



# EXMOOR

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## NATIONAL PARK

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1 May 2020

### EXMOOR NATIONAL PARK AUTHORITY

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

A meeting of the Exmoor National Park Authority will be held via Lifesize Video Conferencing software on **Thursday 14 May 2020 at 10.00am.**

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

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

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

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

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

Sarah Bryan  
Chief Executive

## AGENDA

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

### 1. Apologies for Absence

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

Members are asked to declare:-

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

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

### 3. Chairperson's Announcements

4. **Minutes**
  - (1) To approve as a correct record the Minutes of the meeting of the Authority held on 3 March 2020 ([Item 4](#)).
  - (2) To consider any Matters Arising from those Minutes.

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

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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 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	<a href="#">6/20/20/102</a>	Proposed installation of 6.2kw Roof Mounted PV array to agricultural barn to the south of Throat Farm (Full) – Throat Farm, Wheddon Cross, Minehead	1 - 10
6.2	<a href="#">6/34/20/102</a>	Proposed replacement of windows and doors with double glazed units (Householder) – Combe House, Jubilee Terrace, Timberscombe, Minehead, Somerset	11 – 18

6.3	<a href="#">6/13/19/111</a>	Proposed demolition of part of the stone boundary wall, creation of vehicular hardstanding to form parking area and the erection of timber post and rail fencing surrounding the vehicular hardstanding. Retrospective (Householder) – The Old Stables, Court Farm, Exford, Somerset	19 – 28
6.4	<a href="#">6/13/20/101</a>	Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for non-material amendment to application reference 6/13/19/104 to rotate shed through 180 degrees (NMA - Full) – Exmoor National Park Field Services Depot, Exford, Minehead.	29 – 32
6.5	<a href="#">6/9/20/104LB</a>	Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for listed building consent for the proposed removal of one window pane and replace with an ‘Extractor fan’ (Listed Building) – Exmoor National Park Authority, Exmoor House, Dulverton	33 - 36

7. **Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday 29 May (am)).

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

8. **Annual Governance Review 2019/20:** To consider the joint report of the Solicitor and Monitoring Officer and Chief Finance Officer ([Item 8](#))

9. **External Audit Plan for the Year Ending 31 March 2020:** To consider the report of the Chief Finance Officer ([Item 9](#)).

10. **Any Other Business of Urgency**

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

## ITEM 4

### EXMOOR NATIONAL PARK AUTHORITY

**MINUTES** of the Meeting of the Exmoor National Park Authority held on Tuesday, 3 March 2020 at 10.00am in the Committee Room, Exmoor House, Dulverton.

#### PRESENT

Mr R Milton (Chairperson)	
Miss A V Davis (Deputy Chairperson)	
Mr S J Pugsley (Deputy Chairperson (Planning))	
Mrs L Blanchard	Mr E Ley
Mr R C Edgell	Mrs F Nicholson
Mr M Ellicott	Mr J Patrinos
Mr N Holliday	Mr P Pilkington
Mr J Holtom	Mr M Ryall
Mr J Hunt	Mrs E Stacey
Mr M Kravis	Mr V White
Mrs C M Lawrence	

Apologies for absence were received from Mr B Revans, Mrs S Takle and Mr N Thwaites

#### 108. DECLARATIONS OF INTEREST:

The following interests were declared in relation to:

Item 7.1 – Application No. 6/15/19/106 - Proposed removal of Condition 4 of approved application 6/15/17/106 to remove the occupancy condition on Goosemoor Farm (the Farmhouse) (Alteration /Lift Condition) – Goosemoor Farm, Armour Lane, Exton, Somerset:

- Mr J Holtom declared a personal interest as he is a Director of a firm which advised the Authority on the original Application and indicated he would withdraw from the meeting when this item was considered.
- Mrs F Nicholson declared a personal interest as a former employee of the applicant's business.
- Mr V White declared a personal interest as he was a close friend of the applicant and indicated he would withdraw from the meeting when this item was considered.

Item 7.2 – Application No. 62/50/19/015 - Proposed extension to pavilion to form community shop and café (Full) – Coronation Playing Fields, Parracombe, Devon:

- Mrs L Blanchard declared a personal interest as a member of the Parracombe Community Trust who have submitted the application and indicated she would withdraw from the meeting when this item was considered.
- Mr J Holtom declared a personal interest as a member and Director of the Parracombe Community Trust who have submitted the application and indicated he would withdraw from the meeting when this item was considered.

Item 7.3 – Application No. WTCA 20/05 – Works to Trees in Conservation Area: Crown reduction of copper beech, limb removal of larch & Fell Thuja Plicatia (WTCA) – Littleclose, Parracombe, Barnstaple:

- Mrs L Blanchard declared a personal interest as a personal friend of the Applicant and indicated she would withdraw from the meeting when this item was considered.
- Mr J Holtom advised that he was the Applicant and would therefore withdraw from the meeting when this item was considered.

Item 7.4 – Application No. WTCA 20/06 – Cut and lay trees in hedge (WTCA) – Hedge between Village Hall and Sunnyside Bunaglow, Church Lane, Parracombe, Devon:

- Mrs L Blanchard declared a personal interest as a member of both the Parracombe Community Trust and Village Hall Committee and indicated she would withdraw from the meeting when this item was considered.
- Mr J Holtom declared a personal interest as a member and Director of the Parracombe Community Trust who have submitted the application and indicated he would withdraw from the meeting when this item was considered.

**109. CHAIRPERSON'S ANNOUNCEMENTS:** The Chairperson updated the meeting that Defra had now written to the Chief Executive to confirm the funding settlement that Exmoor National Park Authority will receive in 2020/21. Members would be provided with full details during Item 12 of the Agenda.

**110. MINUTES**

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

**111. PUBLIC SPEAKING:** See Minute 115 for details of 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).

**APPEALS**

- 112.** The Committee noted the **decision** of the Secretary of State for Housing, Communities and Local Government to allow Appeal A, quash the enforcement notice and grant planning permission and to dismiss Appeal B – Monkham House, Exford
- 113.** The Committee noted the **decision** of the Secretary of State for Housing, Communities and Local Government to dismiss the appeal against a refusal to grant a certificate of lawful use or development (LDC) for the existing use for the stationing of a caravan for holiday letting purposes in excess of 10 years – Application 6/26/19/103 – Orchard View, Minehead, Somerset.
- 114.** The Committee noted the **decision** of the Secretary of State for Housing, Communities and Local Government to refuse an award of costs against the part refusal of a certificate of lawful use or development (LDC) for the stationing of a caravan for holiday letting purposes – Orchard View, Rodhuish, Minehead, Somerset.

## DEVELOPMENT MANAGEMENT

Mr M Ryall joined the meeting

Mr J Holtom and Mr V White left the meeting room

### 115. Application No. 6/15/19/106

**Location:** Goosemoor Farm, Armoor Lane, Exton, Somerset

**Proposal:** Proposed removal of Condition 4 of approved application 6/15/17/106 to remove the occupancy condition on Goosemoor Farm (the Farmhouse) (Alteration/Lift Condition)

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

#### Public Speaking:

- (1) Mr R Jackson, Shearwell Data Limited
- (2) Mr S Webber, Applicant's son

#### The Authority's Consideration

The Authority resolved to refuse permission for the removal of Condition 4 of approved application 6/15/17/106, however the Committee requested a slight amendment to the wording for the reasons for refusal contained within the Officer report. It was considered that the amended wording would provide more clarity and better explain the spirit of the recommendation.

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

Having regard to the particular business needs of the holding and the requirements of the adopted Policy HC-D8 of the Local Plan seeking to apply an encumbering condition to the existing farmhouse at Goosemoor Farm, it is necessary and reasonable to include an occupancy condition, because there is an agricultural need for the existing dwelling to be used in connection with the farm. Without the occupancy condition, the existing farmhouse could be sold out of agricultural occupancy and this may increase the need in the future for a further dwelling to serve the needs of the farm.

There is no compelling evidence to demonstrate that the proposed development is not viable with the imposition of the proposed occupancy condition, and there is considered to be justifiable planning reasons to impose the planning condition, in accordance with Policy HC-08 of the Exmoor National Park Local Plan 2011-2031 (including minerals and waste policies).

Mrs C Lawrence joined the meeting

Mr V White returned to the meeting room

Mrs L Blanchard left the room

### 116. Application No. 62/50/19/015

**Location:** Coronation Playing Fields, Parracombe, Devon

**Proposal:** Proposed extension to pavilion to form community shop and café (Full)

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

**RESOLVED:** To grant planning permission subject to the conditions set out in the report.

**117. Application No. WTCA 20/05**

**Location:** Littleclose, Parracombe, Barnstaple

**Proposal:** Works to Trees in Conservation Area: Crown reduction of copper beech, limb removal of larch & Fell Thuja Plicatia (WTCA)

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

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

**118. Application No. WTCA 20/06**

**Location:** Hedge between Village Hall and Sunnyside Bungalow, Church Lane Parracombe, Devon

**Proposal:** Cut and lay trees in hedge (WTCA)

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

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

Mrs L Blanchard and Mr J Holtom returned to the meeting room

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

Mr M Kravis joined the meeting.

**120. SITE VISITS:** There were no site visits to arrange. It was noted that the correct date for the next reserve Site Visit would be Friday, 3 April 2020.

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**121. CONFIDENTIAL BUSINESS**

**RESOLVED:** To pass a resolution pursuant to Section 100A(4) of the Local Government Act 1972 that the press and public be excluded from the meeting for the duration of Item 11 (County Gate) on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business arising in Item 11 below and that the following information would be considered which is exempt information as presented in Schedule 12A of the Act (as amended):-

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

**122. COUNTY GATE:** The Authority received the report of the Land and Property Manager

**RESOLVED:** To approve the disposal of the ex-Visitor Centre, Walkers' Shelter and carpark at County Gate on the terms set out in the report, subject to consideration of an overage clause.

### 123. MEDIUM TERM FINANCIAL PLAN 2020/21 TO 2024/25 AND BUDGET 2020/21

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

#### The Authority's Consideration

The Committee were aware that soon after the March Authority papers had been issued, Defra had written to the Chief Executive to confirm the funding settlement that Exmoor National Park Authority will receive in 2020/21. The Chief Finance Officer had therefore circulated an addendum to the report to Members on 27 February which explained that instead of the assumed 1.7% increase, a 5% cut had actually been made to the grant, However for 2020/21 Defra has been able to allocate one-off additional funding of £160,577 from a dedicated Biodiversity Fund to bring the settlement back up to the 2019/20 level in cash terms.

Members had been made aware in the original committee report that should the Authority not receive an increased grant, funds would no longer be set aside for future programmes: Environmental Resilience, Pinkery improvements and Research and Monitoring.

The Committee resolved to adopt the recommendations contained in the report and addendum and requested that the Chief Finance Office keep them updated over the coming months.

#### RESOLVED:

- (1) To adopt the updated Medium Term Financial Plan at Appendix 1 to the report and agree the financial strategy that underpins the MTFP and Budget as set out in Section 7 to the report.
- (2) To approve the Core and Programmes, Partnerships and Contributions to Reserves Budgets for 2020/21 as summarized in Appendices 2 and 3 to the report.
- (3) To approve the Capital Investment Strategy shown in Section 6 to the report.
- (4) To note the position on reserves as detailed in Appendix 4 to the report.

### 124. EXMOOR NATIONAL PARK AUTHORITY CORPORATE PLAN 2020/21

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

#### The Authority's Consideration

Further to notification of the National Park Grant for 2020/21, the Head of Strategy and Performance advised the meeting that in broad terms it was considered the proposed Corporate Plan could still be delivered. However, detailed discussions would need to be held with the Delivery Team to see whether amendments to individual actions might be necessary and the Authority would be updated in due course. Amendments to the Foreward and Medium Term Financial Plan at the end of the document would definitely be required.

The Committee wished it to be noted that if there was a need for the Authority to revisit the Corporate Plan 2020/21 it would be due to the current budgetary constraints as detailed in Item 12 above.



**RESOLVED:**

- (1) To approve the Exmoor National Park Authority Corporate Plan 2020/21.
- (2) To delegate to the Chief Executive and Chairman authority to agree minor amendments following member discussion, and production of the final Plan.
- (3) To note that the Authority may need to revisit the Corporate Plan 2020/21 in the light of current budgetary constraints.

**125. EXMOOR NATIONAL PARK AUTHORITY RESPONSE TO SOMERSET WEST AND TAUNTON LOCAL PLAN ISSUES AND OPTIONS, AND DUTY TO CO-OPERATE**

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

**The Authority's Consideration**

Members noted the draft response to Somerset West and Taunton Local Plan Issues and Options, and Duty to Co-Operate and requested that the following points be included in the final response before it was submitted:-

- Opportunities to secure Community Infrastructure Levy contributions for public transport for residents including to be able to access the National Park would be welcomed.
- Recognition that Exmoor's economy is reliant on tourism, agriculture, forestry and other land based businesses.
- The coastal part of the West Somerset area includes other settlements, in addition to Minehead.
- That other settlements, including non-coastal communities like Brushford, are also a gateway to the National Park.
- Include reference to the Glover review.

**RESOLVED:**

- (1) To approve the Exmoor National Park Authority response to the Issues and Options consultation for the Somerset West and Taunton Local Plan (Appendix 1 to the report)
- (2) To approve the Exmoor National Park Authority response to the Duty to Co-operate issues for the Somerset West and Taunton Local Plan (Appendix 2 to the report).
- (3) To delegate to the Chief Executive and Deputy Chairperson (Planning) authority to agree any amendments following member discussion, and production of the final response.

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

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

The meeting closed at 12.48pm

(Chairman)

# 6.1



## Committee Report

Application Number:	6/20/20/102
Registration Date:	20-Feb-2020
Determination Date:	08-Apr-2020
Applicant	Robin Wight, Exmoor Branding
Agent:	Mr. T Diggens, Digg & Co. Studio
Case Officer:	Amy Sanders
Site Address:	THROAT FARM, WHEDDON CROSS, MINEHEAD, TA24 7AZ
Proposal:	Proposed installation of 6.2kw Roof Mounted PV array to agricultural barn to the south of Throat Farm.
Recommendation:	Approval subject to conditions
Reason for bringing before Authority Committee:	The application comes before the Committee in accordance with the Scheme of Delegation, because the Officer recommendation to approve planning permission is contrary to the view of the Parish Council.

### Relevant History

6/20/18/102 Non Material Amendment - Full - to approved application 6/20/17/108 (Proposed change of use to new home based works space to be located within former agricultural shed. As per amended plans and additional information 3/11/17) to comprise enlarged window openings to west and south elevation, rough sawn oak louvre screens over enlarged openings and raised steel plinth base to building.

Approved 09 July 2018

6/20/16/104 Proposed replacement extensions to the north and west of the existing dwelling. As per additional information and amended plans 07.07.16.

Approved 15 July 2016

6/20/16/105 Proposed widening of existing cattle grid, surfacing of access track and construction of grass surface parking area together with change of use of agricultural land to domestic curtilage and domestic curtilage to agricultural land. As per amended plan and additional plans dated 14.07.16 and 19.07.16. (Amended description

Approved 04 August 2016

6/20/17/107 Non material amendment - Householder to approved application

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6/20/16/104 (Proposed replacement extensions to the north and west of the existing dwelling) to retain existing northern extension previously proposed to be rebuilt, amend proposed rooflights and amend the internal layout of the property.

Approved 30 October 2017

6/20/17/108 Proposed change of use to new home based works space to be located within former agricultural shed. As per amended plans and additional information 3/11/17.

Approved 14 December 2017

6/20/98/109 Retrospective application for TV aerial and mast.

Approved 06 October 1998

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### Site Description & Proposal

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Throat Farm is located in the open countryside and occupies an isolated position to the west of Luxborough. The nearest neighbouring property is called Westcott Farm and lies approximately 630 metres east of the site. The site occupies a remote position, being accessed via a single non-tarmacked track. The site is located at the bottom of the valley, and the access track is on a sloping gradient, with the main property and ancillary building sitting at the bottom of the track. In this way, Throat Farm is set on a lower gradient than the highway.

To the west of the dwelling is woodland called 'Harthanger Wood' which is designated as a County Wildlife Site and Section 3 Woodland. Public footpath WL 13/19 and WL13/20 pass close to the application site. There is also a permitted path which acts an alternative route to part of WL13/19 which runs directly to the south of the barn of which this planning permission relates. The 2no. footpaths and permitted path are plotted on drawing number 'ENPA Planning File no. 1', date stamped 19 Feb 2020.

Throat Farm is a detached dwellinghouse featuring rendered walls and a slate roof. There is an agricultural building, with a pod office space inside, to the south of the main property. The office pod that sits within the barn structure was granted planning permission - reference number – 6/20/17/108 on the 14th December 2017. The pod is used as office space ancillary to the main dwellinghouse.

The original outer structure of the barn is constructed with steel portal frames and corrugated steel sheet cladding. It has a footprint of 108 sqm.

#### Proposal

Planning permission is sought for the installation of 18 no. roof mounted 340 W black solar panels on the roof of the agricultural barn at the site Throat Farm. 7 no. solar panels are proposed on the north facing ridge and 11 no. solar panels are proposed on the south facing ridge. The total projection of the panels from the roof slope will be 85 mm. The existing rooflights on the barn will remain in-situ.

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## Consultee Representations

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**ENPA - Historic Environment Officer** - No comment received.

**ENPA - Landscape Officer** - No comment received.

**ENPA - ROW and Access Officer** - Comment: Received 4<sup>th</sup> March 2020

Thank you for consulting me on the above application.

Public footpaths WL13/19 and WL13/20 pass very close to the application site and a permitted path (which acts as an alternative route to part of WL13/19) runs immediately to the south of the site (see plan below). I am concerned that none of the above public paths are marked on the plans that accompany this application as it is important that all those involved know where they are.

The proposed solar panels may be seen by members of the public using the public footpath or the permitted path but the development does not impact on the paths themselves. It is important that the public right of way remains open and usable at all times and is not blocked during installation of the panels – please ensure that the contractors are aware of the existence of the public right of way as we have had issues at this location in the past. Please see below for our standard advice on development in the vicinity of public rights of way.

(The advice from the Officer is attached as an informative to the planning permission).

**ENPA – Ecologist** - Comment received 17<sup>th</sup> March 2020:

The existing barn does not look to contain suitable bird nesting or bat roosting habitat. However, due to the opportunistic behaviour of some bats species, including pipistrelles, and passerine birds, along with the site's location set within habitats that will support bats, please attach the following informative to any planning permission granted:

The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

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

**SCC - Highways Authority** - 25th February 2020: No observations

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**Somerset West and Taunton Council** - No comment received.

**Luxborough Parish Council** - Comment received 4<sup>th</sup> March 2020:

The members voted unanimously to object for the following reasons:

1. Concerns were raised about the tree felling that has already taken place on this site. The application refers to a S52 agreement re felling these trees but there was no documentary evidence of this in the paperwork submitted and as these trees were part of the original permission 6/20/17/108 for screening of the building if Kieran did give permission to fell them was he aware of this at the time. What authority was exercised by granting permission to remove the trees. These trees were felled before the application was submitted in early February.

2. It was also noted that on the plans submitted with this application that the public footpath through the site was not marked. There is a permitted footpath to the south of the site which was marked but the footpaths to the north which run very close to the building, public footpaths WL13/19 and WL 13/20 are not marked at all and in previous planning applications for this site these have been omitted, described as "unused" or marked incorrectly.

3. It would have been very helpful to have photographs of the whole of the site and not just of the inside of the shed which were clearly taken before the recent works which have substantially altered the building were undertaken.

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## **Representations**

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No comments received.

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## **Policy Context**

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Exmoor National Park Local Plan 2011 - 2031

GP1 - General Policy

CE-S1 - Landscape and Seascape Character

CE-S3 - Biodiversity and Green Infrastructure

CE- S6 - Design and Sustainable Construction Principles

CC-S5 - Low Carbon and Renewable Energy Development

The National Planning Policy Framework is a material consideration.

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## **Planning Considerations**

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The main material planning considerations are considered to be the principle of development, impact on the character and appearance of the existing building, locality, and the character and beauty of the landscape.

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## Principle of Development

The preamble of Policy CC-S5 Low Carbon and Renewable Energy Development states that –

‘the National Park Authority is supportive in principle of small-scale renewable energy developments which contribute towards meeting domestic, community or business energy needs within the National Park, provided that there is no significant environmental harm to the area concerned or the National Park as a whole. For the purposes of this policy, ‘small-scale’ is defined as schemes of a scale that can be carried out within the capacity of the local environment and consistent with its landscape character, without causing damage to its natural beauty, cultural heritage, wildlife, or eroding enjoyment of the special qualities of an area, in accordance with statutory purposes and national policy’.

In addition, Policy CC-S5 of the adopted local plan provides that development proposals for small scale renewable energy scheme that assist in contributing towards reducing greenhouse gas emission and moving towards a carbon neutral National Park will be supported. This is in line with The National Planning Policy Framework places the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. Renewable and low carbon energy development should be encouraged, while ensuring that adverse impacts are addressed satisfactorily.

Therefore, the principle of this development to install solar panels is considered acceptable, provided it is line with other relevant policies and criteria specified in the list above which will now be discussed.

### Impact on character and appearance of the building and locality

The solar panels are mainly proposed on the roof slopes which face south, and face away from the main property of Throat Farm dwellinghouse. The solar panels appear of a scale to contribute to the energy needs of the holding. The panels will project a maximum of 85 mm from the existing roof slope which is considered to cause a limited visual impact. The panels would not appear bulky, and are considered to have an acceptable impact on appearance and character for the overall building. The building on which they are to be installed upon is a relatively typical modern portal frame agricultural building, so is not of particular historic or cultural merit. The solar panels will sit on top of corrugated sheeting which is not considered to have strong architectural or design merit. The proposed colour of the panels is matt black, which will help to harmonise the solar panels with the existing barn, and minimise potential visual harm.

There is no coherent pattern to the layout of the solar panels on the roof because the applicant wishes to maintain the existing roof lights for light provision. This is considered to be acceptable as the pattern of the solar panels will not be widely visible and the entire roof span will only be seen from certain view points. In light of

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these reflections, the proposal is considered to have an acceptable impact on the character and appearance of the building and locality.

### **Landscape Impacts**

Policy CC-S5 advises that ‘the visual impacts of renewable energy schemes depends on where they can be seen from and who will see them’. The proposed solar panels will be installed on an existing structure. Therefore, they will be read in relation to this existing development. The development site occupies a remote and isolated position. It is not visible from the highway owing to the sloping gradient of the site and the farm being located at the bottom of a valley. There are no immediate neighbours who will have views of the solar panels. In this regard the proposal will be discrete.

There are public footpaths WL13/19 and WL13/20, and a permitted path which provides an alternative route to WL13/19 running through the development site. The permitted path runs directly to the south of the barn building. Therefore, the proposed solar panels will be visible to members of the public using these permitted paths and footpaths. The proposed solar panels will be seen in relation to the existing building, and as aforementioned the design, scale, and materials, are considered acceptable. The solar panels would be a single example of this type of development in this area, so there are no cumulative impacts. In light of this, the solar panels are not considered to harm the visual amenity for the users of the public footpath and would have an acceptable impact on the scenic beauty and character of this part of the National Park landscape.

### **Other matters**

The development will not prevent the footpaths being used. The Exmoor National Park PROW and Access Officer has been formally consulted on the application and has stated that the proposed development will be seen from the paths, and asks for an informative reminder to be issued with any grant of planning permission, reminding the applicant that the footpaths cannot be obstructed.

The Wildlife Conservation Officer at Exmoor National Park has been consulted on the application, and states that ‘the existing barn does not look to contain suitable bird nesting or bat roosting habitat’. Any grant of permission will be issued with informatives reminding the developers of the Conservation of Habitats and Species Regulations 2017. Therefore, the proposal is not considered to harm protected species, or lead to loss of habitat for wildlife, so is in accordance with Policy CE-S3.

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### **Human Rights**

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

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### **Conclusion**

## 6.1

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In light of the above considerations, the proposed solar panels are not considered to have an unacceptable impact on the landscape character or visual amenity. The scale design and materials of the solar panels will help to minimise any potential harm. The application is recommended for approval.

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### **Recommendation**

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Approval 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 Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the submitted site plan, location plan and drawings numbered:

-TQRQM20041151850040  
-THR-DIG-00-PL-0016  
-ENPA File No. 1  
-THR-DIG-00-SE-0011  
-THR-DIG-00-SE-0012 and  
-THR-DIG-00-SE-0013

and date stamped 19 Feb 2020, unless otherwise required by condition below.

Reason: For the avoidance of doubt and to ensure the development accords with the approved plans.

3. The Solar panels hereby approved and their frames shall have a matt black finish and be retained as such thereafter.

Reason: In the interests of a satisfactory appearance of the development and landscape character of the National Park in accordance with Policies GP1, CE-S1, CE-D1, CE-S5 and/or CC-D4 of the Exmoor National Park Local Plan 2011-2031.

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### **Informatives**

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## 6.1

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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).

### PRESENCE OF BATS

The applicant is advised that under the Wildlife and Countryside Act 1981 it is an offence to kill or injure bats, to disturb them when roosting, to destroy roosts or to block entrances to roosts. It is strongly recommended that an investigation is undertaken by a licensed bat worker prior to any demolition or refurbishment works being carried out, to ensure that no bats are present in the existing buildings.

If evidence of the presence of bats is found, advice should be sought immediately from Natural England on steps which can be taken to avoid contravention of the above Act.

Furthermore, if bats or a bat roost is identified a licence under the Conservation (Natural Habitats) Regulations 1994 is likely to be required before works can commence. The applicant is strongly advised to take specialist advice if bats or a bat roost may be present and that the contact for applying for a licence is the Licensing Officer, European Wildlife Division, Department of Environment Food and Rural Affairs, Room 1/08, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6EB (0117 372 8903).

### INFORMATIVE PUBLIC RIGHTS OF WAY

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

Please note the following:

- Care should be taken to avoid obstructing or interfering with the public rights of way or creating a hazard for users. If it is impossible to avoid interference or potential danger, the appropriate legal steps (e.g. path closure application) should be taken in advance of any works. If this is likely to be necessary, please contact ENPA (who act on behalf of the Highway Authority) or seek legal advice as soon as possible.

- Any disturbance to the surface of rights of way should be avoided but if any such disturbance does occur due to the owner/occupier or their agents' use of the way, the

## 6.1

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surface should be reinstated.

-Where planning permission is granted, this does not authorise any person to stop up or divert any public right of way.

Separate legal steps are needed for this

-The driving of a vehicle is only permitted on a public bridleway/footpath where the driver has lawful authority to do so

-Parking on the public right of way may be deemed to constitute an obstruction

-Changes to the surface/drainage of a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)

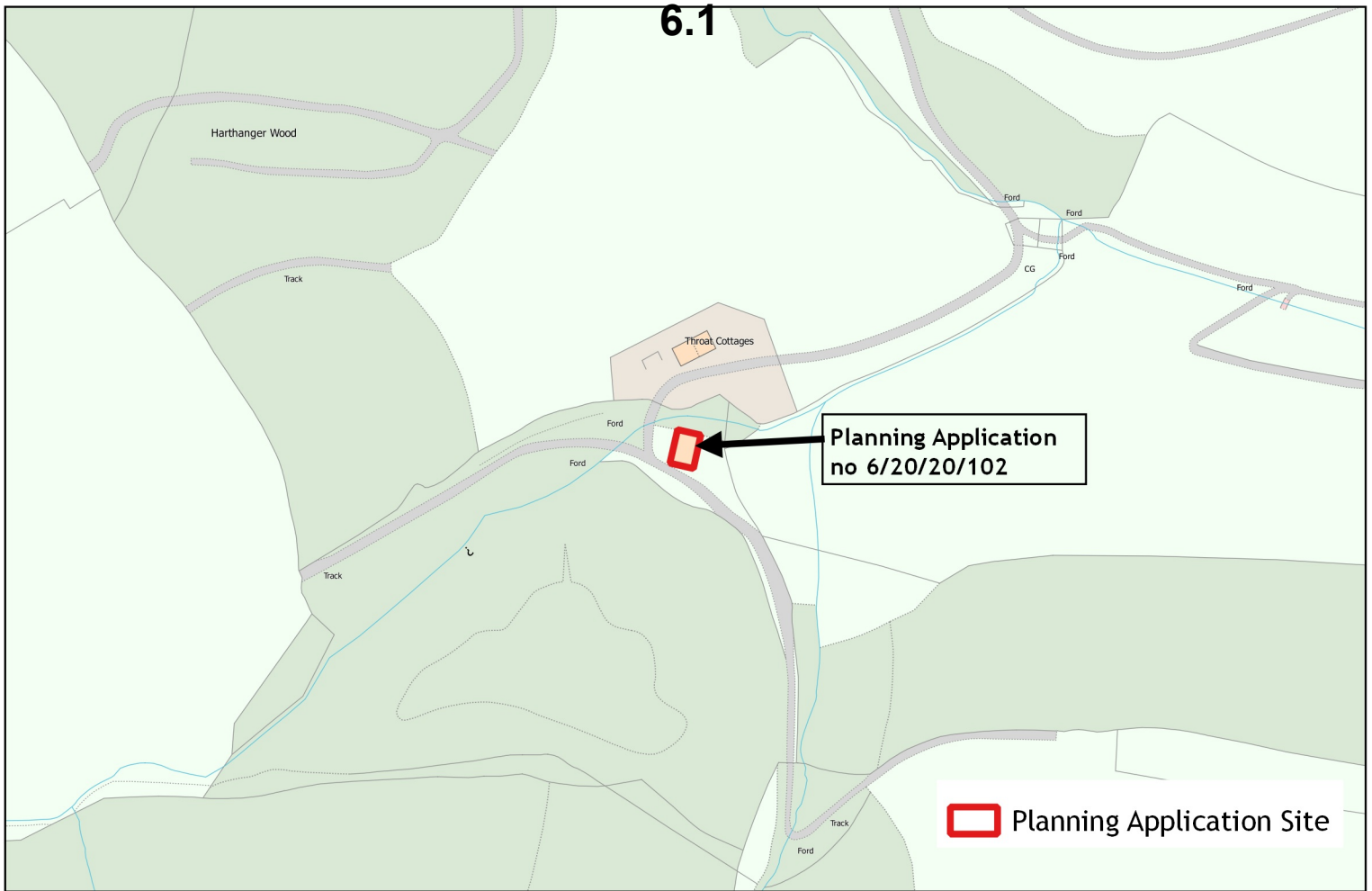
-New furniture (e.g. gates) being needed along a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)

-Where an increase in vehicular traffic or other alteration in the private use of a public right of way this route is expected as a result of the development, there will be other considerations such as the impact on the maintenance requirements of the right of way

### POSITIVE & PROACTIVE STATEMENT

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

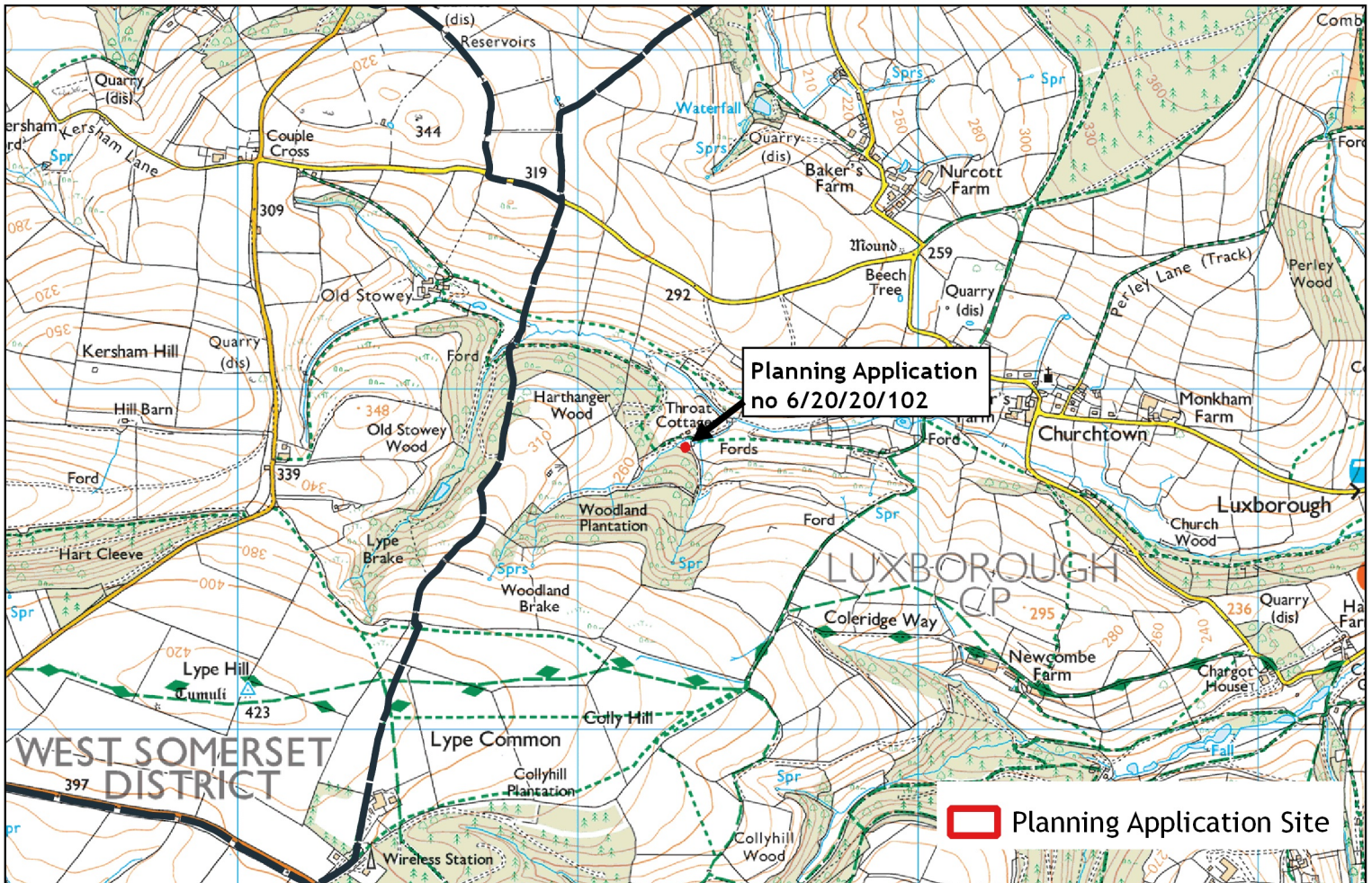
6.1



Site Map

Scale 1:2,500

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Overview Map

Scale 1:20,000

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## 6.2



### Committee Report

Application Number:	6/34/20/102
Registration Date:	08-Feb-2020
Determination Date:	20-Mar-2020
Applicant	Miss S Campbell
Agent:	
Case Officer:	Amy Sanders
Site Address:	Combe House, Jubilee Terrace, Timberscombe, Minehead, Somerset, TA24 7TU
Proposal:	Proposed replacement of windows and doors with double glazed units.
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 Parish Council.

### Relevant History

A 5518 Proposed display of an illuminated association sign, two no. newsagents boards and a fascia name panel  
Approved 17<sup>th</sup> May 1967

6/34/83/107 Proposed conversion of existing shop store for the serving of teas at the Jubilee Stores, Timberscombe as described in the plans and drawings submitted  
Approved 7<sup>th</sup> February 1984

6/34/85/101 Proposed conversion of store into residential annexe at Jubilee Stores, Timberscombe as described in the plans and drawings submitted  
Approved 11<sup>th</sup> June 1985

### Site Description & Proposal

Combe House is located in the village of Timberscombe. It fronts the highway called Jubilee Terrace. It occupies a relatively central position within the village, approximately 55 metres to the north of St Petroc's Church. The central area of the village has a narrow street pattern and the properties are tightly packed within the historic village centre. The properties cluster around the Grade I listed Church of St Petrock.

## 6.2

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The building is an example of the traditional style of building within Timberscombe and is built using local red sandstone and natural slate roof. The building is a two-storey property which forms part of a terraced row along Jubilee Terrace. The adjoining neighbouring property to the north east is set back from the development site. The ground floor level of the property operates as a Post Office, so the front elevation features a shop window display with large pane glass windows with sash detailing, and shop front signage above the door. The windows are a mixture of sizes, constructed with timber, and painted white. They have sash panel detailing.

### Proposal

The application concerns the proposed replacement of 14 no. windows from timber framed, to white Upvc framed windows, and 4 no. doors from timber framed to composite door frames in a sage colour. The proposal forms part of a project to renovate the property as the existing windows and door frames are rotting and in need of repair.

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### Consultee Representations

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#### **ENPA - Historic Buildings Officer – Comment received 24 February 2020**

Replacing timber windows and doors with Upvc can result in a great loss of character to buildings and villages. Most of the windows in this building appear to date from the middle of the 19th century, figure 1 shows what appears to be crown glass as indicated by the 'bullseyes', this was not used widely after the mid-19th century but I cannot be certain of this from the information provided. The shopfront also appears to be from this date or perhaps the early 20th century. Good quality timber windows will easily outlast plastic windows, there are examples of timber windows on Exmoor that are still in a good condition dating from the 17th and 18th centuries. Plastic windows will generally break down after 30-40 years and cannot be easily repaired. My advice would be that if the windows and doors cannot be repaired then they should be replaced with timber. Further guidance can be found in this document: <https://historicengland.org.uk/images-books/publications/traditional-windows-care-repair-upgrading/heaq039-traditional-windows-revfeb17/>.

#### **ENPA – Ecologist – 10 March 2020**

No ecological concerns.

**ENPA - Historic Environment Officer - No comment received**

**ENPA - Wildlife Conservation Officer No comment received.**

#### **Timberscombe Parish Council- 27<sup>th</sup> February 2020**

The Chair, of Timberscombe Parish Council, made it clear that this was for a member of the PC (who was absent at the meeting) and so the council were reminded that all comments had to be impartial.

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Two members abstained from voting and the remaining three stated that the most important thing was to get new windows in to the building as they are needed. The council felt they were in a difficult position as the request for UPVC windows is not in keeping with the period of the property even though other buildings near it have UPVC windows. The three remaining Cllrs agreed that they would prefer wooden windows however they would also like it to be noted that other buildings nearby do have UPVC windows. It was raised by one councillor that the cost of UPVC windows is not always cheaper than wooden ones. The Timberscombe Parish Council would like it to be noted that the building houses the post office which is vital for the community of Timberscombe.

**Somerset West and Taunton Council:** No comment

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### Representations

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A letter has been received confirming no objection and expressing a wish to support the application.

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### Policy Context

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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  
CE-D6 - Shopfronts

National Planning Policy Framework is also a material consideration

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### Planning Considerations

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The main planning considerations are considered to be whether the proposed replacement of the windows and doors from timber to Upvc and composite is acceptable with regards to the character and appearance of the existing building, and within the setting of the historic settlement core of Timberscombe.

#### Design and Appearance

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

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seeks to install Upvc windows, and composite doors. Policy CE-S6 states that the use of Upvc is not considered an appropriate material for aesthetic reasons. The use of Upvc and composite materials will likely erode the character and appearance of the building, the local area and street scene. The development site is situated within the Historic settlement core of Timberscombe, as recorded on the Exmoor National Park Historic Environment Record. The traditional streetscape character of the development site is tightly packed traditional and historic properties clustered around the historic Grade I Listed Church. The front elevation of the property occupies a visually prominent position within the village setting at the junction point, and is clearly visible upon entering the village from St Petrock's Church and the south. The use of Upvc openings is therefore likely to have a negative impact on the street scene and not contribute to the overall local character of the village. The proposal is not considered to conserve or enhance the streetscape through positively reinforcing the traditional feature of timber sash panel windows.

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

In addition, the majority of the windows in the building look likely to date from the middle of the 19th Century. The Historic Buildings Officer noted that 'figure 1 shows what appears to be crown glass as indicated by the 'bullseyes', this was not used widely after the mid-19th century'. The timber windows have slim frames, and the majority open in a traditional sliding sash and some feature mouldings. The windows have sash panels and glazing bars. The existing design and form of the windows and doors complements the traditional building and the historic setting. The proposed replacement windows will use Upvc as a replacement. This is not likely to have the same high-quality appearance or level of detailing as traditional timber windows. The proposed windows appear to be thicker framed, and will not have the same detailing such as glazing bars, and fixed panes as existing on the current windows. Therefore, the proposal is considered to erode the character and appearance of the building, and the local historic settlement core. The application has not demonstrated that a non-timber window would have the same high-quality appearance as a traditional timber window which is required under Policy CE-S6. Considering the above, the proposal is not considered to comply with Policy CE-S6 of the Local Plan.

### Shopfronts

Policy CE-D6 Shopfronts also applies because the proposal relates to the Post Office. The Policy reads the 'traditional shopfronts play an important role in contributing to the built heritage of Exmoor's settlements and, for this reason, the National Park Authority will seek their retention and restoration will be encouraged

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over replacement'. The proposal sees the replacement of the front shop doors, rather than the retention and repair. It is not clear from the information provided what the proposed front elevation of the shop window will look like as no designs or proposed plans have been submitted. The information that has been provided writes that the front timber framed doors will be replaced with composite doors. Policy CE-D6 seeks to encourage the use of traditional materials. The proposal does not use a traditional material so will likely lead to a loss of architectural character of the building and erode the overall visual quality of the street scene. As a result, the proposal is not considered to comply with Policy CE-D6.

### Impact on the Cultural Heritage and Historic Environment

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

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

The Historic Building Officer has commented on the proposal and writes- 'My advice would be that if the windows and doors cannot be repaired then they should be replaced with timber'.

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



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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 Planning balance and Conclusion

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

In considering the above, the proposal fails to satisfy Policy CE-S4, Policy CE-S6, Policy CE-D6 of the Exmoor National Park Local Plan, or the tests of the NPPF. Therefore, it is recommended that the application is refused on this basis

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### Human Rights

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

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### Conclusion

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In light of the above considerations, the proposed replacement windows are considered to have an unacceptable impact on the character and visual amenity of the historic settlement core of Timberscombe, the street scene, and the building because of the material and design. The application is recommended for refusal.

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### Recommendation

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## 6.2

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Recommendation of refusal for the following reason:

1. The proposed works by virtue of its materials, mechanical sheen and appearance, is not considered to be an acceptable form of development as it detracts from and is incongruous with the character and appearance of the traditional building and the fails to conserve the special qualities of the historic character and appearance of this part of the village. It is, therefore, contrary to Policies GP1, CE-S4, CE-D3, CE-S6 and HC-D16 of the Exmoor National Park Local Plan 2011 - 2031, and the National Planning Policy Framework.

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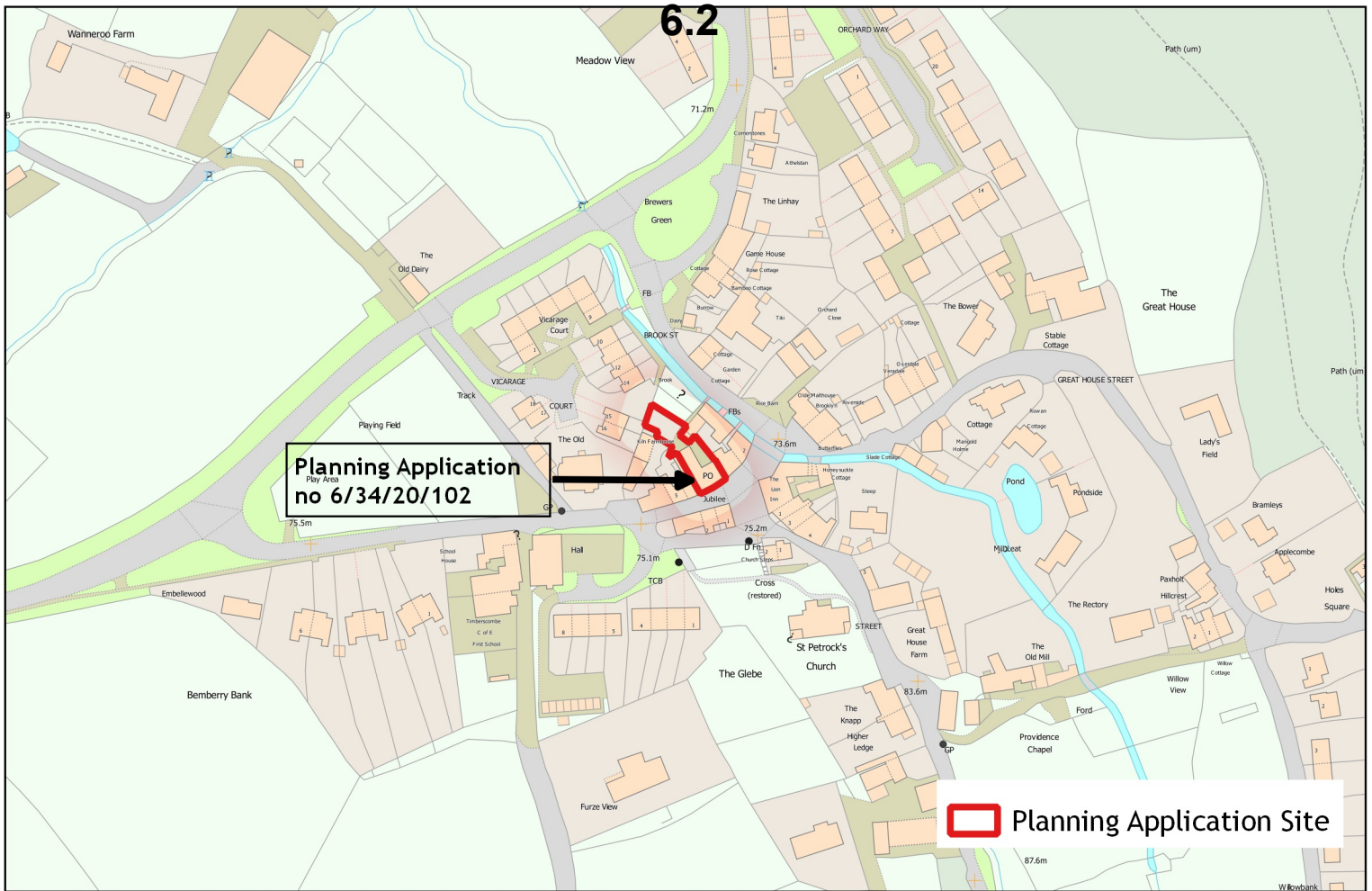
### **Informatives**

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

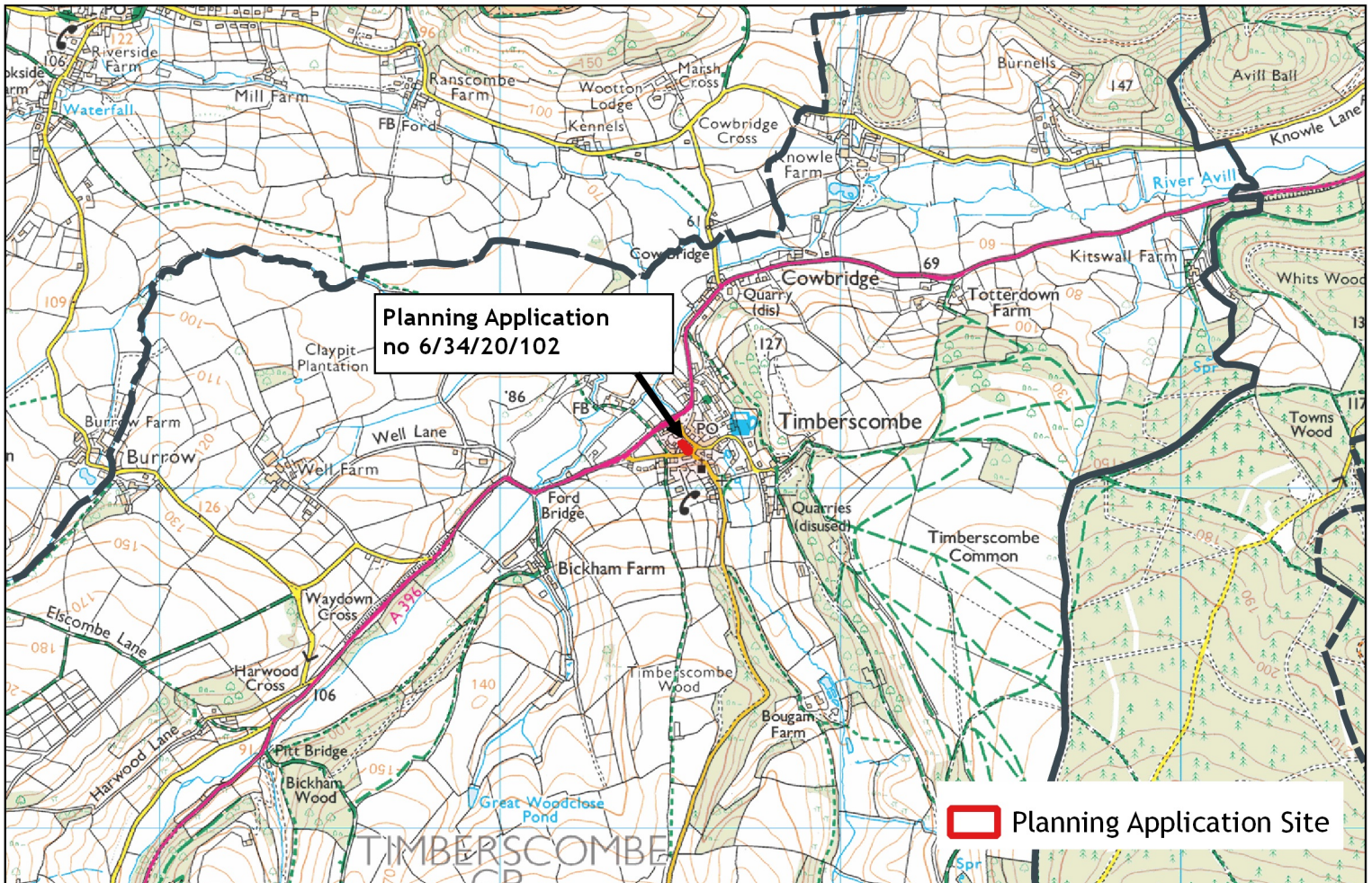
This Authority has a pro-active approach to the delivery of development. Early preapplication engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor 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:	6/13/19/111
Registration Date:	08-Nov-2019
Determination Date:	17-Dec-2019
Applicant	Godwin
Agent:	XL Planning Ltd
Case Officer:	Kieran Reeves
Site Address:	The Old Stables, Court Farm, Exford, Somerset
Proposal:	Proposed demolition of part of the stone boundary wall, creation of vehicular hardstanding to form parking area and the erection of timber post and rail fencing surrounding the vehicular hardstanding. Retrospective.
Recommendation:	Approve with conditions
Reason for bringing before Authority Committee:	Exford Parish Council have a view contrary to the recommendation of Officers.

### Relevant History

6/13/99/101 – Proposed change of use of land to domestic use, retention of garden shed and roadside trellis fence (Retrospective) – Approved on 4<sup>th</sup> June 1999

6/13/94/108 – Proposed change of use from stables/grooms quarters to dwelling – Approved on 3<sup>rd</sup> January 1995

### Site Description & Proposal

Planning permission is sought for the retention of a parking area at The Old Stables, Exford. The application property consists of a detached dwelling, which is a converted traditional building, and a domestic garden area on the opposite side of a single width lane. The garden area has been used for domestic purposes since the late 1990s and was authorised by planning permission reference 6/13/99/101.

The Old Stables is situated within a group of residential properties known as Court Farm, to the south east of Exford. There is a residential property adjacent to the parking area, Mountain Ash Cottage. There is also a residential property to the south of the application site, Court House.

The parking area has been constructed in the north western corner of the garden area. A section of the stone boundary wall has been removed and a timber post and

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rail fence has been erected around two sides of the parking area. The surface of the parking is a dark gravel.

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### Consultee Representations

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**Exford Parish Council** – Objection to the application on the grounds of detriment to the area and the visual impact associated with the destruction of the wall. In addition, Exford Parish Councillors felt that the application is misleading regarding the parking being for friends and family only, and Councillors note the 1999 Planning Condition concerning further development.

**SCC Highways Authority** – Standing advice applies.

**ENPA Public Rights of Way and Access Officer** – Public bridleway DU4/5 passes immediately adjacent to the development site and the bridleway forms the access to the proposed parking. The bridleway also appears to carry private vehicular rights of access.

I am concerned that the visibility for vehicles leaving the proposed parking spaces is not particularly good, particularly to the north of the site. There is the potential for vehicles exiting the parking to be unaware of approaching bridleway users (pedestrians, cyclists and equestrians). Looking at a photo provided by the planning officer, I note that there is a verge running from the proposed access in both directions – this improves the visibility a little but it is still a concern.

**ENPA Wildlife Officer** – The retrospective works are unlikely to have caused significant impacts to the ecology onsite due to the presence of amenity grassland, however there may have been a negligible – low potential that reptiles may have been present within the stone wall. However, based on the likely methods used to remove the wall it is likely that any reptiles present during the spring, summer or early autumn months would have dispersed as result of the works. The wall is unlikely to support hibernating reptiles during the winter months. No further comments.

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### Representations

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Two objections have been received in relation to this planning application. The following issues have been cited as the reasons for objecting to the application:

- The removal of the wall and construction of a parking area has caused detriment to the area and views from the adjacent bridleway;
- The wider land was approved as a garden and to be retained as a garden, not a car park;
- The parking area is not used solely for the applicant, their family and their friends as it is advertised as a holiday let;
- More vehicles can be parked in the parking area than stated on the submitted application form;

## 6.3

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- The wall was removed and the fence installed several months ago; and
  - The application is retrospective and the applicant should have applied prior to carrying out the works.

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### Policy Context

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#### **Exmoor National Park Local Plan 2011 – 2031**

GP1 – General Policy: Achieving National Park Purposes and Sustainable Development

CE-S1 – Landscape and Seascape Character

CE-D1 – Protecting Exmoor’s Landscapes and Seascapes

CE-S3 – Biodiversity and Green Infrastructure

CE-S6 – Design and Sustainable Construction Principles

RT-D12 – Access Land and Rights of Way

AC-D2 – Traffic and Road Safety Considerations for Development

AC-S3 – Traffic Management and Parking

AC-D3 – Parking Provision and Standards

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

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### Planning Considerations

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The main material planning conditions in this case are the principle of development, the design, scale and materials, and the impact on the landscape, neighbouring amenity, biodiversity, the rights of way network and highway safety.

#### **Principle of Development**

Planning permission was granted in 1999, under planning application reference 6/13/99/101, for the change of use of the application site and the wider land around it from an agricultural piece of land to a domestic garden. Condition 1 of this historic planning permission states that planning permission is required for the following works on the land:

- Erection of buildings and structures;
- Erection of enclosures, fences, gates and walls;
- Construction of swimming pools and ponds; and
- Laying down of hard surfaces.

Change of use of the land for the construction of the parking area has not been applied for as the land already has a domestic use by virtue of the 1999 planning permission. It is worth noting that the removal of the section of the stone boundary wall to facilitate the construction of the parking area did not require permission or consent as the wall is not listed, the application site is not within a conservation area and it would not create an access on to a classified road. However, consideration should be given to these works as the removal of the section of wall was necessary to

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facilitate the construction of the parking area. The works also include the hard surfacing of the parking area and the fence that has been constructed.

The public comments stating that this area was approved as a garden and not a parking space are noted. However, the site is established as domestic in use by virtue of the 1999 planning permission and the parking of vehicles within domestic areas is not uncommon.

The principle of using part of this garden area for parking vehicles is acceptable, subject to the satisfaction of other material planning considerations. The potential use of the parking area for parking of vehicles belonging to holiday makers using The Old Stables, and the fact that the application is retrospective, are not considered to alter this consideration.

### **Design, Scale and Materials**

Officers consider that the applicant has aided the visual acceptability of the development by returning the stone wall to link it into the new fence. The construction of the stone wall return has been carried in a manner that assimilates it into the remaining stone boundary wall. This has helped to soften the removal of the section of stone wall.

The gravel that has been laid down is dark in colour and tone, and the fencing is a traditional timber post and rail fence. It is considered that the materials that have been used are in keeping with the local rural vernacular, and the overall design of the parking area is not considered to be out of keeping with other parking areas across the National Park.

In terms of scale, it is noted that a photograph has been submitted with the application papers that suggests that the parking area can comfortably accommodate two vehicles parking side by side. It may be possible to park a third vehicle in the parking area, but it is considered that this would be very tight. It is acknowledged that more vehicles could be fitted into the area, but comfortable space for the parking of vehicles is considered to amount to three or four, when taking into account the existing parking space at the rear of the dwelling. The dwelling has four bedrooms and it is considered that it would not be an unacceptable request to provide the level of parking that is now available for a dwelling of this size. The scale of the parking area is considered to be acceptable and commensurate with the potential need.

### **Impact on Landscape**

It is noted that a key reason for the Parish Council and members of the public objecting is the asserted detrimental impact it has on the vicinity. Officers have taken account of the setting of the application site, which is within an established group of residential properties that include traditional houses and barn conversions. This is not an undeveloped area of the landscape and there are numerous examples of hardstanding that form yards and parking areas in Court Farm. In particular, there is a

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very large area of hardstanding that provides access to a yard opposite the application site.

If the land in question still had an agricultural use, as it did prior to 1999, then this would potentially be a different matter. However, the land has a domestic use and is visually quite clearly a garden area. As mentioned earlier in this report, parking areas are a common feature within domestic land. As such, the parking area is not considered to visually appear out of keeping in relation to the remaining domestic area and amenity.

When having regard to the domestic character of the remaining land, the setting of the site within a group of numerous buildings that means that the wider area is not undeveloped, and that there are many examples of hardstanding that form yards and parking areas in the Court Farm building group, it is considered that this parking area is not an incongruent introduction into the surrounding built form. Taking this into account, and that the materiality of the development is acceptable and that it will weather over time, the construction of the parking area is not considered to have caused material harm to the character and appearance of the landscape.

### **Impact on Neighbouring Amenity**

The application site is within an area that is made up of a group of residential properties. There is a residential property adjacent to the application site, but it is considered that the scale of the works that have taken place means that the development does not cause material harm to neighbouring amenity.

### **Impact on Biodiversity**

The Authority's Wildlife Officer has advised that the retrospective works set out in this planning application are unlikely to have had a significant impact on the wildlife interests of the site as the land was amenity grassland. It is stated that there may have been negligible to low potential impact on reptiles that may have been present within the stone wall. However, it is also stated by the Wildlife Officer that, based on the likely methods used to remove the wall, it is likely that any reptiles present during the spring, summer or early autumn months would have dispersed as result of the works, and it is unlikely that the wall supports hibernating reptiles during the winter months.

### **Impact on Rights of Way Network**

Public bridleway DU4/5 passes immediately adjacent to the development site and the bridleway forms the access to the proposed parking. The bridleway also appears to carry private vehicular rights of access.

The Authority's Public Rights of Way Officer has advised that there is a concern over the visibility from vehicles egressing from the parking area is restricted, particularly to the north of the site. This may cause a conflict with users of the bridleway. However, it has also been acknowledged by the Public Rights of Way Officer that there are verges running in either direction that aid visibility.



## 6.3

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As mentioned earlier in this report, prior to the construction of the parking area, the property only had a small parking area at the rear of the dwelling. As such, additional vehicles associated with The Old Stables would have had to park on the bridleway, unless an agreement could be reached with a neighbouring property owner. The parking of vehicles on the bridleway would have brought its own risks to users of the public right of way. There has been some benefit in terms of moving vehicles off the bridleway to designated parking area, although it is acknowledged that this brings its own risks as well in terms of vehicles egressing from the parking area.

It is also considered that the narrow nature of the lane and the built up form around the site would naturally slow users of the public right of way, including horse riders and cyclists. This means that users of the bridleway should have time to react to a vehicle egressing from the parking area, particularly when taking into account that this section of the lane is a long straight.

Having regard to the parking situation before and after the creation of the parking area, and the character of the area and straight nature of the lane, it is considered that there has not been a material increase in detriment to the users of the bridleway.

### **Impact on Highway Safety**

The lane that serves the parking area is a no through road. There are only two residential properties past the parking area. As such, the level of vehicle movements past the parking area would be limited. This significantly reduces the chance for vehicles egressing from the parking area to cause material highway safety issues, particularly when taking into account the natural slowing of vehicles outlined in the above section of public rights of way and the existing grass verges that allow some visibility. The level of harm to highway safety is not considered to be such that a refusal on these grounds would be warranted.

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### **Human Rights**

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

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### **Conclusion**

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This report sets out that the principle of introducing a parking area in to this existing domestic garden area would be acceptable, and that the design, scale and materials of the parking area are also acceptable. The comments of the Parish Council and the public regarding the impact on the landscape have been taken into account, but Officers consider that there would not be material detriment to the character and appearance of the landscape. It is also considered that the impact on the public rights of way and other users of the lane would not be to a level that the application should be refused.

## 6.3

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Overall, Officers consider that the retention of the parking area is acceptable and compliant with the planning policies of the adopted development plan. As such, Officers recommend that planning permission be granted, subject to the attachment of the conditions set out below.

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### Recommendation

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Approve subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out strictly in accordance with drawing numbers 19/PL/SLP/01, 19/PL/SITE PLAN/01 and 19/PL/BLOCK PLAN/01, date stamped by the Local Planning Authority on 8th November 2019, unless otherwise required by condition(s) below.

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

3. The parking area hereby approved shall not be used other than for the parking of vehicles in association with The Old Stables, Court Farm, Exford (which is for the avoidance of doubt is edged in blue on approved drawing number 19/PL/SLP/01).

Reason: To ensure that the benefit of the approved parking area for providing off road parking for the application property is retained.

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting those Orders with or without modification), the surface of the parking area hereby approved shall be retained as gravel. No concreting or tarmacking of the parking area shall take place without prior written approval of the Local Planning Authority.

Reason: To allow the Local Planning Authority to formally assess concreting or tarmacking of the parking area, in the interests of conserving the character and appearance of the local vicinity.

## 6.3

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### Informatives

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#### **Positive and 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.

#### **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 applicant 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).

#### **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.

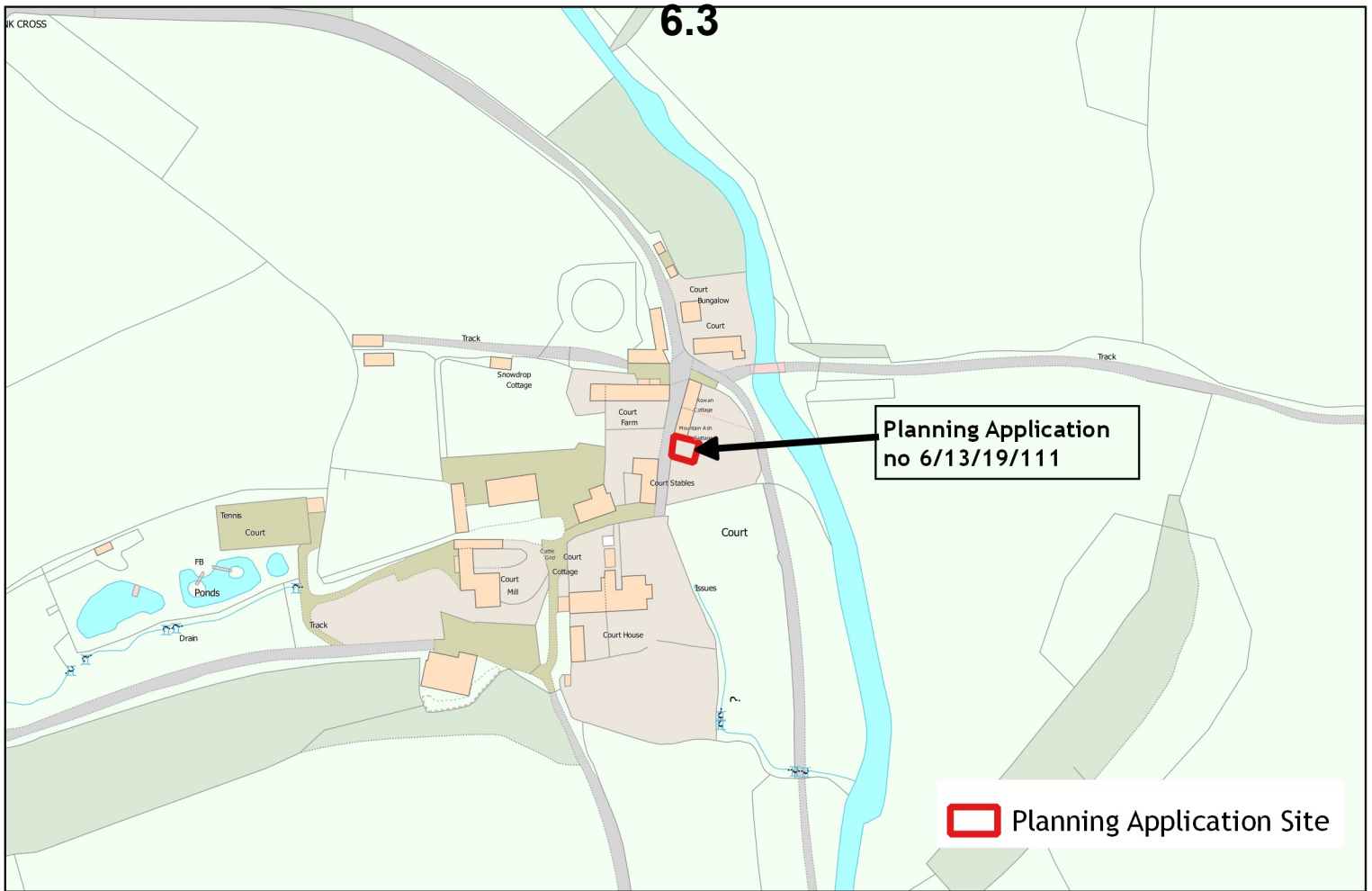
The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission.

## 6.3

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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.

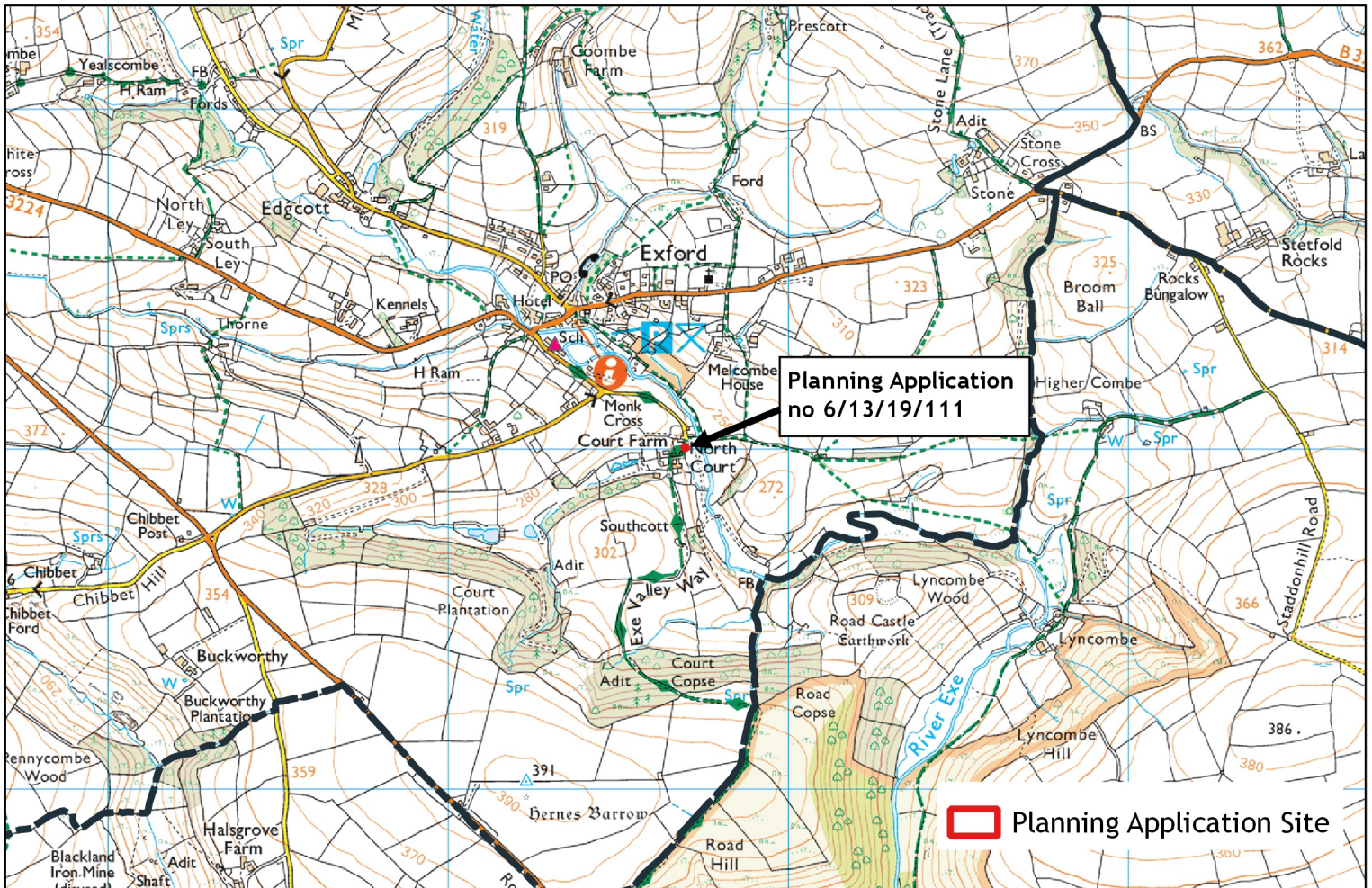
Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.



Site Map

Scale 1:2,500

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Overview Map

Scale 1:20,000

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## 6.4



### Committee Report

Application Number:	6/13/20/101
Registration Date:	19-Feb-2020
Determination Date:	12-Mar-2020
Applicant	Mr Dan Barnett
Agent:	Mr Neil Staddon, Staddons Architectural Services
Case Officer:	Kieran Reeves
Site Address:	Exmoor National Park Field Services Depot, Exford, Minehead, TA24 7PP
Proposal:	Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for non-material amendment to application reference 6/13/19/104 to rotate shed through 180 degrees.
Recommendation:	Approve
Reason for bringing before Authority Committee:	Application submitted by Exmoor National Park Authority

### Relevant History

6/13/19/104 – Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for proposed replacement log shed & extension to create timber store – Approved on 4<sup>th</sup> April 2019

### Site Description & Proposal

The application site is the Exmoor National Park depot, which is situated on the edge of Exford. The site consists of a main building with a larger storage building and smaller ancillary buildings within the yard. The site is accessed through a public car park and there is dedicated parking for the depot in front of the main building.

The nearest property to the depot is 1 Auction Fields. The garden of this property adjoins the north western boundary of the depot yard. Parts of the depot car park are within Flood Zones 2 and 3 but the depot itself and the adjoining yard are within Flood Zone 1. A public footpath runs through the car park.

Planning permission was granted in April 2019 for a replacement log shed and the extension of an existing building to create a timber store. This current application relates to the replacement log store, which would be located on the same site as the existing log store. It would be finished in timber boarding under a fibre cement roof to

## 6.4

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match the existing building. It would be used to store logs that are used to run the wood burner in the main depot building.

This application seeks to make a non-material minor amendment to the approved scheme, permitted under application reference 6/13/19/104, by rotating the approved replacement log store by 180 degrees.

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### **Consultee Representations**

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No consultation responses received in relation to this application.

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### **Representations**

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No public representations received in relation to this application.

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### **Policy Context**

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#### **Exmoor National Park Local Plan 2011 – 2031**

GP1 - General Policy: Achieving National Park Purposes and Sustainable Development

CE-S1 - Landscape and Seascape Character

CE-D1 - Protecting Exmoor's Landscapes and Seascapes

CE-S2 - Protecting Exmoor's Dark Night Sky

CE-S3 - Biodiversity and Green Infrastructure

CE-S6 - Design & Sustainable Construction Principles

CC-D1 - Flood Risk

SE-S1 - A Sustainable Exmoor Economy

SE-S2 - Business Development in Settlements

RT-D12 - Access Land and Rights of Way

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

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### **Planning Considerations**

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This application seeks to make a non-material amendment to application ref. 6/13/19/104, which was approved on 4<sup>th</sup> April 2019. The application was for the erection of a replacement log shed and the extension of an existing building to create a timber store. This current application seeks to make an amendment to the planning permission in relation to the replacement log store. The proposed amendment is to rotate the log store by 180 degrees.

The proposed amendment is minor in nature and will not have a material impact on the overall appearance of the development or the character and appearance of the landscape. The Parish Council supported the original application. The alteration would not be overtly viewable from public areas and would not significantly alter the

## 6.4

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character of the replacement log store beyond what was previously approved. Further to this, the proposed alteration would not cause material harm to neighbouring amenity.

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### **Human Rights**

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

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### **Conclusion**

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It is considered that the proposed amendment constitutes an insignificant change to the approved development, and is judged to be acceptable and of no material consequence. Officers therefore recommend that the proposed non-material amendment be approved.

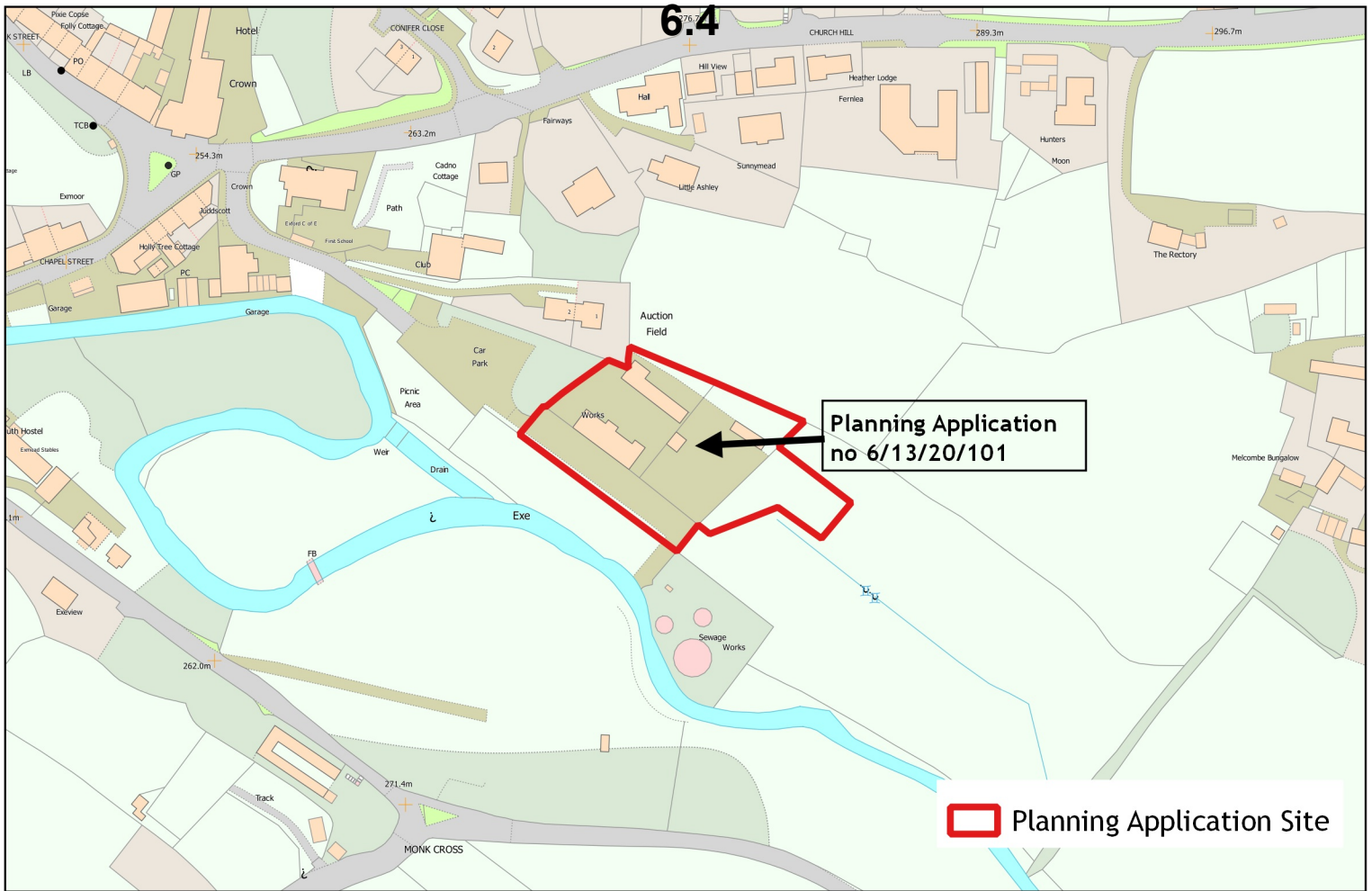
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### **Recommendation**

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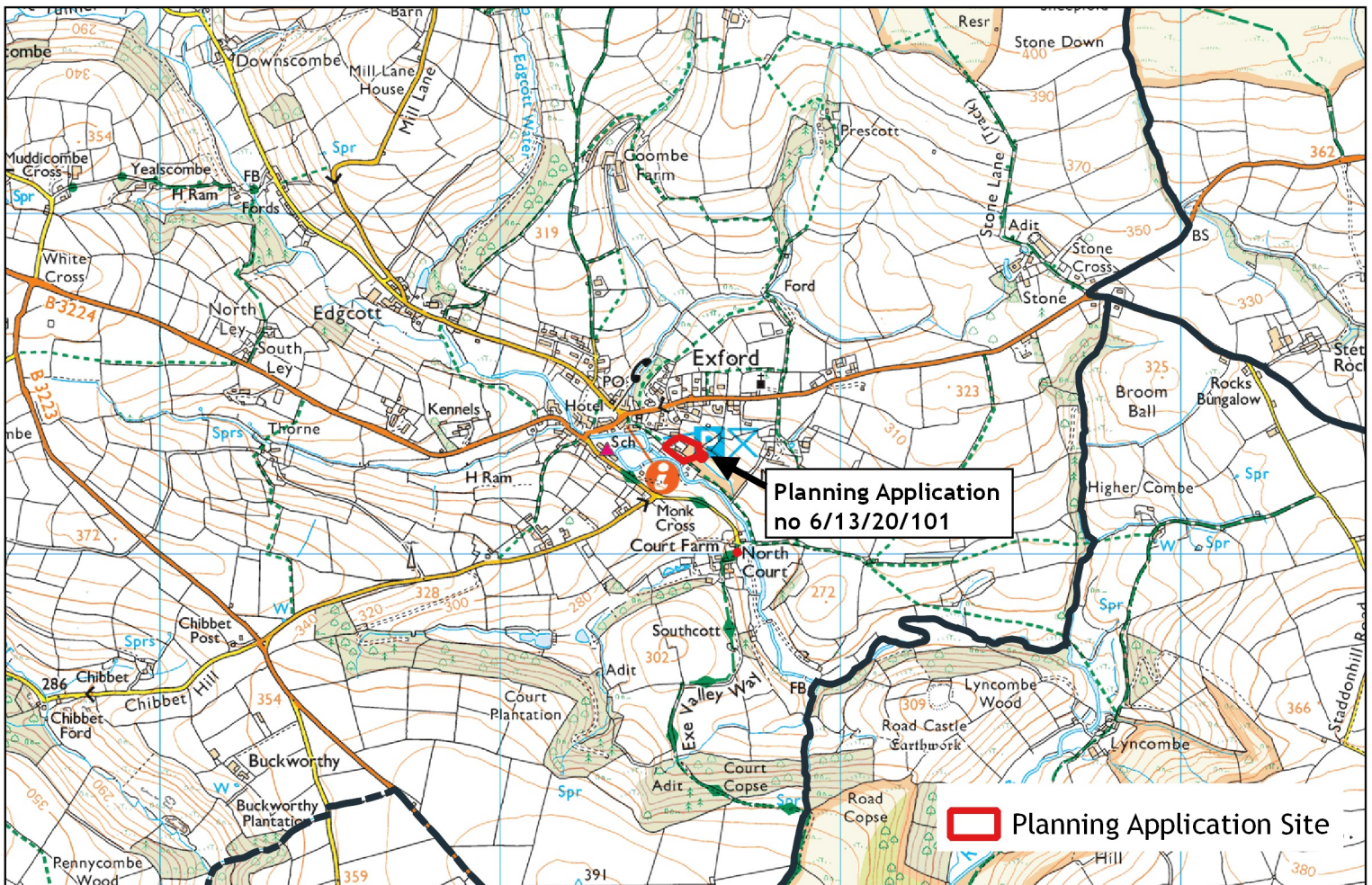
Approve





Site Map  
Scale 1:2,500

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Overview Map  
Scale 1:20,000

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## 6.5



### Committee Report

Application Number:	6/9/20/104LB
Registration Date:	10-Feb-2020
Determination Date:	02-Apr-2020
Applicant	Mr W Amos
Agent:	Mr. W Amos, Exmoor National Park Authority
Case Officer:	Dean Kinsella
Site Address:	EXMOOR NATIONAL PARK AUTHORITY, EXMOOR HOUSE, DULVERTON, TA22 9HL
Proposal:	Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for listed building consent for the proposed removal of one window pane and replace with an 'Extractor fan'.
Recommendation:	Approve
Reason for bringing before Authority Committee:	The applicant is Exmoor National Park and therefore in accordance with the Authorities Scheme of Delegation the application is reported to the Planning Committee

#### Relevant History

Non of relevance

#### Site Description & Proposal

Exmoor House is a Grade II listed former workhouse. It was completed in 1855 and was designed to hold 100 men, women and children. The exterior is finished in random rubble stone under natural slate roofs. The building was converted in the early 20th Century.

The application seeks Listed Building Consent for the incorporation of an extraction fan within a pane of glass to an existing window to the rear western elevation of the building.

#### Consultee Representations

ENPA Historic Buildings Officer

No Concerns

Dulverton Town Council

No Objection

## 6.5

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### Representations

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None received

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### Policy Context

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#### **Exmoor National Park Local Plan 2011 – 2031**

CE-S4 - Cultural Heritage and Historic Environment

CE-D3 - Conserving Heritage Assets

A Listed Building application and proposed works must be considered under the Planning (Listed Buildings and Conservation Areas) Act 1990. In particular regard under Section 16 the Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.

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

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### Planning Considerations

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Exmoor House is a Grade II listed building and therefore the main consideration for this listed building application is the impact of the works on the historic significance of this designated heritage asset.

The proposed works would see one of the existing panes of glass in the existing window replaced with an extractor vent to aid air flow in a downstairs toilet.

The Historic Buildings Officers has reviewed the plans and considers that the window that is to be altered dates from the latter half of the 20th century and has little historic significance. The extractor fan will not impact on a significantly visible elevation and will improve the ventilation of an area susceptible to airborne moisture. The inclusion of an extractor fan is considered to have very limited impact upon the character and appearance of the building. The window in question is to the rear of the historic building and will only have very limited public access and public views will largely be from the caravan park that is adjacent to Exmoor House which is some distance from the window in question.

The works are considered to have a neutral impact on the character and appearance of the listed building. While the materials or finish would not be of a traditional material given the scale and nature of the development the impact on the listed building is very

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limited and would therefore comply with policies CE-S4 & CE-D3 of the Exmoor Local Plan.

### **Other matters**

Dulverton Town Council have raised no objection to the proposal.

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”, Exmoor National Park has declared a climate emergency. The scope for individual planning applications to contribute to these initiatives will be dependent on the nature and scale of the development being proposed. This current application is a minor proposal which will have extremely minimal impact on the reduction on carbon emissions. However, given Exmoor House is a Listed Building and the works are necessary to prevent alleviate the internal walls from becoming damp this is considered an acceptable form of development.

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### **Human Rights**

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

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### **Conclusion**

For the reasons set out above the application is considered to be compliant with the development plan and to satisfy the requirements of Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990. As such, Officers recommend that the application be approved.

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### **Recommendation**

Approval

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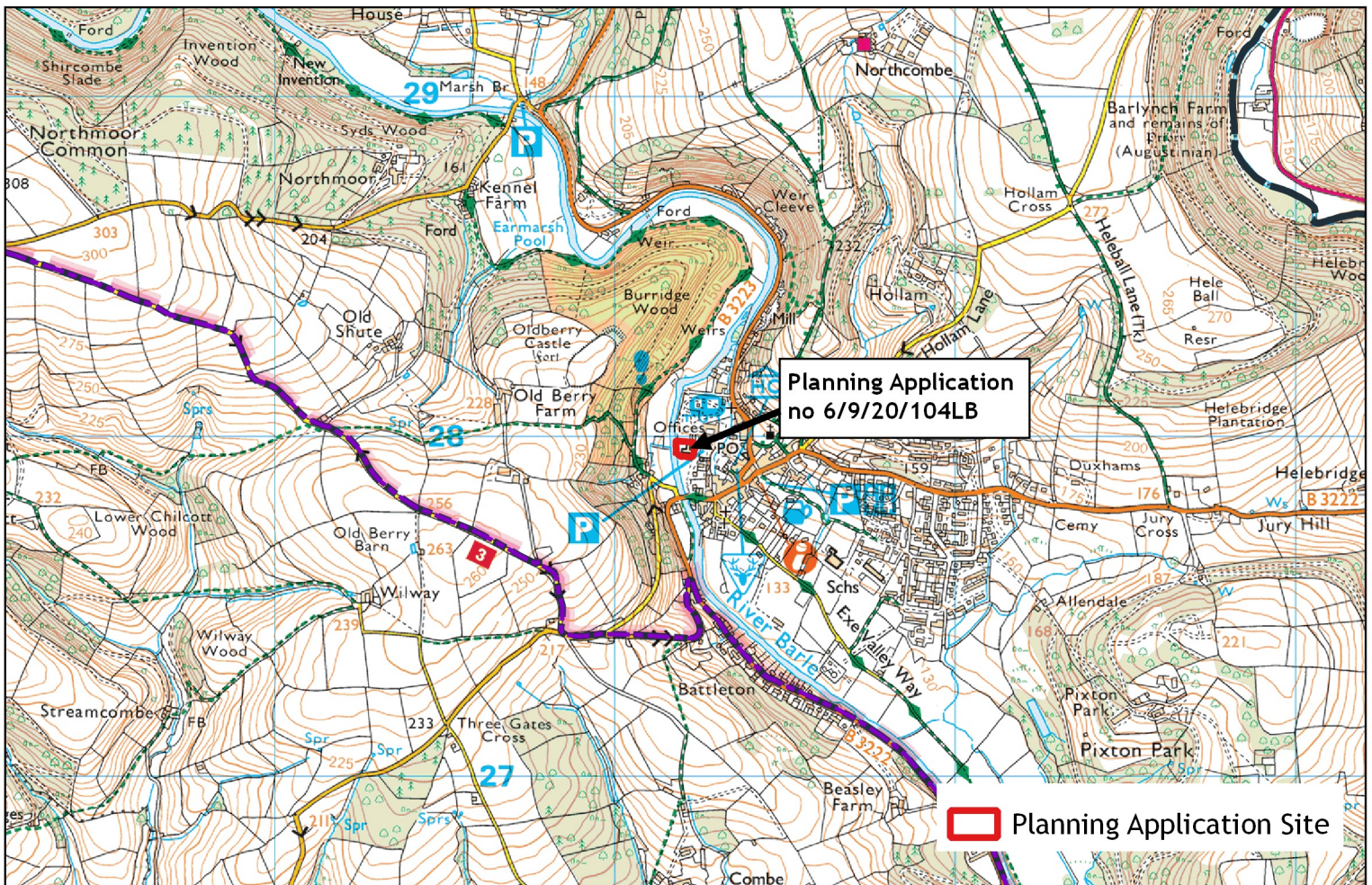
### **Informatives**

None required



**Site Map**  
Scale 1:2,500

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**Overview Map**  
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## EXMOOR NATIONAL PARK AUTHORITY

14 May 2020

### ANNUAL GOVERNANCE REVIEW 2019/20

#### Joint Report of the Solicitor and Monitoring Officer & Chief Finance Officer

**Purpose of Report:** To report compliance with the Authority's Code of Corporate Governance and consider the Annual Governance Statement.

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

- 1) APPROVE the Annual Governance Review; and
- 2) APPROVE the Annual Governance Statement as set out in the attached Appendix for inclusion with the Annual Accounts for 2019/20.

**Authority Priority:** Achieve Best Value from our resources and improve our performance.

**Legal and Equality Implications:** Local Government Act 2003, Parts 1-3 (Capital Finance, Financial Administration and Grants), and Sections 1-39

Accounts and Audit (England) Regulations 2011, Sections 4 (Responsibility for Financial Management), 5 (Accounting Records and Control Systems) and 6 (Internal Audit).

High standards of corporate governance are essential in ensuring all business is transacted lawfully and with propriety.

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:** The report has no financial implications but the risks to the Authority could be substantial for non-compliance with its Code of Corporate Governance.

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## 1. INTRODUCTION

- 1.1 Sound governance arrangements and accountability are critical to the Authority to fulfil National Park purposes, deliver the intended outcomes in the National Park Partnership Plan and the Corporate Plan and operate in an effective, efficient and ethical manner. Good governance leads to good management, good performance, good stewardship of public money, good public engagement and ultimately good outcomes for the public and service users.
- 1.2 The Authority has endorsed the "Delivering Good Governance in Local Government Framework (2016)" that has been produced by CIPFA (Chartered Institute of Public Finance and Accounting) and SOLACE (Society of Local Authority Chief Executives and Senior Managers) which has the support of the Department for Communities and Local Government.

- 1.3 The CIPFA/SOLACE framework is based on the following seven core principles of good governance:
- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
  - B. Ensuring openness and comprehensive stakeholder engagement.
  - C. Defining outcomes in terms of sustainable economic, social and environmental benefits.
  - D. Determining the interventions necessary to optimise the achievement of the intended outcomes.
  - E. Developing the entity's capacity, including the capability of its leadership and the individuals within it.
  - F. Managing risks and performance through robust internal control and strong public financial management.
  - G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability.
- 1.4 These seven principles are reflected in the Authority's Code of Corporate Governance. The CIPFA/SOLACE Framework sets out a number of supporting principles for each of the seven core principles and these are translated into a range of governance arrangements that the Authority has in place. This report summarises the Authority's compliance with these principles during 2019/20.
- 1.5 Governance in the Authority is currently being impacted by the Coronavirus. The purpose of this paper is to provide clarity to Members over what has changed and what has not, what risks have been introduced and what oversight has been lost or diminished. Though on the surface it may appear that a lot has changed, in reality a lot of the same practices are in place.

## **2. A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law**

- 2.1 The governance arrangements the Authority has in place to achieve these principles are:
- codes of conduct which define the standards of conduct and personal behaviour to which Members, staff and agents of the Authority are required to subscribe.
  - an effective Standards Committee.
  - arrangements and mechanisms to ensure all codes of conduct continue to operate in practice, to ensure that Members and staff are not influenced by prejudices, bias or conflicts of interest in dealing with the public and stakeholders.
  - arrangements for reporting concerns at work (whistleblowing) which are accessible to all staff and contractors.
  - shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the Authority.
  - Member training and induction.

- a register of gifts and hospitality and comply with anti-bribery and money laundering legislation.
- partnerships underpinned by a common vision that is understood and agreed by all partners.

## 2.2 In year Commentary

- (i) Following the abolition of the Standards Board through the Localism Act 2011, new arrangements have been implemented and were approved in June 2012. The Authority has also appointed an 'Independent Person' to provide an external perspective on any investigations undertaken by the Standards Committee. Guidance on Member interests and adoption of a new Code of Conduct have been approved by full Authority.
- (ii) The Whistleblowing Policy was reviewed in-year.
- (iii) An annual reminder is sent to all staff reminding them of their responsibilities and the requirement to comply with all policies, procedures, standing orders (including contract standing orders) and financial regulations.

## 3. B. Ensuring openness and comprehensive stakeholder engagement

### 3.1 The governance arrangements the Authority has in place to achieve these principles are to:

- meet on a regular basis with meetings open to the public except where reasons of commercial or individual confidentiality require the meeting to be closed.
- undertake a number of parish consultative committees throughout the year as a forum for discussing common issues.
- engage with local councils and the Local Enterprise Partnership to ensure that National Park priorities are heard.
- produce effective consultation and communication arrangements.
- undertake regular surveys of visitors and businesses to ensure that balanced and representative opinions are available to inform decision making.
- enable a complaint or request for information regarding any aspect of the Authority's activities to be easily lodged and to ensure it is properly addressed.

### 3.2 In year Commentary

- (i) Extensive consultation arrangements are in place. The Corporate Plan continues to compare performance against the objectives set for the previous year and sets the targets for the forthcoming year.
- (ii) During 2019/20 Partnership Groups continued to operate though during the latter part of the year meetings were disrupted by either poor weather or Coronavirus. Together with Authority representatives, the Partnership Groups enable progress to be monitored and further opportunities for co-operation between these Partnership Groups in support of Partnership Plan action plans and further partner engagement to be realised.



- (iii) The Authority continues to consult widely with interested parties and holds a number of meetings of the Exmoor Consultative and Parish Forum at which questions relating to the activities and services of the Authority can be raised.
- (iv) The structure of meetings in 2019/20 remains the same although the pandemic has recently impacted on the ability of staff and Members to meet in person with key groups. Where technology allows, new methods of interacting have been introduced. We continue to respond to FOIs, complaints and compliments.
- (v) The study of businesses on Exmoor has been completed and the results are currently being written up.

#### **4. C. Defining outcomes in terms of sustainable economic, social, and environmental benefits**

4.1 The governance arrangements the Authority has in place to achieve these principles are to:

- produce a National Park Partnership Plan, reviewed every five years, which contains a vision for Exmoor, key challenges, priorities and targets.
- publish a Corporate Plan and performance report presenting an objective and understandable account of its activities and achievements, its financial position and performance and an assessment of plans to maintain and improve service quality.
- produce a Medium Term Financial Plan which estimates income and expenditure over a five year period to ensure that obligations can be met.
- engage with young people and a wide variety of community groups to ensure that the value of national parks is appreciated into the future.
- ensure that the forward year budget includes a risk assessment.
- assess the impact on community groups before recommendations are made.
- work positively with DEFRA to ensure the long-term role and funding of National Parks is secured.

4.2 In year Commentary

- (i) The Corporate Plan report for 2018/19 was issued to the Authority at the July 2019 meeting and has continued to guide the Authority's activities during the year.
- (ii) The Annual Statement of Accounts for 2018/19 received an unqualified opinion from the Auditor, Grant Thornton LLP in July 2019. Complaints procedures are in place, are easily accessible and are easy to use. Requests for information under the Freedom of Information Act, 2000 are dealt with in accordance with the statutory requirements. Reports on both complaints and Freedom of Information Act requests were submitted to the National Park Authority.
- (iii) Partnership working continues to be a key feature of the Authority's working, the most significant during the past year being the Headwaters of the Exe and Exmoor Mires Projects with South West Water, the Exmoor Non Native Invasive Species programme with the Environment Agency, the "Get Involved" Volunteers

programme, the development of White Rocks Cottage with the Simonsbath Trust and the “Moor to Enjoy” Health & Wellbeing partnership with funding from both Devon and Somerset County Councils. Clear understandings are agreed with Partners and where the Authority takes the lead role, all matters are conducted in accordance with the Authority's Standing Orders and Financial Regulations.

- (iv) In 2019/20 the Authority declared a Climate emergency and we are now working closely with the Devon and Somerset Climate Action groups to deliver a workable plan.
- (v) The task of developing a balanced medium-term financial plan is ongoing. The Authority is currently managing the one-off financial impact of the Coronavirus and looking ahead to see what the next funding settlement delivers. The full implications of the 5% reduction to the underlying National Park Grant figure have still to be worked through also. Other National Park Authorities are currently experiencing severe financial challenge as a result of the pandemic.

## **5. D. Determining the interventions necessary to optimise the achievement of the intended outcomes**

5.1 The governance arrangements the Authority has in place to achieve these principles are:

- considering a full range of options before recommendations are presented to Members of the Authority.
- undertaking regular surveys of visitors and businesses to ensure that balanced and representative opinions are available to inform decision making.
- producing a Corporate Plan setting out objectives and targets for the period ahead.
- monitoring the achievement of these targets in year, and publicly reporting performance at the year end.
- producing a Medium Term Financial Plan (MTFP) which estimates income and expenditure over a five year period, agreeing annual budgets which implement the Corporate Plan and are informed by the MTFP.
- the Finance and Performance Advisory Panel which will provide scrutiny over the budget setting process.
- when assessing options for capital investment the Authority, considering the life-cycle costs of the asset and the cost of capital financing.

5.2 In year Commentary

- (i) The Authority's decision-making processes are based on a slim line structure embracing the principle that there should be no duplication of effort. The Authority is not required to provide executive arrangements which were introduced in the Local Government Act 2000 and apply only to Local Authorities.
- (ii) The present Authority structure meets all the requirements of the Local Government Act. In March 2015, revised Standing Orders, Powers, Duties and

Functions of the Authority Meeting, Scheme of Delegation and Financial Regulations were all approved by Authority and the Members' Code of Conduct and Standing Orders were reviewed and last revised by the Authority in December 2018.

- (iii) The scheme of delegation of functions to Authority Committee and to the Chief Executive works well and is kept under review. In any public authority, decisions are being made all the time and it is important to strike the right balance between those that require Member consideration and those that can be taken by Officers. The scheme of delegation is set out fully in the Authority's standing orders. All decisions by Officers must accord with all Authority policies and must where appropriate involve consultation with Members. Whether a Member or Members should be consulted on any particular issue is a matter of judgement, but it is the practice to consult Committee Chairmen and Deputy Chairmen on some issues and indeed local Members, that is to say those representing a division, ward or parish. An overriding safeguard in the delegation scheme is that the Chief Executive is required in all cases to consider whether, rather than proceed under the scheme, she should refer the matter to a committee for decision. Where any controversy is likely, it is always the policy to refer such matters to committee for decision.
- (iv) The Finance and Performance Advisory Panel establishes greater budgetary scrutiny and oversight of investment decisions.
- (v) This report is being presented to the first Authority meeting to be run virtually. Staff and Members have endeavoured to minimise the impact to local accountability of delivering the meetings remotely.

## **6. E. Developing the entity's capacity, including the capability of its leadership and the individuals within it**

- 6.1 The governance arrangements the Authority has in place to achieve these principles are:
- (i) ensuring the Chief Executive is responsible and accountable to the Authority for all aspects of operational management.
  - (ii) ensuring induction programmes are arranged for new Members and new staff.
  - (iii) ensuring Members are provided with the necessary training to perform their roles including Member review and Member briefing arrangements.
  - (iv) ensuring that staff are competent to perform their roles and that arrangements are in place for all staff to have a Personal Development Review.
  - (v) ensuring mechanisms are in place to maintain the health, safety and wellbeing of staff at work.
  - (vi) ensuring that the roles and responsibilities of Members and staff are documented including those of the statutory officers namely Chief Executive, Chief Finance Officer and Monitoring Officer.
  - (vii) providing arrangements that are designed to encourage individuals from all sections of the public to engage with, contribute to and participate in the work of the Authority.

- (viii) ensuring meetings are held on a regular basis, are open to the public except where reasons of commercial or individual confidentiality require the meeting to be closed.

## 6.2 In year Commentary

- (i) Induction Programmes were carried out during 2019/20 for new Members and new staff and these have been developed and refined over a number of years. Members identify the subject areas for briefings/updates each year and this has been supplemented by a monthly informal Members' Forum where Members can request an updating or briefing on any topic or area of activity.
- (ii) Members have adopted a job description outlining the role and responsibility of Members and an annual Member review is conducted by the Chairman and Deputy Chairman.
- (iii) All members of staff received an annual performance and development review which included ensuring their job description was up to date, reviewed progress against current individual objectives and sets new objectives for the coming year. These objectives are directly linked to those contained in the Corporate Plan.
- (iv) Many organisations are committed to taking a lead role in the achievement of actions in the National Park Partnership Plan and these comprise local authorities, statutory agencies, voluntary organisations and partnerships. All contribute to the periodic updating of progress against the targets.
- (v) The National Park Partnership Plan sets out a long-term vision for the National Park and provides a focus on Exmoor's special qualities. The vision of "Working together for Exmoor" and its wider interpretation is understood and accepted by Members and staff.
- (vi) Managers of the Authority have undertaken a leadership and management training programme to increase capability and resilience in this area.

## 7. **F. Managing risks and performance through robust internal control and strong public financial management**

7.1 The governance arrangements the Authority has in place to achieve these principles are:

- (i) to produce and agree an annual risk register and risk management policy.
- (ii) to maintain an effective risk management system including systems of internal control and internal audit.
- (iii) a Health and Safety Committee and focus groups to ensure that accidents and incidents are reported, and appropriate management action taken to reduce risk.
- (iv) information management, e-mail, internet and ICT policies that are communicated and understood.
- (v) targets for performance in the delivery of services on a sustainable basis.
- (vi) ensuring the Chief Finance Officer advises on all financial matters, keeps proper financial records and accounts and maintains an effective system of internal financial control.

- (vii) to produce an annual governance statement for inclusion in the Annual Statement of Accounts.
- (viii) to operate a Final Accounts Committee and the Finance and Performance Advisory Panel to provide an additional level of oversight and challenge.
- (ix) an Internal Audit service to provide reassurance over the operation of internal control and processes.

## 7.2 in year Commentary

- (i) The Corporate Plan sets out the priorities and objectives for each financial year with periodic reports to those charged with governance on achievements/progress.
- (ii) Annual reports have been made to the National Park Authority on the Risk Management Strategy, the Business Continuity/Disaster Recovery Plan and the Internal Audit Service. The Auditor, Grant Thornton LLP presented their Annual Governance Report to the Committee in July 2019 with an unqualified opinion for the year ended 31 March 2019 and an unqualified conclusion that the Authority had adequate arrangements to secure economy, efficiency and effectiveness in the use of resources.
- (iii) Our Health and Safety practices have been externally appraised and a new Health, Safety & Welfare policy has been agreed.
- (iv) The Health and Safety meeting structure is currently working remotely. The existing system of reporting continues. Potential changes to the accounts process. IT systems successfully up and running.
- (v) In 2019/20 the Authority has undertaken a major review of the safeguarding policy and practices. This has included a rewrite of the Social Media policy.

## 8. **G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability**

8.1 The governance arrangements the Authority has in place to achieve these principles are:

- (i) ensuring meetings are held on a regular basis, are open to the public except where reasons of commercial or individual confidentiality require the meeting to be closed.
- (ii) arrangements designed to encourage individuals and groups from all sections of the public to engage with, contribute to and participate in the work of the Authority.
- (iii) ensuring that all activities are legally correct, fully documented, appropriately authorised and carried out in a planned manner.
- (iv) ensuring the Chief Executive is responsible and accountable to the Authority for all aspects of operational management.
- (v) ensuring that the roles and responsibilities of officers are documented including those of the statutory officers namely Chief Executive, Chief Finance Officer and Monitoring Officer.

- (vi) publishing an Annual Statement of Accounts each year in accordance with statutory requirements.
- (vii) arrangements to enable a complaint or request for information regarding any aspect of the Authority's activities to be easily lodged and to ensure it is properly addressed.
- (viii) ensuring the Chief Finance Officer maintains proper records to ensure the annual statement of accounts show a true and fair view and that expenditure has been properly authorised and allocated in an appropriate manner.
- (ix) commissioning an Internal Audit service to provide reassurance over the operation of internal control and processes.
- (x) inclusion of an annual governance statement in the Statement of Accounts.
- (xi) a Corporate Plan setting out the objectives and targets for the period ahead and annual reports on performance against targets.
- (xii) an annual update on the progress of the Authority and its partners on the implementation of the National Park Partnership Plan.
- (xiii) auditing of the Authority's financial position and performance every year via an External Audit of the final accounts.

## 8.2 In year Commentary

- (i) Extensive consultation arrangements are in place. The Corporate Plan continues to compare performance against the objectives set for the previous year and sets the targets for the forthcoming year.
- (ii) Annual reports have been made to the National Park Authority on the Risk Management Strategy, the Business Continuity/Disaster Recovery Plan and the Internal Audit Service. The Auditor, Grant Thornton LLP presented their Annual Governance Report to the Committee in July 2019 with an unqualified opinion for the year ended 31 March 2019 and an unqualified conclusion that the Authority had adequate arrangements to secure economy, efficiency and effectiveness in the use of resources.
- (iii) The Finance and Performance Advisory Panel has been established, terms and reference have been agreed and greater budgetary scrutiny and oversight has been made possible.
- (iv) The Authority now has the capability for the audio and video recording of its meetings, and they can be viewed over the internet.

**Gordon Bryant**  
**Chief Finance Officer**

**Hazel Union**  
**Solicitor & Monitoring Officer**



## ANNUAL GOVERNANCE STATEMENT

### 1. Scope of responsibility

- 1.1 Exmoor National Park Authority is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Authority also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 1.2 In discharging this overall responsibility, the Authority is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.
- 1.3 Exmoor National Park Authority has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code can be obtained from the Chief Executive, Exmoor House, Dulverton, TA22 9HL. This statement explains how the Authority has complied with the code and also meets the requirements of regulations 4(3) of the Accounts and Audit (England) Regulations 2011 in relation to the publication of an annual governance statement.

### 2. The purpose of the governance framework

- 2.1 The governance framework comprises the systems and processes, and the culture and values, by which the Authority is directed and controlled and its activities through which it accounts to, engages with and the leads the community. It enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.
- 2.2 The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies and aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.
- 2.3 A governance framework has been in place at Exmoor National Park Authority for the year ended 31 March 2020 and up to the date of approval of the Corporate Plan and statement of accounts.

### **3. The Governance Framework**

3.1 The key elements of the governance framework include:

- A National Park Partnership Plan that contains a vision, priorities and a corporate strategy to meet National Park purposes.
- An annual review of the Authority's priorities as contained in the National Park Partnership Plan.
- The production of a Medium Term Financial Plan taking account of the anticipated level of National Park Grant.
- The production of a Corporate Plan that includes data on performance and objectives both achieved and planned.
- Committee papers that are linked to National Park Partnership Plan or Corporate Plan objectives and in compliance with equality and human rights legislation.
- Standing Orders and Financial Regulations to regulate the conduct of the Authority's affairs.
- A Scheme of Delegation which sets out the functions and workings of the Authority and the powers delegated to Committees and the Chief Executive.
- Formal Codes of Conduct which define the standards of personal behaviour of Members and staff. The code for Members was initially adopted in 2012 along with the establishment of a Standards Committee comprising 5 Authority Members and the appointment of an "Independent Person" under the provisions of the 2011 Localism Act. A further process was the provision of guidance on the registration of interests. This was reviewed and refined in August 2012 with recommendations to Authority for standards arrangements and for the provision of Member training on the new standards regime.
- Responsibility for audit matters are retained by the Authority.
- A Solicitor and Monitoring Officer who has a statutory responsibility supported by the Chief Finance Officer and financial regulations to ensure the legality of transactions, activities and arrangements the Authority enters.
- Financial management arrangements of the Authority which conform with the governance requirements of the CIPFA Statement on the role of the Chief Financial Officer in Local Government (2010).
- A Complaints procedure and a whistle-blowing policy in place for members of the public, Members, staff or contractors.
- An Anti Fraud, Corruption and Bribery Policy.
- An ICT Acceptable Use Policy.
- Risk Management Policy, Registers and Business Continuity and Disaster Recovery systems which are approved, in place and subject to annual regular review.



- Extensive arrangements for partnership working on a range of projects. Partnership working is crucial to the achievement of the priorities set out in the National Park Partnership Plan.
- A staff performance and development review process which identifies training and development needs.
- Training, briefing and induction programmes for Members.
- Wide consultation with interested parties and an Exmoor Consultative and Parish Forum meets to engage with the community and a Local Access Forum considers access and rights of way issues. Numerous diverse organisations are represented on these consultative mechanisms.

#### **4. Review of Effectiveness**

4.1 Exmoor National Park Authority has responsibility for conducting at least annually, a review of effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the Chief Executive and Heads of Section within the Authority who have responsibility for the development and maintenance of the governance environment, the annual report on internal audit, and by the Annual Governance Report of the external auditors.

4.2 The process that has been applied in maintaining and reviewing the effectiveness of the governance framework is:

- The adoption of an updated Code of Corporate Governance in March 2017 with an annual review by the National Park Authority carried out by the Authority's Solicitor and Monitoring Officer to ensure compliance with the Code and audited by the Chief Finance Officer.
- Adoption of Standing Orders, the Scheme of Delegation and Financial Regulations which are periodically reviewed, updated and approved.
- Reports to the Authority on performance management including sustainability and the corporate planning and performance framework.
- Annual reports presented to the Authority in respect of internal audit, which is a contracted service, and from the external auditor appointed by the Audit Commission.
- Annual reports presented to the Authority on risk management, performance indicators and treasury management.
- An internal audit service is contracted from the Devon Audit Partnership and an annual work programme is agreed with the Chief Finance Officer with the internal auditors producing an annual report covering their activities for presentation to the Authority.

#### **5. Significant governance issues**

5.1 In general the governance and internal control systems within the Authority are working effectively and have been reviewed by the Solicitor and Monitoring Officer and the Chief Finance Officer and are independently validated by the internal and external

auditors. As a consequence of certain Internal Audit findings, the Authority has undertaken a review of Safeguarding policies and practices.

5.2 During 2020/21 the Authority will be:

- Continuing the communication and implementation of the 2018-23 National Park Partnership Plan.
- Producing guidance on the recently adopted Local Plan.
- Working with Defra to deliver the eight points of the National Parks Plan.
- Monitoring new legislation and changes in policy to ensure that account is taken of the impact on National Parks and National Park communities.
- Responding to the Glover review.
- Continuing to operate within limited resources while increasing revenue from alternative sources.
- Implement the results of the job evaluation review.
- Continuing to develop customer service standards and culture.
- Monitoring the performance of the Corporate Plan.
- Abide by the working arrangements determined by law and recommended guidance in the context of the current pandemic.
- Implement the updated Safeguarding policies and procedures.
- Await the results of the new funding settlement.
- Deliver savings related to the reduction to the underlying 2020/21 budget.
- Manage the in year financial impact of cv19.
- Continue to engage and communicate flexibly while making best use of technology.
- Assess the national impact of national parks experiencing financial discomfort as a result of cv19.

5.3 We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our annual review.

**Signed** .....  
Mrs S Bryan, Chief Executive                      R Milton, Chairman

**Date** .....

## EXMOOR NATIONAL PARK AUTHORITY

14 May 2020

### EXTERNAL AUDIT PLAN FOR THE YEAR ENDING 31 MARCH 2020

#### Report of the Chief Finance Officer

**Purpose of Report:** To present to Members the Grant Thornton Audit Plan.

**RECOMMENDATION:** The Authority is recommended to RECEIVE the report.

**Authority Priority:** Getting best value from our resources and improving our performance – Finance and Performance - Financial Management.

**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 2019/20 budget to cover the costs of both external and internal audit.

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## 1. EXTERNAL AUDIT

- 1.1 Grant Thornton UK LLP is our appointed auditor, appointed to audit finance and governance arrangements within the Authority. They have provided a report which details their progress in delivering their responsibilities as External Auditors, their view of materiality and risks identified.
- 1.2 Gareth Mills, Engagement Lead and Mark Bartlett, Engagement Manager are responsible for undertaking the relevant work. They are endeavouring to present the report themselves electronically and their report is attached at Appendix 1.

**Gordon Bryant**  
**Chief Finance Officer**  
**April 2020**