



EXMOOR

NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY
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20 July 2022

EXMOOR NATIONAL PARK AUTHORITY

To: All Members of the Exmoor National Park Authority

A meeting of the Exmoor National Park Authority will be held in the **Committee Room, Exmoor House, Dulverton** on **Tuesday, 2 August 2022 at 10.00am.**

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

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

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

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

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

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

Sarah Bryan
Chief Executive

A G E N D A

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

1. Apologies for Absence

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

Members are asked to declare:-

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

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

3. Chairperson's Announcements

- 4. Minutes**
 - (1) To approve as a correct record the Minutes of the meetings of the Authority held on 5 July 2022 (Item 4)
 - (2) To consider any Matters Arising from those Minutes.

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

- 6. Exmoor National Park Authority Car Park Improvement Proposals:** To consider the report of the Head of Conservation and Access (Item 6)

- 7. Woodland Management Update:** To consider the report of the Head of Conservation and Access (Item 7)

- 8. Exmoor National Park Local Plan Implementation and Delivery:** To consider the report of the Head of Strategy and Performance (Item 8)

- 9. Authority Meetings Schedule for 2023:** To consider the report of the Head of Strategy and Performance (Item 9)

- 10. Exmoor Consultative and Parish Forum:** To receive and note the meeting notes from the Exmoor Consultative and Parish Forum held on 23 June 2022 (Item 10)

11. Personnel Update

Starters

01/08/2022 – Elisabeth Mackenzie – Planning and Customer Support Assistant (part-time 2-year fixed term contract).

Leavers

15/07/2022 – Louise Reynolds – Families United through Nature Project Officer – end of fixed term contract

12. Any Other Business of Urgency

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

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

Agenda Item	Application No.	Description	Page Nos.
13.1	6/35/22/101	Proposed storage of timber and wood chipping operation used in connection with the applicant’s existing combined heat and power generating business on land form part of the parking area previously granted planning permission (6/35/08/101) for the nearby equestrian course. Resubmission of application 6/35/21/103. (Part retrospective) – Land adjoining B3224 at Treborough Common – Easting 300250: Northing 135050, Treborough, Watchet	1 – 16
13.2	6/27/22/103	Proposed change of use of land from woodland/forestry to domestic, together with the erection of summerhouse and formation of parking bay. Part retrospective – Brackenwood, Porlock Weir, Minehead, TA24 8PA	17 – 36
13.3	6/9/22/107	Proposed conversion of existing garage to habitable room – Castle Barn, Bridge Street, Dulverton, TA22 9HJ	37 - 45

14. Application Decisions Delegated to the Chief Executive: To note the applications determined by the Chief Executive under delegated powers (Item 14).

15. Site Visits: To arrange any site visits agreed by the Committee (the reserve date being Friday, 2 September 2022 (am)).

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

ITEM 4

EXMOOR NATIONAL PARK AUTHORITY

MINUTES of the Meeting of the Exmoor National Park Authority held on Tuesday, 5 July 2022 at 10.00am in the Committee Room, Exmoor House, Dulverton.

PRESENT

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

Mr M Ellicott	Mr E Ley
Mr D Elson	Mrs F Nicholson
Mr S Griffiths	Mr J Patrinos
Mr J Holtom	Mr N Thwaites
Dr M Kelly	Mr V White
Mr M Kravis	Mr J Yabsley
Mrs C Lawrence	

Apologies for absence were received from Mrs L Blanchard, Miss A V Davis, Mr A Milne, Mrs F Smith, Miss E Stacey, Dr S Warren and Mrs P Webber

19. DECLARATIONS OF INTEREST: There were no declarations of interest.

20. CHAIRPERSON'S ANNOUNCEMENTS: There were none

21. MINUTES

i. **Confirmation:** The Minutes of the Authority's meeting held on 14 June 2022 were agreed and signed as a correct record.

ii. **Matters arising:**

In relation to **Minute 10 - Annual Appointments** the following updates were noted:

- **Exmoor Local Access Forum** - according to the DEFRA Publication Guidance on Local Access Forums in England (2009) the Regulations impose a limit on the number of local authority members' – Forums with up to 16 members may contain two local authority members; Forums with 17 or more members may contain up to 3 local authority members.

It was noted the ELAF had a membership of 15 and therefore only 2 Member appointments were applicable. As Mr Milne had volunteered to step down, Dr Warren and Mrs Webber were confirmed as the Member appointments for the current year.

- **Farming in Protected Landscapes Assessment Panel** – it was confirmed that the 4 Member representatives would be Mrs Blanchard, Mr Elson, Mr Milton and Dr Warren

22. PUBLIC SPEAKING: See Minute 31 and 32 for details of public speakers

23. INTERNAL AUDIT ARRANGEMENTS

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

The Authority's Consideration

Mr Dominic Measures from Devon Audit Partnership joined the meeting remotely via Microsoft Teams to present the Internal Audit Plan for the year ending 31 March 2022.

In relation to a query about the effect a cyber threat might have on the organisation, it was confirmed that the Authority's Business Continuity/Disaster Recovery Plan (BCDR) formed an integral part of the Authority's Risk Management paper which was brought to the Authority each autumn. The BCDR Plan provided a framework for action in the event of the loss/disruption for an extended period of ICT Services, key staff, Exmoor House and the Authority's other premises.

Members were keen to stay informed about the Authority's progress towards its target to be Net Zero by 2030. The Corporate Plan Report brought to the June Authority meeting had included a Carbon Footprint Annual Report, however it would be arranged for further details of proposed projects and funding sources to be provided to Members in the coming months.

The Committee wished to record its grateful thanks to the Chief Finance Officer and his team for the excellent performance under continuing difficult conditions.

RESOLVED: To receive the Internal Audit report for 2021/22 and Charter and Strategy and note the Work Programme planned for 2022/23.

24. 2021/22 OUTTURN – BUDGET PERFORMANCE, RESERVES, NEW YEAR MONITORING AND MTFP UPDATE

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

The Authority's Consideration

Members welcomed the comprehensive report and were mindful of the major challenges the Authority would continue to face over the coming months, due to the combined impact of the cash neutral National Park Grant for the next 3 years, uncertainty over the level of staff pay awards, and rising inflation. It was noted that pressures were also being felt in relation to the Authority's landholdings and rental income.

The Committee noted that Leadership Team had begun to develop ideas to achieve the necessary savings that would be required to bridge the budget gap, and there was obvious concern about what this might mean in terms of service provision.

It was clear that the Authority would need to continue to actively explore any external funding opportunities that may present themselves and to take a more business-like approach to making best use of its assets for income generation.

RESOLVED:

- (1) To note the financial performance for 2021/22.
- (2) To approve the adequacy of the General Fund Balance at 31 March 2022.
- (3) To approve the transfers between reserves

- (4) To note the Authority spend as at the end of month 2 in Appendix 4 and section 5.
- (5) To note the prudential indicators as at the end of month 2 in section 6.
- (6) To note the updated Medium Term Financial Position in section 7.

25. 2021/22 OUTTURN – STATEMENT OF ACCOUNTS

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

RESOLVED: To consider and note the Statement of Accounts for 2021/22.

26. ANNUAL TREASURY MANAGEMENT REPORT

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

RESOLVED: To note the Treasury Management Outturn for 2021/22.

27. MEMBERS' ALLOWANCES SCHEME

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

RESOLVED: To note the amounts paid to Members in 2021/22 through its Scheme for Member Allowances.

28. **EXMOOR CONSULTATIVE AND PARISH FORUM:** The Authority received and noted the [meeting notes](#) from the Exmoor Consultative & Parish Forum meeting held on 17 March 2022.

29. **PERSONNEL UPDATE:** The Authority noted the recent staff changes as set out on the agenda and wished to formally record its thanks to Josephine Bradford, Funding and Project Development Officer and also to Ailsa Stevens, Communications Officer.

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

The meeting closed for recess at 11.06 am

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).

The meeting reconvened at 1.00 pm

DEVELOPMENT MANAGEMENT

31. **Application No: 62/41/21/024**

Location: Lydiate Lodge, Rock Lodge Park, Lynton, EX35 6DN

Proposal: Proposed demolition of existing former care home and erection of 9 no. dwelling houses)

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

Public Speaking:

- 1) Mr & Mrs Thorpe, Local Residents – *statement read out on their behalf*
- 2) Mr King, Local Resident
- 3) Mr J Woodward, Agent

The Authority's Consideration

The Authority Committee held a wide-ranging debate about the proposed development and a number of views were expressed, with some Members conveying disappointment that the scheme did not provide a better balance of affordable housing units in relation to open market units.

Following comments made by two of the Public Speakers, concerns were raised about the viability assessments that had been carried out. Planning Officers provided further information regarding the discussions that had taken place and confirmed they were satisfied that three Affordable Housing Units was the maximum that the development could support.

Given the proven need for housing as a whole within the National Park, and also the current economic climate, the majority of Members considered it was important to secure the delivery of nine additional dwelling houses in the Lynton area. It was therefore proposed and seconded that planning permission should be granted.

In light of a Member suggestion that consideration should be given to the provision of electric charging points in the car parking area, it was agreed that the Committee should delegate authority to Officers to finalise the wording of the conditions attached to the planning permission. This would be done in conjunction with finalising the Section 106 Legal Agreement to secure the necessary financial contributions and Affordable Housing provision.

RESOLVED: To grant planning permission subject to conditions, the final wording of which was delegated to Officers to agree, and also to the signing of a Section 106 Legal Agreement to secure necessary financial contributions and Affordable Housing provision.

32. Application No: 6/35/22/101

Location: Land adjoining B3224 at Treborough Common – Easting 300250: Northing 135050, Treborough, Watchet

Proposal: Proposed storage of timber and wood chipping operation used in connection with the applicant's existing combined heat and power generating business on land form part of the parking area previously granted planning permission (6/35/08/101) for the nearby equestrian course. Resubmission of application 6/35/21/103. (Part retrospective)

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

Public Speaking: Mr N Furze, Agent

The Authority's Consideration

The Authority Committee noted that Planning Officers recommended the application be refused for the following reasons:-

- The application site was not well related to the group of buildings that formed the business site that the proposed development would be ancillary to.

- Policy SE-S3 of the Exmoor National Park Local Plan 2011 – 2031 required that extensions to business premises should be well related to an existing group of buildings.
- The proposed development would represent isolated development in the open countryside that was not well related to any existing building group.
- The isolated position, together with the incongruent form of the development on the edge of an agricultural field, not only conflicted with Policy SE-S3, but also resulted in material harm to the landscape character of the common and its historic value.
- The application was therefore contrary to Policies GP1, CE-S1, CE-D1, CE-S6, SE-S1 and SE-S3 of the Exmoor National Park Local Plan, and Paragraphs 174 and 176 of the National Planning Policy Framework.

Despite the Officer recommendation, the Member debate suggested the Committee was minded to approve the Application and a motion was duly proposed and seconded to grant planning permission. Before the motion could be put to a vote, the Head of Planning and Sustainable Development addressed the meeting to advise that, with reluctance, he was invoking Section 9 of the Code of Conduct in Practice – Planning which stated:-

9. Decision Contrary to Officer Recommendations and/or the Development Plan

It is a legal requirement that planning applications must be determined in accordance with the policies of the Development Plan unless material considerations indicate otherwise: s38A Planning & Compensation Act 2004.

Where an application that is not in accordance with the Development Plan is recommended for approval, the application may be required to be advertised as such, in accordance with the regulations. The material considerations which led to the conclusion to approve shall be identified and the justification for overriding the Development Plan must be clearly demonstrated. In appropriate cases, the application may be referred to the Secretary of State who may decide to call the application in for their own determination or remit it to the Authority to decide.

If the Authority Committee makes a decision contrary to an Officer's recommendation (whether for approval or refusal) a detailed minute of the Committee's reasons should be made and a copy placed on the application file. In all cases the Committee's reasons shall be clear and convincing and be demonstrably related to planning considerations.

If it is felt that the reasons given to approve/refuse an application are not substantiated by planning evidence, the Chief Executive, or their representative at an Authority Committee, may stop proceedings and request the opportunity to report further on the application to the next Meeting of the Authority Committee. Where such a request is made, the Authority Committee shall accede to that request.

<p>DEFERAL: The Application was deferred at the request of the Head of Planning and Sustainable Development in line with Section 9 of the Code of Conduct in Practice – Planning.</p>
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The meeting closed for recess at 2.32 pm and reconvened at 2.40 pm

- 33. Application No: 62/11/22/008**
Location: Glenthorne, The Towers, Road from County Gate to Wellfield, Brendon, Devon, EX35 6NQ
Proposal: Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for the Proposed Establishment of England Coast Path

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:

- 34. Application No: 62/41/22/023**
Location: Picnic Site and Car Park, Valley of Rocks, Lynton, EX35 6JH
Proposal: Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for advertisement consent for the proposed installation of 5 no. signs (x1 entrance sign, x1 information board, x1 disabled parking sign and x2 payment signage signs). Amended description

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:

Mr D Elson left the meeting room prior to the Officer presentation

- 35. Application No: 62/41/22/024**
Location: Exmoor National Park Information Centre, The Esplanade, Lynmouth, EX35 6EQ
Proposal: Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for advertisement consent for the proposed replacement of external and window signage

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:

Mr D Elson returned to the meeting room after the vote

- 36. Application No: 6/10/22/111**
Location: Exmoor National Park Information Centre, Dunster Steep, Dunster, Minehead, TA24 6SE
Proposal: Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for advertisement consent for the proposed replacement of external and window signage

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:

37. **Application No: 6/9/22/104**
Location: Exmoor National Park Information Centre, 7-9 Fore Street, Dulverton, TA22 9EX
Proposal: Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for advertisement consent for the proposed replacement of external and window signage

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:

38. **APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE:** The Authority noted the decisions of the Chief Executive determined under delegated powers.
39. **SITE VISITS:** There were no site visits to arrange.

The meeting closed at 3.18 pm

(Chairperson)

EXMOOR NATIONAL PARK AUTHORITY

2 August 2022

EXMOOR NATIONAL PARK AUTHORITY CAR PARK IMPROVEMENT PROPOSALS

Report of the Head of Conservation and Access

Purpose of the report: To update the Authority on works to Exmoor National Park Authority car parks and to present priorities for future works.

RECOMMENDATIONS: The Authority is recommended to:

- (1) NOTE progress to date
- (2) APPROVE the development of schemes for other sites.

Authority priority: Support delivery of the Exmoor National Park Partnership Plan – These proposals will ensure that ENPA assets are working effectively for visitors and the local community.

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

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

Financial and risk implications: The financial and risk implications of the recommendations of this report have been assessed as follows: if schemes (including charging arrangements at car parks) are not developed for these schemes, the maintenance of these sites will continue to draw funds from ENPA's core grant away from other work.

Climate response: This paper covers proposed improvements to current ENPA car parks and the potential to develop an additional car park. This is to deal with existing demand for visitor and leisure car parking in the National Park, but it is recognised that car travel contributes to carbon emissions. Opportunities to install Electric Vehicle charge points in ENPA car parks are being considered with each scheme, although these are limited in some cases due to the sensitivity of the landscape. Travel to the National Park by non-car means are limited, and this is something that will need to be considered in wider pieces of work by ENPA and partners.

1. Introduction / Background

- 1.1 The Authority was asked to approve works on its own car parks as part of the Land Visioning exercise in 2019. It was suggested that ENPA car parks could be improved in order to better serve visitors and the communities of Exmoor, and at the same time, through appropriate charging, the Authority could offset the

substantial annual investment it makes in them. Our approach was, therefore, about improving what ENPA provides in its car parks, as well as ensuring that charging is appropriate and in-step with the investment made.

- 1.2 At the time it was agreed that schemes for individual car parks would be brought forward one-by-one to Authority for scrutiny and approval. We set out this approach for two reasons: firstly, because of insufficient Officer capacity to progress more quickly and, secondly to ensure that we absorbed the learning from each scheme that had been completed. Following approval, schemes were submitted for planning consent where required.
- 1.3 The purpose of this paper is firstly to report back to the Authority on the schemes that have been completed and, secondly to lay out for initial approval the sites that will be considered over the next 12-18 months. To be clear, detailed schemes for each of these sites will be submitted to the Authority for scrutiny in due course.

2. Car Park schemes completed to date

- 2.1 **Ashcombe:** The scheme at Ashcombe (Simonsbath) comprised substantial repairs to the toilet building – both external and internal – and the installation of a new interpretation board to help visitors orient themselves. A car park machine replaced the cash cairn. These works were carried out in phases and were completed in July 2022.
- 2.2 **Tarr Steps:** The scheme comprised the installation of a second car park machine to serve the lower level of the car park, both for the convenience of visitors to the car park but also to ensure resilience in the event of the temporary failure of one of the machines. This scheme was completed in 2021.
- 2.3 **Valley of Rocks:** This major scheme comprised improvements to the layout of the car park, resurfacing of the access road, new interpretation, and the provision of a second car park machine, both for the convenience of visitors to the site and to ensure resilience in the event of one of the machines temporarily failing. The bulk of the scheme was completed in April 2022, with the interpretation board and entrance sign to be installed (subject to consents) by autumn 2022.

3. ENPA Car Parks – locations where schemes will be developed

3.1 Exford

- 3.1.1 The ENPA car park at Exford lies at the heart of the village (immediately adjacent to our Field Services Team Depot) and is used by both the local community and visitors. Within the car park is a public toilet facility that is maintained by the Parish Council. We intend to develop a scheme for this site in close discussion with the Parish Council and bring it back to Authority later in the year.

3.2 Goat Hill Bridge

- 3.2.1 This location lies on the Simonsbath to Challacombe road and is a long layby adjacent to the main road. During the pandemic it has seen increasing numbers of visitors (and several weekends ago was at capacity). We believe that visitors to this site are using it as a convenient and valued setting off point for walks to Pinkery Pond and onto the moorland around. Our proposal here, at this sensitive location, is to install a small donation cairn and small interpretation board inviting donations. Again, a paper will be brought to Authority once a detailed scheme for this site is established.

3.3 Simonsbath Sawmill

3.3.1 Simonsbath village faces a number of vehicle-related issues including excessive speeds and a lack of parking. To help address these issues, Somerset County Council are consulting on a Special Improvement Scheme in which ENPA is pleased to be involved. One particular issue is on-road parking on a dangerous bend, and this has caused considerable local anxiety, expressed by Exmoor Parish Council. Partly as a result of that issue, ENPA has suggested that it will look at public car parking at Simonsbath sawmill. ENPA has owned Simonsbath sawmill for over 20 years and currently Three Atop Woodland Services occupy it and run their successful business from it. However, a little used area of land adjacent to the sawmill could provide well placed parking to serve the village and help alleviate the current problems. Any car parking scheme here is not without its challenges due to its location near to the River Barle. We propose to enter discussions with the Environment Agency in the first instance to help us assess the feasibility of any scheme we might put forward.

3.4 Haddon Hill

3.4.1 Due to capacity we aim to develop a scheme for this location during 2023.

Rob Wilson North
Head of Conservation and Access
July 2022

EXMOOR NATIONAL PARK AUTHORITY

2 August 2022

WOODLAND MANAGEMENT UPDATE

Report of the Head of Conservation and Access

Purpose of Report: To update Members on the progress implementing corporate priorities around woodland management and increasing canopy cover.

RECOMMENDATION: The Authority is recommended to NOTE this report

Authority priority: Support delivery of the Exmoor National Park Partnership Plan – These proposals will enhance habitats and Exmoor’s natural environment; They will take us closer to becoming a carbon neutral National Park.

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

(a) the accomplishment of the purposes mentioned in s. 65 (1) [National Park purposes]

(b) the carrying out of any functions conferred on it by virtue of any other enactment.”

The equality impact of the recommendations of this report has been assessed as follows: There are no foreseen adverse impacts on any protected group(s).

Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendations of this report is as follows: There are no implications for the Human Rights Act.

Financial and risk implications: The financial and risk implications have been identified and will be actively managed as part of the project management.

Climate response: As set out in the report. Expanding tree and woodland cover and adapting woodland to the threats of the climate emergency and climate related tree health matters are embedded in national forest policy as laid out in England Tree Action Plan. Actions as detailed in the Corporate Plan reflect national priorities.

1. Background

1.1. The 2022-23 Corporate Plan includes actions supporting woodland management and creation as part of the Authority’s response to both the climate and ecological emergencies, and ongoing work to support cultural / working landscape, enhanced access etc. These actions extend to supporting increased canopy cover and woodland and landscape resilience on private land and woodland as well as ENPA woodland management to supply timber for operations and as part of income generation.

1.2. Relevant Corporate Plan actions include:

- Priority action: Work with partners a to support delivery of national ambitions for appropriate woodland expansion by producing the Exmoor Woodland and Trees strategy and developing principles to enable the 'right tree in the right place' and to support appropriate management of existing trees and woodland to ensure resilient wooded landscapes delivering a range of public goods
- Priority action: Progress the Coastal Woodland Project, bringing together a better understanding of the cultural significance of the ENPA coastal woodland holdings with proposals for nature recovery. This will link with developing proposals with other key coastal woodland landowners to establish a Nature Recovery Area (action 26) Priority action.
- New Action: Commence delivery of 'Exmoor's Temperate Rainforest' project by trialling woodland establishment in combes around Simonsbath.
- Complete the set-up of the tree nursery at Exford
- Continue exemplary management of ENPA woodland estate including continuous cover productive woodland, managing woodland of high biodiversity value, climate resilience for priority species and tree safety
- Work with the National Trust and the Farming and Wildlife Advisory Group to complete detailed scoping for joint nature recovery and heritage projects for the Exmoor Coast. Map potential for enhancement and expansion of coastal woodlands. Develop a Landscape Recovery scheme proposal for submission to Defra [now also extending to grey squirrel management]
- Continue the restoration of Ashcombe Gardens with volunteers and work with the Simonsbath & Exmoor Heritage Trust to manage and utilise White Rock Cottage and Simonsbath Old School
- Continue the restoration of the Ashley Combe designed landscape through targeted woodland management and enhancement works
- Work with SWT and AONBs on a new three year "Forest for Somerset" partnership funded by the Trees Call to Action Fund (TCAF). The project aims to expand and connect trees and woodlands across Somerset; embed trees and woodlands as part of the green economy; protect and improve existing trees and woodlands; and connect people with trees and woodlands

2. Delivery of Corporate Plan Actions

2.1 Corporate Plan Actions can be themed around the England Tree Action Plan Priorities;

- Expanding and Connecting Trees and Woodlands
- Protecting and Improving Trees and Woodlands
- Trees and Woodlands as Part of the Green Economy

- Connecting People with Trees and Woodlands
- Knowledge and Science

2.2 All 5 national priorities mesh with ENPA and regional objectives and form the basis of many of the partnership projects and bids for grants and resources. Recent successful partnerships and bids include;

- | | |
|--|----------|
| • ENPA/Red Squirrel SW award from FC Woods Into management | £270,000 |
| • SWT Woodland Expansion Partnership | £ 80,000 |
| • Bye Wood EWCO | £130,000 |
| • Higher Tier CS | £240,000 |

Pending bids include;

- | | |
|--|----------|
| • Woodland Accelerator Fund (with SCC) | £300,000 |
| • Tree Production Capital Grant | £ 50,000 |
| • Landscape Partnerships Scheme | £500,000 |

2.3 Details and progress with approved, active projects as well as any updates regarding pending bids will be presented on the day.

Graeme McVittie
Senior Conservation Officer (Woodlands)
July 2022

EXMOOR NATIONAL PARK AUTHORITY

2 August 2022

EXMOOR NATIONAL PARK LOCAL PLAN IMPLEMENTATION AND DELIVERY

Report of the Head of Strategy and Performance

Purpose of Report: To present to Members the proposed programme of work for progressing implementation and delivery of the Exmoor National Park Local Plan 2011-2031 and addressing points raised in the 5-year review process

RECOMMENDATIONS: The Authority is recommended to APPROVE the work programme and timetable set out in the paper

Authority priority: Complete the 5-yearly check of Local Plan policies and progress a review or further guidance on specific topics if required. Oversee implementation of the Local Plan including working in partnership to support delivery of locally needed affordable housing, and produce guidance on local affordable housing need assessments.

Legal and equality implications: The National Park Authority has a statutory duty, as Planning Authority, to produce a Local Plan for the planning authority area. The Local Plan and any neighbourhood plans form the development plan for the area of Exmoor National Park. The development plan guides and is the first consideration in determining planning applications for land use and development. Legally, planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The equality impact of the recommendations of this report has been assessed as follows: There are no foreseen adverse impacts on any protected group(s).

Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendations of this report is as follows: Planning policies can have a considerable impact on an individual's ability to use their land and property. In particular, in relation to Article 1 (Protection of Property) of Part II of the First Protocol, the policies of the Local Plan are considered to be proportionate and control the use of land and property in accordance with the general public interest.

Financial and risk implications: The proposed programme of work will be undertaken primarily via officer staff time, with some commissioned work which will be paid for through the Local Plan budget.

Climate response: The proposed programme of work includes progressing climate actions, particularly through the Design guide SPD and Biodiversity Net Gain guidance.

1. Background

- 1.1 At the 14 June 2022 Authority meeting Members resolved that a review of the Local Plan was not required but accepted that concerns raised need to be addressed, and to progress work to address these through additional guidance, communications and

partnership working. It was also agreed that the Planning Policy Advisory Group (PPAG) should meet regularly to review and consider updates and supplements to the guidance, as necessary. This paper sets out the work that will be progressed and a timetable for PPAG discussions.

1.2 The 14 June Authority report identified a number of areas for further action:

- Housing and Community - actions to address concerns over affordable housing delivery including guidance for applicants and ongoing partnership working.
- Environment - Guidance on design, sustainability/climate change and biodiversity net gain, and updating local validation requirements.
- Economy - continued partnership working including through Rural Enterprise Exmoor (REE).

1.3 The following sections set out a proposed approach and programme of work to address concerns raised, and progress actions that can be taken now to support implementation and delivery of the Local Plan. This work will be discussed at regular meetings of PPAG (see the table in section 5 below).

2. Housing and Community

2.1 The focus of follow up work will be to address concerns over affordable housing delivery. This includes:

- Maintaining an updated pipeline of affordable housing, and regular Officer meetings with housing authorities and Rural Housing Enabler to discuss progress with sites
- Working with the housing authorities and Rural Housing Enabler to ensure local need housing parish surveys are kept up to date
- Commissioning work to provide updated data on income and housing prices/rents for housing need assessments; and a methodology for assessing local affordable need and resale values for affordable homes
- Preparing a self and custom build leaflet and a quick guide to housing policies to explain and promote what can be done under policy
- Taking forward pledges from the Exmoor Young Voices Summit
- Organising a housing conference to bring together partners and providers to discuss solutions and opportunities
- Preparing a S106 template to facilitate quicker agreements and provide clarity for applicants on what is likely to be required

3. Environment

3.1 This work will include:

- Preparing an updated Design Guide Supplementary Planning Document including sustainability and responding to climate change
- Commissioning a carbon footprint for Exmoor National Park and identifying a programme of work with partnership groups to deliver carbon neutral targets

- Developing Exmoor specific guidance on implementing statutory biodiversity net gain requirements
- Updating local validation requirements

4. Economy

4.1 This will focus on continued partnership working through Rural Enterprise Exmoor (REE). This will include:

- 1-2-1 business engagement to develop local supply chains and support businesses to adopt elements of the vision
- A series of ten networking and workshop sessions for different sectors
- Continued engagement via digital platforms
- Development of a good business guide. This will be in three parts: doing business in Exmoor; a specific tourism guide; and doing green business on Exmoor. The guide will bring together relevant information in an accessible format for businesses to engage with and include a relaunch of the Park Partner scheme

5. Timetable

5.1 The table below sets out a proposed timetable for taking forward these pieces of work and when items will come to Members at PPAG and Authority meetings. The timetable will be kept updated and added to as work progresses, and new actions are identified.

5.2 In advance of this report to Authority, the Planning Policy Advisory Group met on 19th July to consider a draft timetable for follow up work:

Housing:

- Affordable Housing Quick Guide
- Self and Custom Build leaflet/checklist
- Update on affordable housing pipeline
- Proposed commission for local need affordable housing methodology and supporting data
- Follow up from EYV summit
- Housing conference

Proposed Date	Agenda items
Authority 2 August 2022	Paper to approve proposed work programme and timetable for follow up work
PPAG 8 Nov 2022	1. Environment: <ul style="list-style-type: none"> • Biodiversity Net Gain draft approach and interim guidance • Design Guide SPD draft contents list and style mock up • ENP carbon footprint analysis and carbon neutral trajectory

	<p>2. Housing (or to be considered at an additional PPAG meeting on 13 December)</p> <ul style="list-style-type: none"> • Update on work to inform a draft methodology and guidance on local needs affordable housing assessment and resale/rental values for affordable homes • Update on affordable housing pipeline • Housing conference <p>3. Local validation list update</p> <p>4. REE update and discussion on business premises</p>
<p>Authority 6 Dec 2022</p>	<p>Approve Biodiversity Net Gain Interim Guidance (to begin implementation Jan 2023)</p>
<p>PPAG 13 Dec 2022 (provisional meeting date if needed following 8 Nov PPAG)</p>	<p>1. Housing</p> <ul style="list-style-type: none"> • Draft methodology and guidance on local needs affordable housing assessment and resale/rental values for affordable homes • Update on affordable housing pipeline • Identifying local housing need / speed of housing need updates • Housing conference
<p>Authority Jan/Feb 2023</p>	<p>Adopt methodology and guidance on local needs affordable housing assessment and resale/rental values for affordable homes</p>
<p>PPAG Feb 2023</p>	<p>1. Environment:</p> <ul style="list-style-type: none"> • Design Guide SPD draft <p>2. Housing:</p> <ul style="list-style-type: none"> • Update on affordable housing pipeline <p>3. Further items tbc</p>
<p>Authority April 2023</p>	<p>Approve Design Guide SPD for consultation</p>
<p>PPAG June 2023</p>	<p>1. Housing:</p> <ul style="list-style-type: none"> • Update on affordable housing pipeline <p>2. Environment:</p> <ul style="list-style-type: none"> • Update on progress implementing Biodiversity Net Gain <p>3. Further items tbc</p>
<p>PPAG Sept 2023</p>	<p>1. Environment:</p> <ul style="list-style-type: none"> • Consider Design Guide consultation comments and proposed responses • Review interim Biodiversity Net Gain guidance and consider revisions <p>2. Housing:</p> <ul style="list-style-type: none"> • Update on affordable housing pipeline

	3. Further items tbc
Authority Nov 2023	Adopt Biodiversity Net Gain guidance
Authority Dec 2023	Adopt Design Guide SPD

Clare Reid
Head of Strategy and Performance
July 2022

Ruth McArthur
Policy & Community Manager

EXMOOR NATIONAL PARK AUTHORITY

2 August 2022

AUTHORITY MEETINGS SCHEDULE FOR 2023

Report of the Head of Strategy and Performance

Purpose of the report: To present to Members a schedule of meetings of the Authority and its Committees for 2023.

RECOMMENDATION: To adopt a schedule of meetings of the Authority and its Committees for 2023, attached at Appendix 1 to this report.

Authority priority: Develop and maintain effective and efficient services.

Legal and equality implications: The Authority's Standing Orders provide that each year the Authority shall approve a calendar of meetings of the Authority and its Committees and Sub Committees.

The equality and human rights impact of the recommendation of this report has been assessed as having no adverse impact on any particular group or individual.

Financial and risk implications: The Authority's meeting arrangements are intended to make best use of member time and resources while ensuring Authority business is dealt with efficiently and in a manner open to public scrutiny.

Climate response: As part of the action plan for the Climate Emergency response, and the return to in-person meetings, the Authority moved back to paperless meetings from March 2022.

1. 2023 Authority meetings schedule

- 1.1 A draft meetings schedule for 2023 has been prepared and is attached at Appendix 1. This schedule follows the usual pattern of Authority meetings and other Committees and includes dates for member training.
- 1.2 Members will be aware that, due to the coronavirus pandemic and the need to hold virtual meetings and then socially distanced in-person meetings, additional reserve dates were added to the 2021 and 2022 meetings schedules. These dates were to be used for Members' Forums, training/briefing opportunities and informal working groups. If there were no pressing matters to discuss, it was intended that the dates would not be used.
- 1.3 Given the wide-ranging nature of the Authority's work, it is proposed that we continue to identify an additional reserve date each month, should this be required for additional Member meetings. The reserve date would be used for training/briefing opportunities, plus meetings of other Committees including the Standards Committee and Final Accounts Committee and sub-groups such as the

Planning Policy Advisory Group, Finance and Performance Advisory Group, where these meetings cannot be accommodated on the same day as the Authority meeting.

- 2.4 As is usual practice, the meeting schedules have been shared with the constituent County and District Councils.

Clare Reid
Head of Strategy and Performance

Judy Coles
Corporate Support Officer

**EXMOOR NATIONAL PARK AUTHORITY
SCHEDULE OF MEETING DATES 2023**

Day	Date	Time	Meeting
JANUARY			
Friday	6 January	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	10 January	10.00am	Exmoor National Park Authority meeting (Reserve Date)
Tuesday	17 January	10.00am	Reserve Date – Members’ Forum / Training etc
FEBRUARY			
Friday	3 February	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	7 February	10.00am	Exmoor National Park Authority meeting
Tuesday	21 February	10.00am	Reserve Date – Members’ Forum / Training etc
MARCH			
Friday	3 March	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	7 March	10.00am	Exmoor National Park Authority meeting
Tuesday	14 March	10.00am	Reserve Date – Members’ Forum / Training etc
Tuesday	14 March	pm	Member Obligatory Planning Training
Thursday	23 March	10.30am	Exmoor Consultative & Parish Forum
Friday	31 March	am	Pre-Meeting Planning Site Visit (Reserve Date)
APRIL			
Tuesday	4 April	10.00am	Exmoor National Park Authority meeting
Tuesday	18 April	10.00am	Reserve Date – Members’ Forum / Training etc
Friday	28 April	am	Pre-Meeting Planning Site Visit (Reserve Date)
MAY			
Tuesday	2 May	10.00am	Exmoor National Park Authority meeting
Tuesday	9 May	9.30am	Standards Committee meeting
Tuesday	9 May	10.30am	Reserve Date – Members’ Forum / Training etc
JUNE			
Friday	2 June	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	6 June	10.00am	Exmoor National Park ANNUAL Authority meeting
Tuesday	13 June	10.00am	Reserve Date – Members’ Forum / Training etc
Thursday	22 June	7.00pm	Exmoor Consultative & Parish Forum
Friday	30 June	am	Pre-Meeting Planning Site Visit (Reserve Date)

**EXMOOR NATIONAL PARK AUTHORITY
SCHEDULE OF MEETING DATES 2023**

JULY			
Tuesday	4 July	10.00am	Exmoor National Park Authority Meeting
Tuesday	11 July	9.30am	Final Accounts Committee
Tuesday	11 July	10.30am	Reserve Date – Members’ Forum / Training etc
Friday	28 July	am	Pre-Meeting Planning Site Visit (Reserve Date)
AUGUST			
Tuesday	1 August	10.00am	Exmoor National Park Authority meeting (Reserve Date)
Tuesday	8 August	10.00am	Reserve Date – Members’ Forum / Training etc
SEPTEMBER			
Friday	1 September	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	5 September	10.00am	Exmoor National Park Authority meeting
Tuesday	12 September	10.00am	Reserve Date – Members’ Forum / Training etc
Tuesday	12 September	pm	Members’ Obligatory Planning Training
Thursday	21 September	7.00pm	Exmoor Consultative & Parish Forum
Friday	29 September	am	Pre-Meeting Planning Site Visit (Reserve Date)
OCTOBER			
Tuesday	3 October	10.00am	Exmoor National Park Authority meeting
Tuesday	10 October	10.00am	Reserve Date – Members’ Forum / Training etc
NOVEMBER			
Friday	3 November	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	7 November	10.00am	Exmoor National Park Authority meeting
Tuesday	14 November	9.30am	Standards Committee meeting
Tuesday	14 November	10.30am	Reserve Date – Members’ Forum / Training etc
Thursday	23 November	10.30am	Exmoor Consultative & Parish Forum
DECEMBER			
Friday	1 December	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	5 December	10.00am	Exmoor National Park Authority meeting
Tuesday	12 December	10.00am	Reserve Date – Members’ Forum / Training etc

EXMOOR NATIONAL PARK AUTHORITY EXMOOR CONSULTATIVE AND PARISH FORUM NOTES

of the meeting of the Exmoor Consultative and Parish Forum held
on Thursday 23 June 2022 at 7pm at Withypool Village Hall

PRESENT

Mike Ellicott	Exmoor National Park Authority and Chairman of the Forum
Vivian White	Exmoor National Park Authority and Deputy Chair of the Forum
Liz Bulled	North Devon District Council
Alan Collins	Withypool and Hawkridge Parish Council
Steven Pugsley	ENPA Member
Andy Milne	ENPA Member
Nick Thwaites	ENPA Member
Leslie Silverlock	Exmoor Young Voices
Tony Howard	Withypool and Hawkridge Parish Council
Kevin Connell	Winsford Parish Council
Jill Wright	Exmoor Parish Council
Roger Foxwell	Cutcombe Parish Council
Jon Levenson	Cutcombe Parish Council
Richard Peek	North Molton Parish Council
Sarah Cookson	Brushford Parish Council
Tim Lloyd	Withypool and Hawkridge Parish Council
Robert Takle	Exton Parish Council
Frances Nicholson	ENPA Member
Susan J May	Exmoor Trust
Ron Buckingham	Elworthy Parish Council
Will Lock	Exmoor Young Voices

1. Apologies for absence were received from:

Chris Garnsworthy	Western Power Distribution
Louise Crossman	Business Owner
Rachel Thomas	Exmoor Society
Catherine Nicholls	Winsford PC
Andrea Davis	ENPA Member
Penny Webber	ENPA Member
Jeremy Holtom	ENPA Member
Marcus Kravis	ENPA Member
Robin Milton	ENPA Member
Hermione Warmington	Rural Housing Enabler

National Park Authority staff in attendance:

Dean Kinsella, Head of Planning and Sustainable Development
Ruth McArthur, Planning Policy and Community Manager
Hazel Malcolm, Business Support Officer (Note Taker)

2. **MINUTES:** The [minutes](#) of the Forum meeting held on 17 March 2022 were agreed as a correct record.

Matters Arising: There were no matters arising

3. **QUESTIONS FROM THE FLOOR (Submitted in advance):**

No Questions were submitted.

4. **DISTRIBUTION OF POWER ON EXMOOR.**

This item was cancelled due to unforeseen circumstances and is re-scheduled for the September ECPF meeting. Chris Garnsworthy, Distribution Manager for Western Power to talk about power distribution across Exmoor.

5. **RURAL HOUSING ENABLER**

The current Rural Housing Enabler for Somerset will shortly be leaving the post and was unable to attend the meeting. The rural housing team at Somerset West and Taunton Council provided a written update which was circulated prior to the meeting and can be found [here](#). The new Rural Housing Enabler for Somerset will be in post from July 19 and will be able to attend the ECPF meeting in September.

Dean Kinsella, Head of Planning and Ruth McArthur the Planning Policy Manager for Exmoor National Park Authority provided a general update. The Forum was reminded that ENPA is a planning authority and has no powers as a housing authority. ENPA is one of the most approachable national parks, planning staff are always willing to talk through planning issues.

There is a pipeline of potential sites for local need affordable housing and although not all these sites may result in development, it is positive they are coming forward. ENPA will produce guidance on local housing to explain the pathways and try to remove some of the barriers. This guidance will cover both the Somerset and North Devon sides of the National Park. North Devon does not have a Rural Housing Enabler. The Exmoor Rural Housing Network is organising a visit to look at the plans the Parracombe Community Land Trust has for a scheme of local affordable housing in the village on 6 July

Funding sources for affordable housing schemes are available from a range of places including grants for Housing Associations/Registered Providers through Homes England, and Self-Build mortgages. There have also been examples elsewhere of schemes where larger developments can fund smaller rural developments.

The Class Q conversion of agricultural buildings to dwellings subject to certain conditions and limitations is not permitted within protected landscapes such as Exmoor.

The Levelling-Up and Regeneration Bill was published in May 2022. It proposes changes to the current planning system

6. **EXMOOR YOUNG VOICES SUMMARY FROM EYV SUMMIT HELD ON 9 JUNE**

Will Lock Chair of Exmoor Young Voices (EYV) provided a briefing on the EYV Summit held on 9 June at Exford. The Summit brought together all those with an interest in local needs housing on Exmoor. EYV will put together an Action Plan with the aim to have the action plan published by the end of September. Full details of the EYV Summit can be found [here](#).

7. EMERGING ISSUES OR TOPICS FOR WIDER DEBATE

The Forum was reminded this meeting is for the Exmoor community, facilitated by ENPA and future meetings will not take place unless agenda items are suggested by ECPF Members.

Three future agenda items were suggested by the Forum:

- Sustainable Energy
- Superfast Broadband rollout across Exmoor
- A summary from the National Parks UK Conference to be hosted this year by Exmoor NP at Dunster.

Forum Members were reminded to send any issues for discussion at future Forum meetings to Hazel Malcolm hamalcolm@exmoor-nationalpark.gov.uk

8. DATE AND TIME OF NEXT MEETING

The next meeting will be held on Thursday 15 September at 7pm in Parracombe Village Hall

9. OTHER BUSINESS OF URGENCY

There was none.

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Committee Report

Application Number:	6/35/22/101
Registration Date:	11-Mar-2022
Determination Date:	20-Jun-2022
Applicant:	Mr M Weatherlake
Agent:	Mr. N Furze
Case Officer:	Dean Kinsella
Site Address:	Land adjoining B3224 at Treborough Common - Easting 300250: Northing 135050, Treborough, Watchet
Proposal:	Proposed storage of timber and wood chipping operation used in connection with the applicant's existing combined heat and power generating business on land form part of the parking area previously granted planning permission (6/35/08/101) for the nearby equestrian course. Resubmission of application 6/35/21/103. (Part retrospective).
Recommendation:	Refusal.
Reason for bringing before the Authority Committee:	This application is brought before Committee in accordance with the Approved Scheme of Delegation because the recommendation of the Officer is contrary to the recommendation of Brompton Regis Parish Council, which supports the application.

Relevant History

6/35/06/101 Change of Use of land to equestrian. Approved 03/07/2006

6/35/08/101 Retrospective application in respect of Change of Use of land to equestrian. Approved 05/20/2008

6/35/21/103 Proposed storage of timber and wood chipping operation to be used in conjunction Refused 01/20/2022

6/35/97/103 Proposed storage of stone - Retrospective Application, Treborough Common, Refused 09/02/1997

Site Description & Proposal

Planning permission is sought to create an area within a larger field to store timber and to carry out occasional wood chipping in association with a combined heat and

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power operation. The application seeks to regularise the situation where the land is being used without planning permission for this purpose.

The area that is the subject of the application lies immediately to the north of the B3224 highway that runs from Wheddon Cross, in the west, to the Brendon Hill Methodist Church, linking onwards to roads heading towards Brompton Regis.

The site is part of an elevated area of land within a wider landscape at Treborough Common. The southern boundary comprises a substantial row of mature trees with the north, west and eastern boundaries being open farmland.

The land is approached from an existing access to the B3224 and sits immediately to the east of the track that runs in a north easterly direction from this access to the Combined Heat and Power (CHP) plant.

The application is a revised version of a previous application (ENPA reference 6/35/21/103) for the same use on the same site.

In the previous scheme the storage area was to be excavated to a depth of 300mm with the material used to form surrounding earth embankments. With this revised application no excavation works or embankments are proposed. Fencing would be installed to define the edge of the storage area with native planting providing a landscape screen.

The application area measures approximately 34m (east-west) by 18m (north-south) A large wood chipping machine would be brought to site, typically every three to four weeks, positioned by the stored wood and used for in the order of 4 to 5 hours.

The proposals are illustrated in:

- Drawing 0522/10 Amended location plan
- Drawing 0522/2/A Amended site layout plan

A revised landscape plan is also provided.

Report update

At the Authority meeting of the 5th July 2022 Members, following a debate, sought to approve the planning application contrary to the officers recommendation. During the debate it was suggested while the report stated that: *'The isolated location within the open countryside leads to a conflict in principle with Policy SE-S3, criterion 5, which states that 'Business use in buildings which stand alone or which do not relate well to existing buildings and are not part of a farm group or hamlet will not be permitted'*, Member's raised the fact that the specific wording of the policy only made reference to buildings and therefore as no buildings were proposed the plan was silent on the proposed development. Member's also considered that the landscape harm caused by the development was acceptable as the storage of timber is a common sight on Exmoor.

Given the views of members the Head of Planning and Sustainable Development requested that the application be deferred as set out in section 9 of the Code of Conduct in Practice – Planning, which states, amongst other things that:

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'If it is felt that the reasons given to approve/refuse an application are not substantiated by planning evidence, the Chief Executive, or their representative at an Authority Committee, may stop proceedings and request the opportunity to report further on the application to the next Meeting of the Authority Committee. Where such a request is made, the Authority Committee shall accede to that request.'

Since the deferral of the meeting and based on the motion to approve the application officer have readvertised the planning application as a departure to the Local Plan. The consultation period expires on the 4th August 2022. Given that this is after the Authority Meeting the recommendation will be for any decision be delegated the Head of Planning & Sustainable Development to issue the decision subject to no new comments being received and no new material considerations being raised that have not been discussed either in the officer report or during the member debate.

Since the deferral of the application the agent has also submitted revised plans which omit the planting of trees along a bank close to the site. This followed concern from members regarding the landscape impact of this element of the scheme.

Consultee Representations

Brompton Regis Parish Council – supports, noting that ‘these developments can only make this established business more sustainable.’

Somerset County Council (Highway Authority) – On the basis the use is ancillary to the one granted consent against P/A 6/35/16/102, and would not result in an increase in traffic, advises that Standing Advice can be applied.

The **ENPA Landscape Officer** comments that the revised proposal for a timber storage area is in the same location and the same size as the refused application (approximately 34 x 18m). The amendments include omission of the banks around the storage area and the pond. In place of the bank is a 1m high post and wire fence and hedgerow.

The Officer notes that excavation and ground modelling is no longer required, but that the proposal remains at odds with the landscape character of the Eastern Enclosed Farmed Hill with Commons Character Area, which is open and expansive. One of the issues / forces for change identified for this character is the localised examples of prominent storage areas, including machinery and scrap.

The Officer comments that the timber storage area would be seen in close proximity from the adjacent bridleway and footpath for a short distance before the landform drops away to the north from the broad back of the ridge. The trees on the roadside hedgebank would form a backdrop, so the storage area would not be visible on the skyline. These trees would also screen it from the road. The screening provided by this row of trees is dependent on them not being laid or coppiced in the way adjacent sections of hedgerow have been, as the storage area would be more visible in the landscape if they were, given its elevation. In longer views from the north and north east, the storage area would not be visible.

The planning statement puts forward a suggestion for an alternative planting scheme, wrapping native tree planting around the storage area, which on balance

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would be more effective as a screen than the proposed hedgerow and more appropriate to the landscape setting.

The revised proposal would cause less harm to the landscape than the original application, although it would still introduce a feature that is at odds with the open landscape of the common. The development in this location would still be isolated, away from any buildings or farmstead it is associated with.

The **ENPA Historic Environment Officer** notes that the revised proposal no longer includes the grading of the area and the creation of bunds or banks, meaning that there is less likelihood of below ground archaeological impact and does not advise further archaeological work. The Officer notes, however, that in historic landscape terms, this was once an open landscape, part of Treborough Common, and the creation of new small enclosures is not in keeping with the historic landscape - in conflict with policy SE-S3.

The Officer commented on the previous planning application (reference 6/35/21/103) and the relevant comments are summarised: 'Treborough Common has a rich history. With much of the Brendon Hills ridge, it appears to have been largely unenclosed until the second half of 19th century. Until that time it was an open moorland landscape with prehistoric burial mounds along the high ridge which was also crossed by the unenclosed Herepath or Harepath, a reputed Saxon routeway. Many of the parishes used this earlier landscape to mark their boundaries and the parish boundary runs along the southern side of the proposed development. In the later 19th-century the area was developed for iron mining and a railway was built to the south of the road. Abandoned in the early 20th century this relict landscape is now one of Exmoor's Principal Archaeological Landscapes (PAL 44: West Somerset Mineral Railway and associated mineworkings) which lies to the south of the proposed development. A period of late 19th century enclosure and short-lived cultivation appears to have gone out of use by the post-second world war period (ENP HER number MSO8352). One of these late field enclosures (now in the same modern field as the proposed development) was used to house a US military / army camp occupied for a short time during preparations for the D-Day landings in 1944. The northern end of the proposed development may impact on a rectangular block relating to the use of the camp. The proposed development with the creation of new banks would detract from the historic landscape and earthmoving may have an unassessed impact on remains of the military camp and earlier prehistoric landscape and field system.

ENPA Public Rights of Way and Access Officer – comments that the revised application differs to the original in that a planting scheme is provided. Whilst this is welcomed, the Officer draws attention to the definitive line of the public footpath which, whilst not in use, passes through the line of proposed beech trees to be planted. If the planting can leave enough space for this definitive line, then this will avoid making this 'offline' situation worse.'

Comments made on the previous planning application that are of relevance are that the public footpath also has permitted bridleway access with the kind permission of the owner – a permitted bridleway also leaves runs away from the site parallel to the road.

The proposed timber storage does not impact directly on either the legal or the used line of the public rights of way – the track is already used for private vehicular

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access and there is good visibility and wide verges so I do not consider that traffic associated with the proposed use will have an impact on users of the right of way. The timber will be visible to users of the public footpath / permitted bridleway but would not spoil people's enjoyment of the right of way.

Please ensure that during development and use of the site, the public right of way remains unobstructed and easy to use at all times.

No other consultee representations have been received.

Representations

No neighbour representations received.

Policy Context

Exmoor National Park Local Plan 2011 – 2031

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

GP3 – Spatial Strategy

CE-S1 – Landscape and Seascape Character

CE-D1 – Protecting Exmoor's Landscapes and Seascapes

CE-S2 – Protecting Exmoor's Dark Night Sky

CE-S4 – Cultural Heritage and Historic Environment

CE-D3 – Conserving Heritage Assets

CE-S6 – Design and Sustainable Construction Principles

SE-S1 – A Sustainable Exmoor Economy

SE-S3 – Business Development in The Open Countryside

RT-D12 – Access Land and Rights of Way

AC-D2 – Traffic and Road Safety Considerations for Development

CC-S1 – Climate Change Mitigation and Adaptation

CC-S5 – Low Carbon and Renewable Energy Development

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

Planning Considerations

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

Principle of development

The key policies for making a judgement with respect to the acceptability of the proposed development at Policies GP1, GP3, CC-S5, SE-S1 and SE-S3.

Policy GP1 sets out criteria for achieving National Park Purposes and Sustainable Development. These include high quality design, the efficient use of land, buildings, services and infrastructure; protecting the amenities of local residents;

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conserving or enhancing the quiet enjoyment of the National Park; and supporting the health and socio-economic wellbeing of local communities.

Policy GP3 establishes the Spatial Strategy for Exmoor, with the key objective being to focus new development within named settlements.

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

Policy CC-S5 supports low carbon development where this contributes to energy supply, is compatible with the landscape, do not compromise the natural beauty, wildlife, cultural heritage or historic environment; and provide environmental enhancement.

The proposed development and activity entail the storage and processing of timber from outside the applicant's holding with the end product being woodchip for a CHP facility. The proposal is essentially an extension of the business site, approximately 1.15km to the north, where the combined heat and power building is located. It would be used ancillary to that site / activity. It is the view of the Planning Officer, therefore, that the application should be determine in the context of Policy SE-S3 of the Local Plan, which relates to business development in the open countryside; and not under the provisions of Policy SE-S4 (forestry) of the Local Plan.

In this respect it is noted that in a 1991 appeal decision in Wyre Forest, the sawing of logs was considered to fall outside what could be regarded as ancillary to forestry and in a 1991 appeal in Colchester, the fact that timber had been removed from the estate where it originated and then stored and sawn from a different planning unit was considered to be the crux of the argument that such a use was not ancillary to forestry.

Policy SE-S3 states that proposals for extensions to existing business sites or buildings that are well related to an existing group of buildings on a farmstead or in a hamlet where there is an existing dwelling will be permitted in accordance with Policy SE-S1 and where the scale and appearance of the development are compatible with local landscape character. During the debate by members on the 5th July 2022 it was suggested that as policy SE-S3 only referenced buildings the plan was considered silent on the matter and other material considerations should be considered. Officers do not agree with this conclusion. Therefore, to assist consideration of the application the following further policy appraisal is offered:

SE-S1 is relevant and para 2 of that policy states:

'Proposals for business development, including extensions and/or the growth and intensification of existing businesses, should demonstrate they will not have an unacceptable adverse impact including in terms of their operations, activity, and scale, on local amenity, landscape character, cultural heritage, sensitive habitats and wildlife.'

13.1

SE-S3 states at para 2, that:

*Proposals for extensions to existing **business sites or buildings** [my emphasis] that are well related to an existing group of buildings on a farmstead or in a hamlet where there is an existing dwelling will be permitted in accordance with SE-S1 and where the scale and appearance of the development are compatible with local landscape character.*

The application must be considered as being for an 'extension to existing business sites or buildings' – the key phrase here being that the policy relates to 'sites or buildings'. However, it will not comply with this policy because the site is not 'well related to an existing group of buildings on a farmstead'. It is clear to officers that the overall policy is not dealing solely with buildings.

A Member at the August meeting read out (in part) SE-S3 para 5, which read:

'Business use in buildings which stand alone or which do not relate well to existing buildings and are not part of a farm group or hamlet will not be permitted.'

It is officers view that members misinterpreted this policy by restricting its scope to buildings only. Members believed the policy referred to 'buildings which stand alone or which do not relate well to existing buildings and are not part of a farm group or hamlet' – however, by adding the words 'Business use in buildings etc...' the subject of the policy becomes the 'Business use' and can be interpreted as being applicable to business use in i) buildings which stand alone; or ii) which do not relate to existing buildings etc...

It is clear to officers that the overall policy SE-S3 relates to both sites and buildings. Policy SE-S3 para 3 relates to 'extensions to existing business site' and makes it clear that such sites 'that are well related to an existing group of buildings etc...' will only be permitted in accordance with SE-S1. Therefore, officers cannot see how para 5 can be interpreted in a manner that would allow business use on sites that do not relate well to existing buildings etc.

Therefore, to confirm, it is the view of the Planning Officer that the site is not well related to the applicant's building group where the combined heat and power facility is located or any other buildings group. It is not a farmstead or within a hamlet. The isolated location within the open countryside leads to a conflict in principle with Policy SE-S3. The isolated location and harm to the landscape, natural beauty, and cultural heritage conflicts with Policy CC-S5.

The agent has emphasised the importance of the CHP plant to local energy supply, local employment and to the local economy. The supporting text to Policy SE-S3 makes no reference to exceptional circumstances where development might be permitted in an isolated location. It is the view of the Planning Officer that this might only be the case if the application is a matter of overriding national importance.

13.1

The agent notes that the National Planning Policy Framework (NPPF) at paragraph 85 states that 'planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

It is the view of the Planning Officer, however, that the provisions of the NPPF do not provide any policy reasons to over-ride the requirements of Policy SE-S3.

At a site visit on Wednesday 6th of April, the Planning Officer was invited by the agent to consider whether there would be a suitable site nearer to the business site. The Officer discussed this possibility with the agent. The agent explained that other sites have been explored and discounted, for various reasons, by the applicant. The agent advised that the applicant has confirmed that other fuel types for the combined heat and power system are now being considered following approval for the use of other fuel types. This means that there is now a need for an area for storing and processing timber.

The Planning Officer considers that the availability of other sites for storage and processing wood is not a material consideration in making a judgement on the application that is the subject of this report. In the interests of clarity, however, it is noted that in the Officer Report for a previous application for the same use on this proposed site stated that 'Officers may be able to take a pragmatic decision on the latter if the storage area was adjoining the business site'. The Planning Officer writing this report holds the same view.

It is also noted that when considering planning applications for the CHP plant (ENPA references 6/35/17/101 [Retention of extension and other alterations on the combined heat and power plant building together with the proposed raising of roof on part of wood chip storage building (part retrospective)] and 6/35/16/102 [Proposed additional use of agricultural and forestry buildings together with land for the installation and operation of wood chip powered combined heat and power system]) the issue of the possible need to store wood on site was not raised by the applicant and agent. Permission was granted with conditions that would control the noise associated with processing of materials.

It is acknowledged that the site would be used as part of a business use that provides energy to the public and regard has been given to a planning permission that was granted at Committee for a wood storage area near Allercott Farm. However, neither of these circumstances are considered to resolve the conflict with policy, particularly as the latter relates to another site in the National Park and each planning application should be judged on its individual merits.

13.1

The applicant has provided confidential financial information regarding the business. This demonstrates the financial investment the applicant has made and the benefits that arise to the local community from benefits such as employment. The benefits are acknowledged but are not considered to be such a scale that the recommendation can deviate from the requirements of the Local Plan. The investment that the applicant has made is also acknowledged, but it is the view of the Planning Officer that this is not a material consideration for this planning application.

The agent also advises that if this CHP business was not operating felled woodland timber would have to be transported out of the area, possibly Wales which increases mileage for heavy vehicles which is not good for the environment or sustainability. The benefits are acknowledged but are not considered to be such a scale that the recommendation can deviate from the requirements of the Local Plan.

The agent advises that the originally envisaged wood chipping operations have not taken place in nearby woodland areas, or at source for a number of reasons, these include; no local material being available and the impact that this has had on the distance to site for the transporting the wood chips and the associated machinery, space, adverse ground condition, proximity to noise sensitive buildings. Off site chipping is still carried out when a nearby source of material becomes available including when hedge laying operations are being carried out on local farms and the surplus trimmings / timber can be turned into wood chips rather than being burnt on the fields. These operational issues, advises the agent, have resulted in chipping material having to be sourced from further afield but as near as possible to his premises. Most of the timber used to power the CHP machines is delivered by log transporters to the applicant's land where it is chipped. The agent states that 'It was recognised towards the end of 2017 that the original practice of stockpiling large quantities of timber on this land could not continue because of the objections from the Exmoor National Park Authority.' This led to a 'Just in time' principle with smaller quantities of material being brought onto the land and machined as soon as possible about every 2-3 weeks. This practice has, on occasion, failed due to adverse weather conditions, machinery failure or miss communication with timber suppliers. This means that there are occasions when the timber is un-expectedly not available so there is a need to store a certain amount on site.

Having considered these points made by the agent it is the view of the Planning Officer that a key reason for the application is to eliminate the need for vehicles to travel on the farm track from the highway to the CHP plant and back. Whilst that might be more convenient and maybe reduce costs for the running of the plant, this does not outweigh the conflict with Policy SE-S3, which does not support isolated development. In the interests of clarity, there is no documented 'objection' to on site storage.

The Officer is of the view that the planning application cannot be supported due to the conflict with Policy SE-S3. In the interests of providing a clear and robust report to inform the decision, the following text addresses other material considerations. The key issues are impact on the landscape, impact on heritage; design, scale and materials; and impact on highway safety.

13.1

Impact on the landscape / design, scale and materials

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

Policy CE-S3 and paragraphs 174 and 176 of the NPPF require that development conserves and enhances wildlife, habitats and sites of geological interest within the National Park. Harm to the landscape with the National Park is given great weight.

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

Policy CE-S4 requires the local distinctiveness, cultural heritage, and historic environment of Exmoor National Park to be conserved and enhanced. Policy CE-D3, Clause 3 specifically seeks to protect Heritage Assets and their Settings.

Policy CE-S6 requires development proposals to deliver high quality sustainable designs that, amongst other matters, positively contribute to the setting, reinforce landscape character and the positive arrangement of landscape features, not detrimentally affect the amenities of surrounding properties or other adverse environmental impacts.

The edge of the storage area would be defined by timber post (split sweet chestnut) with wire fence. A native hedge would be planted to straddle the fencing and/or additional trees planted outside of the storage area.

The applicant proposes that within the storage area timber would be stored in two piles. One of these timber piles would be used to store timber up to a height of 3m for short term periods of up to 7 days prior to it being chipped and transported to the CHP site. Material being stored for any longer time would be limited to a height of 2.4m. The piles of short term and long-term storage will alternate from time to time but it envisaged that the higher height would generally be kept on the lower southern side of the site.

The Authority's Landscape Officer considers that the proposed planting scheme, wrapping native tree planting around the storage area would be more effective as a screen than the previously proposed hedgerow and more appropriate to the landscape setting.

The Officer concludes that although the revised proposal would cause less harm to the landscape than the original application, and the removal of tree planting along an existing bank will further integrate the proposal into the landscape, it would still introduce a feature that is at odds with the open landscape of the common; and that the development in this location would be isolated, away from any buildings or farmstead with which it is associated.

13.1

At the meeting on the 5th July 2022 members also suggested that the presence of timber logs in the landscape were not an unusual feature and this appeared to lead members to the view that the overall impact on the landscape character may be acceptable. However, as stated earlier in the report storage of timber can be considered ancillary to an existing use of land for forestry purposes and is transient in nature. The landscape character for this area is Eastern Enclosed Farmed Hill with Commons Character Area, which is open and expansive. One of the issues / forces for change identified for this character is the localised examples of prominent storage areas. In the event that the current application is approved the development would contribute to storage within the landscape character area which cumulatively could significantly contribute to this force for change of the landscape character.

In this respect and in the context of Policy CE-S4 and Policy CE-D3, the consultation comments of the Historic Environment Officer are relevant to the determination of this application. It is the view of the Planning Officer that the isolated setting at the edge of an historic landscape, formed by an open common, would be materially harmed by this proposed development, particularly in terms of the impact on landscape character.

The development would be seen from the nearby public rights of way, and it would be viewed as isolated development that is not well related to an existing building group or settlement. This would result in material harm to the landscape character and, to a lesser extent, landscape appearance.

It is considered that the proposal to use wooden fencing and native tree planting to mitigate the landscape impact are generally in accordance with the objectives of Policy CE-S6, notably these are appropriate materials, and the development would not be overbearing in appearance. The development would not, however, reinforce landscape character and would result in some harm to the setting, in conflict with the Policy.

The agent has emphasised the importance to this proposal that an area measuring 30m x 50m is allocated for parking in association with equestrian permissions (6/35/06/101 and 6/35/08/101) coincides with the area subject to this application. The Planning Officer notes that this land might from time to time be occupied by horse related vehicles, and most intensively when there is a cross country event. In this respect it is noted that in the Committee Report for application reference 6/35/08/101 the Planning Officer states that ‘... the applicant has advised that the allocated car parking area (as shown on the proposal plans) will not be covered with hardstanding, but instead remain as existing ... The retention of the existing grass area is considered to be preferable visually and, therefore, there are no objections to this proposal. The applicant is aware that should, at a later date, he wish to provide a hardened parking area, it would be necessary to submit a fresh planning application.’

Whilst parking use would have an impact on the landscape there are no permanent structures associated with this use. The potential impact of parked vehicles is considered to be limited.

Impact on Highway Safety and Public Rights of Way

13.1

The Highway Authority, Somerset County Council, have commented that on the basis the use of the application site is ancillary to the combined heat and power business site and would not result in an increase in traffic, standing advice can be referred to.

The access to the site is using an existing entrance. The visibility splays and access arrangements are considered to be sufficient to allow safe access from and egress on to the road without compromising highway safety. The development is therefore compliant with Policy AC-D2 of the Local Plan.

The ENPA Public Rights of Way and Access Officer advises that public footpath WL26/10 and public bridleway WL26/15, which passes just to the west of the proposed development would not be directly impacted. The Officer advises that, if permitted, planting would need to leave enough space for the definitive route. This could be addressed by a condition, meaning that the proposals would not be in conflict with Policy RT-D12.

Other matters

The proposed development would not be likely to harm biodiversity. The proposed planting, which could be secured by condition, would deliver biodiversity enhancement.

In May 2019 the UK government declared a climate emergency, with Exmoor National Park following this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency.

Policy GP1 'Achieving National Park Purposes and Sustainable Development' Sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change.

Policy CC-S1, 'Climate Change Mitigation and Adaption'; and Policy CC-S5, 'Low Carbon and Renewable Energy Development' state that climate change mitigation will be encouraged and support small scale renewable energy schemes. Policy CE-S6 'Design and Sustainable Construction Principles' seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 152 of the National Planning Policy Framework requires that 'the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change.'

In this respect the agent has also emphasised the relevance of the text of the NPPF at paragraphs 8c, 157 and 158. Paragraph 8c sets an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural

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resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraphs 157 and 158 require local planning authorities to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable.

It is recognised that the proposed development would support the running of an existing CHP plant. The benefits to the operation of the plant are not, however, considered to be such that the conflict with Local Plan Policy can be over-ridden.

Human Rights

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

Conclusion

The development would be seen from the nearby public right of way and it would be viewed as isolated development that is not well related to an existing building group or settlement. This would result in material harm to the landscape character and, to a lesser extent, landscape appearance. The main driver of Policy SE-S3 is to require business development to be near to existing built form is to protect the landscape as well as to ensure sustainable development. As such, the matter of landscape is another reason it is contrary to that policy and is contrary to Policies CE-S1 and CE-D1.

It is recognised that the design, scale and materials of the proposed development and scope of activity are sensitive to the local environment, and it is concluded that there would not be material harm to neighbouring amenity or highway safety.

The benefits to energy security and the local economy are also recognised.

However, the compliant aspects of the application and the benefits of the application are not considered to outweigh the in principle policy conflict and the landscape harm. In this respect it is noted that great weight is given to conserving and enhancing landscape and scenic beauty in National Parks, as required by Paragraph 176 of the National Planning Policy Framework.

The Planning Officer does not consider there to be material considerations that over-ride the conflict with Policies SE-S3 CE-S1 and CE-D1 of the Local Plan.

Recommendation

13.1

Members delegate authority to the Head of Planning and Sustainable Development, subject to no new comments being submitted and no new material considerations being raised, to refuse the planning application for the following reason:

1. The application site is not well related to the group of buildings that form the business site that this proposed development would be ancillary to. Policy SE-S3 of the Exmoor National Park Local Plan 2011 – 2031 requires extensions to business premises to be well related to an existing group of buildings. This proposed development would represent isolated development in the open countryside that is not well related to any existing building group. This isolated position, together with the incongruent form of the development on the edge of an agricultural field, not only conflicts with Policy SE-S3, but also results in material harm to the landscape character of the common and its historic value. The application is therefore contrary to Policies GP1, CE-S1, CE-D1, CE-S6, SE-S1 and SE-S3 of the Exmoor National Park Local Plan, and Paragraphs 174 and 176 of the National Planning Policy Framework.

Informatives

Positive and 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. In this case, the planning objections to the proposal could not be overcome.

Appeal to the Secretary of State

If you want to appeal against the decision of the Local Planning Authority then you must do so within 6 months of the date of this notice.

Planning Application
no 6/35/22/101

Planning Application Site

Site Map
Scale 1:2,500

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Planning Application
no 6/35/22/101

Planning Application Site

Overview Map
Scale 1:20,000

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Committee Report

Application Number:	6/27/22/103
Registration Date:	17-Feb-2022
Determination Date:	28-Mar-2022
Applicant	M Fair
Agent:	Mr. K Rufus, Kelvin Rufus Ltd
Case Officer:	Kyle Wise
Site Address:	BRACKENWOOD, PORLOCK WEIR, MINEHEAD, TA24 8PA
Proposal:	Proposed change of use of land from woodland/forestry to domestic, together with the erection of summerhouse and formation of parking bay. Part retrospective. (Amended description).
Recommendation:	Refusal
Reason for bringing before Authority Committee:	In accordance with the Scheme of delegation as the Officer recommendation of refusal is contrary to the Parish Council view.

Relevant History

- 6/27/21/108 Proposed erection of summerhouse. (Retrospective) - Withdrawn
04/28/2021
- 6/27/21/109 Proposed parking space. (Retrospective). – Withdrawn -
04/28/2021
- 6/27/82/011 Proposed erection of a garage and the formation of a vehicular
access at Brackenwood - Approved - 06/10/1982
- WTPO 19/02 T1 Oak - fell due to large amounts of decay. – Approved -
03/11/2019

Site Description & Proposal

Brackenwood is a residential dwelling within the settlement of Porlock Weir and its Conservation Area, off the public part of the Worthy Toll Road. The dwelling building sits in its own garden on a slope above street level to the east. The slope rises from the east to west, with stepped access from the street (road) level leading up to the property and continues further up into its garden. The property has a detached garage at the street (road) level and a small hard-surfaced driveway backed by a retaining wall. The eastern

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edge of the property is otherwise a traditional stone retaining wall with the private garden above this, which steps up the slope to the property, which is sited on a flat portion of the land in the centre of the plot. This band of flat land generally runs across the site north/south, before rising again steeply to the west forming the rear garden of the property. A paved area is found on this flat portion of land leading from the house to the north up to a small wooden shed on a raised concrete platform.

The property is a two storey property with render walls, a pitched roof with a front projection on the first floor and a paved platform overlooking the surrounding area below. It is identified as a positive building contributing to the special character of the Conservation Area in the Porlock Weir Conservation Area Appraisal (PWCAP). The land to the north and west of the property forms part of a protected Local Wildlife Site, known as Worthy Wood, which is an ancient semi-natural Sessile Oak woodland.

A similar in character residential property is sited directly south of the site; Wayside and St Nicholas' Church to the north of the site, which is considered a non-designated heritage asset in the PWCAP. The land continues to slope eastwards towards the sea, with further residential properties south east along the road, with the centre of Porlock Weir to the north west, along the road.

The application is a retrospective planning application for the erection of a summerhouse and the formation of a parking bay, including the change of use of forestry/woodland land (non-domestic) to residential (domestic) on the land in which these developments are sited upon. The summerhouse is sited north of the residential dwelling next to the existing wooden shed. It is 4.9m wide by 2.9m in length, approximately 14.2 sq.m in floorspace and 2.9m in height. The roof is a shallow pitched roof made of green/grey bitumen felt with dark stained timber walls, 2 no. timber framed windows and a timber double access door on the east (front) elevation. The north elevation of the shed has a dropped open lean-to roof acting as a log store. The building has been built on a raised concrete/concrete slab foundation, with stone shingle being placed outside to the east to allow for access. This land is classed as forestry/woodland land and from completion of a site visit it is clear vegetation and earth will have been moved, alongside works to and removal of trees to allow for the summerhouse to have been built and the surrounding area domesticated for use as a private garden, resulting in intrusion and removal of part of the Local Wildlife Site. No alterations to the summerhouse's appearance or structure have been sought via the application submission.

With regards to the parking bay, this land is classed as forestry/woodland (non-domestic) land too, and formerly formed part of the raised bank/slope directly off the road and was part of the Local Wildlife Site. Vegetation and earth has been removed by the Applicant, including part of the traditional stone retaining wall and a hard surfaced tarmac parking space with a retaining wall, painted in white render has been built, with 2

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no. yellow parking bollards. The area provides parking for a single vehicle and the wall rises to 2.05m at its highest point. The application seeks to add local stone facing to concrete block backing wall to the existing render wall, to be more in-keeping with the adjacent traditional stone retaining wall.

Both the developments are primarily used by the residents of the property and have been in place since 2020.

The Applicant states that they believed the land was in their ownership, forming part of their residential curtilage, and was unaware the land would need a change in use, nor that the building or parking bay developments would too require planning permission. They have stated that the land where the summerhouse is sited appeared to already be domesticated, with a washing line, paving slabs and a small shed being in situ, and a light post and wire fence, which they assumed to be there residential curtilage boundary. They believed the building would benefit from permitted development rights.

In the case of the parking space, the Applicant states that it was identified there was a water leak to the property in this position and it required excavation to remedy. A number of manmade materials were removed in the excavation alongside soil and vegetation, and upon the leak being remedied, the Applicant chose to level the ground and lay tarmac to create the parking bay, flush with the adjoining road.

The Applicant has stated that approximately 400 sq.m of land within the Worthy Wood Local Wildlife Site, which was in the ownership of the Porlock Manor Estate has in part been innocently 'domesticated', and had commenced before the Applicant's ownership. They have requested that the proposals (developments and change of use) are accepted and are willing to accept conditions to be used to restore any other parts of the 400 sq.m of land.

Consultee Representations

Porlock Parish Council – Support/Approval, but requesting that the current bollards are replaced with a natural material which is more in keeping with the surrounding area.

Exmoor National Park Authority (ENPA); Historic Buildings Officer – No Objection, raising the following comments and issues:

- Following the withdrawal of a retrospective application in 2021 a number of alterations were requested to make the works more appropriate.
- The amount of rendered walling was my primary concern as it sat harshly in the conservation area which is characterised by its stone walling. The reduction in the amount of walling and its cladding in stone to match neighbouring properties will limit the harm to the conservation area.

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- The removal of the bollards is also welcome.
- I have no concerns regarding the summerhouse as its impact on the Conservation area is minimal.
- Should the application be approved I would request that a stone sample is provided prior to commencement.

Exmoor National Park Authority (ENPA); Wildlife Officer – Objection, raising the following comments and issues.

After initial review; 31 January 2022:

- The summer house and parking bay lie within Worthy Wood Local Wildlife Site (LWS) which is designated for its ancient semi-natural woodland.
- Looking at aerial photographs of the area where the summer house and parking have been sited, it was woodland with mature trees at least as recently as 2017.
- I clearly have concerns about this and wonder if the application might also be seeking change of use of the land from woodland (LWS) to residential (garden)?
- Policy CE-S3 Biodiversity and Green Infrastructure of the Local Plan states 'Development likely to adversely affect local sites designated for their wildlife will not be permitted, unless it can be demonstrated that the need for, and benefits of, the development clearly outweigh the loss of biodiversity'. I am therefore minded to object but will await further clarification from the applicant/agent.

After site visit and further review; 16 March 2022:

- The site lies within Worthy Wood Local Wildlife Site (LWS), part of which (approximately 400m²) has been significantly damaged, is being used as a garden by the applicants, and is where the summer house and parking bay are sited.
- Worthy Wood LWS was designated as an area of ancient semi-natural woodland. LWSs are non-statutory designed sites which are a safeguard of some of the county's best sites for wildlife and they complement the network of internationally and nationally designated sites.
- I believe the principle of this area of woodland being taken into a domestic curtilage is unacceptable in terms of our local plan. References Local Plan Policies CE-SE1, CE-SE3(d) and (f).
- On our site visit it was clear that several mature trees had been removed at some point prior to the construction of the summer house along with damage to the ground flora and recent pollarding of a further mature tree. The applicant has said these were done as the trees were a danger, however, no evidence of this has been provided and I do not believe this would have been necessary if it was left as an area of woodland.
- We explained that work to trees within a conservation area require permission (the site lies within Porlock Weir Conservation Area) and that the ENPA

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woodland officers should be informed of work to trees in a conservation area that are considered dangerous – I advised he sought further advice from our woodland officers if needed.

- In addition, it was pointed out that these trees were not within their landholding and therefore permission from the landowner should also have been sought, which he accepted.
- Considering possible ways forward, the applicant has offered to put the areas around the summer house and parking bay back to woodland, whilst retaining the built features, or do whatever is asked of him such as planting some replacement trees and/or letting ivy grow up the wall around the parking bay. However, these are not compatible with the woodland being retained and the principle of losing the LWS to domestic use. As such, I am unable to support the proposal, and these are my recommendations:
 - The summer house and parking bay should be removed.
 - A boundary should be erected around the original curtilage of the property to mark the boundary of the LWS and prevent further domestic creep into the woodland and any further damage to the ground flora. This would ideally comprise a mixed native species hedgerow.
 - The woodland should be allowed to regenerate with additional replacement planting of ten trees.
 - Three bat boxes and three bird boxes should be sited in suitable locations within the woodland (with the permission of the landowner) as compensation for lost opportunities for roosting bats and nesting birds.
 - Removal of Montbretia, an invasive non-native species, within this area would also be a good compensatory measure to stem further spread into the woodland.

Exmoor National Park Authority (ENPA); Conservation Officer – Woodlands – Commented and confirmed that it appears no ‘Section 211’ Notice has been submitted for works or removal of trees in the Porlock Conservation Area.

Somerset County Council Highways – Standing advice.

No other comments received from consultees.

Representations

4 no. comments were received, 2 no. in objection, 1 no. neutral and 1 no. in support, raising the following comments and issues:

2 no. in objection:

- Parking bay visually out-of-keeping with the rest of the road.
- Too close to woodland setting of the historic church adjacent.
- The applicant is seeking approval for development on forestry / agricultural land.

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- The creation of the parking space does not preserve the character of the area.
- Already parking available on-site for 3 no. vehicles.
- States an informal lay-by for parking has been created by the Applicant already outside their land ownership, vegetation has been cleared, stone chippings have been placed down and 2 no. fixed notices stating: 'Private No Parking' have been installed, and the Applicant self-regulates this space.
- Notes the presence of car parking elsewhere.
- The area should be rectified to its previous state.
- Trees and wildlife have been damaged during construction of the developments.
- Summerhouse's design is out-of-character with surrounding buildings.
- Summerhouse goes beyond the residential boundary of the property.

1 no. in support

- Believes a wooden shed used to exist in the same location of summerhouse.
- Summerhouse is well screened and barely visible.
- Pleased to see the proposed use of local stone cladding for the parking area, which is much more in keeping with the local rural aesthetic.
- Neither the summerhouse or wall will have a significant impact on the area, no eyesore is being created.

Policy Context

EXMOOR NATIONAL PARK LOCAL PLAN

GP1 Achieving National Park Purposes and Sustainable Development

GP4 The Efficient Use of Land and Buildings

CE-S1 Landscape and Seascape Character

CE-D1 Protecting Exmoor's Landscapes and Seascapes

CE-S3 Biodiversity and Green Infrastructure

CE-S4 Cultural Heritage and Historic Environment

CE-D3 Conserving Heritage Assets

CE-S6 Design & Sustainable Construction Principles

HC-D16 Outbuildings

AC-S2 Transport Infrastructure

AC-D1 Transport and Accessibility Requirements for Development

AC-D2 Traffic and Road Safety Considerations for Development

AC-S3 Traffic Management And Parking

AC-D3 Parking Provision and Standards

Town and Country Planning Act 1990

The National Planning Policy Framework (NPPF) and the Porlock Weir Conservation Area: Appraisal Document (2022) are material planning considerations.

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Planning Considerations

The key planning considerations in this case are considered to be:

- a) Is the change of use of the land at the site from forestry/woodland to domestic/residential land acceptable;
- b) Is the site an acceptable location for the outbuilding;
- c) Are the design, materials and appearance of the outbuilding suitable in its context;
- d) Is the site an acceptable location for the additional parking bay;
- e) Are the design, materials and appearance of the parking bay suitable in its context;
- f) Will the proposals have an unacceptable impact upon the setting of surrounding heritage assets;
- g) Will the proposals have an unacceptable impact upon ecology;
- h) Will the proposals have an unacceptable impact upon trees in the Porlock Weir Conservation Area; and
- i) Are there any other adverse impacts from the development.

a) Change of use of land from forestry/woodland to domestic/residential land

Part of the land within the site area adjacent the residential curtilage of Brackenwood is forestry/woodland land, forming part of a Local Wildlife Site ('LWS') known as Worthy Wood, which is an ancient semi-natural Sessile Oak woodland. Policy CE-S3 (Biodiversity and Green Infrastructure) of the Local Plan states in Part 3 that sites of local importance (LWS') and ancient woodland will be protected from development likely to have direct or indirect adverse effects including on their conservation objectives. Protection will be commensurate with their status, giving appropriate weight to their importance.

With regards to local sites, which LWS' fall within, under Part 3.d) of the Policy, the following principles apply; development likely to adversely affect local sites designated for their wildlife will not be permitted, unless it can be demonstrated that the need for, and benefits of, the development clearly outweigh the loss of biodiversity.

Part 3.f) considers ancient woodland, stating that development resulting in the loss or deterioration of irreplaceable ancient woodland, will not be permitted unless the need for and the benefits of the development are wholly exceptional and clearly outweigh the loss of biodiversity.

As noted, from a site visit, the developments which have taken place at the site have involved the removal of part of the established LWS and ancient woodland at the site, thus the LWS has already been adversely affected and there has been a loss and

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deterioration of the ancient woodland. The change of use of the land sought to establish and regularize the retrospective developments of the car parking bay, summerhouse and associated domestication of the land for use as a private garden, would further adversely affect the Local Wildlife Site and result in further loss and deterioration of the ancient woodland.

Whilst it is noted the Applicant has suggested to amend the application to only change the use of the land where the retrospective developments have taken place from forestry/woodland to residential/domestic, the adverse impact to the LWS, loss of the woodland and domestication of the land for use as a private garden, has already taken place.

The loss of biodiversity from the removal of part of the LWS and ancient woodland is significant, with the loss of important habitats, and likewise the likely consequential impacts to protected species. It is noted that LWS' have a significant role in meeting national and local biodiversity targets, and importantly form part of the ecological network that links and supports nationally and internationally designated sites.

With regards to the benefits of the change of use of the land from forestry/woodland to residential/domestic, these are limited only to the Applicant, likewise the associated retrospective developments. The outbuilding provides additional living accommodation, so the benefits are limited to the Applicant, likewise the use of the land as a private garden will only benefit the Applicant. Whilst it is acknowledged parking can be difficult in the local area, there was already ample space at the Applicant's site for 3 no. parking spaces (2 no. off-road parking bays and 1 no. detached garage), alongside there being opportunities to park off-site in the local area. The benefit of the additional car parking space is considered to only benefit the Applicant and is not necessary for improving highway safety or similar. Whilst there is intimation from the Applicant that tree works required to build the retrospective developments have been completed for public safety reasons, this did not justify the retrospective developments and could have been done (subject to appropriate consents) without these being built.

The National Planning Policy Framework (NPPF) supports a similar position, seeking in paragraph 174(a) for planning decisions to protect and enhance valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan), and paragraph 180(c) that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Furthermore under paragraph 182 the presumption in favour of sustainable development does not apply where a project is likely to have a significant effect on a habitats site, unless an appropriate assessment has concluded that the plan or project will not adversely affect

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the integrity of the habitats site. No ecology report or similar has been provided to demonstrate there are no adverse effects to biodiversity from the proposals.

As such the loss of biodiversity from the removal of part of the LWS and ancient woodland is significant, and outweighs the benefits brought by the change of use of the land from forestry/woodland to domestic/residential land to establish and regularize the retrospective developments of the car parking bay, summerhouse and associated domestication of the land for use as a private garden. The application is therefore considered to be contrary to policy CE-S3 of the Exmoor National Park Local Plan and paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF).

b) Location for the outbuilding

The land the outbuilding is sited on is forestry/woodland land and non-domestic, as such Policy HC-D16 (Outbuildings) is irrelevant as the land is not within the domestic curtilage of Brackenwood.

As noted above in part a) the siting for the outbuilding is in an inappropriate location, due to it being within the Worthy Wood LWS and ancient woodland, as such the outbuilding is in an unacceptable location and is contrary to policy CE-S3 of the Exmoor National Park Local Plan and paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF).

c) Design and appearance of the outbuilding

Whilst the summerhouse building is relatively well contained within the site from public views from the road, in closer proximity within the site its appearance is jarring with its timber exterior being a dark stain finish, much darker than the surrounding woodland. The associated domestication of the land for use as a private garden, in particular the stone shingle placed outside of the outbuilding is further out-of-character with its domestic appearance against the immediate natural woodland surroundings. As such it is considered the proposal does not reinforce the existing landscape character of the site and is thus contrary to Part 1.c) of Policy CE-S6, which further seeks existing features such as trees, hedges and stone walls should be retained particularly where they are characteristic of the streetscape and/or the local area.

When considering the site's landscape character and its wider contribution to the value of the Exmoor National Park, Policy CE-S1 seeks the National Park's distinct landscapes to be conserved and enhanced, including the conservation of significant landscape attributes including important trees and tree groups, and minimising existing visual detractors. Policy CE-D1 further seeks high quality design that reflects local landscape character with particular regard to scale, siting, materials, and colour, to ensure the cumulative and/or sequential landscape and visual effects of development do not detract from the natural beauty of the National Park and the experience of tranquillity.

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As such it is considered the design and appearance of the summerhouse outbuilding do not reflect the local landscape character of the site and its surroundings, and the loss and deterioration of important trees do not reinforce, conserve or enhance the site's landscape character, and it detracts from the natural beauty of the National Park. The outbuilding has been sited and designed inappropriately and is contrary to Policy CE-S6, CE-S1 and CE-D1 of the Exmoor National Park Local Plan.

d) Location of parking bay

Part 3 of Policy AC-S3 states that the creation of new small scale parking facilities will be permitted where this enables opportunities to enhance public understanding and enjoyment of the National Park, or would relieve traffic and parking pressure elsewhere in the locality, including adverse impacts arising from parking on the highway. The parking is for private use so will not enhance public understanding and enjoyment of the National Park, further it is not required to relieve traffic and parking pressure elsewhere in the locality, as there are ample parking opportunities on and off-site the Applicant can use. No highways statement or related evidence has been provided to demonstrate the application's parking or highway safety benefits otherwise.

Policy AC-D3 states in Part 1 that proposals will be permitted where they make appropriate provision for parking and will be guided by the standards set out in Table 9.1. Table 9.1 outlines that for Class C3 development (Residential), properties of 3, 4 or 4+ bedrooms will be allowed 3 no. spaces. As noted the site already had 3 no. parking spaces (2 no. off-road parking bays and 1 no. detached garage), thus the parking provision at the site was already met before the additional parking bay was built, creating 4 no parking spaces. Paragraph 9.28 of Policy AC-D3's supporting text, notes that proposals for a higher level of car parking provision should be supported by robust evidence, none of which has been provided by the Applicant. Given the parking provision at the site has already been met and the proposal is contrary to Policy AC-D3, further assessment of the impacts to highway safety from the new parking bay is considered unnecessary, likewise the need to consider whether the parking bay meets the Highways Authority's (Somerset County Council) standing advice.

Part 2 of Policy AC-D3 further states that parking provision should take into account environmental constraints, be well designed and integrated with a high quality environment. Similarly, Part 3 of Policy AC-S3 states that should such parking facilities meet its criteria, they should also ensure they bring no material harm to the character and appearance of the locality or views from publicly accessible locations. As noted above in part a) the siting for the parking bay is in an inappropriate location with environmental constraints, due to it being within the Worthy Wood LWS and ancient woodland, which was key to the character and appearance of the locality. The hard landscaping of the parking bay materially harms this important character and it is not considered to create a high quality environment, as such the parking bay is contrary to

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policy AC-S3 and AC-D3, as well as CE-D1 and CE-S3 of the Exmoor National Park Local Plan and paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF).

e) Design and appearance of the parking bay

As noted above in part d), the siting for the parking bay is in an inappropriate location, due to it being within the Worthy Wood LWS and ancient woodland, which was key to the character and appearance of the locality. The hard landscaping of the parking bay materially harms this important character and as such the parking bay is contrary to policy AC-S3 and AC-D3, as well as CE-S3 of the Exmoor National Park Local Plan and paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF).

When considering Policy CE-S6, it states that development proposals should deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment and in doing so applicants will be expected to demonstrate design principles. Principles a), b), c) and f) are relevant to this application. As noted above the car parking's siting is inappropriate, placed in land identified as a LWS and ancient woodland, and involved the removal of existing vegetation, an earth slope and an existing traditional stone retaining wall. Whilst the proposed natural stone facing materials to be placed on the retaining wall of the existing parking bay to enhance its appearance are an improvement, the hard character and landscaping used do not complement the local context or reinforce its landscape character which was natural, as part of the LWS and ancient woodland site, and does not appropriately respond to the local character, the scale, and proportions of the historic street pattern. As such the proposal is contrary to part a), b), c) and f) of CE-S6.

As such it is considered the design, materials and appearance of the parking bay are unsuitable and do not appropriately respond to its local context. As such the proposal is contrary to policy AC-S3, AC-D3 CE-S3 and CE-S6 of the Exmoor National Park Local Plan and paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF).

f) Impact to heritage assets

The primary heritage asset at the site is the Porlock Weir Conservation Area, which the site sits within. ENPA's Historic Building Officer, raised no objections to the application. With no concerns regarding the summerhouse, considering its impact on the Porlock Weir Conservation Area to be minimal. With regards to the parking space, they considered the proposed alterations to the existing retaining wall surrounding the bay, including cladding in stone to match neighbouring properties, would limit the harm to the Conservation Area. They considered the parking bollards should also be removed and requested a pre-commencement condition for a stone sample to be provided for approval, should the application be approved.

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As such, it is considered the harm to the Conservation Area is limited and subject to the parking bollards being removed and the aforementioned pre-commencement condition for the retaining wall, the proposal would be in compliance with Policy CE-S4 and CE-D3 of the Exmoor National Park Local Plan.

g) Impact to ecology

As noted in part a) no ecology report or similar has been provided to demonstrate there are no adverse effects to biodiversity from the proposals. ENPA's Wildlife Officer objects to the application, primarily due to the significant damage caused to the Worthy Wood Local Wildlife Site (LWS) and its ancient woodland. They considered mitigation measures offered by the Applicant including; returning the areas around the summerhouse and parking bay back to woodland whilst retaining the developments, planting and replacement of trees and/or letting ivy grow up the wall around the parking bay. However, none of these were considered suitable, as they were not compatible with the woodland being retained and the principle of losing the LWS to domestic use.

As such the application results in the loss of an existing LWS and ancient woodland, both important habitats and ones which could home protected species. As further detailed in part a) of the report, it is thus considered the application is contrary to Policy CE-SE3 (specifically parts 3.c), d) and 3.f) of the Exmoor National Park Local Plan and paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF).

The ENPA Wildlife Officer has also requested a number of measures to remedy the works that have taken place:

- The summerhouse and parking bay should be removed;
- A boundary erected around the original residential curtilage to clearly mark the boundary of the LWS and prevent further domestic creep into the woodland and any further damage to the ground flora, ideally in the form of a mixed native species hedgerow;
- The woodland be allowed to regenerate with additional replacement planting of 10 no. trees;
- 3 no. bat boxes and 3 no. bird boxes should be sited in suitable locations within the woodland (with the permission of the landowner) as compensation for lost opportunities for roosting bats and nesting birds; and
- Removal of Montbretia, an invasive non-native species, within this area would also be a good compensatory measure to stem further spread into the woodland.

These remedial measures can be considered and appropriately sought by ENPA through discussions with the Applicant in the case of the application being refused.

h) Impact to trees in the Porlock Weir Conservation Area;

As previously noted in part a) of this report a number of works have been completed to trees at the site, including removal of part of the LWS/Ancient Woodland known as

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Worthy Wood, which are considered to be against Policy CE-S3 of the Exmoor National Park Local Plan and paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF).

Additionally, the site is within the Porlock Weir Conservation Area, and trees in Conservation Areas without Tree Preservation Orders are protected under Section 211 of the Town and Country Planning Act. These provisions require Landowners to notify the Local Planning Authority (LPA), using a 'Section 211 notice', 6 weeks before carrying out certain work on such trees, unless an exception applies. The work may go ahead before the end of the 6 week period if the local planning authority gives consent or the 6 week notice period expires with the LPA taking no action, should the latter occur the proposed work may be done within 2 years of the date of the notice. The 6 week notice period gives the authority an opportunity to consider whether to make a Tree Preservation Order on the tree.

In the case of this application, it appears works to trees have been completed without a Section 211 notice being submitted to ENP, with ENPA officers being unaware of any exceptions applying in this case. To do so is an offence under Section 213 of The Town and Country Planning Act 1990 and the landowner has a duty to plant another tree of an appropriate size and species at the same place as soon as he or she reasonably can. Likewise, the same duty applies if a tree in a conservation area is removed because it is dead or presents an immediate risk of serious harm. The duty attaches to subsequent owners of the land and ENPA can enforce this duty by serving a Tree Replacement Notice.

ENPA's Conservation Officer (Woodlands) have confirmed it appears no Section 211 notices have been served to ENPA. Remedial measures can be considered and appropriately sought by ENPA through discussions with the Applicant in the case of the application being refused.

As such the application is contrary to Policy CE-S3 of the Exmoor National Park Local Plan, paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF) and the removal of trees within the conservation area without consent appears to be an offence under Section 213 of the Town and Country Planning Act 1990.

i) Other issues

It is noted that the part of the site falls outwith the Applicant's ownership and they state they were unaware of this when completing the now retrospective developments. It is understood they have sought permission/consent from the respective landowner to submit the application and this has been verified with this valid planning application. Saying this, the ownership of land is not a material planning consideration, so this does not affect the merits of the application and its determination.

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The Applicant has provided photos to demonstrate the land where the summerhouse building has been built was domesticated prior to it being built, to justify why this was built given it was presumed it was already part of the residential curtilage. ENPA's aerial photographs of this area provide conflicting evidence, demonstrating vegetation/trees in this location prior to 2017 with limited domestication, and from 2020 it is clear significant domestication of this area has taken place. Furthermore, upon a site visit whilst it was noted there was likely to have been a degree of domestication prior to the developments taking place, it was also clear there had been significant vegetation and earth clearance recently, alongside works to trees to allow for the summerhouse to have been built and the surrounding area domesticated for use as a private garden. These points were clarified by ENPA's Wildlife Officer who was also present at the site visit. The Applicant also mentions ENPA's public available planning maps ('Gazetteer') identify the land as being part of the residential curtilage of Brackenwood. It is considered this is not an accurate form of identifying the residential curtilage of properties within the National Park, furthermore the same planning maps identify the land as part of the Worthy Wood Local Wildlife Site, again clarified by ENPA's Wildlife Officer.

The reasoning given for the development of the parking bay is stated by the Applicant as being the result of works required to relieve a water leak. They state earth and man-made materials were removed to tackle the water leak, but upon relieving the water leak they chose not to return the land to its former use, and built the car parking space. This reasoning of the water leak is a non-planning issue and adds little weight as a material consideration. The subsequent development, of not returning the land to its former state, changing its land use and developing a car parking space are planning issues which have been considered above in this report.

A number of consultation comments requested the removal of the existing parking bay's bollards. Whilst it is noted this would be an improvement to the appearance of the car parking space as they are out of character with their surroundings and the Porlock Weir Conservation Area, the principle, and design and appearance of the car parking bay are already considered unacceptable as per parts d) and e) of this report. As such it is not considered this change in design would overcome these fundamental planning issues.

A neighbour comment noted that a wooden shed used to exist in the same location of summerhouse. Whilst there currently is a small wooden shed sited adjacent the summerhouse building, no evidence has been provided to demonstrate any further wooden shed was present at this position of the site.

In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency. GP1 'Achieving National

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Park Purposes and Sustainable Development' Sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change.

Policy CC-S1 'Climate Change Mitigation and Adaption' states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding. Furthermore,

Policy CC-S5 'Low Carbon and Renewable Energy Development' seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and policy CE-S6 'Design and Sustainable Construction Principles' seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 152 of the National Planning Policy Framework requires that 'the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'

There would have been an impact on the climate from the construction process and sourcing of construction materials, furthermore the development involved the removal of existing vegetation and trees. Saying this, officers consider that the impact on the climate resulting from the scheme would not be such that a reason for refusal would be justified on this basis.

It is considered there are no other adverse impacts.

Human Rights

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

Conclusion

The application seeks to change of use of the land from forestry/woodland (non-domestic) to residential (domestic) sought to establish and regularize the retrospective developments of the car parking bay, summerhouse and associated domestication of

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the land for use as a private garden. The land which these retrospective developments are sited on form part of the Local Wildlife Site (LWS) and Ancient Woodland, known as Worthy Wood. These developments have removed part of this LWS and Ancient Woodland, with the removal of vegetation, earth and works to trees in the Porlock Weir Conservation Area. LWS and Ancient Woodland sites are designated for their designated the habitats they provide to support wildlife and biodiversity, and are both protected by ENPA's Planning Policy and National Planning Policy, with significant public benefits being required by developments such as the subject application to outweigh the need for them and justify their removal. No such evidence has been provided to demonstrate the public benefits brought by the developments, particularly in terms of public safety, parking and highway safety, which outweigh the significant damage to the LWS and ancient woodland, and the associated harm to biodiversity they would have caused. This report has established that the need for such development is purely for the benefit of the Applicant.

As such the principle of the change of use, alongside the siting of the retrospective developments of the summerhouse outbuilding, parking bay and domesticated private garden, are wholly inappropriate and have limited planning justification. Furthermore, the design, materials and appearance of both the summerhouse outbuilding and parking bay do not complement the local context or reinforce the site's landscape character which was natural, as part of the LWS and the loss and deterioration of important ancient woodland trees do not reinforce, conserve or enhance the site's landscape character, and it detracts from the natural beauty of the National Park.

Thus it is considered the application is contrary to the Exmoor National Park Local Plan, specifically policies CE-S1, CE-S3, CE-S6, CE-D1, AC-S3 and AC-D3, and paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF).

Recommendation

Refuse the application for the following reasons:

1. The change of use of land from forestry/woodland (non-domestic) to residential (domestic) and the retrospective developments of the car parking bay, summerhouse and associated domestication of the land for use as a private garden has resulted in the unacceptable loss of the Local Wildlife Site and Ancient Woodland of Worthy Wood, both important biodiversity habitats, which will be further compounded by establishing and regularizing these developments. Limited evidence has been provided to justify the loss of these habitats or demonstrate that the public benefits of these developments would outweigh this loss. As such the application is contrary to policy CE-S3 of the Exmoor National Park Local Plan and paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF).

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2. By reason of its design, materials and siting the summerhouse outbuilding fails to complement or respect the existing natural landscape character of the site and its surrounding setting. The summerhouse's materials and the newly formed domestic garden surrounding are inappropriate and contrast starkly with the surrounding woodland character, and the loss and deterioration of important trees do not reinforce, conserve or enhance the site's landscape character, and it detracts from the natural beauty of the National Park. As such the application is contrary to policies CE-S6, CE-S1 and CE-D1 of the Exmoor National Park Local Plan.

3. The maximum parking provision for the size of dwelling at the site has already been met and there are further parking opportunities off-site the Applicant can use. The parking bay will not enhance public understanding and enjoyment of the National Park, and is not required to relieve traffic and parking pressure elsewhere in the locality, with no highways statement or related evidence provided to demonstrate the application's parking or highway safety benefits. As such the new parking bay is considered unnecessary and is contrary to Policy AC-S3 and AC-D3 of the Exmoor National Park Local Plan.

4. By reason of its design, materials and siting the parking bay fails to complement or respect the existing natural landscape character of the site as part of the Worthy Wood Local Wildlife Site and Ancient Woodland, which was key to the character and appearance of the locality. The hard landscaping of the parking bay is unsuitable, and materially harms this important natural character and it is not considered to create a high quality environment responding to its landscape character or historic street pattern. As such the proposal is contrary to policy AC-S3, AC-D3, CE-S3 and CE-S6 of the Exmoor National Park Local Plan and paragraphs 174, 180 and 182 of the National Planning Policy Framework (NPPF).

Informative

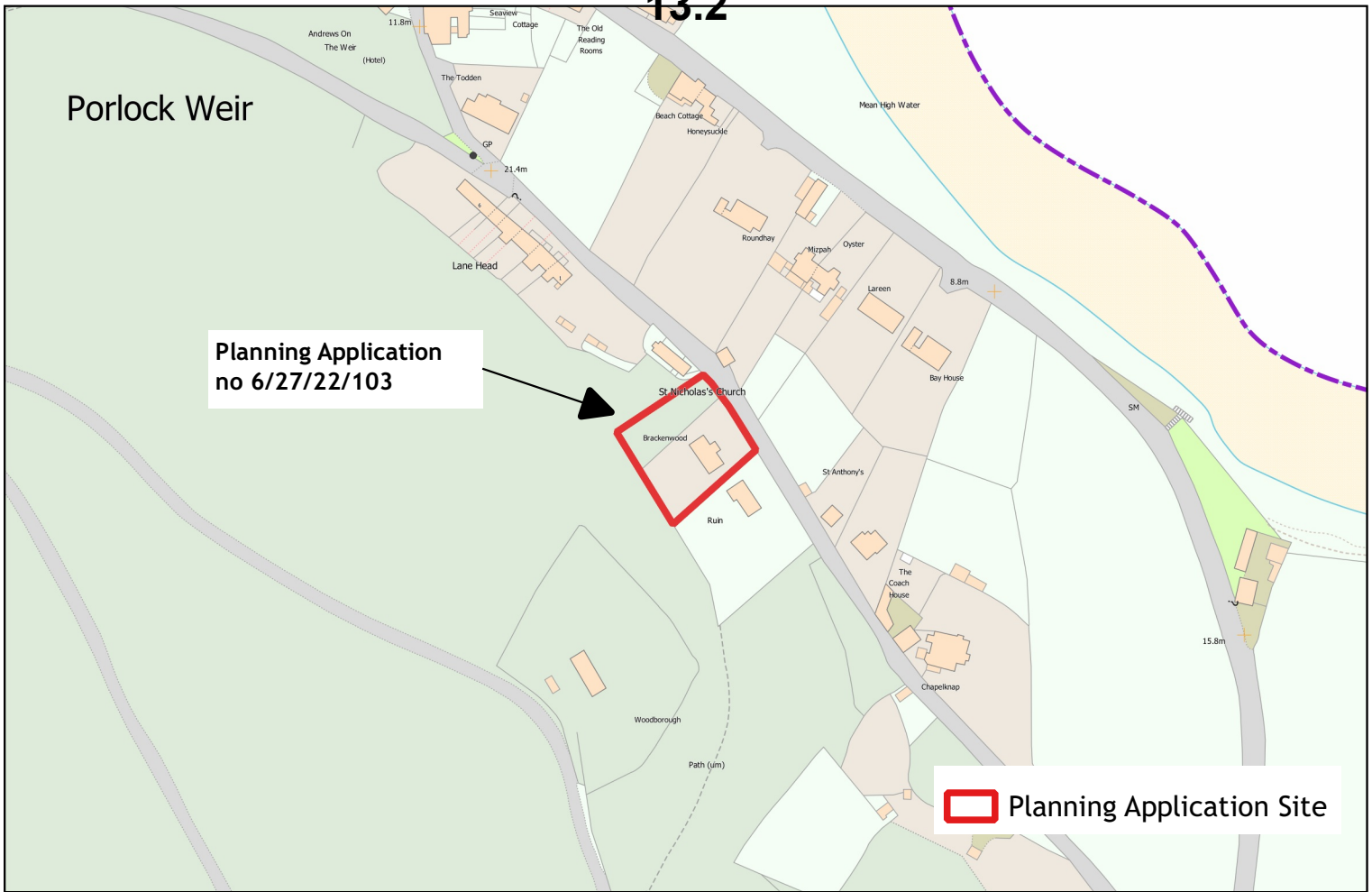
POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome. However, in this instance the relevant planning considerations have not been addressed and the application has therefore been recommended for refusal.

APPEAL INFORMATION

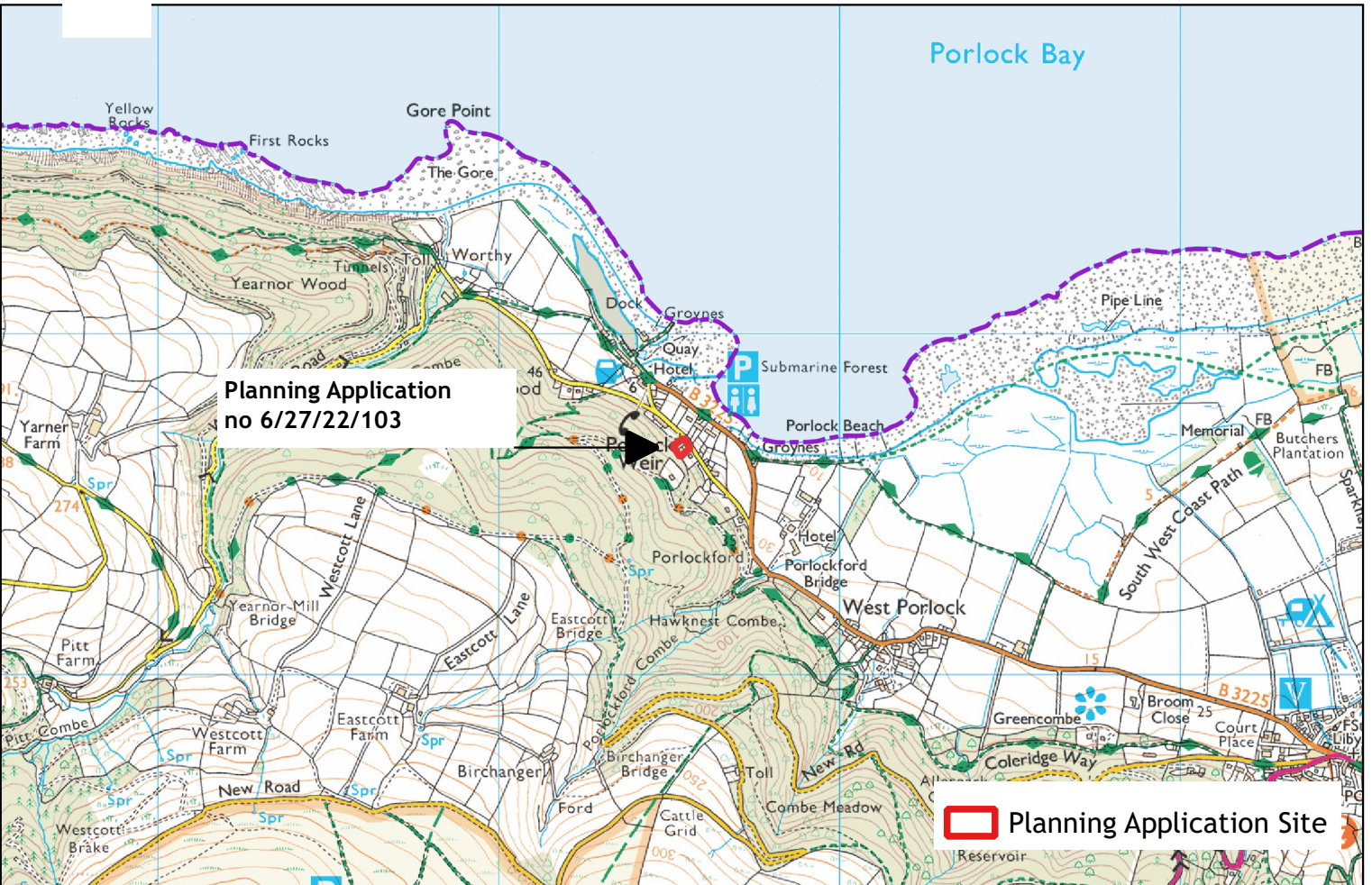
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If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.



Site Map
 Scale 1:2,500

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Overview Map
 Scale 1:20,000

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Committee Report

Application Number:	6/9/22/107
Registration Date:	10-Jun-2022
Determination Date:	15-Jul-2022
Applicant	Mr D Cleave
Agent:	Mr. R Hammond, Roger L Hammond
Case Officer:	Joe White
Site Address:	CASTLE BARN, BRIDGE STREET, DULVERTON, TA22 9HJ
Proposal:	Proposed conversion of existing garage to habitable room.
Recommendation:	Refuse
Reason for bringing before Authority Committee:	The Officer recommendation is contrary to the view of Dulverton Town Council

Relevant History

6/9/74/020 Proposed restoration of an existing empty cottage as a dwellinghouse on land adj Permitted Development - 09/20/1974.

6/9/80/015 Proposed use of land adjoining Club Cottage, Dulverton as residential garden, as Approved 06/10/1980.

6/9/83/107 Proposed conversion of outbuildings to dwelling at Bridge Cottage, Bridge Street Approved - 05/06/1983

Site Description & Proposal

This is a householder planning application proposing the conversion of an integral single garage to a habitable room. The proposal includes the removal of the existing door and surrounding timber cladding, the infilling of the garage door opening with a new cavity wall, which would be finished with painted rendered, and the insertion of a window to the south elevation and a window on east facing return of the building. A new internal doorway would be formed to provide direct access from the existing living accommodation into the newly created room.

The application property is a 2-bedroom dwelling set within the Historic Core and Conservation Area of Dulverton. It has rendered elevations, with timber cladding to a single storey projection over the garage and entrance to the dwelling on its south elevation. The roofs are clad with clay tiles.

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The property is set back from the main street frontage. Views of the south elevation can be achieved from Bridge Street between buildings that front the public road.

The application site lies in Flood Zone 3.

Consultee Representations

Environment Agency - Please see our attached guidance documents which will hopefully be useful going forward.

I attach our new FRA checklist as well as our new Standing Planning Advice which should help the applicant identify what is needed for their revised application.

Additionally, the applicant may like to get Product 4 data from our flood risk engineers. Product 4 data is a suite of supporting documents outlining the flood risk for an area. This is free. This can be requested by contacting: SW_Exeter-PSO@environment-agency.gov.uk

Dulverton Town Council – Support the application

Somerset County Highways – Standing advice applies.

Wildlife Officer - Thank you for consulting me on this application for conversion of an existing integrated garage to a habitable room. The works will involve removal of the existing garage door and wooden cladding and replacing them with windows and rendered wall. From the photos submitted the garage appears to be well sealed (although the door is open on the photo it is an up-and-over door which can be seen to be in its tracks). Whilst a small part of the garage roof protrudes from the front of the house is roman clay tiled, this will be retained and protected during works. The wooden cladding appears well fitted, without significant warping. I therefore have no concerns about the proposals. If possible, I recommend an inbuilt bat tube is added on the eastern elevation of the garage which can be rendered over and retained in perpetuity.

No other comments from consultees received

Representations

A letter of representation has been received. The letter advises no objection to the proposal, however the writer would like to ensure that vehicular access to other properties is not impinged due to the loss of a garage resulting in parking that encroaches on access.

Policy Context

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EXMOOR NATIONAL PARK LOCAL PLAN

GP1 Achieving National Park Purposes and Sustainable Development

GP4 The Efficient Use of Land and Buildings

CE-S1 Landscape and Seascape Character

CE-D1 Protecting Exmoor's Landscapes and Seascapes

CE-S2 Protecting Exmoor's Dark Night Sky

CE-S3 Biodiversity and Green Infrastructure

CE-D2 Green Infrastructure Provision

CE-S4 Cultural Heritage and Historic Environment

CE-D3 Conserving Heritage Assets

CE-S6 Design & Sustainable Construction Principles

CE-D4 Extensions

CC-D1 Flood Risk

HC-D15 Residential Extensions

AC-D1 Traffic and Road Safety Considerations for Development

AC-S3 Traffic Management and Parking

AC-D3 Parking Provision and Standards

The NPPF is a material planning consideration.

The site is within a Conservation Area where there is a requirement to ensure that any development preserves or enhances the character or appearance of the area, as embodied in Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990.

Planning Considerations

The main material planning considerations in this case are the acceptability of the design and the increase in habitable floor space as a result of the proposed development, and its impact on the character and appearance of the Conservation Area, impact on local amenity, matters of flood risk and potential impact on ecology, and matters relating to loss of parking and highway safety.

DESIGN, RESIDENTIAL FLOOR SPACE AND IMPACT ON THE CONSERVATION AREA

The site is considered to be sensitive in terms of potential impact on heritage assets, principally the potential impact of development on the character and appearance of the Conservation Area. The site is also within the historic core of Dulverton.

Local Plan policy CE-D3 (conserving heritage assets) advises that development affecting a heritage asset and its setting should, among other things, demonstrate a positive contribution to the setting through sensitive design, promote understanding and avoid unacceptable adverse effects. Policy CE-S4 advises that where

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development proposals will lead to substantial harm to, or total loss of significance of, a designated heritage asset, permission will be refused.

Policy CE-S1 requires that, among other things, the high quality, diverse and distinct landscapes and seascapes of Exmoor National Park are conserved and enhanced. Policy CE-D1 advises that development will be permitted where it can be demonstrated that it is compatible with the conservation and enhancement of Exmoor's landscape and seascapes.

Policy CE-S6 requires that development proposals should deliver high quality sustainable designs and conserve and enhance local identity and distinctiveness.

Policy HC-D15 permits extensions to dwellings where, among other things, there are not disproportionate to the original dwelling and in any case do not increase the external floorspace of the original dwelling by more than 35 percent. The preamble to the policy makes clear that the 'original dwelling' for the purposes of the policy is the dwelling as it existed on 1 April 1974 or as constructed if this was a date after 1 April 1974.

The proposed development would impact on the fenestration of the property, replacing a garage door with windows and removing timber cladding in favour of painted render. The window design and appearance are considered to respond to and suit those already used on the property. The use of render is in keeping. The design of the proposed development is acceptable, and the proposal is considered to have a negligible impact on the character and appearance of the dwelling. The insignificant visual impact of the development means the proposal would conserve the character and appearance of the Conservation Area.

The development would increase the habitable floor space available to the dwelling, but this would be less than a third of the original floor space, thus there would be no conflict with Policy HC-D15 in terms of the increase of habitable floor area.

NEIGHBOURING AMENITY

There are residential neighbours to the site. Policy CE-S6 requires that development should not detrimentally affect the amenities of surrounding properties and occupiers.

The properties have a mutual impact on residential amenity, which is common with many other dwellings where properties share boundaries. The proposed development is not, by reason of its scale and design, considered to dominate, harm outlook or cause material harm to the level of amenity enjoyed at the neighbouring properties. New windows would be at ground floor level and overlook shared spaces.

FLOOD RISK

The site lies in the flood zone, which is at high risk of flooding. The proposal would not increase the existing built footprint of the dwelling, and for this reason it is not considered that the development would see flood flows cut-off or impeded in any way.

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There would however remain a risk of flooding to the dwelling. Subject to the finished floor level for the new room being set no lower than the finished floor level of the existing habitable accommodation within the dwelling, there would be no greater risk of flooding to the dwelling. This could be a condition of planning permission. In addition, flood resistance and resilience measures could be incorporated into the development, which could be a condition of planning permission.

Taking these points into account, it is considered that, subject to conditions, the proposal would not cause detriment to existing flood defences or increase the risk of flooding.

Based on the likely flooding risk, it is considered that the proposed development can be occupied safely in flood risk terms, without increasing flood risk elsewhere and is therefore, appropriate development in accordance with Policy CC-D1 and the NPPF.

WILDLIFE

In accordance with Policy CE-S3 development likely to cause harm to legally protected species, or lead to the loss of or damage to their habitats, will not be permitted unless this can be mitigated.

The proposed development would involve the removal of the existing garage door and wooden cladding. The Wildlife Officer has advised that she has no concerns about the proposals and has suggested that an inbuilt bat tube is added on the eastern elevation of the garage, which can be rendered over and retained in perpetuity.

Ecological enhancement measures could be secured through planning condition. Having regard to the expert advice of the Wildlife Officer, the proposal is considered unlikely to harm the favorable status of protected species and their habitat.

PARKING AND HIGHWAY SAFETY

Somerset County Highway Authority standing advice is that 2.5 parking spaces should be provided for 2-bedroom dwellings. In accordance with the standing advice garages should be approximately 6 metres by 3 metres.

The existing garage measures approximately 5.2 metres long internal and has a width of approximately 3.15 metres that reduces to 2.45 metres over a length of approximately 1.3 metres. Whilst the length of the garage is less than the recommended length of a garage, it has room to accommodate a car.

Policy AC-S3 advises that development should make adequate provision for parking in accordance with policy AC-D3. Policy AC-D3 advises that development in more sustainable locations that are well served by public transport or have good walking and cycling links will be considered appropriate for lower levels of car parking provision or in appropriate cases, no car parking provision. The policy seeks “appropriate provision for parking” and table 9.1 of the Local Plan sets out a guide to

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parking standards, which advises that, for 1 or 2 bedroom dwellings, there should be 2 car parking spaces.

The existing dwelling comprises two bedrooms. The application site red line plan, which confirms the applicant's ownership, is drawn tightly around the dwelling and an enclosed walled courtyard area to the south side. There is no vehicular access to the courtyard and the only parking space that appears to be available to the dwelling is that within the existing garage.

The parking standards within the Local Plan reflect the rural nature of the National Park, and that many people will be dependent on access to a car. The Local Plan also recognises that there may be circumstances where it is not possible to accommodate parking.

In this case the application site lies in one of the principal settlements within the National Park. There is some restricted on-street parking and there are public car parks to the north and east. The closest being approximately 160 metres from the application site.

The application site is however likely to bring demand for car parking. This can currently be accommodated at the site within the garage. The proposal would lead to a reduction in the space available for the parking of vehicles within the site. The applicant has not provided information to assess why this may be acceptable in this case, and the proposal would fail to provide sufficient off-street parking spaces as required by the parking standards within the Local Plan or as required by Somerset County Highway Authority. The proposal is therefore considered to be contrary to policy AC-D3 of the Local Plan and Somerset County Council's "Standing Advice for Planning Applications".

Policy AC-D2 advise that development that would prejudice road safety interests will not be permitted. The proposal is not considered to cause a material increase in traffic to the property and, as such, there the proposal is considered unlikely to cause harm to the existing level of highway safety.

OTHER MATTERS

CLIMATE IMPACT

In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency. GP1 'Achieving National Park Purposes and Sustainable Development' Sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change.

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Policy CC-S1 'Climate Change Mitigation and Adaption' states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding. Furthermore,

Policy CC-S5 'Low Carbon and Renewable Energy Development' seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and policy CE-S6 'Design and Sustainable Construction Principles' seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 152 of the National Planning Policy Framework requires that "the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

There would be an impact on the climate from the construction process and sourcing of construction materials. However, officers consider that the impact on the climate resulting from the conversion scheme would not be such that a reason for refusal would be justified on this basis.

Human Rights

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

Conclusion

Overall, it is considered that the proposal would cause an acceptable impact on the character and appearance on the host building. The development would be of an acceptable design and there would be no harm to the character and appearance of Dulverton Conservation Area. The proposal is considered to comply with Policy HC-D15. The proposal is not considered to increase risk of flooding nor likely to harm favourable conservation status of protected species. Conditions could be attached to planning permission to ensure suitable flood mitigation measures and ensure the additional habitable floor space is at no greater risk of flooding. There would be no unacceptable impact on local or neighbouring amenity.

The proposal would however result in the loss of space to park a vehicle. The proposal would lead to a reduction in the space available for the parking of vehicles within the site. The applicant has not provided information to assess why this may be

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acceptable in this case, and the proposal would fail to provide sufficient off-street parking spaces as required by the parking standards within the Local Plan or as required by Somerset County Highway Authority.

In addition, the proposal, whilst of benefit to the applicant, is considered to bring no consequential public benefit. There would be potential further pressure on available public parking spaces for the town.

The proposal is therefore considered to be contrary to policy AC-D3 of the Local Plan and Somerset County Council's "Standing Advice for Planning Applications" and there is no sufficient public benefit to outweigh the harm identified.

For this reason, it is recommended that planning permission be refused.

Recommendation

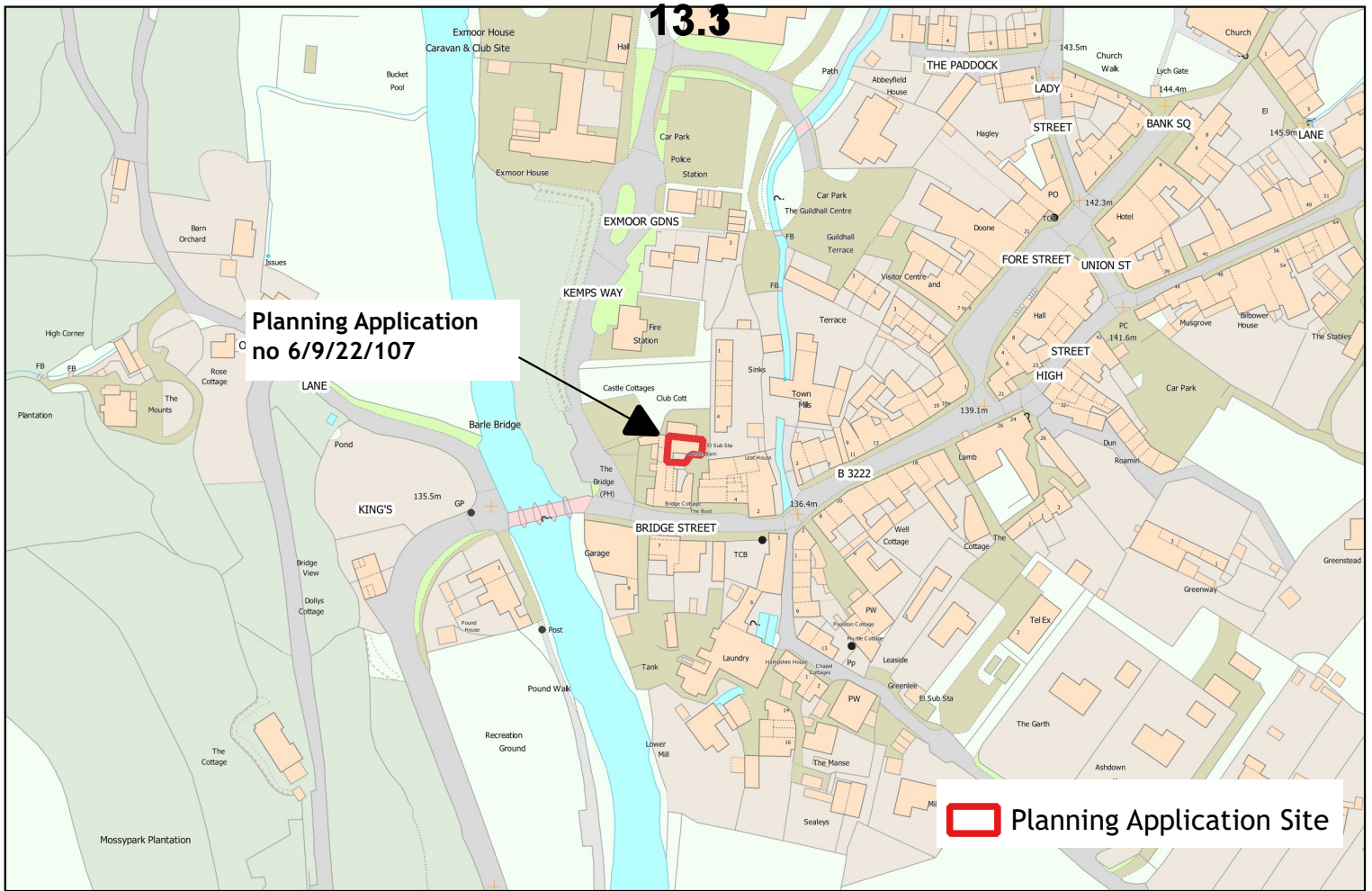
That planning permission be REFUSED for the following reason:

1. The application site is likely to bring demand for car parking. This can currently be accommodated at the site and within the garage. The proposal would lead to a reduction in the space available for the parking of vehicles within the site. The applicant has not provided information to assess why this may be acceptable in this case, and the proposal would fail to provide sufficient off-street parking spaces. The proposal is therefore considered to be contrary to policy AC-D3 of the Exmoor National Park Local Plan 2011-2031 (including minerals and waste policies) and Somerset County Council's "Standing Advice for Planning Applications".

Informatives

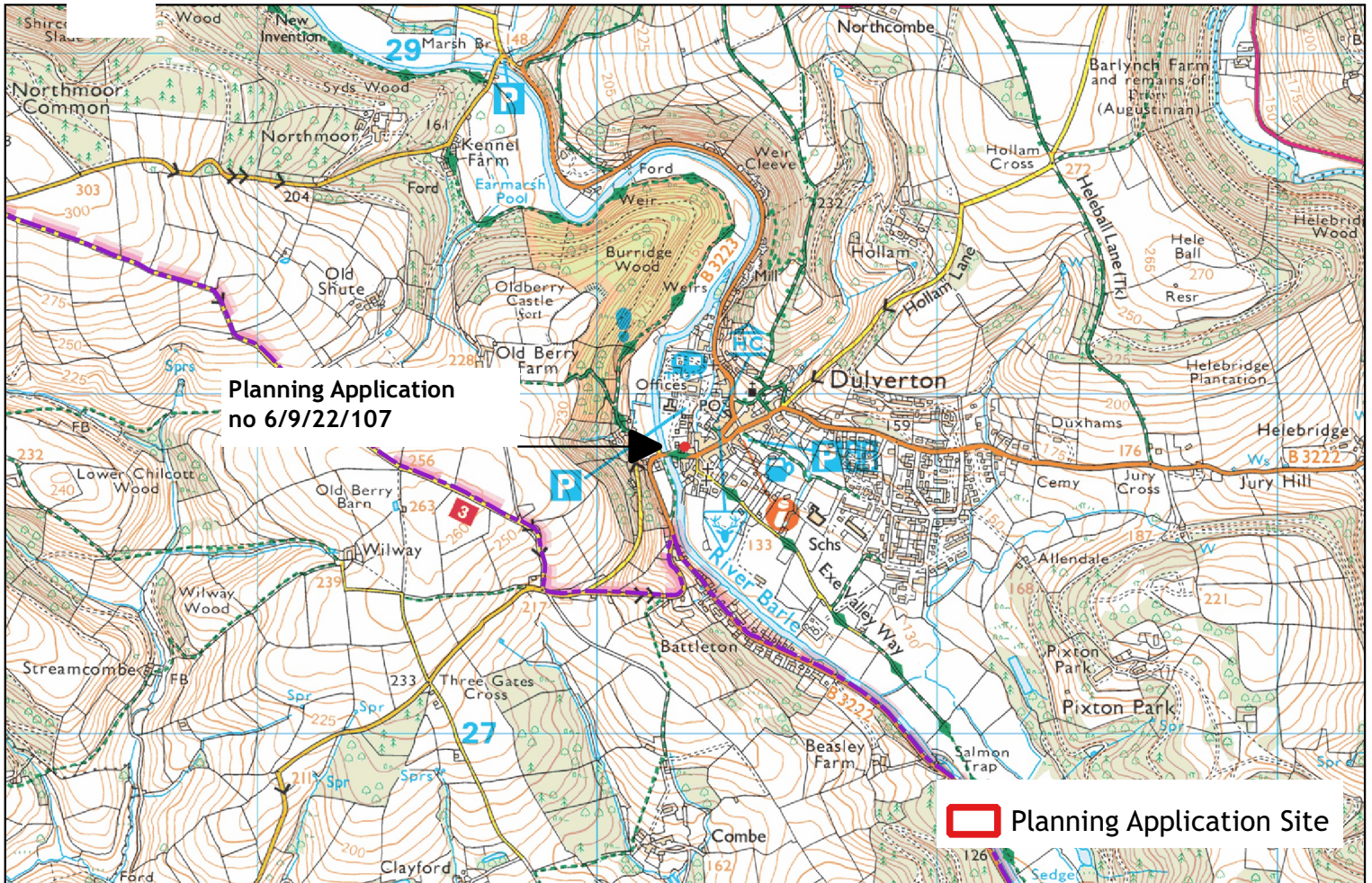
POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome. However, in this case, matters relating to housing strategy have not satisfactorily been addressed



Site Map
Scale 1:2,500

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Overview Map
Scale 1:20,000

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Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
6/26/22/105DC	Mr R Ware - Discharge of Condition 3 (windows) of approved application 6/26/21/111 (Discharge of Condition) - 5, WATERSMEET CLOSE, ROADWATER, WATCHET, TA23 0QT	Approved 14-Jul-2022
62/41/22/027DC	Mr G Crowther - Discharge of condition 3 (plan for phasing replacement of windows) of approved application 62/41/22/003 (Discharge of Condition) - LEE ABBEY FELLOWSHIP, LEE ABBEY, Lynton, EX35 6JJ	Approved 14-Jul-2022
62/41/22/026	Mr & Mrs Young - Proposed replacement of ground floor windows and doors on the principal elevation, together with, the installation of an air source heat pump system, and erection of a timber framed and shingle roofed structure over hot tub. (Full) - THE HEATHERVILLE, 3, TORS PARK, LYNMOUTH, EX35 6NB	Approved with Conditions 14-Jul-2022
6/3/22/103	Mr A Norman - Proposed demolition of existing storage building together with removal of hedge to be replaced with new storage building ancillary to the fish farm business and associated works. (Full) - Hartford Trout Farm, Hartford Road, Brompton Regis, Somerset, TA22 9NS	Approved with Conditions 15-Jul-2022
6/13/22/105DC	Mrs S Colwill - Discharge of Condition 3 (planting schedule) and condition 4 (surface details) of application 6/13/21/107. (Discharge of Condition) - Combe Farm, EXFORD, MINEHEAD, TA24 7QQ	Approved 15-Jul-2022
6/9/22/106	Mr M Orton - Proposed construction of new timber framed and timber clad structure in the rear of the garden to provide office and storage space. (Full) - THE COPPER KETTLE TEA ROOM, 21, FORE STREET, DULVERTON, TA22 9EX	Approved with Conditions 14-Jul-2022
GDO 22/11	Mr. J Ebsary, Forestry England - Prior notification for the proposed creation of 10 no. access tracks for forestry use. (GDO - Agricultural/Forestry) - Woodland at Wootton Courtenay, Easting: 9437 & Northing: 4402	GDO - Prior Approval Not Reqd 29-Jun-2022
GDO 22/10	Mrs C Dehaini - Prior notification for the installation of 24no. solar panels. (GDO – Renewable Energy) - Higher Barn Farm, Old Cleeve, TA23 0LY	Withdrawn 04-Jul-2022

Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
6/15/22/101DC	Mr P Turnbull, Westcountry Rivers Trust - Discharge of Condition 3 (written scheme of investigation) of approved application 6/15/21/104. (Discharge of Condition) - Bridgetown Weir, Easting: 292324, Northing: 133767, Somerset	Approved 15-Jul-2022
6/29/22/109LB	Mr D Raymond - Listed building consent for the proposed installation of secondary glazing. (Listed Building Consent) - SPRINGFIELDS, TIVINGTON, MINEHEAD, TA24 8SU	Approved with Conditions 14-Jul-2022
6/29/22/108LB	Mr D Raymond - Listed building consent for the proposed installation of secondary glazing. (Listed Building Consent) - WILSDEN, TIVINGTON, MINEHEAD, TA24 8SU	Approved with Conditions 14-Jul-2022
6/43/22/112	Fiona Price Jones - Proposed removal of Condition 1 of approved application 6171 to allow unrestricted occupancy of the dwelling. (Alteration/Lift Condition) - SOUTH VIEW, WOOTTON COURTENAY, MINEHEAD, TA24 8RF	Refused 05-Jul-2022
6/9/22/105LB	Mr. Christopher Turner - Listed building consent for proposed removal of fireplace and brick arch and rubble stone infill together with the addition of a slate hearth over existing screed. Part retrospective. (Listed Building Consent) - 45, HIGH STREET, DULVERTON, TA22 9DW	Approved with Conditions 08-Jul-2022
6/43/22/111DC	Mr K Busby - Discharge of Conditions 7 (bats and artificial lighting) & 8 (photographic report of existing roof structure) of approved application 6/43/20/105. (Discharge of Condition) - THE OLD PARLOUR, WOOTTON COURTENAY, MINEHEAD, TA24 8RE	Approved 24-Jun-2022
6/29/22/107LB	Mr. D Raymond, National Trust (Gloucestershire and Somerset) - Listed building consent for the proposed installation of secondary glazing. (Listed Building Consent) - WESTBOURNE, SELWORTHY GREEN, SELWORTHY, MINEHEAD, TA24 8TP	Approved with Conditions 24-Jun-2022

Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
6/29/22/106LB	Mr. D Raymond, National Trust (Gloucestershire and Somerset) - Listed building consent for the proposed installation of secondary glazing. (Listed Building Consent) - BOW COTTAGE, SELWORTHY GREEN, SELWORTHY, MINEHEAD, TA24 8TP	Approved with Conditions 24-Jun-2022
62/41/22/024	Mr D James - Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for advertisement consent for the proposed replacement of external and window signage. (Advert) - EXMOOR NATIONAL PARK INFORMATION CENTRE, THE ESPLANADE, LYNMOUTH, EX35 6EQ	Approved with Conditions 08-Jul-2022
6/10/22/111	Mr D James - Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for advertisement consent for the proposed replacement of external and window signage. (Advert) - EXMOOR NATIONAL PARK INFORMATION CENTRE, DUNSTER STEEP, DUNSTER, MINEHEAD, TA24 6SE	Approved with Conditions 08-Jul-2022
6/43/22/109	Mr K Busby - Proposed raising of the existing roof and converting the western loft void into habitable accommodation, along with the installation of PV tiles on the southern roof slope. Re-submission of approved application 6/43/20/105. (Householder) - THE OLD PARLOUR, WOOTTON COURTENAY, MINEHEAD, TA24 8RE	Approved with Conditions 23-Jun-2022
WTPO 22/03	Mr S Glover - Works to trees subject to a tree preservation order: W1 woodland, trees along woodland edge to be felled and allowed to coppice. Holm Oak x 5 coppice, x8 crown reduce 30%, Beech x2 crown reduce 30%, Sweet Chestnut x4 coppice, sycamore x 3 coppice, x1 crown reduce. (WTPO) - Tors Park, Countisbury Hill, Lynmouth, EX35 6BN	Split Decision 30-Jun-2022
6/10/22/110LB	Barry Rider - Listed building consent for installation of wooden dado panelling. Retrospective. (Listed Building Consent) - 6, CHURCH STREET, DUNSTER, MINEHEAD, TA24 6SH	Approved with Conditions 24-Jun-2022
62/41/22/023	Mr B Totterdell - Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for advertisement consent for the proposed	Approved with Conditions 08-Jul-2022

Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
	installation of 5 no signs (x1 entrance sign, x1 information board, x1 disabled parking sign and x2 payment signage signs). Amended description. (Advert) - Picnic Site and Car Park, Valley of Rocks, Lynton, EX35 6JH	
62/11/22/008	Mrs S Applegate - Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for the Proposed Establishment of England Coast Path. (Full) - Glenthorne, The Towers, Road From County Gate To Wellfield, Brendon, Devon, EX35 6NQ	Approved with Conditions 08-Jul-2022
6/27/22/111	Ms A Pullan - Certificate of lawful development for the proposed replacement of all windows, except the upper-floor windows on the south east and north west (side) elevations. (CLOPUD) - THE FIRS, REDWAY, PORLOCK, MINEHEAD, TA24 8QF	Approved 23-Jun-2022
6/29/22/103LB	Mr. D Raymond, National Trust - Listed building consent for the proposed installation of secondary glazing. (Listed Building Consent) - CROSSLANE HOUSE, ALLERFORD, MINEHEAD, TA24 8HW	Approved with Conditions 28-Jun-2022
6/40/22/107	Caractaus Housing - Proposed variation of Condition 4 of approved application 6/40/10/111 to replace 8 no. timber windows and 2 no. timber doors with Upvc (Alteration/Lift Condition) - GARDNERS, 8 ASH LANE, WINSFORD, MINEHEAD, TA24 7JH	Approved with Conditions 14-Jul-2022
6/10/22/108LB	Ms. J Copeland Sloan, Bona Lattie - Listed Building Consent for proposed internal alterations. (Listed Building Consent) - Bona Lattie, 6 High Street, Dunster, Minehead, TA24 6SG	Approved with Conditions 22-Jun-2022
62/19/22/002	Mr & Mrs North - Proposed replacement of existing dwelling with replacement dwelling north of current site, removal of outbuildings, reduction in size of retained barn and the creation of orchard area. Formation of new surface water drainage and connection into new foul drainage provision, together with, associated landscaping works for new dwelling. (Full) - NORTH CHALLACOMBE FARM, COMBE MARTIN, ILFRACOMBE, EX34 0DS	Approved with Conditions 05-Jul-2022

Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
6/26/22/103	Mr A White - Proposed conversion of part of building to create dwelling (live-work unit/affordable home). Resubmission of application 6/26/20/113. (Full) - St Lukes, Roadwater, Watchet, TA23 0RB	Refused 24-Jun-2022
6/20/22/101	Mr & Mrs Kelland - Proposed single storey extension, replacement of porch and the installation of dormer window. (Householder) - HALL FARM, LUXBOROUGH, WATCHET, TA23 0SL	Approved with Conditions 06-Jul-2022
6/10/22/101	Ms O Shirley - Lawful development certificate for the existing use of first floor and second floor living accommodation as holiday lets. (CLEUD) - CASTLE COFFEE HOUSE, 4, HIGH STREET, DUNSTER, MINEHEAD, TA24 6SG	Approved 08-Jul-2022
62/41/22/017	Mr. S Glover, Tors Park Estate Ltd - Proposed creation of patio area outside Apartment 6. (Full) - The Tors Hotel, Tors Park, Lynmouth, Devon, EX35 6NA	Approved with Conditions 04-Jul-2022
6/9/22/101	Mr D Johnston - Proposed erection of a garden room. (Householder) - Greenlee, Millham Lane, Dulverton, TA22 9HQ	Approved with Conditions 23-Jun-2022
62/41/22/010	Mr & Mrs Goodman - Proposed variation of Condition 2 of approved application 62/41/18/023 to reduce size and scale of extension including removal of proposed dormer windows. (Alteration/Lift Condition) - Barbrook Service Station, Road From Cherrybridge Cross To Manor Farm, Barbrook, EX35 6PD	Approved with Conditions 13-Jul-2022
62/41/22/004LB	Mrs C Randeria - Listed building consent for proposed work to balcony deck and living room. (Listed Building Consent) - The Hideaway, Flat 1, 14 Watersmeet Road, Lynmouth, EX35 6EP	Approved with Conditions 24-Jun-2022
6/34/21/108	Mr & Mrs Every - Proposed single storey side extension. (Householder) - Owayview, Dunster To Timberscombe Road, Dunster, TA24 7TD	Approved with Conditions 23-Jun-2022
62/50/21/015	Mrs M Knapman - Proposed loft conversion including dormer windows, roof light and other associated works (amended plans). (Householder) - Bridge House, Parracombe, Barnstaple, EX31 4PE	Approved with Conditions 24-Jun-2022

Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
6/29/21/119	Mr B Eardley - Proposed development, including the excavation of land, engineering operations, creation of tracks and associated development as part of a wider river restoration scheme . (Full - Major) - Land at Selworthy Farm, Porlock, TA24 8TL	Approved with Conditions 15-Jul-2022