to habitats and landscapes beyond the National Park Boundary.

## 3.0 Annex 1: Summary of Partnership Plan ambitions

#### People - Exmoor for all: where everyone feels welcome

- The Exmoor Experience: get involved and learn about the special qualities
- Well managed recreation and access: first class rights of way network
- Thriving tourism built on sustainability: vibrant, innovative, growing and celebrates Exmoor

#### Place – Inspiring landscapes: diverse and beautiful, rich in wildlife and history

- Celebrated landscapes: natural beauty and distinct character are celebrated, conserved and enhanced.
- Wilderness and Tranquillity with Dark Skies and Sensitive Development
- Valued Historic Environment and Cultural Heritage, better understood cared for and protected
- Rich in Wildlife, habitats are in good condition, expanded connected and support a greater number of species

### Prosperity – Working landscapes thriving and a vibrant local economy

- Land based communities and businesses supported to provide healthy food and good quality timber.
- Strong local economy, sustainable with increased innovation and economic prospects
- Thriving communities, with strong connections to the National Park
- A valued Asset celebrated for the value it brings to the region and nationally.

### Combined ambitions

- Moorland – extent retained and restored with quality of heather increased
- Farmland – distinctive farmed landscapes are conserved and enhanced as part of an active farming system, delivering a health natural and cultural environment.
- Woodland – well managed, productive with natural beauty, wildlife and cultural heritage
- Rivers streams and associated valleys are in good condition, native flora and fauna thriving and flood risk reduced
- Coast – better understood, enjoyed and conserved
- Settlements - local distinctiveness and historic character conserved and enhanced

## EXMOOR NATIONAL PARK AUTHORITY

3 August 2021

### EXMOOR NATIONAL PARK AUTHORITY CLIMATE EMERGENCY RESPONSE

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

**Purpose of Report:** To update Members on Exmoor National Park Authority's response to the climate emergency and approve the ENPA Climate Action Plan.

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

- (1) AGREE the ENPA action plan set out in Appendix 1 and DELEGATE responsibility to the Chief Executive and Chairperson to make changes arising from Member comments or corrections.
- (2) NOTE the findings of the internal audit and actions being implemented in response to this (paragraph 3.2).
- (3) SET UP a task and finish partnership group to develop an Exmoor National Park climate response, to feed into the Partnership Plan review (paragraph 5.4).
- (4) NOTE the engagement work being carried out with young people (section 6), plans for the UN Climate Conference (section 7), the National Parks Delivery Plan for Climate (section 8), and the Campaign for National Park's Climate report (section 9).

**Authority Priority:** The Exmoor National Park Partnership Plan and Local Plan both include the Vision *'We are closer to achieving a carbon-neutral National Park to help mitigate climate change, and have introduced measures to adapt to changes in climate that are already happening'*.

**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:** No financial or risk implications have been identified. The ENPA climate response action plan will need to be costed and included in the Authority's Corporate Planning and budgeting processes.

**Climate response:** as set out in the report.



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## 1. Background

- 1.1 In October 2019 the Authority agreed to:
- A) Declare a Climate Emergency
  - B) Agree to work towards the Authority being carbon neutral by 2030, and delegate the CEO and Officers to prepare an action plan for achieving this, noting the 30% reduction already achieved since 2008
  - C) Sign up to the Devon Climate Declaration (Appendix 1), and contribute to the preparation of a Devon Carbon Plan
  - D) Contribute to the preparation of the Somerset Carbon Plan
- 1.2 This report updates Members on progress implementing the recommendations, and a range of other work that is taking place. Work on the action plan was delayed due to staff capacity and the impact of the Covid-pandemic.

## 2. ENPA Climate Action Plan

- 2.1 The ENPA Climate Action Plan is set out in Appendix 1. This includes analysis of the Authority's carbon footprint, identifies objectives and actions for reducing carbon emissions, and provides a trajectory for meeting the carbon neutral target by 2030. Whilst the aim is to reduce emissions as far as possible, it is not possible to eliminate them altogether, and so some carbon offsetting will be required.
- 2.2 A number of actions have already been identified which will help to reduce our carbon emissions. These include:
- Changing lighting to LEDs
  - Replacing the oil boiler at Pinkery
  - Installing secondary glazing at Exmoor House
  - Replacing three vehicles with electric vehicles, and
  - Generating additional renewable energy at our properties
- 2.3 Budget has been allocated in the Environmental Resilience fund to deliver actions in 2021-22, but further resources will need to be found as part of budgeting over the next few years. The current one-year funding allocation for ENPA makes it difficult to draw up longer term commitments. The carbon reduction trajectory shown in section 10 of the Action Plan shows the impact of the carbon reduction actions identified to date. We need to identify and resource additional carbon savings from 2022-23 onwards, if ENPA is to become carbon neutral by 2030. A number of projects are being developed to deliver this, assuming resources can be found. We are also seeking external funding for projects where possible.
- 2.4 Whilst we will do all we can to reduce our emissions, it will not be possible to eliminate them altogether, and we will also need to off-set some emissions. We are fortunate in having plenty of opportunities through our Estate to generate

renewable energy, and current renewable energy generation equates to savings of around 8.5 tonnes of carbon. There is also potential to sequester and store carbon through woodland creation and peatland restoration to offset our carbon emissions, although the timescales involved in achieving these savings means that it is unlikely that any carbon benefits will be achieved in time to support our 2030 net zero target.

- 2.5 The Climate Action Plan will be updated on an annual basis to enable us to analyse emissions reductions and identify further actions. Progress will be reported via the usual Corporate Plan reporting cycle.

### 3. Internal Audit Report & Response

- 3.1 In order to assist the Authority in delivering the commitments agreed by Members in October 2019, Devon Audit Partnership (DAP) were asked to undertake an internal review of the arrangements in place to meet that resolution, particularly working towards meeting the Carbon Neutral target by 2030. The review findings provided an audit opinion of “Limited Assurance” as indicated in the DAP Authority paper.

- 3.2 In response to the findings of the internal audit, a number of actions have already been implemented:

- **Board oversight and direction:** The ENPA Action Plan is being brought to Authority for approval. A lead Member for climate change has been appointed through the Members Appointments process. Training is being planned for ENPA staff and Members to support the integration of climate action across Authority functions and decision-making.
- **Resourcing the plan:** Additional resources have been allocated to the Environmental Resilience fund as part of the budget outturn approved by Members in July 2021. Other budget lines will also contribute to the climate action plan including the Estates reserve and vehicle replacement budget. The projects identified for funding will save around 45% of emissions. It is not possible to identify resources to deliver all the actions required to meet the carbon neutral target, as shown in the trajectory, as the Authority can only budget on an annual basis due to our National Park Grant arrangements. However, further actions are being identified that can be considered as part of future budget setting rounds, and external funding is also being sought where possible.
- **Identification of risks and opportunities:** Climate change will be added to the strategic risk register.
- **Standard performance indicators and direction of travel:** Further milestones and indicators have been added to the ENPA Climate Action Plan. Reporting will be done as part of the Corporate Plan reporting process, with a progress report to Members in December, and an annual report in July.

#### **4. Devon and Somerset Climate Plans**

- 4.1 The Authority resolution in 2019 included a commitment to work with partners on the Devon and Somerset climate action plans. Since then, Officers have engaged with the partnership groups for both county-wide plans.
- 4.2 The Interim Devon Carbon Plan was consulted on earlier in 2021, the consultation comments have been analysed and the Plan is being updated in response. A Citizen's Assembly has been established to gather opinions on issues identified in the Interim Plan (onshore wind energy, retrofit, and reducing car travel). A Climate Adaptation Plan is also being prepared. ENPA has supported associated initiatives including the Devon Solar Together group-buying scheme and is working with the Local Nature Partnership on nature recovery plans.
- 4.3 The Somerset Climate Strategy was agreed by the constituent local authorities in November 2020 following consultation. ENPA is working with partners on relevant actions including electric vehicle charging points, plans for an updated renewable energy and heat study, low carbon housing, nature recovery opportunities and carbon offsetting.

#### **5. Wider Exmoor National Park Climate Response**

- 5.1 The approach to the climate emergency has always been two-fold: to reduce the Authority's carbon footprint, and to take action with partners to respond to climate change across the National Park as a whole.
- 5.2 In 2010, a baseline carbon footprint was carried out for the National Park by Forum 21. A target was set for the National Park to be carbon neutral by 2025, but it was quickly established that this was not achievable, and the focus was shifted to 'moving towards' a carbon neutral National Park. This has been reflected in the Local Plan and Partnership Plan. However, there has been no updated carbon footprint to monitor progress, or strategy to set out how the carbon neutral ambition will be achieved for the National Park.
- 5.3 Responding to the climate emergency is something that requires action across the work of the Authority, and from all our partners, local communities and businesses, land managers and farmers. There is much that is already happening, particularly in relation to nature recovery, and the Farming in Protected Landscapes Programme, but also more that needs to be done for example in relation to greening travel and reducing emissions from agriculture and domestic energy. The national ambitions for responding to the climate and ecological emergencies, as well as for a green recovery following the Covid pandemic, provide a new stimulus and sense of urgency for renewed collaboration and action within the National Park.
- 5.4 It is therefore proposed to set up a Task and Finish Partnership Group to develop an Exmoor National Park climate response, building on the range of positive actions already being taken, and helping to stimulate and focus additional action to ensure that Exmoor continues to play a leading role. The work of the group would be developed in discussion with partners but would include updating the carbon

footprint metrics for the National Park, establishing a climate neutral target, undertaking a climate adaptation assessment, and identifying partnership actions to respond to these. The outcomes of this work would feed into the review of the Exmoor National Park Partnership Plan.

## **6. Engagement with Young People**

- 6.1 ENPA's education team are leading a series of climate change engagement activities with young people to gather their views on climate change: what they see as the key issues and what needs to be done globally, nationally and locally in relation to the issues relevant to the National Park. A survey is being used to gather views initially, and a series of workshops are being held with Year 10 pupils in secondary schools around the National Park. To date, eight workshops have been held with over 250 pupils.
- 6.2 The intention is to bring the conclusions from these workshops to a focus group meeting with Members in the autumn. Ultimately we want to enable their views to feed into the National Parks events at the UN Climate Change Conference, so that there is representation of young people's voices at these important debates.

## **7. UN Climate Change Conference 2021 (COP26)**

- 7.1 The UK is hosting the climate change conference in November 2021. The UK National Park Authorities and National Parks Partnership have submitted a bid to host an event at the conference, bringing together representation from National Parks across the world to identify commitments to highlight their transformative role in the fight against climate change.

## **8. National Parks Delivery Plan for Climate**

- 8.1 The ten English National Park Authorities have prepared a delivery plan for climate ([Delivery-Plan-for-Climate-Leadership-FINAL.pdf \(nationalparksengland.org.uk\)](https://nationalparksengland.org.uk/wp-content/uploads/2021/03/Delivery-Plan-for-Climate-Leadership-FINAL.pdf)), as one of a suite of 4 inter-connected plans devised to drive action in climate leadership in response to the 25 year Environment Plan and climate imperative. The plan sets out the NPAs' Climate Leadership vision – to work together, and at scale, to achieve rapid action towards net zero in National Parks – with a commitment to developing a climate action programme for National Parks. The proposals set out in paragraph 5.4 of this report would take forward ENPA's part of this commitment.

## **9. Campaign for National Parks Climate Report**

- 9.1 The CNP has recently published a new report on National Parks and the Climate Emergency ([New Report: National Parks and the Climate Emergency | Campaign for National Parks \(cnp.org.uk\)](https://www.cnp.org.uk/reports/new-report-national-parks-and-the-climate-emergency)). The report highlights the significant impact that climate change is already having on our National Parks, with increasing wildfires, flooding and droughts. As extreme weather events become even more frequent, there is likely to be a progressively more noticeable effect on the landscape, wildlife and cultural heritage in National Parks and the communities that live in them. The report looks at what is currently being done in National Parks in England and Wales and what more is needed.

- 9.2 The report identifies that much positive action is already happening, but also that there is more that can be achieved: with the right leadership, the right tools, and adequate resources. It makes a number of recommendations for both Westminster and Welsh Governments and National Park Authorities, including reform to the current statutory purposes of National Parks, additional powers and long-term funding solutions.
- 9.3 The National Parks England Climate Change Group will be meeting with the report's authors in the autumn to discuss the findings and recommendations.

**Clare Reid**  
**Head of Strategy and Performance**  
**July 2021**

**Appendix 1 ENPA Climate Action Plan**

## ENPA Climate Emergency Action Plan

### 1. Context

- 1.1. In May 2019 the UK government declared a climate emergency, the first government in the world to do this. The announcement highlights the latest evidence from the Intergovernmental Panel on Climate Change (IPCC) which advises that carbon emissions must reduce globally by at least 45% by 2030 from 2010 levels and reach net-zero by 2050, if we are to avoid the worst effects of climate change by keeping warming below 1.5C. The UK Government has signed up to the 2050 target.
- 1.2. A further announcement by the Government in December 2020 committed the UK to reducing carbon emissions by 68% by 2030 when compared to 1990 levels. This target will bring the UK more than three-quarters of the way to net zero by 2050. Also in December 2020 the Government's advisory Committee on Climate Change (CCC) published updated advice to Ministers which describes the 2020s as "the decisive decade of progress and action". Their report makes it clear that the UK will not achieve net zero by 2050 unless much stronger action is taken across a range of policy areas including transport, industry, buildings and agriculture, as well as energy. It also highlights the importance of the UK demonstrating global leadership in 2021 given its role as host of both the G7 Summit in June and the UN Climate Change talks (COP26) in November.
- 1.3. The UK's Protected Landscapes are a national asset in the fight against climate change. This was recognised in the Landscapes Review by Julian Glover<sup>1</sup>, which stated that Protected Landscapes should "be at the forefront of our national response to climate change". The role that National Park Authorities can play is set out in a Delivery Plan for Climate<sup>2</sup> which includes commitments for National Parks to lead the response to the climate emergency.
- 1.4. The national ambitions for responding to the climate and ecological emergencies, as well as for a green recovery following the Covid pandemic, provide a new stimulus and sense of urgency for renewed collaboration and action by the National Park Authority, and more widely within the National Park.

### 2. Why urgent action is needed

- 2.1. The latest climate science highlights why action is needed:
  - The concentration of carbon dioxide (CO<sub>2</sub>) in our atmosphere, is the highest it has been in human history [416 parts per million, May 2020]
  - The Intergovernmental Panel on Climate Change (IPCC) estimates that human activities have already caused approximately 1°C of global heating above pre-industrial levels
  - 2019 was the second warmest on record; and the five warmest years in the 1880–2019 record have all occurred since 2015

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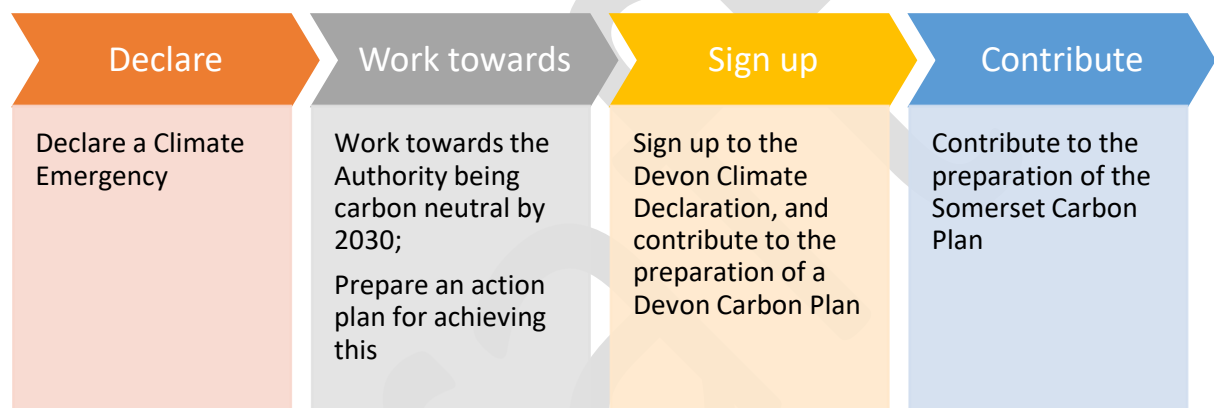
<sup>1</sup> [Landscapes review: National Parks and AONBs - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/531117/Landscapes-review-National-Parks-and-AONBs-2019.pdf)

<sup>2</sup> [Delivery-Plan-for-Climate-Leadership-FINAL.pdf \(nationalparksengland.org.uk\)](https://nationalparksengland.org.uk/wp-content/uploads/2020/12/Delivery-Plan-for-Climate-Leadership-FINAL.pdf)

- The IPCC identifies that: “Without increased and urgent mitigation ambition in the coming years, leading to a sharp decline in greenhouse gas emissions by 2030, global warming will surpass 1.5°C in the following decades, leading to irreversible loss of the most fragile ecosystems, and crisis after crisis for the most vulnerable people and societies. Limiting global heating to 1.5°C implies reaching global carbon neutrality in around 2050.”

### 3. ENPA Climate Emergency Declaration October 2019

- 3.1. In 2019, ENPA declared a climate emergency, and agreed to work towards the Authority being carbon neutral by 2030. ENPA also signed up to the Devon Climate Declaration and committed to working with the county-wide partnerships to develop Carbon Plans for Devon and Somerset.



- 3.2. The response from ENPA is two-fold, firstly to reduce the National Park Authority’s carbon footprint, aiming to be carbon neutral by 2030, and secondly to lead action to respond to the climate emergency within the National Park as a whole.

### 4. Climate and ecological emergencies

- 4.1. The consequences of climate change, and solutions to this, are closely connected to the ecological emergency. Exmoor’s response to the climate emergency will be aligned with our work on nature recovery. In November 2020, Exmoor National Park Authority Members adopted a [Nature Recovery Vision](#) to work with landowners, partners and communities to help ensure that at least 75% of the national park is in “nature rich condition” by 2050. The Vision sets out vital changes needed to bring about nature recovery, carbon capture and climate resilience within the National Park and its wider setting.

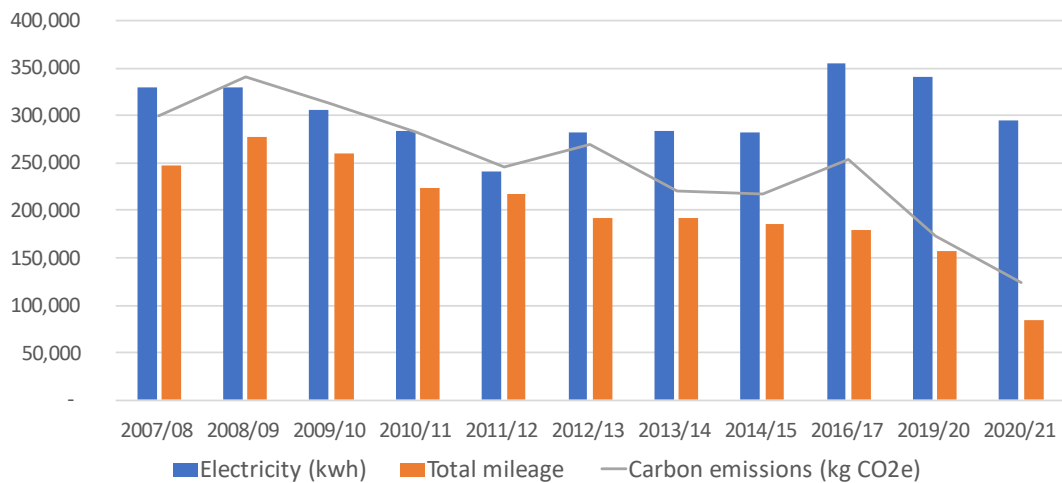
### 5. ENPA Carbon Footprint

- 5.1. ENPA owns around 5,000ha of land including moorland, woodlands and farmland. We also own around 70 properties including our headquarters at Exmoor House, Pinkery Outdoor Education Centre, three National Park Centres in Dulverton, Dunster and Lynmouth, and the Field Services Depot at Exford.
- 5.2. ENPA measures organisational greenhouse gas (GHG) emissions as part of national reporting for National Park Authorities and has done so since 2007-8. The reporting

follows the Government’s guidelines for environmental reporting and conversion factors to establish the carbon equivalent of the range of greenhouse gas emissions arising from energy demand and other activities<sup>3</sup>. These include emissions from our buildings, business travel, and other operations. Whilst figures for 2020-21 are available, for this report we are primarily focusing on the 2019-20 figures, as the Covid pandemic had a significant impact on our emissions particularly a reduction in carbon from travel, and we do not know yet whether these will be replicated in future years.

5.3. ENPA’s total annual carbon emissions are 174 tonnes of carbon, or 169 tonnes net if we take renewable energy generation into account (2019-20 figures). This is roughly a third reduction on the previous year, and since we started recording the figures, has dropped by about 40%.

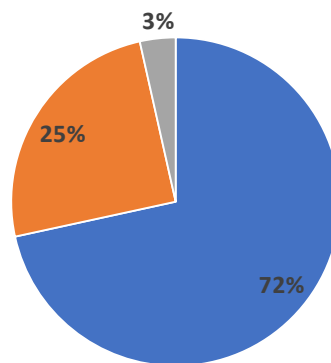
ENPA carbon footprint



5.4. The 2019-20 figures show that the main contribution to GHG emissions are from:

- Buildings (electricity, oil and gas) 72%
- Travel (business mileage) 25%
- Other (including mobile plant (2%), public transport / flights (1%))

ENPA  
CARBON  
EMISSIONS  
2019-20



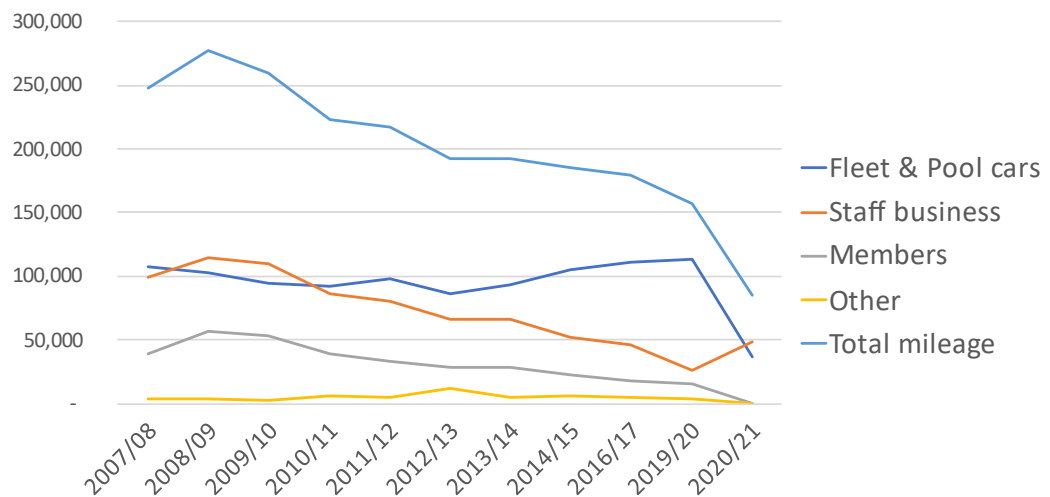
■ Total Buildings ■ Total Mileage ■ Total Other

<sup>3</sup> [Environmental reporting guidelines: including Streamlined Energy and Carbon Reporting requirements - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/environmental-reporting-guidelines-including-streamlined-energy-and-carbon-reporting-requirements); [Greenhouse gas reporting: conversion factors 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/greenhouse-gas-reporting-conversion-factors-2021)



- 5.5. Other elements of ENPA’s carbon footprint that we do not currently include in GHG emissions reporting include paper usage, waste/recycling, and water supply and treatment or other purchasing decisions such as materials, equipment, clothing, for example. Further work is needed to include these in our reporting.
- 5.6. Analysis of ENPA GHG emissions since records were started show a steady decline in emissions. However, the fall in carbon emissions is partly due to a change in the conversion factors used to calculate the figures (which reflects the ongoing greening of the UK energy grid), rather than a reduction in energy demand.
- 5.7. The 2020-21 figures show a significant drop in emissions from travel, which halved during the year, primarily due to the impact of the Covid pandemic and staff working from home, with restrictions on the business travel staff and Members could undertake. The slight increase in staff business mileage in 2020-21 was due to staff using their own cars to travel rather than pool cars, due to Covid restrictions.

## ENPA MILEAGE



- 5.8. In addition to the emissions from ENPA business travel, there are significant emissions from staff commuting to work, but these are not counted in the ENPA carbon footprint. A staff survey was carried out in late 2019 indicated that staff travelled approximately 400,000 miles, equivalent to 75 tonnes of carbon per year. Since the survey was carried out, the Covid-19 pandemic has led to staff primarily working from home. Whilst covid restrictions have now been lifted, it is expected that there will be a shift to more staff working from home more on a regular basis, which could help to reduce carbon emissions on an ongoing basis and we will investigate other options to encourage green travel for example including installing electric charge points in our car park at Exmoor House.

## 6. ENPA carbon reductions to date

- 6.1. Emissions have reduced by around 40% since ENPA started recording its carbon footprint in 2007-8. This is partly due to a range of measures including:

- The installation of renewable energy at ENPA premises including the wind turbine and solar panel at Pinkery; Air Source Heat Pumps at Exmoor House; solar panels at Exford Depot; and solar panels at Blackpitts and Driver farm
- The installation of insulation and secondary glazing where possible and appropriate including Exmoor House committee room
- New, more energy efficient heating systems at key premises including a gas boiler at Dunster National Park Centre and biomass boiler at Exford Depot, using wood from our own woodlands
- Installing LEDs when replacement lighting is required
- Replacement of more efficient electric storage heaters in parts of Exmoor House
- New and more efficient ICT equipment including servers
- Purchasing a certified green energy tariff
- The reduction in the overall size of the organisation will also have had an effect on overall demand for energy

6.2. However it is important to note that whilst emissions have fallen, overall electricity demand has not, and some of the reductions in emissions are due to reductions in the conversion factors used, reflecting the greening of the grid. In order to properly respond to the climate emergency, ENPA needs to reduce energy demand and other emissions as far as possible.

## 7. The Action Plan

### Vision

7.1. The need to respond to climate change is not new, and has been part of ENPA's vision and activities over the last 15 years. The key policy documents for the National Park – the Partnership Plan and Local Plan, both include the Vision:

*'We are closer to achieving a carbon-neutral National Park to help mitigate climate change, and have introduced measures to adapt to changes in climate that are already happening'.*

### Our strategy

7.2. The climate emergency declaration committed ENPA to work towards the Authority being carbon neutral by 2030. Our primary goal will be to develop solutions to reduce carbon emissions wherever they can be directly mitigated (avoided or reduced). But this will not always be possible or viable and we will need to offset some of our emissions through increasing our own renewable energy generation, or enhancing carbon sequestration and storage on our Estate.

**Carbon Neutrality** means "achieving net zero carbon emissions by balancing a measured amount of carbon released with an equivalent amount sequestered or offset"<sup>4</sup>.

<sup>4</sup> UN Environment (2018) Business unusual: the shift to "carbon neutral" available at <https://www.unenvironment.org/news-and-stories/story/business-unusual-shift-carbon-neutral> [accessed 06/08/2019]

- 7.3. In making decisions for this action plan, we will follow the Greenhouse Gas Management Hierarchy<sup>5</sup> of:
- Eliminate: avoiding or preventing GHG emissions
  - Reduce: reductions in carbon and energy demands; improved efficiency in operations and processes
  - Substitute: adopting renewable and low carbon technologies; reduce carbon intensity of energy used and purchased; purchase inputs and services with lower emissions
  - Compensate: avoidable emissions through offsets; use land management to sequester and store carbon; support climate action

7.4. How we will use the hierarchy is illustrated below:

Eliminate	<ul style="list-style-type: none"> <li>• Ensure that the climate response is considered in decision-making</li> <li>• Provide training for staff and members</li> <li>• Include discussion of climate implications in Authority and Planning Committee reports</li> <li>• Review our sustainable procurement policies and how these are implemented</li> </ul>
Reduce	<ul style="list-style-type: none"> <li>• Target reduction in fossil fuel consumption (oil and gas heating, travel)</li> <li>• Improve energy efficiency (e.g. installation of further insulation and secondary glazing where possible and appropriate)</li> <li>• Reduce our energy demand through influencing behaviour (e.g. including turning off lights and equipment when not in use; reducing printing including for Member meetings)</li> </ul>
Substitute	<ul style="list-style-type: none"> <li>• Increase renewable energy production where compatible with National Park purposes (e.g. at Pinkery, Exmoor House)</li> <li>• Transition fleet to electric vehicles, promote green travel, reduce staff commuting</li> <li>• Ensure electricity purchased is from an accredited green tariff</li> <li>• Develop Pinkery Outdoor Education Centre as a centre of excellence for demonstrating and educating people about climate change including different renewable energy technologies and climate mitigation through nature recovery.</li> <li>• Aim for Pinkery to be self-sufficient in its energy demands being powered by renewable energy (space and water heating, cooking, and lighting) by 2030</li> </ul>
8. Compensate	<ul style="list-style-type: none"> <li>• Pursue carbon offsetting through tree planting (e.g. Bye Wood) and peatland restoration</li> <li>• Investigate carbon storage / sequestration and climate adaptation opportunities on ENPA land through the Land Visioning process</li> </ul>

<sup>5</sup> [IEMA - Pathways to Net Zero: Using the IEMA GHG Management Hierarchy November 2020](#)

## 9. Options for ENPA achieving net zero carbon by 2030

9.1. A number of options for reducing ENPA’s carbon footprint have been investigated and costed. The focus is on reducing emissions in a cost-effective way. We have developed an options appraisal tool is used to assess the costs and impacts of potential projects.

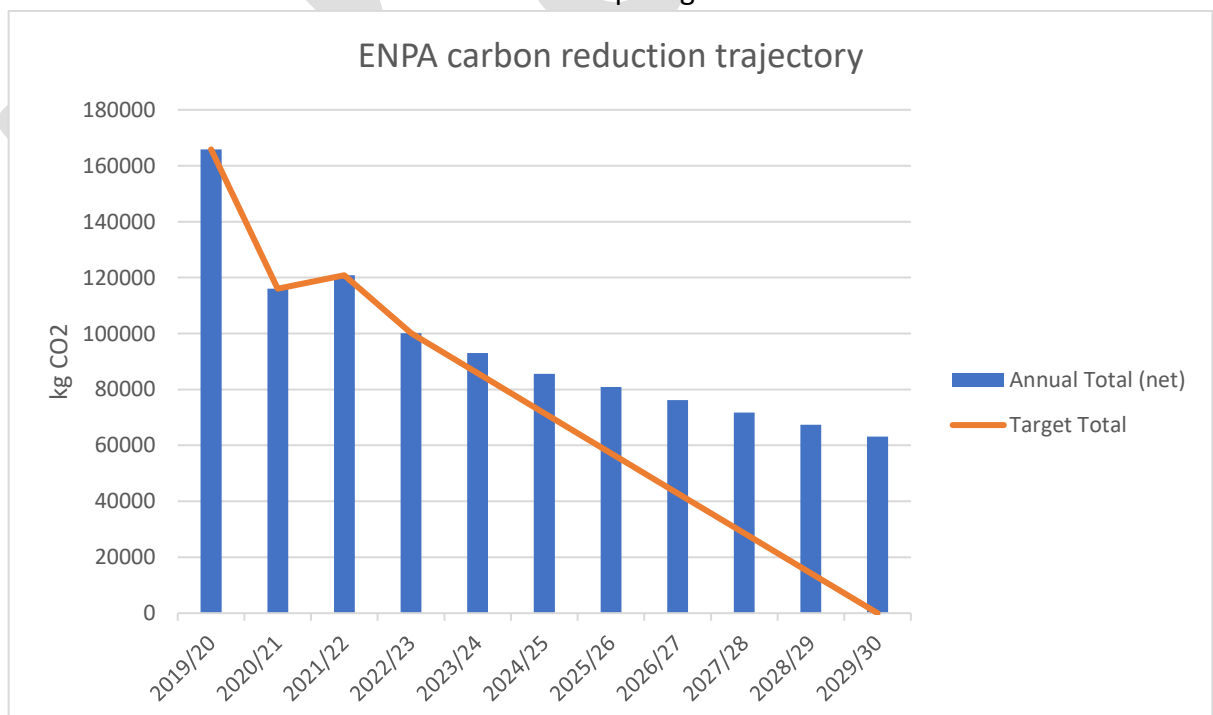
9.2. This includes considering the estimated cost savings and carbon savings over the lifetime of the assets and the costs per tonne of carbon saved.

## 10. Trajectory for achieving net zero

10.1. A number of actions have already been identified which will help to reduce our carbon emissions. These include:

- Changing lighting to LEDs (saving 28 tonnes carbon, cost £15,000)
- Replacing the oil boiler at Pinkery (saving 13 tonnes carbon, cost £25,000)
- Installing secondary glazing at Exmoor House (saving 17 tonnes carbon, cost £55,000)
- Replacing three vehicles with electric vehicles (saving 5 tonnes carbon, cost £96,000), and
- Generate additional renewable energy at our properties (saving 2 tonnes carbon, cost £10,000)

10.2. The carbon savings from these projects will help to reduce emissions, as shown in the trajectory below. Budget has been allocated from the Environmental Resilience fund to deliver some of these actions in 2021-22, but further resources will need to be found as part of budgeting over the next few years. The current one-year funding allocation for ENPA makes it difficult to draw up longer term commitments.



10.3. As the graph illustrates, we need to identify and resource additional carbon savings from 2022-23 onwards, if ENPA is to become carbon neutral by 2030. A number of

additional projects are being developed to deliver this, assuming resources can be found. We are also seeking external funding for projects where possible.

## 11. Carbon offsetting

- 11.1. Whilst we will do all we can to reduce our emissions, we will also need to off-set some emissions as indicated by the carbon trajectory chart above. We are fortunate in having plenty of opportunities through our Estate to generate renewable energy, and also potentially, to sequester and store carbon through woodland creation and peatland restoration to offset our carbon emissions. Current renewable energy generation is around 33,500 kwh (2020-21 figures) which equates to savings of 8.5tonnes carbon. Further work is needed to improve our data collection regarding renewable energy generation across the Estate.
- 11.2. ENPA's woodland estate currently sequesters carbon, and this will be maintained through careful management, but this carbon cannot be included in our carbon accounts. There is potential however to claim carbon offsets from any woodland creation, and also in the future to generate income through selling carbon credits from some of this work, which could be used to fund future woodland/peatland work. Woodland creation at Bye Wood (10ha) has been accredited with the Woodland Carbon Code. As woodland takes many years to establish, it is not expected that the carbon benefits from this woodland creation will be achieved in time to support our 2030 net zero target.
- 11.3. The same is possible with ENPA's moorland in relation to peatland restoration. The work carried out by the Mires Partnership has led to around 2,500 ha of restoration to date. However it takes many years for degraded peatland to be restored to a state when it is a net store of carbon rather than a net emitter. Further monitoring and investigation will be needed before any carbon benefits can be used in our carbon footprint accounts.
- 11.4. The Defra Tests and Trials work investigated the opportunities for carbon gains through environmental land management schemes, and the Farming in Protected Landscapes funding programme provides opportunities for further action.

## 12. Monitoring and reporting

- 12.1. We will continue to report on ENPA GHG emissions as part of the National Park family indicators reporting to Defra, and also our own Corporate Plan reporting. The figures will be broken down further to provide additional indicators including:
  - Emissions from ENPA buildings
  - Emissions from ENPA travel
  - Emissions from other ENPA activities
  - Renewable energy generation
  - Carbon reductions from actions
  - Carbon offsets
- 12.2. Progress with delivering the climate action plan will also be reported as part of our six monthly and annual reports on the Corporate Plan. This will include an updated carbon trajectory, and we will look to develop a dashboard for reporting delivery of actions.

12.3. The action plan will be updated annually to enable us to analyse emissions reductions and identify further actions.

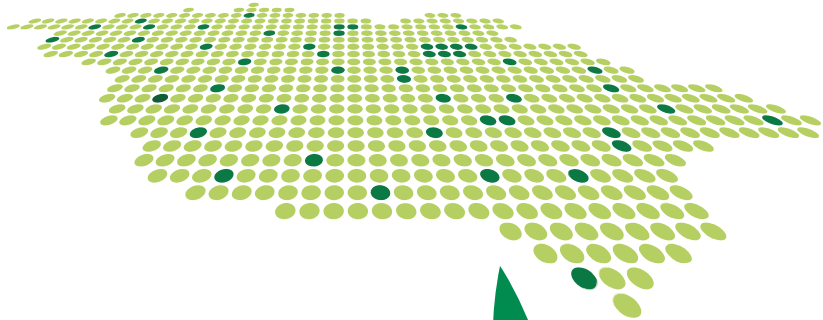
August 2021

Draft

# ENPA emissions



ENPA owns **c5,000 hectares** of land and has around **70** different properties

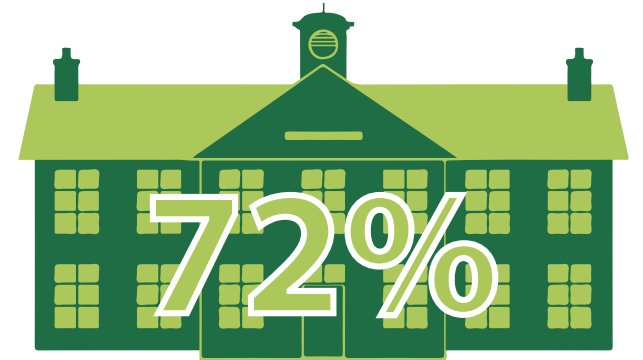


**33,500 kwh** renewable energy generated, saving **8.5 tonnes carbon**

**174 tonnes carbon** = Total ENPA annual carbon footprint (2019/20)



**72%** ENPA carbon emissions come from our buildings, equivalent to **125 tonnes carbon**



**25%** ENPA carbon emissions come from travel, equivalent to **43 tonnes carbon**

**40% reduction** in ENPA carbon emissions since 2007/8



Staff commute a total of **400,000 miles** annually, equivalent to **75 tonnes carbon**

## EXMOOR NATIONAL PARK AUTHORITY

3 August 2021

### INTERNAL AUDIT ARRANGEMENTS

#### Report of the Chief Finance Officer

**Purpose of Report:** To present to Members a report on the internal audit work carried out during 2020/21 and the planned programme for 2021/22.

**RECOMMENDATIONS:** The Authority is recommended to RECEIVE the Internal Audit report for 2020/21 and NOTE the Work Programme planned for 2021/22.

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

**Legal and Equality Implications:** Local Government Act 2003, Parts 1-3 (Capital Finance, Financial Administration and Grants), Sections 1-39, Accounts and Audit (England) Regulations 2011, Part 2 (Financial Management and Internal Control).

The equality and human rights impact of the recommendations of this report have been assessed as having no adverse impact on any particular group or individual.

**Financial and Risk Implications:** Provision has been made in the 2020/21 and 2021/22 budgets to cover the costs of audit. Internal Audit forms a major part of the governance and risk management arrangements of the Authority.

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#### 1. INTERNAL AUDIT

- 1.1 The Local Government Act 1972 and our Financial Regulations require the Chief Finance Officer (Section 151 Officer) to arrange for the provision of an adequate and effective system of internal audit. This service has been provided through a Service Level Agreement with Devon County Council and delivered by the Devon Audit Partnership (DAP) which is a shared service arrangement between Devon County Council, Torbay Council, Torridge and Plymouth City Council. The Partnership also provides the internal audit service to Dartmoor National Park Authority.
- 1.2 Attached at Appendix 1 is the Internal Audit Annual Report for 2020/21 and the proposed Audit Plan for 2021/22. Members will note from the annual audit report that there are no significant issues to be brought to the attention of the Authority concerning the Key Financial Systems. In Section 4.2 of Appendix 1 there is a list of the five core areas concerning our key financial systems and the auditor has given a high standard level of assurance for all of these. In 2020/21 Internal Audit also completed work on Climate Change and followed up on the Safeguarding work from previous years.
- 1.3 Section 2 of Appendix 1 contains the Internal Audit Plan for 2020/21. This plan continues at the previously agreed number of 23 audit days per annum that includes 3 days contingency provision.
- 1.4 Appendix 2 describes Devon Audit Partnership's Internal Audit Charter and Strategy. It is anticipated that a member of the DAP will be present to introduce their report.

**Gordon Bryant**  
Chief Finance Officer, July 2021



## EXMOOR NATIONAL PARK

# ANNUAL INTERNAL AUDIT REPORT 2020/21 and PROPOSED INTERNAL AUDIT PLAN 2021/22

### Section 1 - ANNUAL INTERNAL AUDIT REPORT 2020/21

#### 1 INTRODUCTION

1.1 The following report sets out the background to audit service provision, review work undertaken in 2020/21, and provides an opinion on the overall adequacy and effectiveness of the Authority's internal control environment.

1.2 The Accounts and Audit Regulations 2015 specify that all Authorities are required to carry out a review at least once each year of the effectiveness of its system of internal control, and to incorporate the results of that review into their Annual Governance Statement (AGS), which must be published with the annual Statement of Accounts.

#### 2 BACKGROUND

##### 2.1 Service Provision

2.1.1 The Internal Audit (IA) Service for Exmoor National Park Authority is delivered by the Devon Audit Partnership. This is a shared service arrangement between Devon, Torbay, Plymouth, Torridge, Mid-Devon, West Devon and South Hams councils constituted under section 20 of the Local Government Act 2000.

##### 2.2 Regulatory Role

2.2.1 There are two principal pieces of legislation that impact upon internal audit in local authorities:

- **Section 6 of the Accounts and Audit Regulations (England) Regulations 2015** which states that:

“.....A relevant authority must, each financial year—

- (a) conduct a review of the effectiveness of the system of internal control and
- (b) prepare an annual governance statement”

- **Section 151 of the Local Government Act 1972**, which requires every local authority to make arrangements for the proper administration of its financial affairs.

2.2.2 'Proper practices' have been agreed and defined by the accounting bodies including the Chartered Institute of Public Finance and Accounts and the Chartered Institute of Internal Auditors as those set out in the Public Sector Internal Audit Standards (PSIAS).

2.2.3 In addition, Internal Audit is governed by policies, procedures, rules and regulations established by the Authority. These include standing orders, schemes of delegation, financial regulations, conditions of service, anti-fraud and corruption strategies, fraud prevention procedures and codes of conduct, amongst others.

### **3 OBJECTIVES AND SCOPE**

3.1 This report presents a summary of the audit work undertaken; includes an opinion on the adequacy and effectiveness of the Authority's internal control environment. The report outlines the level of assurance that we are able to provide, based on the internal audit work completed during the year.

3.2. The Chief Internal Auditor is required to provide the Authority with an assurance on the system of internal control of the Authority. It should be noted, however, that this assurance can never be absolute. The most that the internal audit service can do is to provide reasonable assurance, based on risk-based reviews and sample testing, that there are no major weaknesses in the system of control. In assessing the level of assurance to be given the following have been taken into account:

- the audits completed during 2020/21;
- any significant recommendations not accepted by management and the consequent risks;
- internal audit's performance;
- any limitations that may have been placed on the scope of internal audit.

### **4 INTERNAL AUDIT COVERAGE 2020/21**

4.1 In January 2021, Devon Audit Partnership carried out the annual review of the Authority's Key Financial Systems. In addition, auditors carried out a review of the arrangements in place with regards Climate Change and a "follow-up" review of the Authority's safeguarding processes and procedures operating across its various services, to check on progress with implementing agreed recommendations arising from our review conducted in 2019/20.

#### **Key Financial Systems**

4.2 We are, once again, able to provide a "substantial" level of assurance to the Authority in relation to the internal controls that are in place to manage the Main Accounting System, budget setting / monitoring process, Payroll and Treasury Management. This means the system and controls in place adequately mitigate exposure to the risks identified. The system is being

adhered to and substantial reliance can be placed upon the procedures in place. The individual opinions issued in respect of our assignment work were as follows:-

Areas Covered		Level of Assurance
1	Income Collection	Substantial Assurance
2	Purchasing and Payments	Substantial Assurance
3	Payroll and Travel Expenditure	Substantial Assurance
4	Main Accounting System	Substantial Assurance
5	Budgetary Control	Substantial Assurance
6	Bank reconciliations	Substantial Assurance
7	Treasury Management	Substantial Assurance

4.3 As noted in previous annual reports, the financial management arrangements within the Authority are well established and many members of staff have long experience, giving them a good understanding and knowledge of the financial controls and requirements of regulations and policies. We have developed good relations with the Chief Finance Officer and are available to be consulted on matters relating to control mechanisms.

4.4 Following discussions and limited testing over a two-week period, our opinion is that the Exmoor National Park Authority continue to operate financial systems and controls to a high standard. This displays and confirms the hard work and dedication that has been input by all staff involved in the financial management of the Park Authority during the last financial year during challenging times.

4.5 Two minor recommendation were made with the intention to assist management with maintaining these high standards going forward. These were in respect of the accounting for VAT and the “Return to Work” process following staff absence.

### Climate Change

4.6 In line with many other organisations, Exmoor National Park Authority is working to reduce its carbon emissions by 2030 which is in line with the direction of travel proposed by Central Government in their attempt to reduce national emissions.

4.7 In October 2019, the Authority agreed a resolution on Climate Change including the declaration of a Climate Emergency, signing up to the Devon Climate Declaration and contributing to both the Devon and Somerset Carbon Plans.

4.8 This audit has reviewed arrangements in place for the Authority to meet that resolution, particularly working towards meeting the Carbon Neutral target by 2030. The review findings provided an audit opinion of “Limited Assurance”.

4.9 The following table sets out the risk areas examined, the level of assurance for each area together with our key concerns within those areas where we are only able to give limited assurance.

Assurance Opinion on Risks or Areas Covered - key concerns or unmitigated risks	Level of Assurance
<b>Governance arrangements are not in place to set, manage and monitor delivery of climate change objectives, meaning that it is not given a priority or is not effectively directed.</b>	<b>Limited Assurance</b>
- Board oversight and direction	
<b>The organisation does not have an effective climate change corporate strategy and supporting plans to deliver climate change objectives, meaning that activities and resources are not effectively directed.</b>	<b>Reasonable Assurance</b>
- Resourcing of the plan	
<b>The organisation does not adequately identify, plan for, predict, or react to changes in legislation, regulation, and good practice, increasing reputational risk if it fails to comply.</b>	<b>Reasonable Assurance</b>
<b>Risks are not identified or managed relating to delivery of climate change objectives and targets, increasing overall risk of non- delivery of climate change objectives.</b>	<b>Limited Assurance</b>
- Identification of risks and opportunities	
<b>Failure to set or maintain performance indicators means that the Council is unable to assess whether it is meeting its own or national /Local Authority climate objectives.</b>	<b>Limited Assurance</b>
- Standard performance indicators and direction of travel	
<b>The Council does not seek independent assurance or advice that its climate change objectives are being delivered, reducing confidence that it is being taken forward effectively and efficiently.</b>	<b>Substantial Assurance</b>

4.10 The Authority Leadership team approved an action plan at the end of March 2021 as required by the declaration to progress the objective. The plan clearly sets out where carbon is emitted within Authority operations, where action needs to be focused to reduce it, and the cost of implementation of the different options. The plan will be updated to reflect reductions achieved and further costed actions.

4.11 However, our review found that there was no separate budget provision for this plan and, if fully implemented, the plan would only reduce carbon emission by 30% of the total carbon

emitted. In addition, there were no performance measures other than the carbon emissions figure, to measure progress on achieving reductions.

4.12 Achievement of Climate Change adaption and mitigation action is not currently identified as a strategic risk, although there is mention of climate measures under Reputational risk. It would be beneficial if a risk and opportunity register is held to support more effective delivery of the overall objective. Of those risks, securing sufficient money to deliver the required action is a significant one (see above), as is capacity to deliver the required climate objective

4.13 We have noted already that the Authority engages and liaises with other National Park Authorities to seek advice and guidance, particularly with Dartmoor. It is also involved in the National Parks UK Climate Change Group which has a role in coordinating action for all the Parks and sharing best practice, experience and knowledge. The Authority should seek to continue to obtain advice, guidance and support from these sources, and other organisations such as councils.

4.14 It is pleasing to note that we have had a positive response to the various recommendations arising from our review and we will be looking to carry out a follow up exercise as part of the 2021/22 audit plan, to assess progress made by officers in implementing the agreed actions.

### **Safeguarding Follow Up**

4.15 Exmoor National Park Authority has a legal duty of care to provide a safe environment when children and adults at risk access its services. The Authority needs to ensure that its policies and practices reflect this duty.

4.16 In the last Internal Audit Annual Report, Members were presented with the findings of our review undertaken in 2019/20, that evaluated the adequacy of the safeguarding processes and procedures operating across services.

4.17 Whilst the review found a number of good safeguarding measures in place, an "Improvements Required" level of assurance was given overall in respect of the safeguarding framework, due to the absence of, or breakdown in, key controls, which would compromise ENPA ability to be able to fulfil its statutory "duty of care" responsibilities, thereby increasing the safeguarding risk for children and vulnerable adults. However, it was recognised that the overall safeguarding risk was low since all services provided involving children or vulnerable adults would be supervised by the visiting group leader, who would have overall responsibility for the safeguarding of the individuals group members and the level of assurance needed to be taken in context.

4.18 Following the reporting of our findings, management were taking steps to identify training needs, review the Safeguarding, Social Media and other relevant policies where necessary, the updating of the Employee Handbook, induction programme and Health & Safety briefings together with the provision of guidance for contractors and external activity leaders.

4.19 As part of the 2020/21 Audit Plan, time was allocated to examine progress with the implementation of the recommendations made back in 2019/20. I am pleased to report that our original audit opinion has now improved to "Reasonable Assurance" whereby we believe "there is a generally sound system of governance, risk management and control in place. Some



issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited”.

4.20 The table below sets out the risk areas examined, our original level of assurance and ther latest level of assurance as a result of our follow-up review.

<b>Assurance Opinion on Risks or Areas Covered - key concerns or unmitigated risks</b>	<b>Original Level of Assurance</b>	<b>Revised Level of Assurance</b>
<b>1. The governance and policy framework around safeguarding are not sufficiently robust.</b>	<b>Improvements Required</b>	<b>Reasonable Assurance</b>
<b>2. Pre Employment checks on staff and volunteers is not robust</b>	<b>Good Standard</b>	<b>Substantial Assurance</b>
<b>3. Safeguarding training for staff, volunteers and members is not robust.</b>	<b>Fundamental Weakness</b>	<b>Reasonable Assurance</b>
<b>4. Planning of activities does not give consideration to safety for children, young people, or adults at risk?</b>	<b>High Standard</b>	<b>Substantial Assurance</b>

Please note changes to assurance opinion ratings that have been adopted by Devon Audit Partnership since the original audit review, to reflect standard opinions recommended by CIPFA.

4.21 We can confirm all recommendations made in 2019/20 have either been implemented, or significant progress has been made to strengthen the safeguarding framework. The COVID-19 pandemic has caused delays in implementation in some areas.

4.22 Following receipt of evidence, we can confirm a new Safeguarding Policy has been launched and this, together with the Authority appointing the Head of Strategy and Performance as the Safeguarding Lead, has resulted in immediate improvements being made to the framework, enabling a much improved level of assurance to be given at this follow up review.

4.23 Work is underway to roll out training across the Authority, although this has been hampered due to the pandemic.

## 5 INTERNAL AUDIT OPINION

5.1 In carrying out systems and other reviews, Internal Audit assesses whether key, and other, controls are operating satisfactorily within the area under review, and an opinion on the adequacy of controls is provided to management as part of the audit report.

5.2 Our final audit reports also include an action plan which identifies responsible officers, and target dates, to address control issues identified during a review. Implementation of action plans are reviewed during subsequent audits or as part of a specific follow-up process.

5.3 Management has been provided with details of our work completed in 2020/21 to assist them when considering governance arrangements. The expectation is that if significant weaknesses are identified in specific areas, these should be considered by the Authority in preparing its Annual Governance Statement; there are no such "significant weaknesses" arising from our work in 2020/21.

5.4 Overall, and based on work performed during 2020/21, Internal Audit is able to provide "Reasonable Assurance" on the adequacy and effectiveness of the Authority's internal control environment.

<b>Substantial Assurance</b>	A sound system of governance, risk management and control exists across the organisation, with internal controls operating effectively and being consistently applied to support the achievement of strategic and operational objectives.
<b>Reasonable Assurance</b>	There are generally sound systems of governance, risk management and control in place across the organisation. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of some of the strategic and operational objectives.
<b>Limited Assurance</b>	Significant gaps, weaknesses or non-compliance were identified across the organisation. Improvement is required to the system of governance, risk management and control to effectively manage risks and ensure that strategic and operational objectives can be achieved.
<b>No Assurance</b>	Immediate action is required to address fundamental control gaps, weaknesses or issues of non-compliance identified across the organisation. The system of governance, risk management and control is inadequate to effectively manage risks to the achievement of strategic and operational objectives.

## **Section 2 - INTERNAL AUDIT PLAN 2021/22**

### **1 INTRODUCTION**

1.1 Under the Local Government Act 1972, the Chief Financial Officer has a statutory duty to ensure that all financial systems in the Authority are secure. Assurance that this is the case is given through the reporting of Internal Audit. Audits will be carried out under the terms of Accountancy and Audit Regulations 2015.

1.2 As the Internal Auditors for Exmoor National Park Authority it is our responsibility to ensure that all financial systems are operating effectively and in line with the Authority's financial regulations.

### **2 THE AIM OF THE PLAN**

2.1 The plan is reviewed and agreed on an annual basis, incorporating the key risks identified through the Authority's risk register and areas identified by Internal Audit. The plan also incorporates the requirements of the External Auditors in reviewing finance systems.

2.2 The main objectives of the plan are to provide assurance to the Section 151 Officer and the external auditors that all financial systems are: -

- Secure;
- Effective;
- Efficient;
- Accurate;
- Complete;
- Compliant.

2.3 In order to confirm this, system reviews and compliance testing are completed either remotely or at the Authority's HQ (Dulverton, Somerset) and other sites located throughout the Park, as required or appropriate.

### **3 THE PLAN**

3.1 The audit plan for the financial year 2021/22 allows for up to 23 days of internal audit support.

3.2 This covers the financial audit reviews required as part of Internal Audit responsibilities in reporting to the Section 151 Officer, but also satisfies your external auditors of the security and effectiveness of the financial systems. As your Internal Auditors we will provide the documentation required by external audit to ensure they are satisfied with operations.

3.3 We liaise with your external auditors to discuss the testing planned to ensure this satisfies their requirements and reduces their need for review of these financial systems. The remainder of the planned days incorporates reviews of specific systems as identified through an audit risk assessment process, the Authority's risk register and liaison with management.



3.4 The plan includes a review of the following key financial systems:-

- Payroll
- Creditors (payments)
- Debtors (income collection)
- Main Accounting system
- Budgetary control
- Bank Reconciliation

Note – these reviews may change to take account of the needs of External Audit.

3.5 Any major findings (if applicable) from the previous year’s audit plan will be reviewed to ensure that agreed recommendations have been implemented and are effective. An annual report for your Park Authority Committee will be produced in good time and for the expected June 2022 meeting.

3.6 As part of the audit plan we will also provide assistance and advice and be a central contact point for the Chief Finance Officer. We would be happy to consider undertaking special project work as and when appropriate and required.

#### 4 TIMETABLE

4.1 The audits will be completed at specified times of the year through consultation and prior agreement of the Chief Finance Officer. This will also take into account the timetable of external audit where applicable.

4.2 All findings will be reviewed with the Chief Finance Officer at the end of each audit programme and prior to the issue of any draft reports.

4.3 A copy of all final reports will be available to your External Auditors for their information.

#### 5 2021/22 PLAN

5.1 The following table sets out the planned internal audit work for 2021/22. Other issues and systems are sometimes identified during the course of the audits and if found will be discussed with the Chief Finance Officer. These issues may be incorporated into future audit plans dependent upon priority and risk assessment.

<b>Audit</b>	<b>Days</b>
Material systems	
Financial Systems	12
Risk Based	
Climate Change - Follow-up to 2020/21 Review	2
I.T. Audit (specific area to be agreed)	4
Other work	
Audit Plan / Annual Report etc	2
Contingency - To cover additional work if required	3
<b>Total days</b>	<b>23</b>

5.2 The cost of these 23 days will be £6,739 (plus VAT) (please note we shall only charge for contingency days if these are required). Additional support will be provided as and when required. Our standard daily rate for this work will be £293, although specialist support may be at a different rate. Please contact us for further details. (Please note that this is an increase of approximately 1% on last year's rates).

Robert Hutchins  
Head of Devon Audit Partnership  
July 2021

## MISSION

The Mission of Devon Audit Partnership is to enhance and protect organisational value by providing risk based and objective assurance, advice and insight across its partners.

## TERMS OF REFERENCE

This document details the **Internal Audit Charter** and **Internal Audit Strategy** for the Park Authority as required by the Public Sector Internal Audit Standards (PSIAS). The Audit Charter formally describes the purpose, authority, and principal responsibilities of the Authority's Internal Audit Service, which is provided by the [Devon Audit Partnership \(DAP\)](#), and the scope of Internal Audit work. This Charter complies with the mandatory requirements of the PSIAS. The accompanying Audit Strategy is designed to deliver the requirements outlined in the Charter.

## DEFINITIONS

Internal auditing is defined by the Public Sector Internal Audit Standards (PSIAS) as “an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes”.

The PSIAS set out the requirements of a 'Board' and of 'Senior Management'. For the purposes of the internal audit activity within the Authority the role of the Board within the Standards is taken by the Authority's Exmoor National Park Authority Committee and Senior Management is the Authority's Leadership Team. They also make reference to the role of “Chief Audit Executive”. For the Authority, this role is fulfilled by the Head of Devon Audit Partnership (HoDAP).



# INDEX TO SECTIONS OF THE CHARTER AND STRATEGY

## Charter

1. Statutory Requirements and Purpose of Internal Audit
2. Professionalism, Ethics and Independence
3. Authority
4. Accountability
5. Responsibilities
6. Management
7. Internal Audit Plan and Resources
8. Internal Audit Reporting
9. Relationship with the Park Committee and Non Conformance to the Charter
10. Quality Assurance and Improvement Programme

## Strategy

- Audit Strategy - Purpose
- Annual Audit Opinion
- Audit Planning & Delivery
- Performance Management and Quality Assurance
- Resources and skills
- Staff Development and use of MKI

# CHARTER - STATUTORY REQUIREMENTS AND PURPOSE OF INTERNAL AUDIT

## Statutory Requirements

Internal Audit is a statutory service in the context of The Accounts and Audit (England) Regulations 2015, which state:

*5.—(1) A relevant authority must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance.*

In addition, the Local Government Act 1972, Section 151, requires every local authority to designate an officer responsible for the proper administration of its financial affairs. In the Park Authority, the Chief Finance Officer is the 'Section 151 Officer'. One way in which this duty is discharged is by maintaining an adequate and effective internal audit service.

## The Purpose and Aim of Internal Audit

The role of Internal Audit is to understand the key risks of the National Park Authority, to examine and evaluate the adequacy and effectiveness of the system of risk management and the entire control environment as operated throughout the organisation, and contribute to the proper, economic, efficient and effective use of resources. In addition, the other objectives of the function are to:

- Support the Section 151 Officer to discharge his / her statutory duties
- Contribute to and support the Finance function in ensuring the provision of, and promoting the need for, sound financial systems
- Support the corporate efficiency and resource management processes by conducting value for money and efficiency studies and supporting the work of corporate working groups as appropriate
- Provide a quality fraud investigation service which safeguards public monies.

The existence of Internal Audit does not diminish the responsibility of management to establish systems of internal control to ensure that activities are conducted in a secure, efficient and well-ordered manner.

Internal Audit for the Authority is provided by Devon Audit Partnership. We aim to provide a high quality, professional, effective and efficient Internal Audit Service to the Members, service areas and units of the Authority, adding value whenever possible.

# CHARTER - PROFESSIONALISM, ETHICS AND INDEPENDENCE

## Being Professional

Devon Audit Partnership will adhere to the relevant codes and guidance. In particular, we adhere to the Institute of Internal Auditors' (IIA's) mandatory guidance including the Definition of Internal Auditing, the Code of Ethics, and the Public Sector Internal Audit Standards. This mandatory guidance constitutes principles of the fundamental requirements for the professional practice of internal auditing within the public sector and for evaluating the effectiveness of Internal Audit's performance. The IIA's Practice Advisories, Practice Guides, and Position Papers will also be adhered to as applicable to guide operations. In addition, Internal Audit will adhere to the Authority's relevant policies and procedures and the internal audit manual. Internal Auditors must apply the care and skill expected of a reasonably prudent and competent internal auditor. Due professional care does not, however, imply infallibility.

## Our Ethics

Internal auditors in UK public sector organisations must conform to the Code of Ethics as set out by IIA. This Code of Ethics promotes an ethical culture in the profession of internal auditing. If individual internal auditors have membership of another professional body then he or she must also comply with the relevant requirements of that organisation.

The Code of Ethics extends beyond the definition of internal auditing to include two essential components:

1. Principles that are relevant to the profession and practice of internal auditing.
2. Rules of Conduct that describe behaviour norms expected of internal auditors.

The Code of Ethics provides guidance to internal auditors serving others, and applies to both individuals and entities that provide internal auditing services. The Code of Ethics promotes an ethical, professional culture. It does not supersede or replace Codes of Ethics of employing organisations. Internal auditors must also have regard to the Committee on Standards of Public Life's Seven Principles of Public Life.

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# CHARTER - PROFESSIONALISM, ETHICS AND INDEPENDENCE

## Being Independent

Internal Audit should be independent of the activities that it audits. The status of Internal Audit should enable it to function effectively. The support of the Authority is essential and recognition of the independence of Internal Audit is fundamental to its effectiveness.

The Head of Devon Audit Partnership should have direct access to and freedom to report in his or her own name and without fear or favour to, all officers and members and particularly to those charged with governance (the Authority). In the event of the necessity arising, the facility also exists for Internal Audit to have direct access to the Chief Executive, the S.151 Officer and the Chair of the Exmoor National Park Authority Committee.

The Authority should make arrangements for Internal Audit to have adequate budgetary resources to maintain organisational independence.

The Head of Devon Audit Partnership should have sufficient status to facilitate the effective discussion of audit strategies, audit plans, audit reports and action plans with senior management and members of the Authority.

Auditors should be mindful of being independent, and must:

- Have an objective attitude of mind and be in a sufficiently independent position to be able to exercise judgment, express opinions and present recommendations with impartiality;
- Notwithstanding employment by the Partnership / Authority, be free from any conflict of interest arising from any professional or personal relationships or from any pecuniary or other interests in an activity or organisation which is subject to audit;
- Be free from undue influences which either restrict or modify the scope or conduct of their work or significantly affect judgment as to the content of the internal audit report; and
- Not allow their objectivity to be impaired by auditing an activity for which they have or have had responsibility.

## CHARTER - AUTHORITY

Internal Audit, with strict accountability for confidentiality and safeguarding records and information, is authorised full, free, and unrestricted access to any and all of the organisation's records, physical properties, and personnel pertinent to carrying out any engagement.

All employees are requested to assist Internal Audit in fulfilling its roles and responsibilities. This is enforced in the Accounts and Audit (England) Regulations 2015 section 5(2-3) that state that: Any officer or member of a relevant authority must, if required to do so for the purposes of the internal audit:

2) (a) make available such documents and records; and

(b) supply such information and explanations; as are considered necessary by those conducting the internal audit.

(3) in this regulation “documents and records” includes information recorded in an electronic form.

In addition, Internal Audit, through the HoDAP, where deemed necessary, will have unrestricted access to:

- The Chief Executive
- Members
- Individual Heads of Service
- Section 151 Officer
- Monitoring Officer
- All authority employees
- All authority premises.



## CHARTER - ACCOUNTABILITY

Devon Audit Partnership is a shared service established and managed via a Partnership Committee and Board with representation from each of its founding partners. The Partnership operates as a separate entity from the client authorities and Internal Audit is therefore independent of the activities which it audits. This ensures unbiased judgements essential to proper conduct and the provision of impartial advice to management. DAP operates within a framework that allows:

- Unrestricted access to senior management and members;
- Reporting in its own name;
- and Separation from line operations

Every effort will be made to preserve objectivity by ensuring that all audit members of audit staff are free from any conflicts of interest and do not, ordinarily, undertake any non-audit duties.

The HoDAP fulfils the role of Chief Audit Executive at the Authority and will confirm to the Exmoor National Park Authority Committee, at least annually, the organisational independence of the internal audit activity. The National Park Authority's 'Section 151 Officer' will liaise with the HoDAP and is therefore responsible for monitoring performance and ensuring independence.

The HoDAP reports functionally to the Exmoor National Park Authority Committee on items such as:

- Approving the internal audit charter;
- Approving the risk based internal audit plan and resources;
- Receiving reports from the Head of Devon Audit Partnership on the section's performance against the plan and other matters;
- Approving the Head of Devon Audit Partnership's annual report'
- Approve the review of the effectiveness of the system of internal audit.

The HoDAP has direct access to the Chair of the Authority, and has the opportunity to meet privately with the Exmoor National Park Authority Committee.

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## CHARTER - RESPONSIBILITIES

The Chief Executive (National Park Officer), Heads of Service and other senior officers are responsible for ensuring internal control arrangements are sufficient to address the risks facing their services. The HoDAP will provide assurance to the Chief Finance Officer 'Section 151 Officer' regarding the adequacy and effectiveness of the Authority's financial framework, helping meet obligations under the LGA 1972 Section 151.

The HoDAP will provide assurance to the Monitoring Officer in relation to the adequacy and effectiveness of the systems of governance within the Authority helping him/her meet his/her obligations under the Local Government and Housing Act 1989 and the Authority's Standing Orders. The HoDAP will also work with the Monitoring Officer to ensure the effective implementation of the Authority's Whistleblowing Policy.

### Internal Audit responsibilities include:

- Examining and evaluating the soundness, adequacy and application of the Authority's systems of internal control, risk management and corporate governance arrangements;
- Reviewing the reliability and integrity of financial and operating information and the means used to identify, measure, classify and report such information;
- Reviewing the systems established to ensure compliance with policies, plans, procedures and regulations which could have a significant impact on operations;
- Reviewing the means of safeguarding assets and, as appropriate, verifying the existence of such assets;
- Investigating alleged fraud and other irregularities referred to the service by management, or concerns of fraud or other irregularities arising from audits, where it is considered that an independent investigation cannot be carried out by management;
- Appraising the economy, efficiency and effectiveness with which resources are employed and the quality of performance in carrying out assigned duties including Value for Money Studies;
- Working in partnership with other bodies to secure robust internal controls that protect the Authority's interests;
- Advising on internal control implications of new systems;
- Providing consulting and advisory services related to governance, risk management and control as appropriate for the organisation; and,
- Reporting significant risk exposures and control issues identified to the Exmoor National Park Authority Committee and to senior management, including fraud risks, governance issues.

# CHARTER - MANAGEMENT

The PSIAS describe the requirement for the management of the internal audit function. This sets out various criteria that the HoDAP (as Chief Audit Executive) must meet, and includes:

- Be appropriately qualified;
- Determine the priorities of, deliver and manage the Authority's internal audit service through a risk based annual audit plan;
- Regularly liaise with the Authority's external auditors to ensure that scarce audit resources are used effectively;
- Include in the plan the approach to using other sources of assurance if appropriate;
- Be accountable, report and build a relationship with the Exmoor National Park Authority Committee and S.151 Officer; and
- Monitor and report upon the effectiveness of the service delivered and compliance with professional and ethical standards.

These criteria are brought together in an Audit Strategy which explains how the service will be delivered and reflect the resources and skills required.

The HoDAP is required to give an annual audit opinion on the governance, risk and control framework based on the audit work done.

The HoDAP should also have the opportunity for free and unfettered access to the Chief Executive and meet periodically with the Monitoring Officer and S.151 Officer to discuss issues that may impact on the Authority's governance, risk and control framework and agree any action required.

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# CHARTER - INTERNAL AUDIT PLAN AND RESOURCES

At least annually, the HoDAP will submit to the Exmoor National Park Authority Committee a risk-based internal audit plan for review and approval. The HoDAP will:

- Develop the annual plan through discussions with Leadership and Heads of Service based on an understanding of the significant risks of the organisation;
- Submit the plan to the Exmoor National Park Authority Committee for review and agreement;
- Implement the agreed audit plan;
- Maintain a professional audit staff with sufficient knowledge, skills and experience to carry out the plan and carry out continuous review of the development and training needs;
- Maintain a programme of quality assurance and a culture of continuous improvement;

The internal audit plan will include timings as well as budget and resource requirements for the next fiscal year. The Head of internal audit will communicate the impact of resource limitations and significant interim changes to senior management and the Exmoor National Park Authority Committee.

Internal Audit resources must be appropriately targeted by assessing the risk, materiality and dependency of the Authority's systems and processes. Any significant deviation from the approved Internal Audit plan will be communicated through the periodic activity reporting process.

A requirement of the Authority's Anti-Fraud and Corruption Strategy is that the HoDAP be notified of all suspected or detected fraud, corruption or impropriety. All reported irregularities will be investigated in line with established strategies and policies. The audit plan will include sufficient resource to undertake proactive anti-fraud work. Internal audit activities will be conducted in accordance with Authority strategic objectives and established policies / procedures.

Monitoring of internal audit's processes is carried out on a continuous basis by internal audit management. The Authority's members and management may rely on the professional expertise of the HoDAP to provide assurance. Periodically, independent review may be carried out: for example, through peer reviews; ensuring compliance with the PSIAS is an essential approach to such a review.

# CHARTER - INTERNAL AUDIT REPORTING

The primary purpose of Internal Audit reporting is to provide to management an independent and objective opinion on governance, the control environment and risk exposure and to prompt management to implement agreed actions.

Internal Audit should have direct access and freedom to report in their own name and without fear or favour to, all officers and members, particularly to those charged with governance (the Exmoor National Park Authority Committee).

A written report will be prepared for every internal audit project and issued to the appropriate manager accountable for the activities under review. Reports will include an 'opinion' on the risk and adequacy of controls in the area that has been audited, which, together, will form the basis of the annual audit opinion on the overall control environment.

The aim of every Internal Audit report should be to:

- Give an opinion on the risk and controls of the area under review, building up to the annual opinion on the control environment; and
- Recommend and agree actions for change leading to improvement in governance, risk management, the control environment and performance.

The Manager will be asked to respond to the report within 30 days, although this period can be extended by agreement.

The response must show what actions have been taken or are planned in relation to each risk or control weakness identified. If action is not to be taken, this must also be stated. The HoDAP is responsible for assessing whether the manager's response is adequate.

Where deemed necessary, the Internal Audit report will be subject to a follow-up, normally within six months of its issue, in order to ascertain whether the action stated by management in their response to the report has been implemented.

The HoDAP will:

- Submit periodic reports to the Exmoor National Park Authority Committee summarising key findings of reviews and the results of follow-ups undertaken;
- Submit an Annual Internal Audit Report to the Exmoor National Park Authority Committee, incorporating an opinion on the Authority's control environment. This will also inform the Annual Governance Statement.

## CHARTER - RELATIONSHIP WITH THE Exmoor National Park Authority Committee, AND NON CONFORMANCE TO THE CHARTER

The Authority's Exmoor National Park Authority Committee will act as "the Board" as defined in the Public Sector Internal Audit Standards (PSIAS),

The Specific Functions of the Exmoor National Park Authority Committee are set out in the Authority's Standing Orders (Appendix 1) "Powers Duties and Functions of the Authority Meeting"..

The HoDAP will assist the Committee in being effective and in meeting its obligations. To facilitate this, the HoDAP will:

- Attend meetings, and contribute to the agenda;
- Ensure that it receives, and understands, documents that describe how Internal Audit will fulfil its objectives (e.g. the Audit Strategy, annual work programmes, progress reports);
- report the outcomes of internal audit work, in sufficient detail to allow the committee to understand what assurance it can take from that work and/or what unresolved risks or issues it needs to address;
- establish if anything arising from the work of the committee requires consideration of changes to the audit plan, and vice versa;
- present an annual report on the effectiveness of the system of internal audit; and
- present an annual internal audit report including an overall opinion on the governance, risk and control framework

Any instances of non conformance with the Internal Audit Definition, Code of Conduct or the Standards must be reported to the Exmoor National Park Authority Committee, and in significant cases consideration given to inclusion in the Annual Governance Statement.

The Head of Devon Audit Partnership will advise the Exmoor National Park Authority Committee on behalf of the Authority on the content of the Charter and the need for any subsequent amendment. The Charter should be approved and regularly reviewed by the Exmoor National Park Authority Committee.

# CHARTER - QUALITY ASSURANCE AND IMPROVEMENT PROGRAMME

The PSIAS states that a quality assurance and improvement programme must be developed; the programme should be informed by both internal and external assessments.

An external assessment must be conducted at least once in five years by a suitably qualified, independent assessor.

In December 2016, the Head of Assurance for Hertfordshire Shared Internal Audit Service who completed an external validation of the Partnership. They concluded that;

*“It is our overall opinion that the Devon Audit Partnership **generally conforms**\* to the Public Sector Internal Audit Standards, including the Definition of Internal Auditing, the Code of Ethics and the Standards”.*

\* **Generally Conforms** – This is the top rating and means that the internal audit service has a charter, policies and processes that are judged to be in conformance to the Standards

## AUDIT STRATEGY - PURPOSE

The PSIAS require the HoDAP to produce an Audit Charter setting out audits purpose, authority and responsibility. We deliver this through our Audit Strategy which:

- Is a high-level statement of how the internal audit service will be delivered and developed in accordance with the Charter and how it links to the organisational objectives and priorities;
- Should be approved, but not directed, by the Exmoor National Park Authority Committee.
- Will communicate the contribution that Internal Audit makes to the organisation and should include:
  - Internal audit objectives and outcomes;
  - How the HoDAP will form and evidence his opinion on the governance, risk and control framework to support the Annual Governance Statement;
  - How Internal Audit's work will identify and address significant local and national issues and risks;
  - How the service will be provided, and
  - The resources and skills required to deliver the Strategy.

The Strategy should be kept up to date with the organisation and its changing priorities.



## AUDIT STRATEGY - OPINION ON THE GOVERNANCE, RISK AND CONTROL FRAMEWORK

A key objective of Internal Audit is to communicate to management an independent and objective opinion on the governance, risk and control framework, and to prompt management to implement agreed actions.

Significant issues and risks will be brought to the attention of the S.151 Officer as and when they arise. Regular formal meetings will be held to discuss issues arising and other matters.

The HoDAP will report progress against the annual audit plan and any emerging issues and risks to the Exmoor National Park Authority Committee.

The HoDAP will also provide a written annual report to the Exmoor National Park Authority Committee, timed to support their recommendation to approve the Annual Governance Statement, to the Authority.

The Head of Devon Audit Partnership's annual report to the Exmoor National Park Authority Committee will:

- Provide an opinion on the overall adequacy and effectiveness of the Authority's governance, risk and control framework;
- Disclose any qualifications to that opinion, together with the reasons for the qualification;
- Present a summary of the audit work from which the opinion is derived, including reliance placed on work by other assurance streams;
- Draw attention to any issues the HoDAP judges particularly relevant to the preparation of the Annual Governance Statement;
- Compare audit work actually undertaken against the work that was planned and summarise the performance of the internal audit function against its performance measures and targets; and
- Comment on compliance with the Public Sector Internal Audit Standards and communicate the results of the internal audit quality assurance programme.

# AUDIT STRATEGY - PLANNING & AUDIT DELIVERY

## INCLUDING LOCAL AND NATIONAL ISSUES AND RISKS

The audit planning process includes the creation of and ongoing revision of an “audit universe”. This seeks to identify all risks, systems and processes that may be subject to an internal audit review.

The audit universe will include a risk assessment scoring methodology that takes account of a number of factors including: the Authority’s own risk score; value of financial transactions; level of change, impact on the public; political sensitivity; when last audited; and the impact of an audit. This will inform the basis of the resources allocated to each planned audit area.

The results from the audit universe will be used in creating an annual audit plan; such a plan will take account of emerging risks at both local and national level.

### *Assignment Planning & Delivery*

Further planning and risk assessment is required at the commencement of each individual audit assignment to establish the scope of the audit and the level of testing required.

The primary objective of the audit is to provide management with an independent opinion on the risk and control framework through individual audits in the audit plan. Individual audits will be completed using our methodology in our Audit Manual to the standards set by PSIAS, to independently evaluate the effectiveness of internal controls. Our audit assignment report will communicate our opinion and include agreed management action, where required, to improve the effectiveness of risk management, control and governance processes.

# AUDIT STRATEGY - PERFORMANCE MANAGEMENT AND QUALITY ASSURANCE

The PSIAS state that the HoDAP should have in place an internal performance management and quality assurance framework; this framework must include:

- A comprehensive set of *targets to measure performance*. These should be regularly monitored and the progress against these targets reported appropriately;
- Seeking *user feedback* for each individual audit and periodically for the whole service;
- A periodic review of the service against the Strategy and the achievement of its aims and objectives. The results of this should inform the future Strategy and be reported to the Exmoor National Park Authority Committee;
- Internal quality reviews to be undertaken periodically to ensure compliance with the PSIAS and the Audit Manual (self-assessment); and
- An action plan to implement improvements.

The PSIAS and the Internal Audit Manual state that internal audit performance, quality and effectiveness should be assessed for each individual audit; and for the Internal Audit Service as a whole. The HoDAP will closely monitor the performance of the team to ensure agreed targets are achieved. A series of performance indicators have been developed for this purpose (please see the following pages).

Customer feedback is also used to define and refine the audit approach. Devon Audit Partnership will seek feedback from: auditees; senior leadership; and mm. The results from our feedback will be reported to Senior Management and the Exmoor National Park Authority Committee in any half year and annual reports.

The HoDAP is expected to ensure that the performance and the effectiveness of the service improves over time, in terms of both the achievement of targets and the quality of the service provided to the user.

# AUDIT STRATEGY - PERFORMANCE MANAGEMENT AND QUALITY ASSURANCE

Performance Indicator	Full year target
Percentage of Audit Plan completed	90%
Customer Satisfaction - % satisfied or very satisfied as per feedback forms	90%
Draft reports produced with target number of days (currently 15 days)	90%
Final reports produced within target number of days (currently 10 days)	90%

Internal Audit  
Performance  
Monitoring  
Targets

Task	Performance measure
Agreement of Annual audit plan	Agreed by the Chief Finance Officer and Exmoor National Park Authority Committee prior to start of financial year
Agreement of assignment brief	Assignment briefs are agreed with and provided to auditee at least two weeks before planned commencement date.
Undertake audit fieldwork	Fieldwork commenced at agreed time
Verbal debrief	Confirm this took place as expected; was a useful summary of the key issues; reflects the findings in the draft report.
Draft report	Promptly issued within 15 days of finishing our fieldwork. Report is “accurate” and recommendations are both workable and useful.
Draft report meeting (if required)	Such a meeting was useful in understanding the audit issues
Annual internal audit report	Prepared promptly and ready for senior management consideration by end of May. Report accurately reflects the key issues identified during the year.
Presentation of internal audit report to Management and Audit Committee.	Presentation was clear and concise. Presenter was knowledgeable in subject area and able to answer questions posed by management / members.
Contact with the audit team outside of assignment work.	You were successfully able to contact the person you needed, or our staff directed you correctly to the appropriate person. Emails, letters, telephone calls are dealt with promptly and effectively.

Other indicators measured as part of the audit process that will be captured and reported to senior management

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# AUDIT STRATEGY - RESOURCES AND SKILLS

The PSIAS and the Audit Manual states that:

- Internal Audit must be appropriately staffed in terms of numbers, grades, qualifications and experience, having regard to its responsibilities and objectives, or have access to the appropriate resources;
- The Internal Audit service shall be managed by an appropriately qualified professional with wide experience of internal audit and of its management; and
- The Chief Audit Executive (Head of Devon Audit Partnership) should be of the calibre reflecting the responsibilities arising from the need to liaise with members, senior management and other professionals, and be suitably experienced.

DAP currently has c.40 staff who operate from any one of our three main locations (Plymouth, Torquay and Exeter), we also operate from offices at Torridge DC (Bideford), Mid Devon DC (Tiverton) and South Hams/West Devon Councils (Totnes/Tavistock). The Partnership employs a number of specialists in areas such as Computer Audit, Contracts Audit and Counter Fraud Investigators as well as a mix of experienced, professionally qualified and non-qualified staff.

The Partnership draws on a range of skilled staff to meet the audit needs. Our current staff includes: -

- 3 x CCAB qualified
- 8 x qualified IIA
- 2 x qualified computer audit (QICA & CISA)
- 1 x risk management (IRM)
- 10 x AAT qualified
- 7 x ACFS (accredited counter fraud specialists)
- 5 x ILM (Institute of Leadership & Management) level 5 or above

# AUDIT STRATEGY - STAFF DEVELOPMENT AND TRAINING AND USE OF MK AUDIT

## **Staff Skills and Development**

Devon Audit Partnership management assess the skills of staff to ensure the right people are available to undertake the work required.

Staff keep up to date with developments within internal audit by attending seminars, taking part in webinars and conferences, attending training events and keeping up to date on topics via websites and professional bodies. Learning from these events helps management to ensure they know what skills will be required of our team in the coming years, and to plan accordingly.

Devon Audit Partnership follows formal appraisal processes that identify how employees are developing and create training and development plans to address needs.

## **Internal Audit Software System**

Devon Audit Partnership uses Pentana MK as an audit management system. This system allows Partnership management to effectively plan, deliver and report audit work in a consistent and efficient manner. The system provides a secure working platform and ensures confidentiality of data. The system promotes mobile working, allowing the team to work effectively at client locations or at remote locations should the need arise.

**EXMOOR NATIONAL PARK AUTHORITY  
EXMOOR CONSULTATIVE AND PARISH FORUM  
NOTES**

of the meeting of the Exmoor Consultative and Parish Forum held  
on Thursday 10 June 2021 at 7pm by Video Conference

**PRESENT**

Mike Ellicott	Exmoor National Park Authority and Chairman of the Forum
Vivian White	Exmoor National Park Authority and Deputy Chair of the Forum
Richard Peek	North Molton Parish Council
Susan Warren	ENPA Member
Steven Pugsley	ENPA Member
Chris Binnie	Resident
Liz Bulled	North Devon District Council
Kevin Connell	Winsford Parish Council
Penny Webber	ENPA Member
Louise Crossman	Louise Crossman Architects
Roger Foxwell	Cutcombe Parish Council
Alan Hemsley	Carhampton Parish Council
Debbie Taylor-Pitkin	Porlock Parish Council
Andrew Milne	District Councillor – Porlock Parish Council
Robin Milton	Exmoor National Park Authority
Frances Nicholson	Exmoor National Park Authority
John Patrinos	Exmoor National Park Authority
Kathryn Tucker	Exford Parish Council
Alan Collins	Resident
John Anson	Cutcombe Parish Council
Rachel Thomas	Exmoor Society
Nick Thwaites	ENPA Member
Sarah Buchanan	Brompton Regis Parish Council
Christine Lawrence	ENPA Member
Jasmine Milne	Lyn Climate Action

**1. Apologies for absence were received from:**

Jeremy Holtom	ENPA Member
Susan May	Exmoor Trust
Marilyn Crothers	Nettlecombe Parish Council
John Addicott	Resident
Jeremy Payne	Oare Parish Meeting
Andrew Bray	Wotton Courtenay Parish Council

**National Park Authority staff in attendance:**

Sarah Bryan, Chief Executive Exmoor National Park Authority  
Dean Kinsella, Head of Planning & Sustainable Development  
Clare Reid, Head of Strategy and Performance  
Heather Harley, Conservation Officer (Farming and Land Management)  
Alex Farris, Conservation and Wildlife Manager  
Hazel Malcolm, Business Support Officer (Note Taker)

2. **MINUTES:** The [minutes](#) of the Forum meeting held on 18 March 2021 were agreed as a correct record.

**Matters Arising:** There were no matters arising

3. **QUESTIONS FROM THE FLOOR (Submitted in advance):**

**Question:** To consider the problems of ticks across Exmoor.

**Answer:** This will be discussed in Item 10.

4. **WRITTEN MINISTERIAL STATEMENT ON THE LANDSCAPES REVIEW**

Sarah Bryan Chief Executive of Exmoor National Park Authority gave an update that as yet no written ministerial statement on the Glover Landscapes Review had been published. The statement is anticipated to be released by Government at the end of June.

5. **RURAL HOUSING ON EXMOOR**

Nic Kemp the Rural Housing Enabler for Exmoor working for Somerset West and Taunton Council explained the role of a Rural Housing Enabler is to support and assist development of affordable housing on Exmoor for local people. Nic outlined some of the projects and work undertaken to date:

Supporting the Eight Parishes Affordable Housing Working Group:

- Eight Parishes of Cutcombe, Exford, Exton, Luccombe, Luxborough, Timberscombe, Winsford, and Wootton Courtenay
- Formed following the Housing Needs Survey in 2018
- Consultation into seven potential sites across the eight parishes
- Five sites highlighted to be taken forwards, with Working Group meeting with landowners

Homefinder:

- Undergoing upgrade this summer – undertaken in consultation with organisations and users
- Importance of anyone in housing need being registered on Homefinder, to enable them to bid on available properties and also to demonstrate level of need to support development

Exmoor Rural Housing Network:

- Network being re-launched this year, with annual meeting planned in October
- Regular updates and articles, as well as available local properties posted on facebook page

Self Build:

- Working with Exmoor Young Voices on self-build project

Steve Watson, Director of Middlemarch CIC working for North Devon Council gave an overview of affordable housing provided by Middlemarch CIC. Middlemarch CIC specialise in supporting community led housing projects through a partnership of Community Land Trusts (CLT) and Housing Associations (HA). The aim of the CLT is to build low carbon homes prioritised for local people. Examples of recent CLT developments were shown. The CLT and Housing Association partnership model was



explained. The CLT is supporting work on proposals for an affordable housing development in Parracombe.

The presentation can be found [here](#).

## 6. THE AFFORDABLE HOUSING WORKING GROUP

Vivian White gave an update from the Eight Parishes Affordable Housing Working Group. 94 responses had been received in response to the consultation on potential sites across the eight parishes, with discussions with landowners being taken forward at five of the sites identified.

## 7. LYN CLIMATE ACTION

John Patrinos and Jasmine Milne updated the Forum on Lyn Climate Action (LCA) which started 18 months ago. The aim of LCA is to build upon the work already started locally and act as a co-ordinating action group. Just prior to the lockdown LCA had planned activities such as a trial day for electric bicycles in Lynton, a seed bomb workshop and was working towards opening a Hub in the Town Hall. During the lockdown LCA has held 6 online public meetings with guest speakers including the local MP, National Trust farm managers, Exmoor National Park Authority conservation team and the Head of Strategy and Performance. LCA has also lobbied MPs and the local council on matters including the Climate and Ecology Emergency Bill, the impact of the Environmental Land Management Scheme for local farmers, and litter and recycling. The LCA has a large and popular Facebook page and plans to continue with real action once the lockdown is lifted.

## 8. EXMOOR 'MOOR MEADOWS' GROUP AND THE SOWING THE SEEDS PROJECT

Heather Harley Conservation Officer (Farming and Land Management) for Exmoor National Park Authority gave an update on the project. Meadows have declined by 97% since the second world war. On Exmoor there is 2500Ha of unimproved grassland.

Funding has been secured from CareMoor and Headwaters of the Exe for a one-year project working in partnership with the Devon Wildlife Trust and Headwaters of the Exe.

There are three elements to the project:

- Working with communities
- Offering the opportunity to work with farmers
- To encourage a working group for meadow makers for example churchyards etc.

This year wildflower seeds are being harvested from a farmer who has offered their wildflower meadow for seed collection. Future funds will be used to buy a wildflower seed harvester.

### Points raised by the Floor

- **Question.** There was a question on techniques for wildflower seed collection.  
**Answer** The different collection methods and advantages and disadvantages of each were discussed.
- **Question.** What is the area of delivery to recipient sites for the seeds collected by the project?  
**Answer.** Distribution is decided by a number of variables including soil testing, so the most suitable sites are selected.
- **Question** Can wildflower meadows be created at high levels?  
**Answer.** Heather confirmed upland areas are fine for wildflower meadow projects.

## 9. TB IN DEER UPDATE

Sarah Bryan, ENPA Chief Executive updated the Forum that a Tb in deer working group had been formed and would be meeting soon.

### Questions from the floor:

Tb in deer is becoming a bigger problem, why haven't meetings taken place via video conference before? **Answer.** There was a suggestion to hold a meeting with Exmoor Hill Farm Network.

### Comments from the Floor.

- Meeting participants suggested a cull of deer is the only way forward due to large numbers congregating. Currently very few deer are being shot due to a lack of demand for the venison due to hospitality venues being shut.
- There is a reticence amongst farmers to report deer with Tb on their land due to then needing to have cattle tested for Tb.
- The Deer count for 2020-21 did not take place due to Covid, but it is hoped the count will take place for 2021-22.
- ENPA's role is to co-ordinate efforts and meetings about deer as the problem is too large for one organisation to take on.
- The huge number of deer present on farms are a problem for farmers as the deer are eating the grazing meant for livestock.
- The deer also exacerbate the tick problem on ENPA and cause a lot of damage to hedges.

## 10. TICKS AND SWALING

Alex Farris Wildlife and Conservation Manager for ENPA updated the Forum on the problem of ticks on Exmoor and opened discussion on the issue. Tick numbers are increasing as figures from the Graze the Moor project at Molland have shown. Tick numbers are rising across the UK with climate change being a contributory factor in this increase, 2-4% of ticks carry Lyme Disease as well as other tick-borne diseases. Swaling does not help the issue of ticks as the ticks drop down into the deep litter layer so avoiding the burn. Research and awareness raising of the risks of ticks is key, the disease burden in ticks in Europe is more prevalent and on the continent people are more aware of the risks. In the UK the awareness needs raising which is a multi-organisation responsibility not just that of ENPA.

### Comments from the floor:

- ENPA need to become more active at making people aware of the problem of ticks. Since this meeting, awareness raising posts on ENPA social media have been made, and notices will be put up in appropriate places across the park. The link to the Lyme disease presentation from Lyme Disease UK has been shared on the ECPF webpage.
- Livestock going on the moor are treated with the appropriate pour on medications. Farmers need grants to finance this required medication.
- GPs and the medical profession knowledge of Lyme Disease is not consistent.
- 40 years ago, tick infestation on Exmoor was virtually unknown.
- Lack of swaling will contribute to the rise of tick numbers but is not the sole reason for the rise in tick numbers.
- One of the best methods of tick control is through farming the moor with sheep treated with tick medications. It was suggested there could be a project through

the Exmoor Hill Farm Network into tick medications similar to that of the sheep scab project.

## 11. PLANNING ISSUES

Dean Kinsella, Head of Planning for ENPA updated the Forum –

- Planning is very busy as demand for home improvements after lockdown feed through. The first return to face-to-face planning committee will take place in July.
- ENPA are still awaiting the government response to the Planning White Paper.
- ENPA is responding to a consultation on permitted development rights on telecommunications with some specifics for protected landscapes.

### Comments from the floor:

- Forum members asked for an update on a planning application through North Molton Parish Council. Dean to provide an update to North Molton Parish Council.

## 12. FARMING ISSUES: No issues were raised.

## 13. EMERGING ISSUES OR TOPICS FOR WIDER DEBATE: A Forum Member asked for an update on Exmoor branding for Exmoor produce. This question has been responded to in correspondence between meetings. **Answer provided:**

The National Park Authority worked with tourism partners a few years ago to create the '[Exmoor Brand](#)' – a brand that is not tied to any single organisation but that can be used by anyone to associate their businesses or product with the area. Since creating this we've evolved it to be relevant to local producers. We have versions around being based in / produced in / working in Exmoor / Exmoor National Park / Exmoor, the Coast and Quantocks (to cover Greater Exmoor – it is not a sole ENPA initiative).

Through the Rural Enterprise Exmoor project, we are giving this a further push with more producers etc making use of the brand and we have also been running the successful [WeAreExmoor](#) campaign on social media highlining the links between local businesses and the landscape / place of Exmoor – again this is open to any businesses from any sector including producers.

We have also been in discussions with the Hill Farming Network to explore how we can support farmers to collaborate with the brand. Ultimately, as in the example from Dartmoor, this needs to be led by the producers – but we are happy to support. There are relatively low numbers of producers finishing stock on Exmoor and many of those that do are able to sell most of their meat direct. Therefore, the scope of supplying a single contract for a supermarket chain is possibly a little limited but there are some avenues being explored. Covid has unfortunately delayed things but we launched with the Exmoor Hill Farm Network the [Exmoor Hill Farm Network Exmoor Lamb Register](#) last year with some promotional work such as this [video](#)

We are currently working with producers, shops and hospitality businesses on using Exmoor branded point of sale material to promote the 'Produced in Exmoor' brand and the 'Buy Local' messages.

The new Farming in Protected Landscapes grant scheme potentially offers an opportunity to support some further work in the regard – again this would be most relevant to a group of producers presenting a joint bid for support, and we are discussing options with the Hill Farming Network.

**14. DATE AND TIME OF NEXT MEETING:** The next meeting will be held on Thursday 16 September at 7pm by MS Teams. Should you wish to register for the next meeting please contact Hazel Malcolm at [hmalcolm@exmoor-nationalpark.gov.uk](mailto:hmalcolm@exmoor-nationalpark.gov.uk).

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