


WRITTEN STATEMENT


Session 2


SECTION 7: Achieving a Sustainable Economy

EXMOOR NATIONAL PARK LOCAL PLAN 2011 - 2031
EXAMINATION
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1 Business Development in Settlements and the Open Countryside

Question 2.1: Are policies SE-S2 & SE-S3 justified in preferring the conversion of traditional buildings to non-traditional ones? (BE)

- 1.1 Policy SE-S2 presents a sequential test to business development within settlements. Applicants should demonstrate that they cannot provide business development through the change of use of existing traditional buildings or non-traditional buildings before alternatives including new build through the redevelopment of brownfield sites or on greenfield sites, will be considered.
- 1.2 If existing buildings are not available or not in the ownership/control of the applicant/developer, or unsuitable for the intended use, then the test can be demonstrated. The policy intends that applicants explore all opportunities before considering new build on greenfield sites given the limited landscape capacity for new build development.
- 1.3 Policy SE-S3 presents a sequential test to business development in the open countryside, with the general focus on the re-use of traditional buildings for business use. For rural land-based businesses additional flexibility is provided to enable the change of use of non-traditional buildings (e.g. including modern agricultural buildings) to business use. If the agricultural buildings are not redundant then it is considered that they are in use and therefore needed by the agricultural enterprise.
- 1.4 The sequential test within policy SE-S2 and policy SE-S3 focuses on the re-use of traditional buildings in the first instance as such buildings contribute to the local distinctiveness of the built environment and landscape character. The sympathetic adaptation and re-use of traditional buildings will help to safeguard the historic fabric and character of these buildings, whilst utilising their embodied energy. These environmental benefits are consistent with National Park purposes of the conservation and enhancement of cultural heritage within the National Park and with NPPF paragraph 126 which refers to the benefits of conserving and enhancing the historic environment.
- 1.5 The changes which are proposed to policies SE-S2 and SE-S3 within [SD5 Schedule of Proposed Changes](#) are:
 - **SE-S2** – to amend the wording to the sequential tests for clarity [[SD5](#): ref 363, page 157]
 - **SE-S3** – to include an additional clause to enable the redevelopment of existing employment sites within the open countryside [[SD5](#): ref 369, page 160-161]

Question 2.2: Are policy SE-S2 and the proposed change to policy SE-S3 justified in seeking enhancement when redevelopment occurs?

- 1.6 Clause 2.b) of policy SE-S2, and the proposed change to clause 4 of SE-S3 [[SD5: ref 369, page 160-161](#)], include reference to seeking enhancement. These particular clauses refer to the redevelopment of previously developed land and buildings and whilst the redevelopment of such sites may improve the quality and appearance of the existing site, the policy requirement ensures that such redevelopment will lead to enhancement of the built environment within settlements or consistent with landscape character in the open countryside. It is considered that this approach is justified in accordance with National Park purposes.
- 1.7 The Authority accepts that these policies could be rephrased to be clearer regarding the enhancement of such sites in relation to the built environment in settlements (SE-S2), and landscape character in the open countryside (SE-S3), and is happy to propose Main Modifications to the Inspector to make these policies fully effective in this regard. Table 2.1 below sets out the proposed Main Modifications (changes shown in red).

Table 2.1

Ref	Main Modification (MM)
<p>MM2.1 (incorporating changes proposed in SD5, ref 363, page 157)</p>	<p>SE-S2 BUSINESS DEVELOPMENT IN SETTLEMENTS</p> <p>1. In the named settlements proposals for business development or extensions to existing businesses should accord with policy SE-S1 and be located within the settlement or where no suitable buildings/sites are available, well-related to existing buildings.</p> <p>2. Proposals will be permitted where:</p> <p>a) they reuse existing traditional buildings wherever possible, in a way that maintains and enhances their character;; or where no suitable buildings are available;</p> <p>b) <u>where no suitable traditional buildings are available</u> they reuse non-traditional buildings, or previously developed sites and proposals achieve enhancement of the built environment; or where this cannot be achieved;</p> <p>c) <u>where this cannot be achieved</u> a replacement of a non-traditional building, or a new site/building may be permitted.</p> <p>3. In addition to clause 1, any proposals for new build development in Porlock Weir, other than extensions to existing premises, should be:</p> <p>a) small-scale to reflect the form and character of the of the settlement; and</p> <p>b) compatible with industries associated with the settlement.</p>
<p>MM2.2 (incorporating changes)</p>	<p>SE-S3 BUSINESS DEVELOPMENT IN THE OPEN COUNTRYSIDE</p> <p>1. Business development will be permitted for the change of use and conversion of an existing traditional building that is well-related to an</p>

Ref	Main Modification (MM)
<p>proposed in SD5, ref 369, page 160-161)</p>	<p>existing group of buildings on a farmstead or in a hamlet where there is an existing dwelling, in accordance with policies SE-S1 and CE-S5.</p> <p>2. Proposals for extensions to existing business sites or buildings that are well-related to an existing group of buildings on a farmstead or in a hamlet where there is an existing dwelling will be permitted in accordance with SE-S1 and where the scale and appearance of the development are compatible with local landscape character.</p> <p>3. Additionally, proposals for the diversification of existing agricultural, or other primary businesses responsible for land management, through the re-use/change of use of an existing non-traditional building for business development may be permitted where the following will be achieved:</p> <p>a) they are well-related to an existing group of buildings on the farmstead and accord with policy CE-S5;</p> <p>b) it can be demonstrated that the agricultural use of the existing building(s) to be re-used is redundant;</p> <p>c) the proposed business development supports an existing agricultural or other primary business responsible for land management and does not conflict with the existing farming or land management activity; and</p> <p>d) where proposals relate to the change of use of an existing building from an agricultural use to a business use (use classes B1, B2, B8 or sui generis), a condition may <u>will</u> be attached to the permission to enable the building to be used for the purposes of agriculture or the permitted business use.</p> <p>4. The erection of new business premises in the open countryside will not only be permitted <u>for the redevelopment of existing employment sites, where existing buildings are replaced with no significant increase in size, and enhancement is achieved</u> which is consistent with local landscape character.</p> <p>5. Business use in buildings which stand alone or which do not relate well to existing buildings and are not part of a farm group or hamlet will not be permitted.</p>

Question 2.3: Should parts of paragraph 7.23 of the reasoned justification, and of the new paragraphs that form proposed changes 366 & 368, have policy status?

- 1.8 Paragraph 7.23 states that “Where new B1 uses with a floorspace of 150 square metres or less are granted planning consent, permitted development rights may be withdrawn in respect of temporary changes of use to A1, A2, A3, A4, A5, D1 and D2 of the use Classes Order”. The intention is to safeguard the stock of B1 employment buildings in the National Park which are in short supply.¹ The text in 7.23 should be amended to be consistent with the General Permitted Development Order 2015, which also states that permitted development rights apply to buildings from a use falling within Class B1 to use as a state-funded school or a registered nursery, to state “...temporary changes of use to A1, A2 and A3”.
- 1.9 On reflection it is considered that a clause should be introduced into policies SE-S2 and SE-S3 to state: “Where permission is granted for new B1 uses a condition will be attached to remove permitted development rights in respect of temporary changes of use or use as a state funded school or a registered nursery.” Table 2.2 below sets out the proposed Additional Modifications (AM) and Main (MM) Modifications (changes shown in red)

Table 2.2

Ref	Additional Modification (AM) / Main Modification (MM)
AM2.1	<u>7.23</u> Where new B1 uses with a floorspace of 150 square metres or less are granted planning consent, permitted development rights may be withdrawn in respect of temporary changes of use to A1, A2, <u>and A3</u> A4, A5, D1 and D2 of the use Classes Order <u>or a use as a state funded school or a registered nursery</u> ² . This is because this measure Temporary changes of use were was introduced nationally to contribute to the viability and vitality of town centres. It could; <u>however, it could</u> result in the loss of B1 employment buildings in the National Park which are in short supply and which the Plan seeks to safeguard. The national change does not, therefore, fully reflect the role of employment buildings within the sparse rural area of Exmoor National Park, where their retention is essential to local socio-economic well-being.
MM2.3	<u>4. Where permission is granted for new B1 uses a condition will be attached to remove permitted development rights in respect of</u>

¹ EB36 - Nathaniel Lichfield and Partners (2009) Exmoor National Park Employment Land Review Only 35% of the 567 business units in Exmoor are class B1, B2 and B8 (para. 4.7).

² HM Government (2015) Town and Country Planning (General Permitted Development) (England) Order 2015. *The Stationery Office, London*. Part 4 of Schedule 2 to the General Permitted Development Order grants planning permission in respect of certain temporary buildings and uses.

Ref	Additional Modification (AM) / Main Modification (MM)
Insert new clause 4 to policy SE-S2	<u>temporary changes of use, use as a state funded school, or a registered nursery.</u>
MM2.4 Insert new clause 6 to policy SE-S3	<u>6. Where permission is granted for new B1 uses a condition will be attached to remove permitted development rights in respect of temporary changes of use, use as a state funded school, or a registered nursery.</u>

- 1.10 Proposed change reference 366 [[SD5](#): ref 366, page 161] inserts new paragraphs into the written justification preceding Policy SE-S3. The new text provides guidance for those circumstances where diversification proposals for rural land-based businesses will be considered; this primarily relates to what type of business would be considered as a rural land-based business and the scale of that business in terms of the employment it provides. This is intended to inform applicants submitting proposals and officers determining applications. It is not considered that the new text needs to be reflected in policy as it simply describes the circumstances where clause 3 of Policy SE-S3 would apply.
- 1.11 Proposed change reference 368 is the written justification for the amended clause 4 in Policy SE-S3 [[SD5](#): ref 369, page 160-161] which relates to the redevelopment of existing employment sites within the open countryside.

Question 2.4: Should policy SE-S3 allow more opportunities for new business development and change of use in the open countryside? (BE, CE)

- 1.12 To amend the policy to allow for the erection of new business premises in the open countryside would not be consistent with National Park purposes or paragraph 109 or 115 of the NPPF. There are many opportunities for business premises and activities under the existing and emerging policies and to go further than national guidance is not evidenced or necessary in the Exmoor context and would place an unnecessary potential harm to the landscape.
- 1.13 However, it is acknowledged that the Plan does not provide for the potential for, or extent of, redevelopment opportunities of employment buildings in the open countryside; which is necessary to ensure consistency between the business development policy (SE-S3) and the safeguarding policy SE-D2. The Authority has identified proposed changes to provide for the re-development of brownfield employment land in the open countryside for business use [[SD5](#), Schedule of Proposed Changes: refs 368 and 369, pages 160-2].

2 Home based businesses

Question 2.5: Should policy SE-D1 give greater scope for the development of live-work accommodation, including through the conversion of existing non-residential buildings? (CE)

- 2.1 The objection to this policy primarily relates to the conversion of rural buildings to live/work units. Policies within the Plan provide for the conversion of existing buildings in the open countryside to dwellings in the following circumstances: as extended family dwellings (HC-D4); rural worker dwellings (HC-D7, D8, D9); succession farm dwellings (HC-D10); and local affordable homes (HC-D5, HC-D7). The conversion of space within the same building(s), or an additional building well-related to the proposed residential dwelling, as an employment/business space, is also permitted through policy SE-S3 Business Development in the Open Countryside or SE-D1 Home Based Businesses, which would be conducive to a live/work arrangement. Similar schemes have already been provided in the National Park through policies in the adopted Local Plan 2001-2011 which does not include a specific live/work policy. Following the consideration of comments received on the Draft Local Plan (November 2013)³ Policy SE-D1 was amended to include reference to live/work arrangements in the Publication Draft Local Plan within clause 3 of the policy. The intention of live/work is to enable this type of development to come forward in a way which is consistent with the approach to housing development in the National Park.
- 2.2 Following further representation from The Crown Estate⁴ regarding policy SE-D1 regarding live/work arrangements the Authority has proposed a further change to the policy and supporting text of SE-D1 to provide further explanation regarding the concept of live/work and how this would apply within the National Park [[SD5 Schedule of Proposed Changes](#), references 371-372, page 162-163]. The proposed changes ensure that the employment space can be used independently of the dwelling to ensure sustainability of the business use over the longer-term.
- 2.3 The Authority contacted The Crown Estate to suggest that we prepare a Statement of Common Ground regarding this issue, however this was declined as they feel their written representations will suffice.

³ Draft Local Plan Schedule of Representations, reference dlp786, page 121
http://www.exmoor-nationalpark.gov.uk/data/assets/pdf_file/0005/526946/2013-DRAFT-LOCAL-PLAN-SCHEDULE-OF-REPRESENTATIONS-WEB.pdf

⁴ Representor ID number [0067](#)

Question 2.6: Are the restrictions on extensions imposed by policy SE-D1, clause 1(b) justified? (BE)

- 2.4 The premise of policy SE-D1 Home Based Businesses is to encourage new businesses and entrepreneurship - recognising that a large proportion of the working age population work at/from home (37%) and similarly many are self-employed (26%).
- 2.5 The policy provides a flexible approach that enables extensions, conversions of outbuildings or provision of new outbuildings for home-based business use - but these can revert to domestic use. Therefore the extensions policy is necessarily aligned to policy HC-D15 Residential Extensions.

3 Safeguarding Existing Employment Land

Question 2.7: Is the reference in paragraph 7.40, lines 2-3 of the reasoned justification to “an enhanced level of employment-generating uses” consistent with the requirements of policy SE-D2 itself?

- 3.1 It is acknowledged that the written justification is not consistent with the requirements of Policy SE-D2 itself in this instance. On reflection, given that it would be difficult to qualify what an ‘enhanced’ level of employment generating use would mean, it is proposed that the text is modified to align with the policy (as shown in red in Table 2.3 below), which would still ensure that if it is demonstrated that the site and/or buildings are no longer viable in employment use, then, in the first instance, employment-generating uses will be maintained on the remaining part of the site/in the building.

Table 2.3

Ref	Additional Modification
AM2.2	7.40 If the Authority is satisfied that the site and/or buildings are no longer viable in employment use, the owner/applicant will be required to maintain an enhanced level of employment generating uses on the remaining part of the site/in the building (i.e. at the same level as on the whole site but on/in a smaller area) or alternative provision will need to be provided on another suitable site(s)/building(s) under the control of the applicant; a planning condition or obligation will be used to ensure that the alternative provision is secured at an appropriate time in relation to the redevelopment of the site or building.

4 Agricultural & Forestry Development

Question 2.8: Are clauses 1(c) & 3 of policy SE-S4 justified in restricting the location of new agricultural and forestry development? (BE)

- 4.1 The preferred approach is to site new agricultural/forestry buildings alongside existing buildings on the enterprise to ensure development is grouped and sited in such a way that landscape impacts are minimised in accordance with statutory purposes to conserve and enhance the natural beauty of the National Park.
- 4.2 The policy provides that isolated barns will only be permitted in exceptional circumstances due to the adverse impacts such large isolated buildings can have on the National Park, particularly in relation to landscape character and visual amenity. Clause 3 of policy SE-S4 sets out the circumstances where applicants will need to demonstrate the exceptional need for an agricultural building in an isolated location. Sub-clauses a) and b) address the circumstances where new isolated agricultural buildings will not be permitted.
- **a) they do not replace existing agricultural buildings that have been subdivided away from the farm.** This represents the pressure for separate isolated buildings on parcels of farmland that have been subdivided away from farms as they can become fragmented when farms are sold. The buildings that serviced the whole farm are sold with only a proportion of the former holding and this clause seeks to prevent the landowner selling the farm buildings with only a proportion of the land and subsequently submitting proposals for a new isolated building on another part of the holding.
 - **b) it is not as a result of a change in farming practice.** This clause addresses the issue of intensive farming where animals are required to be housed rather than the traditional extensive grazing practices of cattle and sheep breeds which are common on Exmoor and have influenced the landscape character. Changing practices which are more intensive and require additional feeding and indoor-housing lead to the need for further agricultural buildings and would result in an increase in farming practices which have little benefit for the management or appearance of Exmoor's landscape.

- 4.3 If development is permitted through the GPDO then policy SE-S4 will only apply where prior approval is required in relation to design, siting, and external appearance of the building.
- 4.4 It is proposed that paragraph 7.52 be amended to provide additional clarification on restricting new agricultural and forestry development. Table 2.4 below sets out the proposed Additional Modifications (AM) (changes shown in red)

Table 2.4

Ref	Additional Modification
<p>AM2.3 Insert new text to paragraph 7.52</p>	<p>7.52 Proposals for new buildings on recently subdivided holdings will be the subject of particular scrutiny to ensure an overriding functional need for the building can be justified and that they do not simply replace buildings that have been subdivided away from the holding. <u>Subdivision can result in fragmentation of the farm with separate isolated buildings on parcels of farmland that have been subdivided away from farms when, for example, farms are sold. Policy SE-S4 seeks to prevent the landowner selling farm buildings with only a proportion of the land and subsequently submitting proposals for a new isolated building on another part of the holding.</u> Similarly, changes in farming practices are unlikely to be sufficient justification for a new farm building in an isolated location or on a recently sub-divided holding. <u>Changing practices which are more intensive and require additional feeding and indoor-housing can lead to the need for further agricultural buildings which could result in an increase in farming practices, having little benefit for the management or appearance of Exmoor’s landscape, which has been shaped by the extensive grazing practices of cattle and sheep breeds which are common to Exmoor and have influenced landscape character.</u></p> <p><u>7.53</u> Where a building can be justified, careful siting and emphasis on building design will be essential to integrate with the landscape; avoiding skyline sites or sites prominent from public viewpoints. There may be circumstances which require higher standards of design; the type and colour of materials will be an important consideration and traditional materials, such as using local building stone to clad lower walls, may be required on sensitive sites to help ensure the building conserves landscape character.</p>

Question 2.9: Is policy SE-S4, clause 2 consistent with national policy? (BE)

- 4.5 In line with government policy, the Authority recognises the importance of enabling farm businesses to become more competitive, comply with changing legislation and associated guidance, diversify into new agricultural opportunities and to adapt to changing markets. Accordingly, Policy SE-S4 allows for new or replacement buildings, tracks and structures or extensions required for agricultural or forestry purposes where appropriate. However, Exmoor's landscape is valued for its diverse scenery and freedom from intrusive developments and new farm buildings tend to have an industrial appearance and scale, which can be intrusive to the character and appearance of the landscape. Therefore in accordance with National Park purposes, the National Park Authority will consider attaching a condition to any planning permission to require the removal of agricultural or forestry buildings when they are no longer required and the reinstatement of the land.

Question 2.10: Should the second sentence of paragraph 7.58 of the reasoned justification have policy status?

- 4.6 The sentence provides that where new agricultural buildings with a floorspace of 500sqm or less are granted planning consent, permitted development rights may be withdrawn in respect of changes of use of agricultural buildings and any land within its curtilage to alternative uses.
- 4.7 This is consistent with the designation of the area as a National Park where development plan policies do not provide for new buildings in the open countryside unless they are justified by reasons of agricultural or forestry need.
- 4.8 On reflection, the Authority acknowledges that this sentence should have policy status and is happy to propose Main Modifications to the Inspector to make the policy fully effective in this regard. Table 2.4 below sets out the proposed Main Modification (changes shown in red).

Table 2.5

Ref	Main Modification
<p>MM2.5 Insert new clause 3</p>	<p>Policy SE-S4 Agricultural and Forestry Development <u>3. Where new agricultural buildings with a floorspace of 500sqm or less are granted planning consent, permitted development rights may be withdrawn in respect of changes of use of agricultural buildings and any land within its curtilage to alternative uses.</u></p>

5 SECTION 7 Achieving a Sustainable Economy

Question 2.11: Are the policies in this section of the Plan sound in all other respects, are they effectively drafted to achieve their intended purpose, and do they provide a clear indication of how a decision-maker should react to a development proposal?

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