



# EXMOOR

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## NATIONAL PARK

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24 October 2019

### 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 5 November 2019 at 10.00am.**

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

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

The meeting will be **video and audio recorded**. By entering the Authority's Committee Room and speaking during Public Speaking you are consenting to being video and audio recorded.

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

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

Sarah Bryan  
Chief Executive

## AGENDA

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

### 1. Apologies for Absence

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

Members are asked to declare:-

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

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

### 3. Chairperson's Announcements

4. **Minutes**
  - (1) To approve as a correct record the Minutes of the meeting of the Authority held on 1 October 2019 (Item 4).
  - (2) To consider any Matters Arising from those Minutes.

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

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

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

Agenda Item	Application No.	Description	Page Nos.
6.1	6/10/19/111	Proposed change of use to provide a café to include the siting of a Portakabin for use as cooking and preparation space to serve a proposed indoor seating and serving area within part of the stable building, for a temporary 12 month period (Full) – Dunster Castle, Castle Hill, Dunster, Somerset	1 – 20
6.2	6/3/19/115	Proposed agricultural workers dwelling and garage (Full) – Land at Higher Nicholls, Brompton Regis, Dulverton, Somerset	21 – 40



## ITEM 4

### EXMOOR NATIONAL PARK AUTHORITY

**MINUTES** of the Meeting of the Exmoor National Park Authority held on Tuesday, 1 October 2019 at 10.00am in the Committee Room, Exmoor House, Dulverton.

#### PRESENT

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

Apologies for absence were received from Mr M Kravis.

#### 41. DECLARATIONS OF INTEREST:

The following interests were declared in relation to Item 6.1 – Application No. 6/27/18/117 – Outline application for proposed demolition of existing buildings and construction of up to 11 new dwellings to include road and drainage infrastructure, parking and landscaping. Provision of bat roost building. All matters reserved except means of access to the site (Outline) – Former Porlock Abattoir, Porlock Hill Road, Porlock, Somerset, the following declarations were made:

- Mrs C M Lawrence declared a personal interest as part owner of a property in Porlock, although she does not reside there.
- Mrs F Nicholson declared that she had been contacted by Porlock Parish Councillors, via email and phone, to enquire what had been said at the September Authority meeting; and whether or not the proposed site visit was a public meeting. Mrs Nicholson directed their attention to the recording of the Authority meeting, and sent a copy of the Code of Conduct covering site visits.
- Mrs S Takle declared having been lobbied.

In relation to Item 6.2 – Application No. 62/49/18/005 – Proposed change of use of former Methodist Church to two holiday lets together with associated works. Resubmission of withdrawn application ref. 62/49/17/004 (Full) – Mineswood, North Molton, Devon, Mrs S Takle declared a personal interest as she was acquainted with the applicant's agent.

The following interests were declared in relation to Item 6.3 – Application No. 62/41/19/010 – Resubmission of planning application 62/41/18/013 for the retrospective installation of four dog kennels (Full) – 4 Caffyns Cross, Barbrook, Lynton, Devon, the following interests were declared:

- Miss A V Davies declared a personal interest as she had assisted the applicant with their application and in the interests of public perception indicated she would withdraw from the meeting when this item was considered.
- Mr J Holtom declared a personal interest as a customer of the applicant's business and in the interests of public perception indicated he would withdraw from the meeting when this item was considered.
- All Members declared having been lobbied.

The following interests were declared in relation to Item 6.4 – Application No. 62/41/19/020 – Proposed use of Lynmouth Manor Foreshore as public car park for 62 days of the year between July and August in addition to the permitted 28 days under the Town & Country Planning (General Permitted Development) Order currently utilised on high days and public holidays (Full) – Lynmouth Manor Foreshore, Lynmouth, Devon:

- Mrs A V Davis declared a personal interest as a member of Devon District Council, having been contacted by both objectors and supporters of the scheme, and in the interests of public perception indicated she would withdraw from the meeting when this item was considered.
- Mr J Patrinos declared a personal interest as a member of Lynton & Lynmouth Town Council.

The following interests were declared in relation to Item 6.5 – Application No. 62/36/19/001 – Proposed general purpose agricultural building (502.2sqm). (Full) – Higher Cowley Farm, Cowley Wood, Parracombe, Devon:

- Mrs L Blanchard declared a personal interest as she was a close personal friend of the applicant and in the interests of public perception indicated she would withdraw from the meeting when this item was considered.
- Mr M Ryall declared a personal interest as he was acquainted with the applicant and lived close to the application site. However as he had not spoken to the applicant for several months, indicated he did not feel it necessary to withdraw from the room when this item was considered.

**42. CHAIRPERSON'S ANNOUNCEMENTS:** The Chairperson advised that the proposed removal of BT phones boxes within the National Park would be discussed under Item 15. Any Other Business of Urgency.

#### **43. MINUTES**

- Confirmation:** The **Minutes** of the Authority's meeting held on 3 September 2019 were agreed and signed as a correct record.
- Matters arising:** There were no matters arising.

#### **44. PUBLIC SPEAKING:**

See Minutes 45, 46, 47, 48 and 49 for details of public speakers.

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**Items relating to the Authority's role as sole local planning authority for the National Park area including determination of planning applications.** This section of the meeting was chaired by Mr S J Pugsley, Deputy Chairperson (Planning).

## DEVELOPMENT MANAGEMENT

### 45. Application No. 6/27/18/117

**Location:** Former Porlock Abattoir, Porlock Hill Road, Porlock, Somerset

**Proposal:** Outline application for proposed demolition of existing buildings and construction of up to 11 new dwellings to include road and drainage infrastructure, parking and landscaping. Provision of bat roost building. All matters reserved except means of access to the site. As per additional information (Outline)

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

#### Public Speaking:

- (1) Mrs M Groves, local resident
- (2) Mrs D Pitkin, on behalf of St Dubricius Church of England School
- (3) Cllr T Gable, on behalf of the Chairman of Porlock Parish Council
- (4) Mr R Smith, applicant's agent
- (5) Mr J Tout, applicant

**RESOLVED:** To delegate authority to the Head of Planning and Sustainable Development to grant planning permission subject to:

- (1) The imposition of appropriate Planning Conditions necessary to control the development.
- (2) Satisfactory completion of a S106 Legal Agreement to include the provision of 36% affordable housing (in the case of 11 dwellings, this will result in 4 dwellings being provided as affordable housing on the site).
- (3) Delivery of open market dwellings all subject to a restricted principal residence occupancy clause.
- (4) All other conditions set out in the report.

### 46. Application No. 62/49/18/005

**Location:** Mineswood, North Molton, Devon

**Proposal:** Proposed change of use of former Methodist Church to two holiday lets together with associated works. Resubmission of withdrawn application ref. 62/49/17/004. As per additional information. (Full)

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

#### Public Speaking:

- (1) Mr R Richards, applicant

#### The Authority's Consideration

The Authority Committee noted the updated report, the notes of the site visit which had taken place on 27 September 2019, and in particular the comments made by the applicant during public speaking. Having taken all that into account, it was proposed

and agreed to refuse planning permission in accordance with Recommendations 1 and 2 of the updated report. The Committee requested that Recommendation 3 should not form part of the reasons for refusal, given that Devon County Council Highways Authority had not commented upon the application in relation to highway safety.

Members were keenly aware of the long planning history associated with the former Methodist Church and were mindful of its current fragile state. The Committee was heartened by the applicant's desire to work with planning officers to submit an alternative scheme that would be more compliant both with planning policy and the applicant's aspirations. Members therefore urged both parties to work together proactively to make best use of the opportunities that existed in order to secure the future of this site.

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

- (1) The application site lies within the open countryside and does not form part of a farmstead. The proposed use of the former chapel as self-catering holiday accommodation does not comply with Policy RT-D4 of the Exmoor National Park Local Plan 2011-2031 as it would not constitute the diversification of a rural-land based business within the National Park and therefore would not assist in the management and conservation of the landscape of the National Park.
- (2) The creation of a large area of hard standing at the site for off-road parking has been proposed to accommodate the number of parking spaces required to serve two units at this site. As such, the provision of two units and the associated parking area constitutes overdevelopment of the site that would lead to an erosion of the undeveloped character and appearance of the setting of this building within the countryside. These associated works are contrary to Policies GP1, CE-S1, CE-D1 and CE-S6 of the Exmoor National Park Local Plan 2011-2031 and the National Planning Policy Framework.

The meeting closed for recess at 11.34am and reconvened at 11.40am.

Before the officer presentation, Miss A V Davies and Mr J Holtom left the meeting room.

**47. Application No. 62/41/19/010**

**Location: 4 Caffyns Cross, Barbrook, Lynton, Devon**

**Proposal: Resubmission of planning application 62/41/18/013 for the retrospective installation of four dog kennels. As per additional information (Full)**

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

**Public Speaking:**

- (1) Mrs J Ellis, neighbour
- (2) Mrs A Willis, applicant
- (3) Mr K Dyer, applicant's agent

**The Authority's Consideration**

The Committee noted that Planning Officers recommended the application be refused, based upon the expert advice received from the Environmental Health consultant for

North Devon Council in relation to the potential for significant and unreasonable noise impacts on neighbouring amenity.

However, Members were mindful that this was a retrospective application and that the Kennels had been operating since 2016, when North Devon Council had issued an Animal Boarding Establishment Licence.

In addition, the meeting placed great weight on the testimony of a close neighbour who had spoken in support of the application, advising they had not experienced any issues with regard to barking dogs, fouling or odour from the application property since the business had been operating. Furthermore it was noted that no complaints had been received from any other neighbouring properties during this period.

Members therefore considered that the concerns raised by the Environmental Health Officer were unfounded and were satisfied that should issues develop in the future, appropriate action could be taken at that time. The Committee therefore resolved to grant planning permission subject to appropriate conditions, the preparation of which was delegated to planning officers.

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

- (1) The development hereby approved shall be carried out strictly in accordance with drawing numbers 322/001, 322/002 and 322/003, date stamped by the Local Planning Authority on 2nd April 2019.

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

- (2) The foul drainage system serving the kennels hereby approved shall be retained and maintained as long as the kennels are present on site.

Reason: In the interests of protecting neighbouring amenity from issues relating to odour.

- (3) The kennels hereby approved shall only be used for the keeping of a maximum of six dogs at any one time.

Reason: In the interests of protecting neighbouring amenity from issues relating to noise.

- (4) The kennels hereby approved shall not be sold off, or let out, to parties separate from the dwelling at 4 Caffyns Cross, the property edged in red on approved drawing number 322/003.

Reason: To ensure that suitable management of the kennels is carried out by persons living at the property, in the interests of protecting neighbouring amenity.

After the vote, Mr J Holtom returned to the meeting room.

**48. Application No. 62/41/19/020**

**Location:** Lynmouth Manor Foreshore, Lynmouth, Devon

**Proposal:** Proposed use of Lynmouth Manor Foreshore as public car park for 62 days of the year between July and August in addition to the permitted 28 days under the Town & Country Planning (General Permitted Development) Order currently utilised on high days and public holidays. (Full)



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

### **Public Speaking:**

- (1) Mr & Mrs Wade, local resident (written submission tabled)
- (2) Mrs G Richmond, local resident (written submission tabled)
- (3) Mr R Newman, Lynton & Lynmouth Cliff Railway
- (4) Councillor D Harding, Lynton & Lynmouth Town Council (applicant)
- (5) Mrs S Hibbert, Lynton & Lynmouth Town Council (applicant)

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

The meeting noted that the main reason planning officers recommended the application be refused, was based upon the advice received from the Local Highway Authority that it would cause unacceptable harm to the interests of highway safety and prejudice road safety interests. The Committee also acknowledged that concerns have been raised in relation to the impact of the proposed change of use on the character and scenic beauty of the landscape and setting of heritage assets.

The Committee agreed with officers that the arguments in relation to this application were finely balanced. However, it was clear that the increased car parking provision would result in a substantial socio-economic benefit to the community, as it would bring extra revenue to the town through parking fees and increased visitor spend.

Furthermore, bearing in mind that the car park already operated for a temporary 28 day period each year under permitted development rights, and that no additional operational development is proposed as part of the application, it was felt there would be little additional harm to the scenic beauty and character of the landscape of the foreshore and the setting of heritage assets.

Whilst Members were encouraged that the town council would be taking a close management approach to the additional car parking provision, there were still concerns about the impact of the increased traffic on highway and pedestrian safety, as well as the effect the increased volume of vehicles might have on the existing surface of the application site.

It was therefore proposed and agreed to grant a temporary planning permission for a period of 3 years. This would provide an evidence base against which to judge the concerns raised by the Local Highway Authority. Should a further application for permanent planning permission be forthcoming in three years' time, an informed decision could then be taken.

**RESOLVED:** To grant a 3 year temporary planning permission subject to the following conditions:

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

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

- (2) The development hereby approved shall not be carried out except in complete accordance with the details shown on the submitted 1:1250 scale location plan.

Reason: To ensure that the development accords with the approved plans.

- (3) The use of the land as a car park, hereby approved, shall cease by 31 October 2022, unless a further planning permission is granted by the Local Planning Authority.

Reason: To enable the Local Planning Authority to review the impact of the approved development.

- (4) Prior to the first use of the land as a public car park, hereby approved, a management plan confirming the period(s)/days when the application site shall be used for the purposes of parking vehicles, shall be submitted to and agreed in writing by the Local Planning Authority. The public car park shall thereafter be operated in accordance with the agreed management plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the land is used only to meet peak parking demand in accordance with Policy AC-S3 and AC-D4 of the Exmoor National Park Local Plan 2011-2031 and to ensure that the parking takes place for a temporary period in the interests of the character and appearance of the locality.

- (5) In addition to the condition above, the land shall not be used for vehicle parking more than 90 days per calendar year.

Reason: To ensure that the land is used only to meet peak parking demand in accordance with Policy AC-S3 and AC-D4 of the Exmoor National Park Local Plan 2011-2031 and to ensure that the parking takes place for a temporary period in the interests of the character and appearance of the locality.

- (6) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting those Orders with or without modification), no additional hard surfacing shall be laid within the site unless otherwise previously approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the site, the locality and setting of Lynmouth Conservation Area.

- (7) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting those Orders with or without modification) express planning permission shall be obtained for any development within Part 12 of Schedule 2 of the Order.

Reason: In the interests of the character and appearance of the site, the locality and setting of Lynmouth Conservation Area.

- (8) The car park hereby approved shall not be used for overnight parking of vehicles and shall not be open for use other than between the hours of 07:30 to 22:00 hours Monday to Saturday and 08:00 to 20:00 hours on Sundays.

Reason: In the interests of local amenity and the character of the area.

After the vote, Miss A V Davies returned to the meeting room.

Before the officer presentation, Mrs L Blanchard left the meeting room.

**49. Application No. 62/36/19/001**

**Location: Higher Cowley Farm, Cowley Wood, Parracombe, Barnstaple, Devon  
Proposal: Proposed general purpose agricultural building (502.2sqm). As per additional information. (Full)**

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

**Public Speaking:**

- (1) Mr M Prowse, local District Councillor
- (2) Mr P Tucker, applicant
- (3) Mr G Tucker, applicant
- (4) Mr K Dyer, applicant's agent

**The Authority's Consideration**

The meeting noted that planning officers recommended the application be refused due to the scale of the isolated new development within the open countryside, which was considered to cause significant harm to the character and appearance of the landscape, and because they judged that highway safety issues would be caused due to the inadequate size of the access and its ability to accommodate haulage vehicles.

The Authority Committee noted that Devon County Council Highways had not commented upon the application and that there was therefore no professional advice to suggest that access to the site was an issue. However, a number of Members did have intimate local knowledge of the area, and it was their judgement that the proposed access to the site was far superior in terms of highway safety than the current compromised access to the farmholding for large haulage vehicles and farm machinery.

It was also the opinion of Committee Members that clear views into the site from the surrounding landscape were very limited and that the environmental impact caused by having to overwinter additional stock in the fields, would far outweigh any landscape harm caused by the proposed building.

The Head of Planning and Sustainable Development reminded the Authority Committee that Policy SE-S4 of the Exmoor National Park Local Plan 2011-2031 states that new isolated buildings will not be permitted unless it can be demonstrated that there are exceptional circumstances relating to an overriding functional need for a more isolated location. The meeting was advised that if they considered there were exceptional circumstances in this instance, those reasons must be clearly stated.

Having taken into account the individual circumstances of the application, the majority of Members considered that the difficult access to the farmholding was an exceptional circumstance, as it restricted economic farming activity and therefore warranted the erection of an agricultural building in the open countryside. It was the judgement of the Authority Committee that the proposed development was therefore compliant with Policy SE-S4 of the Exmoor National Park Local Plan 2011-2031, and Members resolved to grant planning permission to ensure continuing good land management of the moor.

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

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

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

- (2) The development hereby approved shall be carried out strictly in accordance with drawing numbers 337/101, 337/102 and 337/103 Rev A, date stamped by the Local Planning Authority on 17th May 2019.

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

- (3) Prior to installation, a sample of the hard surfacing shall be submitted to, and approved in writing by, the Local Planning Authority. The laying down of the hard surfacing shall only be carried out in accordance with the approved sample, and shall be retained as such thereafter.

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

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

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

- (5) The development hereby approved shall be constructed with anthracite grey fibre cement roof sheets where shown on the approved plans, unless otherwise previously agreed in writing with the Local Planning Authority. The development shall be retained as such thereafter.

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

- (6) The site must be drained on a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul drainage.

Reason: To prevent pollution of the water environment.

- (7) No farm effluent or contaminated surface water, including wash down water shall be discharged into any watercourses or water sources.

Reason: To prevent pollution of the water environment and to ensure that the development does not increase risk of flooding from surface water discharge.

- (8) The development hereby approved shall be used solely for the purposes of agriculture or horticulture as defined under Section 336 of the Town & Country Planning Act 1990.

Reason: To ensure that the development hereby permitted is used solely for the purposes of agriculture and horticulture.

- (9) Where the development hereby approved ceases to be used for the purposes applied for within ten years from the date of this permission and planning permission has not been granted authorizing development for purposes other than those set out under the above condition within three years of the permanent cessation of the authorised uses, and there is no outstanding appeal, the development must be removed unless the Local Planning Authority has otherwise previously agreed in writing.

Reason: For the strict control of development in the countryside and the Local Planning Authority wishes to ensure that the development is used solely for the purposes hereby permitted.

- (10) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting those Orders with or without modification), no external lighting shall be installed on the development hereby approved unless details have first been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed and operated fully in accordance with the approved scheme.

Reason: In the interests of visual amenity, the conservation of protected species and habitats and to protect Exmoor's dark night sky.

After the vote, Mrs L Blanchard returned to the meeting room.

**50. APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE:** The Authority noted the [decisions of the Chief Executive determined under delegated powers](#).

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

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

The meeting closed for recess at 1.29pm and reconvened at 2.02pm.

Mrs F Nicholson left the meeting.

**52. EXMOOR NATIONAL PARK AUTHORITY CLIMATE EMERGENCY RESPONSE**

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

**RESOLVED:**

- (1) To declare a Climate Emergency.
- (2) To agree to work towards the Authority being carbon neutral by 2030, and delegate to the CEO and Officers to prepare an action plan for achieving this, noting the 30% reduction already achieved since 2008.

- (3) To sign up to the Devon Climate Declaration attached at Appendix 1 to the report and contribute to the preparation of a Devon Carbon Plan.
- (4) To contribution to the preparation of the Somerset Carbon Plan.

**53. HEART OF THE SOUTH WEST JOINT COMMITTEE – GOVERNANCE REVIEW**

The Authority considered the **report** of the Chief Executive.

**RESOLVED:**

- (1) To approve the amendments (shown in underlined italics) to the Committee's list of functions in the Arrangements document – attached at Appendix A of report.
- (2) To agree to the reappointment of Somerset County Council as the Administering Authority to the Joint Committee for the period from 22 January 2020 to 21 January 2022.
- (3) To note the updated budget position for 2019/20.

**54. FINAL ACCOUNTS COMMITTEE AND AUDIT FINDINGS REPORT:**

- (1) The Authority received and noted the draft minutes of the Final Accounts Committee meeting held on 24 July 2019.
- (2) The Authority received and noted the **Audit Findings Report** for the year ended 31 March 2019.

**55. RISK MANAGEMENT:**

The Authority considered the **report** of the Head of Finance & Operations.

**RESOLVED:**

- (1) To note that the annual review of Risk Management had been carried out.
- (2) To approve the Health, Safety & Welfare Policy set out in Appendix 1 to the report.
- (3) To approve the Risk Register set out in Appendix 2 to the report.
- (4) To note that the Business Continuity/Disaster Recovery Plan has been reviewed.

**56. STANDING ORDERS FOR THE REGULATION OF CONTRACTS:**

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

**RESOLVED:** To adopt the draft Standing Orders for the Regulation of Contracts set out at Annex 1 to the report.

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

Mrs E Stacey left the meeting.

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

The Authority Committee were advised that both North Devon and Somerset West and Taunton District Councils had been consulted by BT over proposals to remove a number of public telephone boxes in those areas. The Park Authority had not been directly consulted on these proposals and would therefore need to submit a response via the District Councils before the deadlines of 8 October and 3 November respectively.

The consultation process will be determined by Ofcom and their guidelines state that the only right of veto that District Councils have to the removal of the phone boxes is if there is no mobile signal near a box; if the location is a suicide/accident blackspot; or is in a coastal location.

The phone boxes identified for potential removal within the National Park boundary are:-

**North Devon:** Challacombe, Lynbridge in Lynton, and two in Parracombe (adjacent to the Mill Pond and in Church Town).

**Somerset West & Taunton:** Luckwell Bridge, Exford and Bridgetown.

Members were concerned about the proposals and that the National Park Authority had not been directly consulted by BT, and therefore resolved to delegate to officers to submit a formal response to the consultation, objecting to the proposed removal of all 7 phone boxes identified within the National Park boundary.

**Addendum:** *Following ENPA's submitted response to the North Devon proposals, BT have confirmed they will not be removing the four North Devon phone boxes located within the National Park.*

**RESOLVED:**

- (1) To delegate to officers to submit a consultation response to North Devon District Council and Somerset West & Taunton District Council regarding the proposed removal of phone boxes within the National Park on heritage grounds (K6 boxes) and where there is poor mobile signal.
- (2) To delegate to officers to submit a response directly to BT regarding the proposed removal of phone boxes within the National Park on heritage grounds (K6 boxes) and where there is a poor mobile signal
- (3) To raises concerns with BT as to why they had failed to consult directly with Exmoor National Park Authority regarding the proposals.

The meeting closed at 3.06pm

(Chairman)

## 6.1

Application No: **6/10/19/111**

Grid Ref. 299117 143567

Applicant: Mr N Johnson, National Trust, Dunster Castle. Castle Hill  
Dunster, Minehead, Somerset

Location: Dunster Castle, Castle Hill, Dunster, Somerset

Proposal: **Proposed Change of Use to provide a café to include the siting of a Portakabin for use as cooking and preparation space to serve a proposed indoor seating and serving area within part of the stable building, for a temporary 12 month period. As per amended description amended plans and additional information. (Full)**

Introduction: The application comes before the Authority Committee in accordance with the agreed scheme of delegation, because Dunster Parish Council has a view contrary to the recommendation of Officers.

The planning application proposes the change of use to provide a café, which would include the siting of a “portacabin” for use as cooking and preparation space to serve a proposed indoor seating and serving area that would be accommodated within part of the Dunster Castle Stable building. The portacabin is proposed to be sited adjacent to the stable building, within the enclosed courtyard area.

The café use and siting of the portacabin is proposed for a temporary 12 month period, which is proposed to cover the period when the Water Mill Tea Rooms are closed to allow the works for the extension (approved in April 2019 under application reference 6/10/18/113) of that tea room to be carried out, but provide a similar facility and enable the staff employed at the tea room to be re-deployed to the temporary site.

Dunster Castle Stable building is a Grade II\* listed building, built circa 1660. It is an L shaped building of two stories and a loft, consisting of a short North Range and a long West Range. The National Trust Shop sits in the short North Range on the Ground Floor.

The proposed temporary café serving and seating area would be located on the ground floor of the West Range.

The Stable building lies to the north side of the Grade I listed Dunster Castle and Gate House.

The papers submitted with the application explain that the Water Mill Tea Rooms, which lie to the south of the Dunster Castle site and within the applicant’s ownership, will be closed for 12 months for extensive refurbishment from October 2019. The papers explain that the National Trust, the applicant, has planning permission to extend and refurbish the Water Mill Tea Rooms, as outlined above, and the temporary facility is required to maintain a catering offer for visitors and retain the employment of existing staff.

The application site lies in Dunster Conservation Area and within the Grade II\* Registered Park and Gardens of the Castle. The Motte and bailey at Dunster Castle is a Scheduled Monument.



**Consultee Response:**

DUNSTER PARISH COUNCIL: Comments dated 11 September 2019 – It was resolved to object on the grounds that it would have an impact on existing businesses in the village and more importantly impact on the stables due to the fact they are a grade 2 listed building. A portakabin would not fit into this setting. In the previous application 6/10/18/113 the Parish Council stated an independent economic impact survey be carried out.

The Parish Council would like a copy of the Independent economic impact survey if this has been carried out. If not they request one is done.

This would be a good opportunity for The National Trust to work with the business within Dunster Village as it is only for a 12-month period.

ECOLOGIST - ENPA: Comments dated 10 September 2019 - The portakabin is proposed to be sited within an area of hard standing, with minimal areas of ephemeral weeds and potted plants, which can easily be removed without any impacts to protected species.

However, the proposal does not appear to have an ecological assessment to inform the change of use of the west wing of the stables. Although the stables are currently accessible to the public and contains lighting, both of these conditions are of a low level with minimal levels of noise, visual and light disturbance present. As such, current condition within the barn, along with the numerous roosting potential opportunities throughout the structure indicate that bats may be present.

Due to the proposals potentially having a potential detrimental effect on bats and their roosts - due to the high level increase in human presence, associated noise and lighting - the applicant will therefore be required to commission a Preliminary Bat Roost Assessment which will utilise specialised inspection camera equipment for inspecting small crevices, and may recommend further surveys and mitigation as required. Surveys shall be undertaken in accordance with nationally recognised guidelines (BS 42020:2013 Biodiversity - Code of practice for planning and development, and Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition)), with the ecologist being a member of the Chartered Institute for Ecology and Environmental Management (CIEEM).

This action is required in line with:

- Natural England advice requires that all developments likely to affect European Protected Species should have surveys carried out to inform the planning decision. They cannot be conditioned. This was confirmed in case law through Woolley v Cheshire East Borough Council and Millennium Estates Limited in 2009.
- Section 99 of the Government circular 2005/06 on biodiversity and geological conservation states that 'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.
- Establishing presence of/implications upon protected species/habitats in the National Planning Policy Guidance (NPPG) (<https://www.gov.uk/guidance/natural->

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environment#biodiversity-and-ecosystems and Standing Advice/Gov.uk Guidance  
<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications#when-applicants-need-a-species-survey>.

Comments dated 3 October 2019 - Thank you for forwarding the Helix Ecology report to inform the temporary cafe and portakabin kitchen at Dunster castle stables.

The report provides a useful account, including historical records, however I feel that the significance of the roosts and uncertainties of suggested non-licensable method statement mitigation indicate that disturbance may occur. My concerns at present are:

- I would consider it essential that construction activity takes place outside of the 'hibernation' period which would avoid disturbing the wintering bats from noise and human activity. However, there is then potential disturbance during the operational period of the café. Horseshoe bats may not be affected by noise disturbance from the operational café; for example they are present off the public entrance to Wookey Hole caves and are subject to loud music and announcements. However, I do not know how other species would re-act. No evidence is provided in the report.
- Removing part of the roost site, mainly the ground floor, without like for like compensation may devalue the entire stables as an interconnected multi roost site.
- Sound proofing the upper room may cause disturbance impacts through the presence of contractors and their use of tools.
- Sound proofing the upper room may lead to a change in temperature regime/environmental conditions due to added insulation. This may reduce suitability/make the site unacceptable to over wintering bats as stated below and may also effect conditions of the summer roosts, potentially maternity colonies of lesser horseshoe and grey long-eared bats (which is on the limit of its range). Though I appreciate the later wouldn't occur if the sound proofing was removed before the summer period.
- There doesn't appear to be any suggestions for baseline and acceptable noise levels and remediation and contingency plans.
- There is no evidence of base line environmental conditions and the expected changes that the proposed mitigation would make. In addition, I would also consider there is a risk that things could go wrong during the development, for example ceiling lights being switched on and the coverings of the north wall forgotten unless a licensed bat ecologist is on site day and night.
- Blocking some access points between the lower and upper floors may also change the temp regime, through reduced air flow.
- Furthermore, it appears that further survey work needs to be done (top of page 3 under the bullet points), as we do not know fully the use and status of the roosts out of the wintering period. Grey long eared were confirmed present in the active period. Section 99 of the Government circular 2005/06 on biodiversity and geological conservation states that 'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.' Some uncertainty is also expressed in paragraph 2 of the Introduction.

As such, I would need to put a holding objection on the application pending further survey and information being submitted. Moreover, given the importance of the roost

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and its sensitivities, I would not consider that work could be carried out without a EPSL in place. Have alternatives been considered, e.g. a portakabin/temp building in the grounds?

Comments dated 15 October 2019 following further correspondence from the agent asking that if a bat licence is a requirement then could the planning permission be conditioned to say that 'before any works commence in the Stables a licence should be obtained' thus enabling the portacabin to be sited at the earliest opportunity after the determination date. The agent advised that, in this scenario, they would clearly like to use the Stables for seating and serving their visitors, but if that's not possible because of the bats, then at least by having the portacabin fitted out as a kitchen facility, they can continue to serve the Camellia House.

Wildlife Officer further comments - Yes I'm happy with this approach re siting of the portakabin as it should have negligible effect on the stable roosts. As the agent is now aware, as further surveys are required, which will inform a EPSL, it is now unlikely that the stables will be able to be used given the temporary timeframes of the proposals. Therefore, an alternative seating/dining area will need to be found.

ARCHAEOLOGIST - ENPA: No comment received

HISTORIC BUILDINGS OFFICER - ENPA: Comments 11 September 2019 - While the sighting of the portacabin in this historically sensitive location is not ideal it is recognised that this is a temporary measure and its location will not result in impact on wider views into the site. It is also recognised that the short term harm caused is offset by the ability to continue to serve refreshments during the construction works to the existing café and that this will enable the retention of staff. Any services connected to this unit must be surface run and not cut through or interfere with any historic fabric in anyway. Its sitting must be strictly time limited.

The insertion of the temporary floor and serving counter inside the stables is a complex piece of work and although it is not completely clear how the works will be undertaken the application makes clear that there will be no fixings made to the historic fabric. I would ask that this is conditioned.

Whether or not the insertion of the temporary floor, serving counter, portable electric appliances and equipment associated with the proposed use within the stable buildings requires listed building consent is a difficult area of judgement. The application makes clear, however, that the proposed use is temporary and that there will be no fixings made to the historic fabric. This is a crucial matter and there should be no fixing to the stall posts, feeders or the historic fabric of the building. I am concerned about the use of portable heaters due to the sensitivity of the internal fabric. I would ask the applicant to ensure there use is very carefully monitored, especially if the public are able to move them.

I agree with the comments from Historic England that there need to be strict conditions on how long the floor and serving counter remain in place. If the construction works to the main tea-room overrun I would be reluctant to grant any extension of time for the temporary facility to remain in place.

LANDSCAPE OFFICER - ENPA: No comment received

PUBLIC RIGHTS OF WAY AND ACCESS OFFICER - ENPA: Comments dated 6

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September 2019 – There are no public rights of way, permitted routes or access land in the vicinity of the proposed development so I have no observations to make.

NATIONAL TRUST: No comment received

HISTORIC ENGLAND: Comments dated 16 August 2019 - Historic England Advice

This application is for the temporary re-location of the National Trust Dunster Castle catering outlet, (currently provided at the Water Mill Tea Rooms) to the west wing of the grade II\* listed stables, with a Portacabin placed in the adjacent courtyard. We assume, therefore, that this planning application applies for the temporary change of use of the stables along with the siting of the Portacabin.

The Stable at Dunster Castle is of national historic and architectural significance, being one of the most important and complete examples of an early seventeenth century stables in the country. The survival of the original internal fittings is especially rare, so any works affecting the interior of the building requires particularly careful consideration.

We have no objection to the temporary siting of the Portacabin in the stables courtyard, as long as it is for a defined period linked to the duration of the refurbishment of the tea rooms. It appears that no ground works or physical intervention to the courtyard will be required to install the Portacabin which would raise any archaeological concerns in relation to the nearby scheduled ancient monument.

However, if you become aware of any such works, please could you provide us with further information of their precise nature. What is less clear, however, is the precise extent and nature of works required to the west wing of the stables, a highly sensitive and authentic historic space which is currently devoid of modern services. In theory, there seems no reason why the location of tables and chairs for tea room use would not be acceptable here. However, reference is also made in this application to the laying of a temporary timber floor covering, providing temporary heating and lighting (the interior of the stables is a relatively dark space) and also installing a 'counter'.

No listed building application appears to have been submitted for these works, since it is stated that the items to be installed will not be 'fitted'. Reference is made in the application to pre-application discussions taking place with the National Park Authority regarding this temporary use, but we have not ourselves been involved in those discussions, so don't know what information was provided regarding the adaptation of the stables themselves.

We would advise that, at the least, your Authority should request a plan identifying the number and location of tables to be provided there, the extent and construction of the timber flooring, and the position and form of the counter, plus any other associated works, in order to identify their precise extent and nature. If you are satisfied that they are of a genuinely temporary nature, and in themselves acceptable, you may be happy to give informal consent for those reversible changes. There will, though, then be clearly documented parameters for the physical adaptation of the stables, on which your Authority's agreement to their temporary use is based.

#### Recommendation

Historic England has no objection to the application on heritage grounds, subject to the caveats attached above regarding the internal works to the stable.

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Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Comments dated 6 September 2019 - Thank you for your letter of 21 August 2019 regarding further information on the above application for planning permission. On the basis of this information and a discussion we have had with Exmoor NP's Historic Buildings Officer, we do not wish to offer any further detailed comments other than stressing the need for robust conditions to ensure that the proposed use of the Stables and associated courtyard is strictly time limited and involves no impact on historic fabric or finishes. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

JOINT COMMITTEE OF THE NATIONAL AMENITY SOCIETIES: No comment received

WILDLIFE CONSERVATION OFFICER - ENPA: No comment received

SOMERSET WEST AND TAUNTON COUNCIL: No comment received

SCC - HIGHWAY AUTHORITY: Standing Advice Applies

SOMERSET WEST AND TAUNTON COUNCIL: No comment received

SCC - HIGHWAY AUTHORITY: No comment received

DUNSTER PARISH COUNCIL: No comment received

ARCHAEOLOGIST - ENPA: No comment received

HISTORIC BUILDINGS OFFICER - ENPA: No comment received

LANDSCAPE OFFICER - ENPA: No comment received

PUBLIC RIGHTS OF WAY AND ACCESS OFFICER - ENPA: No comment received

NATIONAL TRUST: No comment received

HISTORIC ENGLAND: No comment received

JOINT COMMITTEE OF THE NATIONAL AMENITY SOCIETIES: No comment received

WILDLIFE CONSERVATION OFFICER - ENPA: No comment received

#### **Public Response:**

6 letters of objection 1 other letter

6 letters of OBJECTION have been received. The concerns and objections include the following matters:

- Question the need for the additional café facility.
- This will provide more reason for Castle visitors not to visit the wider village – thereby taking business away from the already struggling High Street.
- This is another unnecessary and aggressive marketing ploy on behalf of the National Trust Castle property.
- The proposal would cause unacceptable harm to a Grade II\* listed building, with potential for damage, including accidental, to the building and stable stalls in particular.
- Unacceptable harm to the local economy.
- The village has spare capacity to cater for visitors to the Castle.
- Concern that the proposal could become permanent.
- Seek a condition to ensure that the exit from the Castle past the Watermill is not closed

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during the proposed construction works.

- Concern that there is no reference to compliance with Building Regulations, Fire Safety Regulations or Environmental Impact Assessment.
- Queries relating to food safety and hygiene regulations, health and safety and electrical work, as well as other legislation.

1 letter has been received advising NO OBJECTION and commenting that they have previously given full support to the works to improve the Water Mill Tea Rooms. It is understood that the works would be temporary. The writers advise that they are concerned that if the application is not granted all of the staff at the Water Mill will lose their own income – they would rather see these people retained in employment.

### RELEVANT HISTORY

- WTCA 09/06**      **Works to Trees in Conservation Area: To fell 7 individual trees, 1 group of 2 Ash and 1 group of 3 Ash. Also works to crown lift, crown reduce and pollard 3 trees in the garden and park of Dunster Castle.**  
**Works to Trees i Split Decision**      **30 July 2009**  
**Same Site**
- 6/10/10/114LB**      **Listed Building Consent for the proposed installation of a glass door and side panels to internal entrance of National Trust Shop at Dunster Castle.**  
**Listed Building**      **Approved**      **20 October 2010**  
**Same Site**
- 6/10/87/132LB**      **Proposed erection of new ticket office at Castle Hill, Dunster Castle Dunster as described in the plans and drawings submitted**  
**Listed Building**      **Approved**      **02 February 1988**  
**Same Site**
- 6/10/97/104LB**      **Proposed formation of walkway over the existing conservatory, Dunster Castle, Dunster, Minehead, Somerset, as described in the plans and drawings submitted**  
**Listed Building**      **Approved**      **29 April 1997**  
**Same Site**
- 6/10/09/105LB**      **Listed Building Consent for proposed internal glass door and associated works to shop entrance.**  
**Listed Building**      **Withdrawn**      **24 March 2010**  
**Same Site**
- 6/10/96/118LB**      **Proposed internal alterations to the kitchen tower, Dunster Castle Dunster, as described in the plans and drawings submitted**  
**Listed Building**      **Approved**      **02 January 1997**  
**Same Site**
- 6/10/90/109LB**      **Proposed conversion of part basement area into tea-rooms and toilets at Dunster Castle, Dunster, Minehead as described in the plans and drawings submitted**  
**Listed Building**      **Approved**      **04 September 1990**

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	Same Site		
6/10/89/112	Proposed erection of new garden ticket office at Dunster Castle, Dunster as described in the plans and drawings submitted		
	Full	Approved	01 August 1989
	Same Site		
6/10/94/106LB	Proposed modification of internal doors and provision of new doors to improve fire precautions and insertion of new shower, Dunster Castle, Dunster, Somerset, as described in the plans and drawings submitted		
	Listed Building	Approved	12 October 1994
	Same Site		
6/10/87/131	Proposed erection of new ticket office and conversion of existing to lavatory for disabled people at Castle Hill, Dunster Castle, Dunster as described in the plans and drawings submitted		
	Full	Approved	02 February 1988
	Same Site		
6/10/90/108	Proposed conversion of part basement area into tea-rooms and toilets at Dunster Castle, Dunster, Minehead as described in the plans and drawings submitted		
	Full	Approved	04 September 1990
	Same Site		
6/10/91/108LB	Proposed formation of staircase, National trust Shop Building, Dunster Castle, Dunster as described in the plans and drawings submitted		
	Listed Building	Approved	03 June 1991
	Same Site		
6/10/03/117LB	External redecoration of joinery		
	Listed Building	Approved	17 September 2003
	Same Site		
6/10/92/106LB	Proposed rebuilding of unstable retaining wall to a lower height, Dairy Cottage, 7 Castle Hill, Dunster, as described in the plans and drawings submitted		
	Listed Building	Approved	02 June 1992
	Same Site		
6/10/94/104LB	Proposed reconstruction of rear area restraining wall, Dairy Cottage, Dunster Castle, Dunster, as described in the plans and drawings submitted		
	Listed Building	Approved	23 August 1994
	Same Site		
6/10/06/125LB	Structural repair of stable block, north wing, including insertion of a new roof tie system & the strengthening of the first floor in addition to opening up works to accommodate the above works		
	Listed Building	Withdrawn	19 April 2007

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- Same Site**
- 6/10/07/122LB** Listed Building Consent for the structural repair of stable block including roof tie system and strengthening of first floor beams, per additional plans dated 16.10.07. Amended by email dated 05/12/07.  
Listed Building Approved 02 January 2008
- Same Site**
- 6/10/07/136LB** Listed Building Consent for new rainwater goods. Amended by email, photo and plans of 21/1/08. Amended by email dated 25/1/08  
Listed Building Approved 07 February 2008
- Same Site**
- 6/10/19/111** Proposed Change of Use to provide a café to include the siting of a Portakabin for use as cooking and preparation space to serve a proposed indoor seating and serving area within part of the stable building, for a temporary 12 month period. As per amended description amended plans and additional information.  
Full
- Same Site**
- WTCA 10/07** Works to Trees in Conservation Area: site 1 - fell Ailanthus, site 2 - reduce height of crown of English Oak in main car park by 6 metres site 3 - fell English Oak and reduce main leader overhanging drive by 4 metres on Holm Oak, site 4 - remove snapped branch and pollard Willow, site 5 - reduce 8 inner lateral branches on English Oak, site 6 - fell Paulownia, site 7 - fell Ash tree, site 8 - reduce crown by a maximum of 20% on London Plane, site 9 - reduce upper crown opposite the companion leader on Monterey Pine and site 10 - fell Sycamore.  
Works to Trees i Approved 09 December 2010
- Same Site**

### **Most Relevant Development Plan Policies:**

Exmoor National Park Local Plan 2011-2031

GP1 Achieving National Park Purposes and Sustainable Development

GP3 Spatial Strategy

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-S4 Cultural Heritage and Historic Environment

CE-D3 Conserving Heritage Assets

CE-S6 Design & Sustainable Construction Principles

CC-D1 Flood Risk

CC-D5 Sewerage Capacity and Sewage Disposal

HC-S6 Local Commercial Services and Community Facilities

HC-D18 Local Commercial Service Provision

RT-S1 Recreation and Tourism



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AC-S1 Sustainable Transport

AC-D2 Traffic and Road Safety Considerations for Development

AC-S3 Traffic Management and Parking

AC-D3 Parking Provision and Standards

The National Planning Policy Framework (NPPF) is 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.

When making affecting the setting of a listed building, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (sec. 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies).

### **Observations:**

The main planning issues are considered to relate to the principle of development, whether the proposal is acceptable in terms of impact on heritage assets including the setting of listed buildings and the scheduled ancient monument of the Castle and the character and appearance of the conservation area, and impact on important wildlife interests. Other matters include potential impact on highway safety and local amenity.

### **PRINCIPLE OF DEVELOPMENT**

Policy GP3 and the spatial strategy aims to ensure that communities across the National Park continue to thrive so that they are economically resilient, environmentally sustainable, socially mixed and inclusive.

In accordance with GP3, development proposals should ensure that the scale of development is proportionate to the settlement size and reflects the capacity of each settlement to accommodate new build development; positively responding to the surrounding landscape character, settlement form and pattern, and avoiding areas at risk of flooding.

Under GP3, in villages, such as Dunster, development should contribute to and provide opportunities to address locally identified needs for housing and employment and sustain core services and facilities within these communities. New building development for business premises and community services and facilities will be acceptable where it is well related to existing buildings in the settlements.

A café is considered a local commercial service under the Exmoor National Park Local Plan.

Policy HC-S6 of the Local Plan, which relates to local commercial services and facilities, advises that the provision of new local commercial services will be supported where it can be demonstrated that they:

- a) will benefit the local resident community and the needs of visitors; and
- b) are of a scale and location appropriate to the community they serve.

Policy HC-D18 refers to local commercial service provision and advises that proposals for

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new build, extensions or change of use of buildings for local commercial service provision within the named settlements will be permitted where:

- a) the proposed location contributes to the overall vitality of the settlement and the local economy;
- b) they will not adversely affect the locality, National Park, or the amenity of nearby residents as a result of traffic or parking; and
- c) if required by the National Park Authority, an impact assessment has been submitted, the scope of which has been agreed prior to submission.

Some objections to the proposed development raise concern in relation to the impact of the proposed café on other businesses within the settlement.

Under HC-D18 development should contribute to the overall vitality of the settlement and the local economy.

In general, competition is not a matter for consideration under planning applications. The National Planning Policy Framework (NPPF) seeks planning policies and decisions that help create the conditions in which businesses can invest, expand and adapt. The NPPF (para. 80) advises that significant weight should be placed on the need to support economic growth taking account of both local business needs and wider opportunities for development. In terms of supporting a prosperous rural economy, the NPPF advises that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas.

In this case, the café use is proposed for a temporary period while work to refurbish and extend the Water Mill Tea Rooms, owned by the National Trust, is carried out. The agent explains that the temporary café is proposed for a 12-month period to ensure that the café facility currently available to visitors to the Castle at the Water Mill Tea Room is retained to some degree, and that the staff employed at the Tea Room can be re-deployed to the temporary café facility.

Dunster is a village under the spatial strategy of the Local Plan. The application site is within the settlement and the location is considered to offer the potential to contribute to the overall vitality of the settlement and the local economy. The applicant has explained the rationale for the proposed temporary café and this is considered to be reasonable and to be acceptable in principle.

#### HERITAGE ASSETS

The site is considered to be historically significant and sensitive. The application site is situated within the grounds of Dunster Castle, a Grade I listed building and close to important heritage assets such as the scheduled ancient monument of the Castle and the grade II\* registered park and garden. The Stable building itself is a grade II\* listed building. The site also lies in Dunster Conservation Area.

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

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The NPPF advises that (paragraph 192), in determining planning applications, local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification (paragraph 194).

Paragraph 196 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The applicant engaged with Officers through pre-application discussions and Historic England has been consulted through the application process. Historic England raise no objection to the temporary siting of the portacabin in the Stables courtyard, as long as it is for a defined period linked to the duration of the refurbishment of the Water Mill Tea Room.

No ground works or physical works are proposed through the change of use and, therefore, the proposal does not raise archaeological concern.

In terms of the use taking place within the Stable building, the details submitted explain that temporary flooring is proposed to be laid over the area within the Stable building, that this will sit on the cobbles, and that the serving counter, tables and chair will be free standing. The lighting and electrical equipment will be portable, free standing appliances. The agent confirms that all equipment required for the proposed use will be temporary and that, specifically, no items will be fixed in place. On this basis, and noting the temporary use proposed, Officers are satisfied that the use would not require Listed Building Consent. Should this change or should there subsequently prove to be a need for fitting or fixings, the applicant is aware that those works would need to be considered under a Listed Building Application.

The Historic Buildings Officer has been involved in pre-application discussions and is generally content with the proposal on the basis that this is proposed for a temporary period only, and there would be no change to the historic fabric or finishes of the Stables.

Both Historic England and the Historic Buildings Officer stress the need for robust conditions to ensure that the proposed use of the Stables and associated courtyard is strictly time limited and involves no impact on historic fabric or finishes.

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While the proposed portacabin could be considered to harm the setting of the Stable building, notably its courtyard, the impact would be temporary and there is public benefit associated with the proposed use, in terms of contributing to the local economy and employment. Historic England and the Historic Buildings Officer raise no object to the proposal, subject to conditions. The proposed use, on balance, having regard to the comments of the heritage experts, is considered to have an acceptable impact on the setting of the important heritage assets to the site, including the scheduled ancient monument and grade I listed the Castle, the grade II\* registered park and garden, and the grade II\* listed Stables.

The use and portacabin, because of its location and, in particular, because of its temporary nature is, on balance, considered to have an acceptable impact on the character and appearance of the Conservation Area.

#### WILDLIFE

The Stable building provides habitat for bats and although the building is currently accessible to the public and contains lighting, the proposed use would likely see use and activity within the building by the public increase. The proposal, therefore, has the potential to impact on bats and their roosts.

The papers submitted in support of the application include a report by Helix Ecology. The report advises that the roof void of the stables is used by a large maternity roost of lesser horseshoe bats. The bats also use the upper floor of the West range of the building as a flight area and are present all year round. Other species confirmed to roost in the Stables are greater horseshoe, Natterer's, grey long-eared, brown long-eared, common pipistrelle, soprano pipistrelle and serotine.

The Stables is of regional importance to bat conservation due to the presence of the maternity colony of lesser horseshoe bats. The report advises that continued use by a breeding colony of grey long-eared bats would make the site of national importance.

The Helix Ecology report advises that, in terms of potential disturbance to roosts, providing the works proceed ahead of the winter hibernation period and providing steps are taken to prevent disturbance from increased noise in the upper floor area, the negative impact to bat habitat would be minimal.

In terms of potential damage to roosts, the report advises that measures could be taken to negate potential damage to the continued ecological functionality of the roost. This would include measures to prevent an increase in noise and temperature on the upper floor, enhancing the staircase as a winter roost, retaining access between the floors and between the ground floor and building exterior, and minimising light spill onto potential ground floor crevice roosts.

Further discussions have taken place between Helix Ecology and the Authority's Wildlife Officer who has advised that the proposed use, given the importance of the bat roost and its sensitivities, would require a European Protected Species Licence.

The need for a European Protected Species Licence could mean that, because of the timings proposed, the use of the Stables to accommodate the seating and serving area of the proposed temporary café use is no longer viable.

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### EXMOOR NATIONAL PARK AUTHORITY MEETING

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However, the applicant has explained that they would wish to continue with the siting and use of the proposed portacabin, because this would be fitted out with a kitchen and that would be used to continue to serve the existing, albeit more limited, café facility at Camellia House and other potential alternatives that could come forward separately. It is noted that the siting and use of the portacabin is not considered to cause impact on bats or their habitat. The applicant has, therefore, requested that a condition of planning permission could be provided to say that “before any works commence in the Stables a licence should be obtained”, because this would enable the portacabin to be sited and provide scope to seek to resolve matters in relation to seating should that prove feasible.

This suggested approach has been discussed with the Wildlife Officer who is content with this method.

Having regard to this, it is considered possible to safeguard the favourable status of bats and their habitat through condition. Further work is necessary to inform a European Protected Species Licence and if that work does not satisfactorily address protected species interest a licence would not be granted and, with a planning condition preventing the use of the Stables for the proposed café use, without a Protected Species Licence in place, the proposed use could not take place. In this scenario, Officers are, therefore, satisfied that the favourable status of protected species interest in this site can be safeguarded.

#### NEIGHBOURING AMENITY

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

There are residential neighbours to the site, notably to the north and west, although these do not directly adjoin the Stable building and its courtyard. There is an existing general impact by virtue of the existing development and activities at the site, including with people visiting the Castle. In having regard to this, the distance of separation and the arrangement of buildings, the proposed development is considered to have an acceptable impact on the amenity enjoyed at the nearby residential properties and the proposal is, therefore, considered to satisfied Policy CE-S6 in terms of its impact on neighbouring amenity.

#### HIGHWAY SAFETY

Policy AC-D2 advises that development which will cause unacceptable levels of traffic in terms of the environmental or physical capacity of the local road network, or would prejudice road safety interests, will not be permitted.

AC-S3 advises that there is a presumption against providing for peak parking demand, and that the Authority will work with the highway authority and others to identify local solution to congestion and parking issues. The policy advises that proposals for new development should make adequate provision for parking in accordance with policy AC-D3 (Parking Provision and Standards).

In this case the National Trust is the applicant and it is anticipated that the temporary

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facility would accommodate those visitors to Dunster Castle, most of which would likely arrive via the castle grounds and from the existing National Trust car park.

In addition the application site lies within the settlement of Dunster where public parking is available. In this context, the proposal is not considered to cause a serve impact on highway safety and the proposal is not considered to cause unacceptable levels of traffic in terms of the environmental or physical capacity of the local road network, or would prejudice road safety interests. The proposal is, on balance, considered to satisfy AC-D2 and AC-S3.

#### CONCLUSION

The principle of development is considered to be acceptable under Policy HC-D18 of the Local Plan. The proposed use, on balance, is considered to have an acceptable impact on the setting of the important heritage assets in accordance with CE-D3.

The proposal, with appropriate mitigation and subject to the obtaining a European Protected Species Licence, is considered likely to have an acceptable impact on protected species interests at the site.

The proposal, because of the relationship with neighbouring properties, distance between and existing arrangement of buildings and uses is considered to have an acceptable impact on neighbouring amenity.

On balance, the proposal is considered to satisfy the relevant development plan policies and it is recommended that planning permission be APPROVED subject to the conditions set out below.

#### **Recommendation:**

##### **Approve subject to the following conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

##### Reason:

In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990, (as amended by the Planning & Compulsory Purchase Act 2004).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following list of plans:
  - i. 1:2500 scale National Trust Location Plan – date stamped 6 August 2019;
  - ii. The “Portakabin” plan, drawing number BR0026 Rev. L – date stamped 6 August 2019;
  - iii. Stables – Proposed Floor Plan, drawing number 10340/201901-02 – date stamped 6 August 2019;
  - iv. Stables – Section X-X, drawing number 10340/201901-03 – date stamped 21 August 2019.

##### Reason:

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

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3. The use hereby approved shall cease and all associated structures and paraphernalia , including portacabin, temporary flooring, seating, tables, serveries and lighting and other electrical equipment and appliances shall be removed from the application site by no later than 1st November 2020.

**Reason:**

To acknowledge the justification for the application and in the interests of the setting of important high grade heritage assets, including the Listed Stables building and Dunster Castle and the character and appearance of the Conservation Area.

4. Prior to the commencement of the use hereby approved and installation of temporary flooring and seating within the Stable building further survey information together with a bat mitigation and compensation strategy, including a method statement, comprised of timing of works and number, type and location of roost compensation features, shall be submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall thereafter be carried out and take place in accordance with the approved bat mitigation and compensation strategy and any mitigation and compensation features shall be retained thereafter for as long as the approved use takes place.

**Reason:**

In order to secure the 'strict protection' of protected species in accordance with the Conservation of Habitats and Species regulations 2017 and policy CE-S3 of the Exmoor National Park Local Plan 2011-2031.

5. Prior to the commencement of use hereby approved and installation of temporary flooring and seating within the Stable building site a copy of the European Protected Species Licence, or equivalent appropriate Licence as previously agreed in writing by the Local Planning Authority, shall be submitted to and agreed in writing the Local Planning Authority.

**Reason:**

In order to secure the 'strict protection' of protected species in accordance with the Conservation of Habitats and Species regulations 2017 and policy CE-S3 of the Exmoor National Park Local Plan 2011-2031.

#### **Notes to Applicant:**

#### **PRESENCE OF BATS**

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

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

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

### MONITORING OF DEVELOPMENT

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email [plan@exmoor-nationalpark.gov.uk](mailto:plan@exmoor-nationalpark.gov.uk).

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

Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts.

Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application.

To avoid delay, inconvenience and the need to submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified time.

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications on an informal basis. The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.



## 6.1

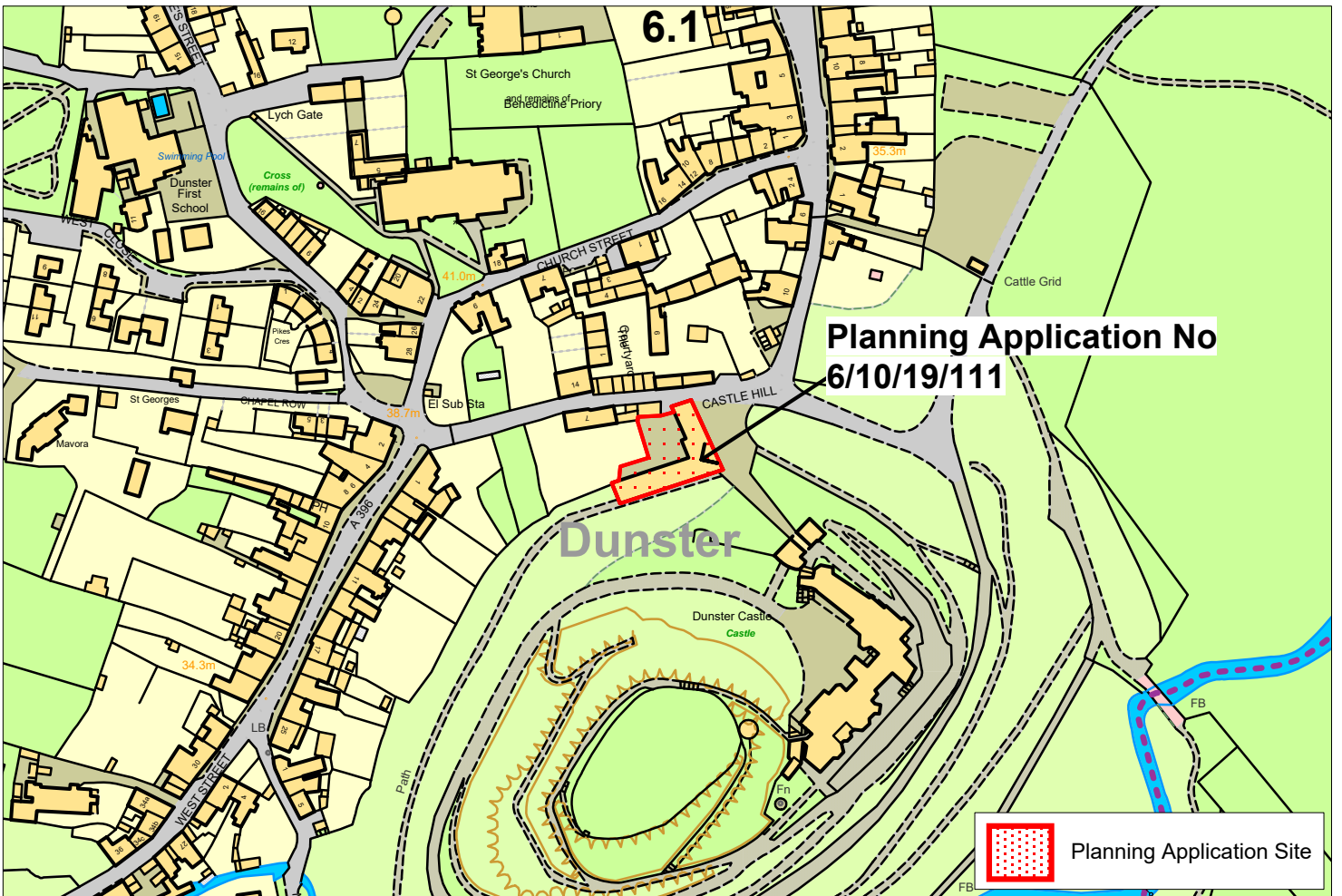
### EXMOOR NATIONAL PARK AUTHORITY MEETING

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

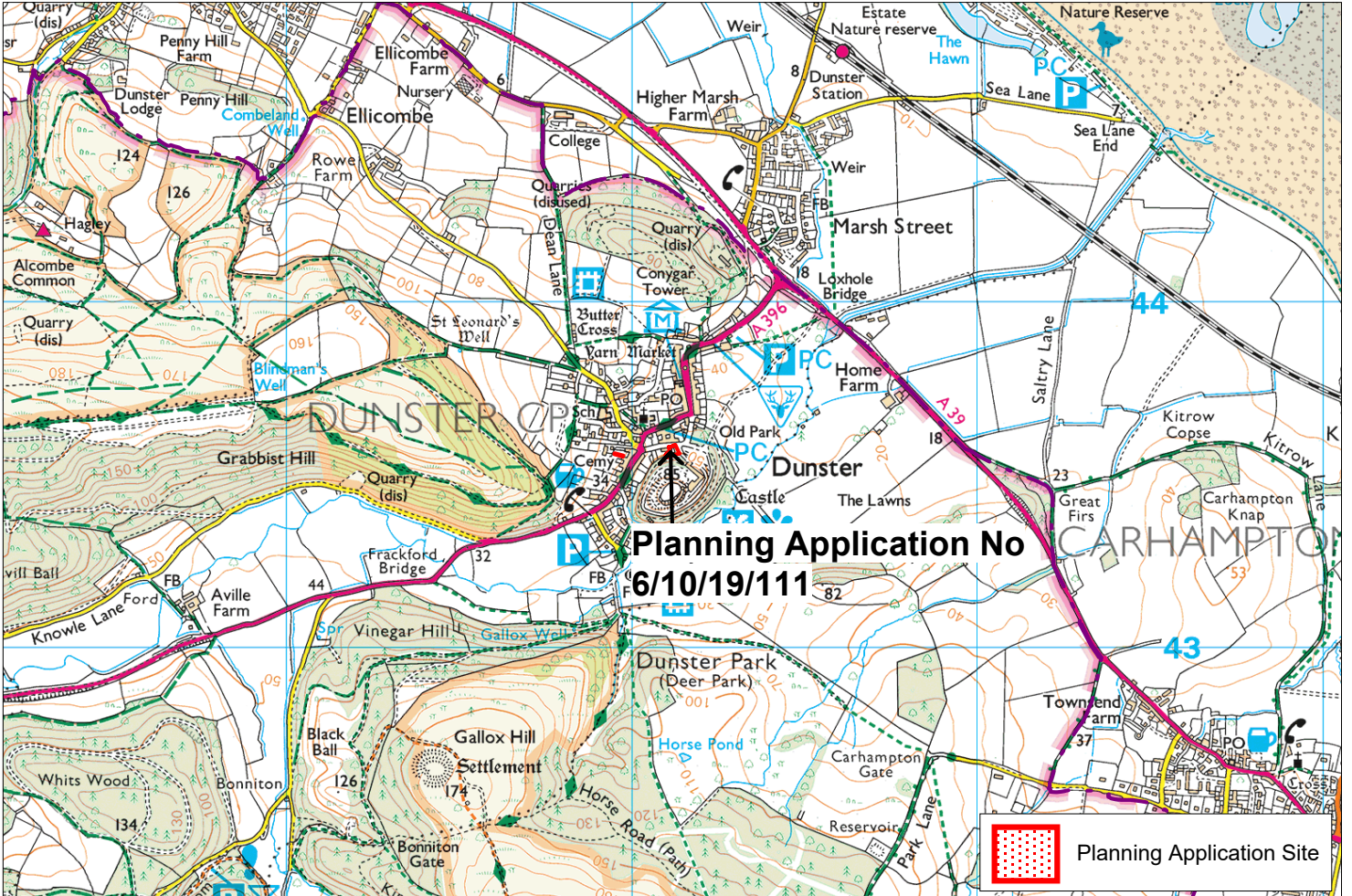
#### POSITIVE & PROACTIVE STATEMENT

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



Site Map  
1:2500

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Overview Map  
1:20000

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### EXMOOR NATIONAL PARK AUTHORITY MEETING

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Application No: **6/3/19/115**

Grid Ref. 294075 131602

Applicant: Mr S Knight, Wydon Farm, Minehead, Somerset

Location: Land at Higher Nicholls, Brompton Regis, Dulverton, Somerset.

Proposal: **Proposed agricultural workers dwelling and garage. As per additional information and plans. (Full)**

Introduction: The application comes before the Authority Committee in accordance with the agreed scheme of delegation, because a Member of the Authority has been personally involved in the application.

The planning application proposes an agricultural workers dwelling together with detached garage outbuilding.

The application site lies in open countryside to the west of Brompton Regis and adjacent to the unnamed classified road that runs between Heath Poul Cross and Machine Cross, and at a point approximately 1.15km south of Combeshead Cross.

The application site lies at the edge of a field adjacent to (south of) a range of modern farm buildings (sometimes referred to as "Renford Farm Buildings"), which are within the applicants ownership. There is a semi-detached pair of dwellings on the opposite side of the public highway to the farm building complex and approximately 50 metres to the north west of the application site – these dwellings are not in the applicant's ownership. Gutterhole Barn, a complex of farm buildings, lie further north (approximately 250 metres away) and set back from the highway – this building complex is also outside the applicant's ownership. The surrounding landscape comprises enclosed farmland.

The proposal is a three-bedroom two storey dwelling. The dwelling is proposed with render elevations under a natural slate roof. Windows and doors are proposed to be timber. An open porch is proposed to the entrance door on the principal elevation of the dwelling, which faces west towards the road. An off centre stone chimney protrudes through the roof of the dwelling and there would be single storey lean-to roofs either side of the dwelling, with one enclosed to accommodate habitable accommodation for the dwelling. The dwelling would have a floor area of approximately 110 square metres, including a farm office, shower and utility.

The proposal also includes an ancillary garage/outbuilding for the dwelling. The garage would be constructed from matching materials and would include an animal medicine store as well as a garage and equipment store. The building would be single storey with a floor area of approximately 50 square metres.

A hedge, comprising mainly Beech, provides the boundary (west) to the road, a new vehicular access is proposed from the road to the new dwelling.

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The applicant's farm buildings lie to the north side of the application site, with the wider field to the east and south sides of the site.

The papers submitted with the application explain that the applicant's family have farmed, for a number of generations, their principal holding at Wydon Farm, which lies between Minehead and Selworthy near the northern edge of the National Park. The papers also explain that since 1990 the family have farmland now totalling approximately 210 acres (85 hectares), at Higher Nicholls with a range of modern agricultural buildings. The most recent livestock shed (504 square metres) at the holding was granted planning permission (ref 6/3/10/111) in September 2010. There is no dwelling associated with this land and those opposite the farm buildings have not been in the applicant's ownership.

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#### **Consultee Response:**

SOMERSET WEST AND TAUNTON COUNCIL: No comment received

SCC - HIGHWAY AUTHORITY: Comments dated 30 September 2019 – I refer to the above planning application received by the Highway Authority on 10 September 2019 and following a site visit the Highway Authority has the following observations on the highway and transportation aspects of this proposal.

The application is for the formation of a new access and agricultural workers dwelling with associated garage at the above address.

For clarity, in terms of residual cumulative impact on the local highway network, the Highway Authority do not consider this proposal as likely to have a severe impact, however, there is outstanding highway detail that the applicant needs to address.

The proposal site sits off a classified unnamed road west of Brompton Regis. The speed limit at and around this location is derestricted. Observed vehicle speeds appeared to be approximately 60 mph and as such visibility splays of 2.4 metres x 215 metres in both directions, to the nearside carriageway edge (with no obstruction greater than 600mm above ground level) in line with Design Manual for Roads and Bridges (DMRB) would apply.

However, no proposed visibility splays have been provided to date by the applicant. Visibility splays need to be provided on a suitably scaled topographical drawing (1:200 scale advised). Should any telegraph poles be moved outside of the visibility splay this would be at the applicants expense.

It is noted, that the proposed access to the site is situated opposite what appears to be an existing informal access. The Highway Authority do not view such 'cross road' type arrangements as rational to promote, however it would be difficult to object on this element of the application given the small scale, low key vehicle movements associated with both the present and proposed accesses in question.

It is the view of the Highway Authority that such classified roads, in particular along derestricted areas are primarily for the distribution of vehicle traffic between location points. The Highway Authority note the existing access points along this stretch of the

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carriageway and both sides of the classified road. Multiplicity of access points within close proximity, increase the likelihood for vehicle conflict. As such it is recommended that (subject to planning consent) the apparent disused access to the north of the proposal site (within the applicants ownership) is closed permanently in the interest of highway safety.

No sufficient drainage detail has been provided to date to ensure that the surface water will not run onto the public highway. It would appear that no appropriate design has been submitted that would allow access over the ditch and minimise impact on the watercourse. Any access that may alter a watercourse would warrant Land Drainage Consent from the Local Lead Flood Authority prior to any consented works beginning on site.

Please note, it is likely the applicant will need to enter into a suitable legal agreement with the Highway Authority for the highway works that will be carried out as part of this development.

Turning to the internal layout, the applicant has proposed 3 vehicle spaces. It is envisaged on the basis of the information of the information received the garage will accommodate 1-2 of the proposed vehicle spaces. The applicant will need to ensure that all associated vehicles have the capacity to safely enter, manoeuvre within and enter the public highway in a forward gear. Any gates constructed should be set back an appropriate distance to accommodate all associated vehicles to the site, including any attachments (e.g. a trailer).

With the above in mind, it is recommended that the applicant demonstrate the following to the satisfaction of the Highway Authority prior to any further comments from the Highway Authority:

- On a suitably scaled topographical drawing, demonstrate appropriate visibility splays (as detailed above) are achievable in both directions without any third party encroachment from the proposed access point.
- Provide detailed cross sectional drawings detailing how the access would be constructed over the watercourse.

**BROMPTON REGIS PARISH COUNCIL:** At its recent meeting BRPC supported this application but noted that the Highways Authority has raised important safety issues regarding access which the BRPC hopes will be addressed.

**LANDSCAPE OFFICER - ENPA:** No comment received

**WILDLIFE CONSERVATION OFFICER - ENPA:** Thanks for providing some further clarity on this re hedge species present. As Exmoor seems to be adopting the informative approach through numerous consultation such as for landscape grants, tree removal etc I'm happy in this instance to use your suggested informative as the hedge is species poor and the section limited to a gap which dormice, if present, would still be able to cross.

Also, happy with the bird nesting timing condition.

We would however, need to ensure the proposal commits to net gain, therefore: As enhancement and compensation measures, and in accordance with National Planning Policy Framework (NPPF), please apply the following conditions to any planning permission granted, to be captured within a landscape plan submitted to the



## LPA:

- To compensate for the removed section of hedgerow, at least 10m of the new site boundary to the east or south of the site will be planted up with a new hedgerow (containing a minimum of 5 species beneficial to hazel dormice, including Hazel, Hawthorn, Honeysuckle, Hornbeam, Ash, Elder, Wayfaring tree, Blackthorn, Dogwood, Yew and Field Maple)
- 1 x Build-in WoodStone Bat Box (<https://www.nhbs.com/build-in-woodstone-bat-box>), or similar, to be installed on the southern and/or western elevation of the new building, at a height of over 3m.
- Installation of 2 X standard bird nest box, purchased or built, on to a mature tree on site, facing north or east, at a height above 3m.
- 1 x integrated bee bricks (<https://www.nhbs.com/bee-brick>) must be built into the external wall space of the new building. The brick will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes. Solitary bees are harmless and do not sting.
- All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, [www.rhs.org.uk/perfectforpollinators](http://www.rhs.org.uk/perfectforpollinators)" provides a list of suitable plants both native and non-native.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; ENPA Local Plan: Policy CE-S3 Biodiversity and Green Infrastructure and the authorities obligations for biodiversity under the Natural Environment and Rural

Communities Act 2006. To ensure the success of mitigation measures are sustained for the duration of the development and that there is no net biodiversity loss in the long term as per Government and local minerals planning policy. Furthermore, the recently updated National Planning Policy Framework states in section 15, paragraph 170, that "Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

WESSEX WATER AUTHORITY: Comments received 13 September 2019 – No Objections. Advise the following information for the applicant:-

#### APPLYING FOR NEW DRAINAGE AND WATER SUPPLY CONNECTIONS

The sewage service provider for this area is South West Water.

If your proposals require new connections to the public water mains, notes and application forms can be found here.

The proposal is some distance from the nearest public water main. The applicant should contact Wessex Water as soon as possible to discuss the water requirements for this site.

#### ARE EXISTING PUBLIC WATER MAINS AFFECTED BY THE PROPOSALS?

According to our records there are no recorded public water mains within the red line boundary of the development site. Please refer to the notes on the attached map for advice on what to do if an uncharted pipe is located.

SOUTH WEST WATER: Comments Received 18 September 2019 – No objection

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SCC - HIGHWAY AUTHORITY: No comment received

#### **Public Response:**

None to date.

#### **Most Relevant Development Plan Policies:**

Exmoor National Park Local Plan 2011-2031

GP1 Achieving National Park Purposes and Sustainable Development

GP3 Spatial Strategy

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-S6 Design & Sustainable Construction Principles

CC-D1 Flood Risk

CC-D5 Sewerage Capacity & Sewage Disposal

CC-S7 Pollution

HC-S1 Housing

HC-S2 A Balanced Local Housing Stock

HC-D8 New Build Dwellings in the Open Countryside

HC-D9 Rural Workers

AC-S1 Sustainable Transport

AC-D2 Traffic and Road Safety Considerations for Development

AC-S3 Traffic Management and Parking

AC-D3 Parking Provision and Standards

Annex 2 Rural Land Based Worker Dwellings

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

#### **Observations:**

The main planning issues are considered to relate to the principle of development and whether the proposed dwelling would meet a proven need for a rural worker to reside at the site, whether the proposed development would have an acceptable impact on the character and appearance of the landscape, the acceptability of design and scale of the proposed development, highway safety and impact on neighbouring amenity.

#### **PRINCIPLE OF DEVELOPMENT**

It is recognised that for the proper functioning of rural enterprises individual dwellings are sometimes required in the open countryside. This is identified within the housing strategy of the Local Plan. Policy HC-D8 of the Local Plan advises that new dwellings in the open countryside will only be permitted where:

- a) The accommodation is designed to meet a proven need for a rural worker in accordance with HC-D9 that cannot be met:
  - i) Within the existing housing stock; or
  - ii) Through the provision of a temporary residential caravan; or
  - iii) The conversion of an existing building.



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In addition, the policy requires that the new dwelling is well related to existing buildings and the design and layout should be appropriate.

Policy HC-D9 refers to "Rural Workers" and advises, among other things that new housing to meet the needs of rural workers will be permitted where it is justified by a proven essential functional need for a full time worker and that the business is proven to be financially viable in the long term.

A "Rural Worker Appraisal" has been submitted in support of the application.

The application site is farmed by the applicant and his family. The farm business includes Wydon Farm, which is the main holding near Minehead. That holding includes a farm house and two cottages. The farm is occupied by the applicant's family under an Agricultural Holdings Act Tenancy, with that farm being owned by the National Trust.

The land holding and buildings farmed at Higher Nicholls is owned by the farm business and comprises approximately 210 acres (85 hectares).

Wydon Farm is located approximately 3km west of Minehead and approximately 16km due north of the application site.

Wydon Farm is an established mixed beef and sheep holding comprising approximately 279 acres (112 hectares). Various other land is taken in the locality under agreement, including land on North Hill totalling a further approximately 449 acres (181 hectares).

The farm enterprise is based on traditional farming enterprises and principally involved in beef and lamb production.

The sheep enterprise comprises approximately 800 breeding ewes, 250 replacement ewe lambs, 20 rams and approximately 850 finishing store or fat lambs. The sheep flock lamb indoors in the spring. The beef enterprise is run as two separate herds.

At Wydon there are approximately 45 suckler cows, 7 replacements, 1 bull, 43 six to twelve month old cows and 33 cattle twelve to twenty four months old.

At Higher Nicholls there are approximately 45 suckler cows, 7 replacements, 2 bulls, 45 cattle six to twelve months old and 38 twelve to twenty four months old.

The enterprise is based around a suckler herd, naturally served by bulls and calving around late April to June and in Autumn with progeny housed after weaning at 7 to 8 months. Progeny is fattened on grass for the last 5 months.

Both farms are run together as a business, with the applicant's father being the sole trader and work shared between the applicant, his brother and his father.

The appraisal submitted in support of the application considers two methods for analysing the labour requirement for the business based on the stocking and cropping requirements. The appraisal shows a labour requirement of 4.19 labour units at 2200 hours per man or 5.6 workers based on 1900 hours per man. The results show between

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4 and 6 farm workers as being required for the business.

The appraisal also considers Higher Nicholls in isolation, looking at a hypothetical scenario with the holding being separate and independent from Wydon. This scenario takes the actual beef numbers at Higher Nicholls and a proportion of the sheep flock. The appraisal advises that this holding in itself has a requirement for just over two workers, using each of the methods.

The appraisal considers that the farm activity requires a year round presence.

Accounting details have been provided and the business shows a profit over the last 3 years and the appraisal considers the long-term viability of the holding is secure.

The appraisal concludes that, having carried out a Standard Labour Requirement calculation, there is a current labour requirement of the business of between 4 and 6 farm workers, and that, of these, there is a requirement of 2 workers at Higher Nicholls. The appraisal therefore considers there is a proven functional need for a full time worker to live permanently at or near those buildings at Higher Nicholls in accordance with HC-D9.

The appraisal also concludes that the financial evidence demonstrates that the farm business is financially viable, that it is extensive in nature and the land management activity contributes to the conservation and enhancement of the natural beauty and wildlife of the National Park, in accordance with HC-D9 and Annex 2 of the Local Plan.

In having regard to the existing accommodation that is available at Wydon Farm, the applicant's father occupies the farmhouse, where the applicant also currently lives. The applicant's brother occupies a cottage and the other cottage is let out. All these dwellings form part of the tenancy held from the National Trust.

Those dwellings are a considerable distance from the Higher Nicholls holding, are not within sight and sound of the farm buildings and do not enable emergencies that may arise at Higher Nicholls to be dealt with at short notice.

In this case, the need for a dwelling at this holding based on the farming enterprise involved is considered to be established, having regard to the functional need of the farming activities concerned. This is to say, the need for a farm worker to be the present on the holding for most of the time for most of the year is considered to have been satisfactorily demonstrated.

Officers, therefore, conclude that the principle of the proposed development and need for a dwelling at the holding is acceptable. Officers are satisfied that the need for the dwelling cannot be met through the existing housing stock or through suitable conversion of an existing building. The need arising is likely to be permanent and the business is established. Therefore, the provision of a temporary caravan is not necessary. Policy HC-D8 a). is considered to be satisfied.

In accordance with HC-D8 of the Local Plan, where permission is granted for a new dwelling on an agricultural holding that has an existing dwelling(s) under the control of the applicant, which needs to be used in connection with the enterprise, a condition will be

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attached to ensure that the occupancy of any existing dwelling(s) is also limited to persons able to demonstrate a proven essential need for that accommodation.

In this case, the applicant appreciates that the dwelling proposed under this application would be subject to an occupancy tie. However, the applicant is unable to accept a condition limiting occupation of the dwellings at Wydon Farm because these are not within the applicant's control. These matters require further consideration as to whether the circumstances of this case justify approval without these extra requirements.

Because the land at Wydon Farm is tenanted the applicant is unable to consent to the imposition of the condition on a property that he does not own. There are a number of material planning factors to consider. The National Planning Practice Guidance has set out the six tests that all conditions should meet, namely conditions should be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. In relation to the last test, the advice is that "conditions which place unjustifiable and disproportionate burdens on an applicant will fail the test of reasonableness".

In this case the application of a condition on Wydon Farmhouse (in order to prevent a sale off), could be regarded as unnecessary because the house is already locked into an agricultural agreement and is owned by the National Trust. That holding and the dwellings at Wydon Farm are also a considerable distance from the Higher Nicholls holding and those dwellings do not meet the need that arises at Higher Nicholls. The holding and activity at Higher Nicholls are considered to be of a scale that would be operational in isolation of Wydon Farm and is remote from the National Trust holding.

In the future, while this is not envisaged, were the Higher Nicholls unit to be split off, that unit and the Wydon Farm unit could be operated independently. It is considered that there is likely to be sufficient land and buildings at each of the holdings to justify the dwellings in two locations and, therefore, were the applicant to have sought to justify a dwelling at Higher Nicholls, independent of the other holding at Wydon Farm and the main dwelling, then the functional case may have been able to have been made. In such circumstances, the issue of attaching a condition to limit occupancy to a farm worker in respect of the main farmhouse at Wydon would not have arisen.

Given these circumstances, including the relationship of the main farmhouse and its distance from Higher Nicholls, as well as the size of holding at Higher Nicholls, the scale of farming at that location and the period over which it has been consistently farmed, together with the advice on the use of conditions set out in the Practice Guidance, it is considered that a condition on the farmhouse at Wydon would place a disproportionate burden on the applicant, such that the continued farming of this large holding may be jeopardised. In these circumstances, it is considered that the balance of a condition limiting occupation of the proposed farm worker's dwelling is a sufficient safeguard in this case.

#### LANDSCAPE

The application site is located within an area of landscape that is described as typical of the 'Enclosed Farmed Hills with Commons' landscape character type (LCT).

Policy GP1 of the Local Plan advises that sustainable development for the National Park

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### EXMOOR NATIONAL PARK AUTHORITY MEETING

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will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities, while promoting opportunities for the understanding and enjoyment of these qualities by the public and, in doing so, foster the social and economic wellbeing of local communities.

Policy CE-D1 requires that development is compatible with the conservation and enhancement of Exmoor's landscapes. This policy advises that development should not detract from the natural beauty of the National Park through cumulative and/or sequential landscape and visual effects of development.

The application site is well related to existing farm buildings, which lie to the north. The site is relatively open to the south and south east, where there are relatively long reaching views. In addition, while there is a hedge boundary between the application site and the public road, it is likely that the proposed development would be noticeable from the road, not only in terms of the new access, but also with some view of the roofs and upper floor of the dwelling house. However, the house would be set back from the road and would be read with the context of the existing modern farm building group, which provide the back drop to the application site.

In the circumstances, the proposed development is considered to be compatible with the conservation and enhancement of Exmoor's landscapes.

#### DESIGN AND SCALE

Policy CE-S6 advises 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. Materials and design should complement the local context through the use of traditional and natural sustainable building materials.

Policy HC-D9 advises that the gross internal area of new rural worker dwellings will be 93sqm or less unless it is demonstrated that a larger dwelling is required in which case, the size of the dwelling will be commensurate with the needs of the holding.

The proposed dwelling would be the only dwelling on the Higher Nicholls holding and, in this context, would be the principal farmhouse. The papers submitted explain the need for office space and space to change from dirty clothes and wash before entering the main living accommodation. The gross internal floor area of the dwelling would be approximately 110sqm, which includes 17sqm that would be accommodated within a single storey lean-to of the house and provide space for a farm office, shower and utility. The main living accommodation within the proposed two-storey dwelling would be approximately 93sqm.

The draft Rural Worker and Succession Farm Dwelling Guidance, while of limited weight, given its draft status, does provide guidance in relation to consideration of a dwelling larger than 93sqm.

In this case, the proposed dwelling would be the principal dwelling on the holding at Higher Nicholls and the need for the dwelling is financially and functionally integral to the business. The space additional to the 93sqm relates to business space, including office accommodation and space for muddy boots, changing and washing. In this context, it is considered that the applicant has demonstrated a need for a larger dwelling and that this

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would be commensurate with the needs of the holding.

Turning to design, the appearance and form of dwelling proposed is considered to be appropriate having regard to its context. The use of natural slate and timber framed windows and doors accord with CE-S6, and the use of render reflects and responds to the pair of semi detached dwellings to the north west of the site.

In the circumstances, the design and scale of the dwelling proposed is considered to be acceptable.

#### HIGHWAY SATEY

Policy AC-D2 advises that development that causes unacceptable levels of traffic in terms of environment or physical capacity of the local road network, or would prejudice road safety interests, will not be permitted.

The initial Highway Authority comments are outlined earlier in this report. The Highway Authority have advised that the proposal is unlikely to have a severe impact on the local highway network and does not object to the proposal. The Highway Authority advise, however, that there is some outstanding detail that the applicant needs to address.

That detail includes a cross sectional drawing to demonstrate how the access would accommodate a ditch to the highway verge and details of access visibility.

The agent for the application has subsequently provided further details, which, at the time of writing this report, are being considered by the Highway Authority.

The details include confirmation that surface water from the site will be prevented from running onto the public highway with the installation of an Aco drain, which would discharge to a soakaway on the applicants land. The ditch to the verge is proposed to be managed with a new culvert and entrance gates will be set back from the road to allow a vehicle and trailer to enter the site clear of the highway. Further plans have also been provided to show visibility splays of 215 metres in either direction along the highway.

With this further detail, Officers are minded to conclude that, given the nature of the road and the development proposed and the depth of highway verge to the entrance, the proposal would likely have an acceptable impact on highway safety. This is, however, subject to the final comments of the Highway Authority, which are expected to be received before the Authority Committee meeting and any comments that are received will be verbally updated at the meeting.

#### NEIGHBOURING AMENITY

Policy CE-S6 advises that development should not detrimentally affect the amenities of surrounding properties and occupiers including overlooking, loss of daylight, overbearing appearance, or other adverse environmental impact.

There are residential neighbours to the north west and opposite the farm building complex to the far side of the public highway. The neighbours are separated from the application site by the road and its established hedgerows to either side.

Given the nature of the existing land use, the relationship to the local neighbours and

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distance between the properties, the proposal is judge to have an acceptable impact on neighbour amenity.

#### CONCLUSION

The principle of development is considered to be acceptable. Details have been provided to demonstrate that the need for the dwelling cannot be met within the existing housing stock. The business is established and there are no suitable buildings available for conversion. Given that this is a well established farm holding it is judged that there is not a need for temporary accommodation while the business establishes but that, as there is considered to be a proven essential need for permanent accommodation at the holding, the dwelling is justified. The business is considered to be financially viable.

The design of the dwelling is considered to be acceptable and its size is considered to be justified. The dwelling would be the principal farm dwelling on the Higher Nicholls holding.

The need for the dwelling is considered to arise at Higher Nicholls and the labour requirement for that holding in isolation is considered to support the need for the dwelling. In this circumstance, it is considered that the balance of a condition limiting occupation of the proposed farm worker's dwelling is a sufficient safeguard.

The application site is well related to the existing farm buildings and the proposed dwelling would support an existing extensive farming activity that contributes to the conservation of the National Park landscape. The locality, with the context of the existing farm buildings, is considered to have capacity to adequately accommodate the proposed development, without causing harm to the scenic beauty and character of the landscape.

Subject to the final comments of the Highway Authority the proposal is not considered to cause harm to highway safety and the proposal is considered to have an acceptable impact on local amenity.

#### RECOMMENDATION

Subject to no adverse comments being received from the Highway Authority, following the expiry of the further consultation period and prior to Authority Committee meeting, it is recommended that planning permission be APPROVED subject to the conditions set out below.

#### **Recommendation:**

#### **Approve subject to the following conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### **Reason:**

In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990, (as amended by the Planning & Compulsory Purchase Act 2004).

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2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following list of plans:
- i. Location Plan, drawing number 7142.1 – date stamped 3 September 2019;
  - ii. Site Plan, drawing number 7142.2 – date stamped 3 September 2019;
  - iii. House Plans, drawing number 7142.4A – date stamped 3 September 2019;
  - iv. House section and roof plan and garage details, drawing number 7142.5 – date stamped 3 September 2019;
  - v. Elevations, drawing number 7142.6 – date stamped 3 September 2019;
  - vi. Section through site, drawing number 7142.7A – date stamped 3 September 2019;
  - vii. Detail of access onto highway (amended), drawing number 7142.8A – date stamped 16 October 2019;
  - viii. Farm map, drawing number 7142.10 – date stamped 3 September 2019;
  - ix. Visibility splay measured survey plan, drawing number 7142.VS1 – date stamped 16 October 2019; and
  - x. Section through proposed new access, drawing number 7142.AS1 – date stamped 16 October 2019.

Reason:

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

3. The occupation of the dwelling hereby approved shall be limited to a person or persons solely or mainly working, or last working, in the locality in agriculture (as defined in Section 336 (1) of the Town and Country Planning Act 1990), or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason:

To acknowledge the justification for the application, with the dwelling required to meet the functional requirements of this farm holding, and to ensure that the dwelling hereby permitted is occupied only by a person or persons employed locally in agriculture or forestry in accordance with the policy of restraint set out in the Development Plan.

4. No development shall take place until a landscaping scheme including planting of trees, shrubs, herbaceous plants and areas to be grassed has been submitted to and approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting season after commencement of the development, unless agreed otherwise, in writing, by the Local Planning Authority and shall be maintained for a period of 5 years, such maintenance to include the replacement of any trees or shrubs that die.

Reason:

To confirm details not already clearly provided as part of the application and to aid the suitable integration of the development, in the interests of the character and appearance of the locality.

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5. Prior to their installation, a sample of the natural slate for the roof of the approved dwelling and the roof of the approved garage/outbuilding shall be submitted to and be approved in writing by the Local Planning Authority. Once approved the roofs shall be finished in the agreed natural slate and thereafter natural slate shall be retained on the roofs of the house and outbuilding.

Reason:

To ensure that the character and appearance of this building is sympathetic to this location within the National Park.

6. Prior to its installation, details of the type and colour finish of the render for the external elevations of the dwelling and garage hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed the dwelling and garage shall be rendered and painted in accordance with the agreed details.

Reason:

In the interests of the visual appearance of this building in this location within the National Park.

7. Prior to the commencement of the development hereby approved, details including a sample of the surface finish for the access track, driveway and turning area hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The development hereby approved shall thereafter be carried out in accordance with the agreed details.

Reason:

In the interests of the satisfactory appearance of the development upon completion and in the interests of the visual appearance of the development in this location within the National Park.

8. Prior to first occupation of the dwelling hereby approved, the access hereby approved over at least the first 5 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall be maintained in that condition thereafter at all times.

Reason:

In the interests of highway safety.

9. Prior to installation of any entrance gate(s), further details of the design and appearance of the gate(s) shall be submitted to and approved by the Local Planning Authority, and any gate(s) shall thereafter be installed in accordance with the agreed details. Any entrance gates erected shall be hung to open inwards and be set back a minimum of 9 metres from the carriageway edge of the adjoining public highway, unless otherwise previously agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety.



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10. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, in accordance with the details submitted as part of the planning application. Such provision shall be installed before the first occupation of the dwelling house and thereafter maintained at all times.

Reason:

In the interests of highway safety.

11. A planted earth bank shall be formed in the existing gateway to the north west of the application site in accordance with the details that shall have been submitted and agreed in writing by the Local Planning Authority prior to the first occupation or substantial completion, whichever is the sooner, of the development hereby approved. The earth bank and planting, in accordance with the agreed details, shall thereafter be provided and planted in accordance with the details during the planting season next following the substantial completion or first use of the development hereby approved or during such later planting season as may be agreed in writing with the Local Planning Authority.

Any tree damaged or becoming seriously diseased within ten years from the date on which the scheme shall have been completed shall be replaced with the same or a similar species of tree. For the purposes of this condition the expression 'planting season' shall mean the period between the 15 September and 15 March.

Reason:

In the interests of highway safety and in the interests of the satisfactory appearance of the development upon completion and in the interests of the visual appearance of the development in this location within the National Park.

12. The windows, doors and external joinery of the development hereby permitted shall be timber and thereafter timber windows, doors and external joinery shall be retained.

Reason:

In the interests of the satisfactory appearance of the development upon completion and in the interests of the visual appearance of the development in this location within the National Park.

13. All external frames shall have a minimum 100 mm (4") reveal unless agreed otherwise in writing with the Local Planning Authority.

Reason:

In the interests of the satisfactory appearance of the development upon completion and in the interests of the visual appearance of the development in this location within the National Park.

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14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions to the dwelling hereby permitted shall be erected without the prior permission, in writing, of the Local Planning Authority.

Reason:

To control the size of the dwelling interests of ensuring the size of the dwelling is such that it remains affordable to the agricultural community and in the interests of visual amenity.

15. Any gas, electricity, water, sewage, telephone and cabling services to the development the subject of this application shall be placed underground.

Reason:

For the avoidance of doubt and in the interests of visual amenity.

16. The dwelling hereby permitted shall not be occupied until space has been laid out within the site for the parking and turning of vehicles in accordance with the details shown on the approved plans.

Reason: To ensure that there is sufficient off road car parking in the interests of highway safety.

17. No floodlights or other forms of external lighting shall be installed on the site without the prior permission, in writing, of the Local Planning Authority.

Reason:

For the avoidance of doubt and to safeguard the character of the locality.

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18. Unless otherwise agreed in writing by the Local Planning Authority, 1 x Build-in WoodStone Bat Box, or similar, shall be installed on the southern and/or western elevation of the new building, at a height of over 3m.

Unless otherwise agreed in writing by the Local Planning Authority, 2 X standard bird nest box shall be installed facing north or east, at a height above 3m.

Unless otherwise agreed in writing by the Local Planning Authority, 1 x integrated bee bricks shall be built into the external wall space of the new building. The brick will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes.

Reason:

To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; ENPA Local Plan: Policy CE-S3 Biodiversity and Green Infrastructure and the authorities obligations for biodiversity under the Natural Environment and Rural Communities Act 2006. To ensure the success of mitigation measures are sustained for the duration of the development and that there is no net biodiversity loss in the long term as per Government and local minerals planning policy. Furthermore, the recently updated National Planning Policy Framework states in section 15, paragraph 170, that "Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

19. No vegetation removal works to facilitate the proposal shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the trees and hedgerow, and tall ruderal vegetation on the bank to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason:

Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended).

#### Notes to Applicant:

##### LAND DRAINAGE CONSENT

Under section 23 of the Land Drainage Act there is a legal requirement to seek consent from the relevant authority before piping/culverting or obstructing a watercourse, whether permanent or temporary. This may also include repairs to certain existing structures and maintenance works.

Somerset County Council will lead on ordinary watercourse consenting only and enforcement – please refer to:

<https://www.somerset.gov.uk/waste-planning-and-land/apply-for-consent-to-work-on-an-ordinary-watercourse/>

#### HIGHWAY AUTHORITY NOTE

Please note that it is likely the applicant will need to enter into a suitable legal agreement with the Highway Authority for the highway works that will be carried out as part of the development – please refer to:

<https://www.somerset.gov.uk/roads-and-transport/highway-area-offices/>

#### WILDLIFE OFFICER NOTE

In the event that hazel dormice are present within the hedgerow section proposed for removal, the method and timing of works should be undertaken in accordance with the Exmoor National Park Authority (ENPA) Dormouse and Hedgerow Management Guidelines to ensure the following legislation are complied with:

- Wildlife and Countryside Act 1981
- CROW Act 2000
- The Natural Environment and Rural Communities Act 2006
- Conservation of Habitat and Species Regulations 2010

#### MONITORING OF DEVELOPMENT

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email [plan@exmoor-nationalpark.gov.uk](mailto:plan@exmoor-nationalpark.gov.uk).

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

Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts.

Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application.

To avoid delay, inconvenience and the need to submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified

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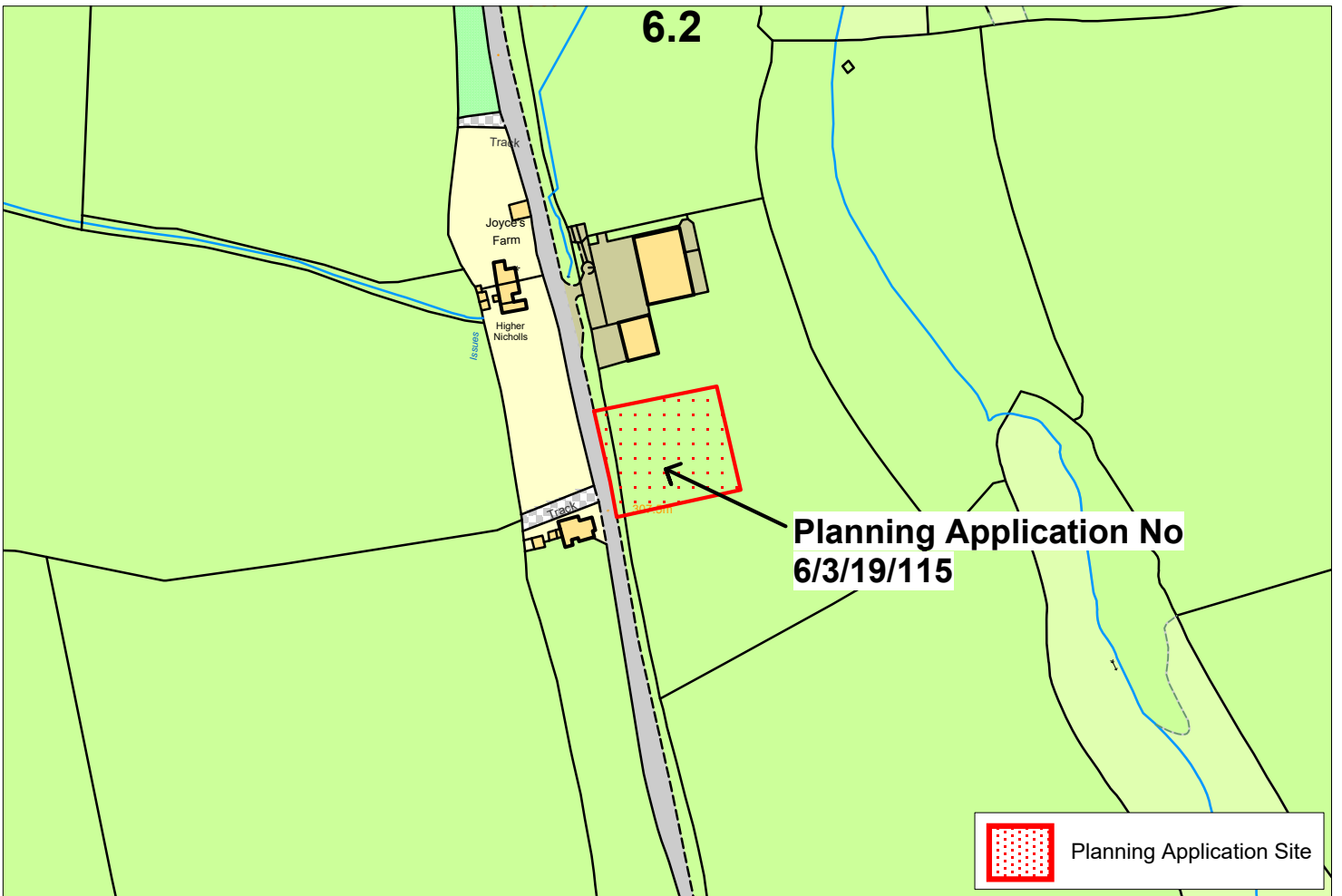
time.

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications on an informal basis. The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

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

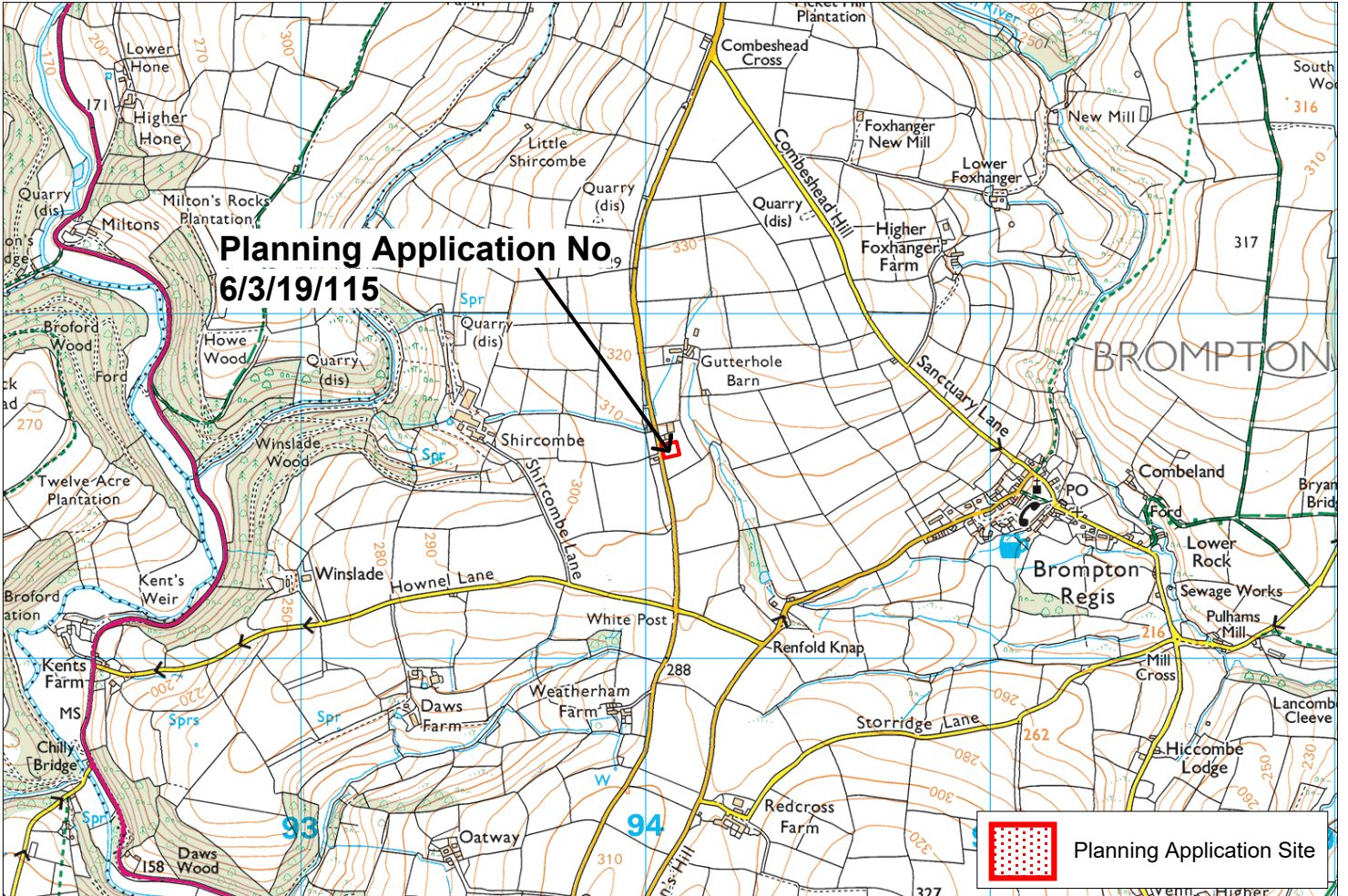
#### POSITIVE & PROACTIVE STATEMENT

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



Site Map  
1:2500

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Overview Map  
1:20000

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Application No: **62/49/19/002**

Grid Ref. 276426 133234

Applicant: Mrs L Selmi, Longstone Wells  
Heasley Mill, North Molton, South Molton, Devon

Location: Longstone Wells, Heasley Mill, North Molton, Devon

Proposal: **Proposed formation of a new access track and associated landscaping. Retrospective. As per amended and additional plans. (Full)**

Introduction: Retrospective planning permission is sought for the creation of a track and parking area at Longstone Wells. Longstone Wells is a historic farmstead that is situated approximately 4km north east of North Molton. The farmstead consists of a farmhouse and a range of barns, which all together surround a courtyard. The farm appears to have been constructed in the mid 19th Century. The farmhouse is predominantly finished in painted render under a slate roof and the barns are predominantly finished in natural stone under slate roofs. There are no neighbouring properties close to the application site.

The application site has been the subject of much works and the reason this application comes before the Authority Committee is that North Molton Parish Council have voted against the application, which is contrary to the officer recommendation to approve the development.

By way of background, the current owner appears to have purchased the property approximately two and a half years ago. The first application submitted since the change in ownership was in 2017 for the renovation of the farmhouse and its associated barns with additional residential space and 1 additional separate residential flat being provided in the adjoining barn, commonly referred on plans as "Barn 3" (ref. 62/49/17/001). A Section 106 Agreement was secured for the flat as local need affordable housing.

Upon commencement on the conversion works for the barn, it became apparent that the barn was not capable of conversion, contrary to the documentation provided with the 2017 application papers. The conclusion was that the barn would need to be reconstructed.

The demolition of the existing barn and erection of a new building, in the same design, form and materials, for ancillary residential use and storage to the main farmhouse was secured through planning permission granted in September 2018 (ref. 62/49/18/002).

A third planning application was approved in November 2018 and this was for replacement of an existing concrete block barn with a new stone clad storage and generator building to serve the farmhouse (ref. 62/49/18/004).

An application was approved by the Authority Committee in May 2019 (ref. 62/49/19/001). That application was the fourth since the applicant purchased the property and was for the installation of a rooflight in the reconstructed barn (Barn 3), the rendering of the western elevation of the farmhouse and



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the insertion of a window in this elevation, the widening of a doorway in the two storey bank barn and the replacement of a door with a window in the storage and generator building.

This current application is the applicant's fifth application at this property. The track and parking area have been constructed but the surface finishing of them has not been carried out. Landscaping is also proposed through this application.

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#### **Consultee Response:**

DCC - HIGHWAYS: No comment received

NORTH DEVON COUNCIL - PLANNING REGISTRATION: In accordance with the agreed protocol, the District Council, as a consultee to the Exmoor National Park Authority, has no observations.

NORTH MOLTON PARISH COUNCIL: CONSULTATION RESPONSE DATED 13.02.19 - Parish councillors voted, unanimously, against the application in order to bring the case to Committee which could then consider the wider and overall planning aspirations of the owners in the light of recent retrospective applications for the site.

RE-CONSULTATION RESPONSE DATED 10.10.19 - Parish councillors voted, unanimously, against the application on the grounds that it represented yet further retrospective work.

ARCHAEOLOGIST - ENPA: No comment received

LANDSCAPE OFFICER - ENPA: No comment received

#### **Public Response:**

None to date.

#### **RELEVANT HISTORY**

<b>62/49/19/001</b>	<b>Retrospective external alterations to farmhouse and ancillary barns As per amended plans.</b>
	<b>Full                      Approved                      08 May 2019</b>
	<b>Same Site</b>
<b>62/49/17/001</b>	<b>Proposed renovation of existing farmhouse and its associated barns with additional residential space and 1 additional separate residential flat. As per additional information 09.06.17 and amended plans 15.06.17. Additional information 19.06.17.</b>
	<b>Full                      Approved                      20 April 2018</b>
	<b>Same Site</b>
<b>62/49/18/002</b>	<b>Proposed demolition of existing barn and erection of new building for ancillary residential use and storage to the main farmhouse. (As per additional information).</b>
	<b>Full                      Approved                      27 September 2018</b>
	<b>Same Site</b>
<b>62/49/18/004</b>	<b>Proposed replacement of existing barn and change of use of</b>

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**agricultural land with new garage and storage building to serve main dwelling. (As per additional information).**

**Full**

**Approved**

**27 November 2018**

**Same Site**

#### **Most Relevant Development Plan Policies:**

EXMOOR NATIONAL PARK LOCAL PLAN 2011 - 2031

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

CE-S1 - Landscape and Seascape Character

CE-D1 - Protecting Exmoor's Landscapes and Seascapes

CE-S6 - Design and Sustainable Construction Principles

AC-D2 - Traffic and Road Safety Considerations for Development

AC-S3 - Traffic Management and Parking

AC-D3 - Parking Provision

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

#### **Observations:**

The main material planning considerations in the case are considered to be the design, scale and materials of the development and its impact on the character and appearance of the landscape and highway safety.

It is acknowledged that there is an existing access into the courtyard of the farmstead. However, the applicant asserts that the gap between the two barns that flank the entrance into the courtyard limits access of vehicles of a certain size into the parking area within the courtyard and the applicant seeks to provide a new access that would facilitate parking provision for larger vehicles. It is also asserted that the new parking area could remove the visibility of vehicles from public viewpoints and allow the courtyard to be planted and landscaped to form a softer appearance of the core of this farmstead.

The proposal for the creation of a new access track along the southern extent of the built form of Longstone Wells has involved a removal of a short section of hedge and the construction of a level surface to form the track. At the time of visiting the site, these works had been carried out. The works also include the creation of a parking area in the south eastern corner of a field adjoining the built extent of the farmstead. The parking area had also been formed at the time of visiting the site. The track is single width and it is proposed to surface it with stone chippings either side of a grass strip. It is considered that the scale of the development is commensurate with the scale of the farmstead. The design of the development is considered to be acceptable, as are the proposed materials, subject to a condition requiring the submission of samples for approval by the Local Planning Authority.

The works have caused a degree of change to the character of the immediate landscape around the farmstead. However, the works are considered to be sympathetic and are closely related to the built form of the farmstead, with all elements of the development adjoining the buildings of Longstone Wells. The track would be assimilated, to a significant degree, into the landscape with the use of appropriate materials and the construction of a bund along its southern edge and a new beech hedge to the south of that. The use of local features such as a beech hedge will see the reinforcement of local

character and the screening of the development. The parking area is situated behind a substantial row of mature planting and this would see the screening of vehicles associated with the property from the open access land that is situated near to Longstone Wells. The removal of vehicles from the courtyard would see noticeable and shiny objects from a raised platform within the landscape and would facilitate the planting and landscaping of the courtyard. It is considered that with the proposed landscaping the development would not cause material harm to the character and appearance of the landscape.

The development has not involved alterations to the existing junction of the property's drive and the public highway, nor has it involved the creation of a new access off the public highway. Officers consider that the parking provision and turning space currently available at the property would not be compromised or reduced as a result of the creation of a new access and parking area.

For the reasons outlined above, the application is considered acceptable and in accordance with the relevant development plan policies. Officers therefore recommend that the application be approved, subject to appropriate conditions.

### **Recommendation:**

#### **Approve (Retro) subject to the following conditions**

1. The development hereby approved shall be carried out strictly in accordance with the approved Location Plan, date stamped by the Local Planning Authority on 24th January 2019, and drawing numbers 100 Rev E and 110 C, date stamped by the Local Planning Authority on 27th September 2019.

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

2. Prior to 31st March 2020, or an alternative timescale agreed in writing with the Local Planning Authority, the track hereby approved shall be finished with two parallel gravelled wheel tracks either side of a central grassed strip. Prior to the laying of the gravel surface on the track, a sample of the gravel shall be submitted to, and approved in writing by, the Local Planning Authority. The gravel finish to the track shall be carried out in strict accordance with the approved sample. The track shall be retained in accordance with the requirements of this condition thereafter.

Reason: In the interests of the satisfactory appearance of the development upon completion.

3. Prior to 31st October 2020, or an alternative timescale agreed in writing with the Local Planning Authority, the landscaping shown on approved drawing number 100 Rev E (including bunding, planting, stone walling, fencing and gates) shall be carried out in accordance with the aforementioned approved plan. The landscaping shall be retained and maintained thereafter.

Reason: To ensure that the development does not cause material harm to the character and appearance of the landscape and visual amenity.

### **Notes to Applicant:**

#### 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.

#### MONITORING OF DEVELOPMENT

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email [plan@exmoor-nationalpark.gov.uk](mailto:plan@exmoor-nationalpark.gov.uk).

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

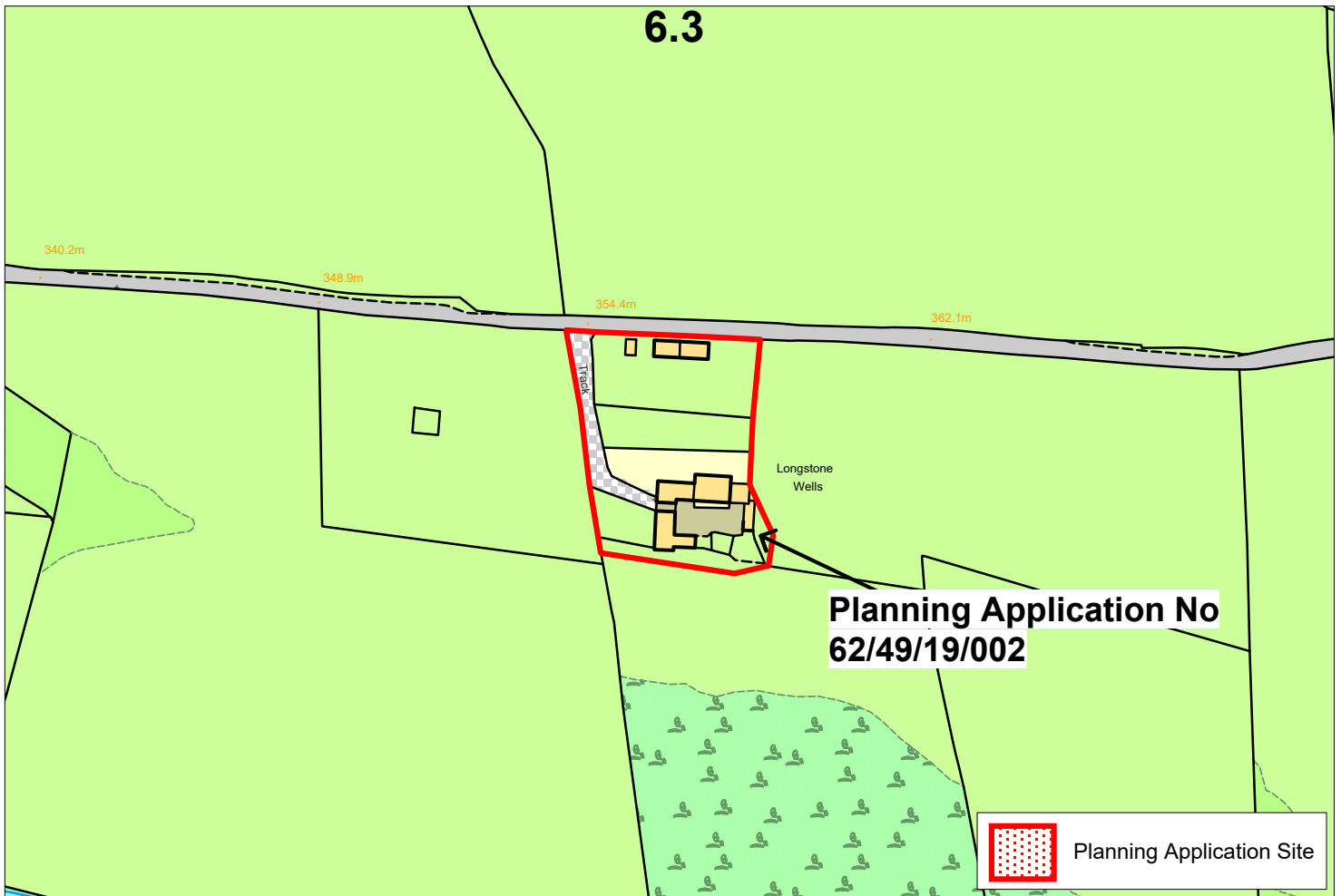
Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts. Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application. To avoid delay, inconvenience and the need to submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified time.

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications on an informal basis.

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

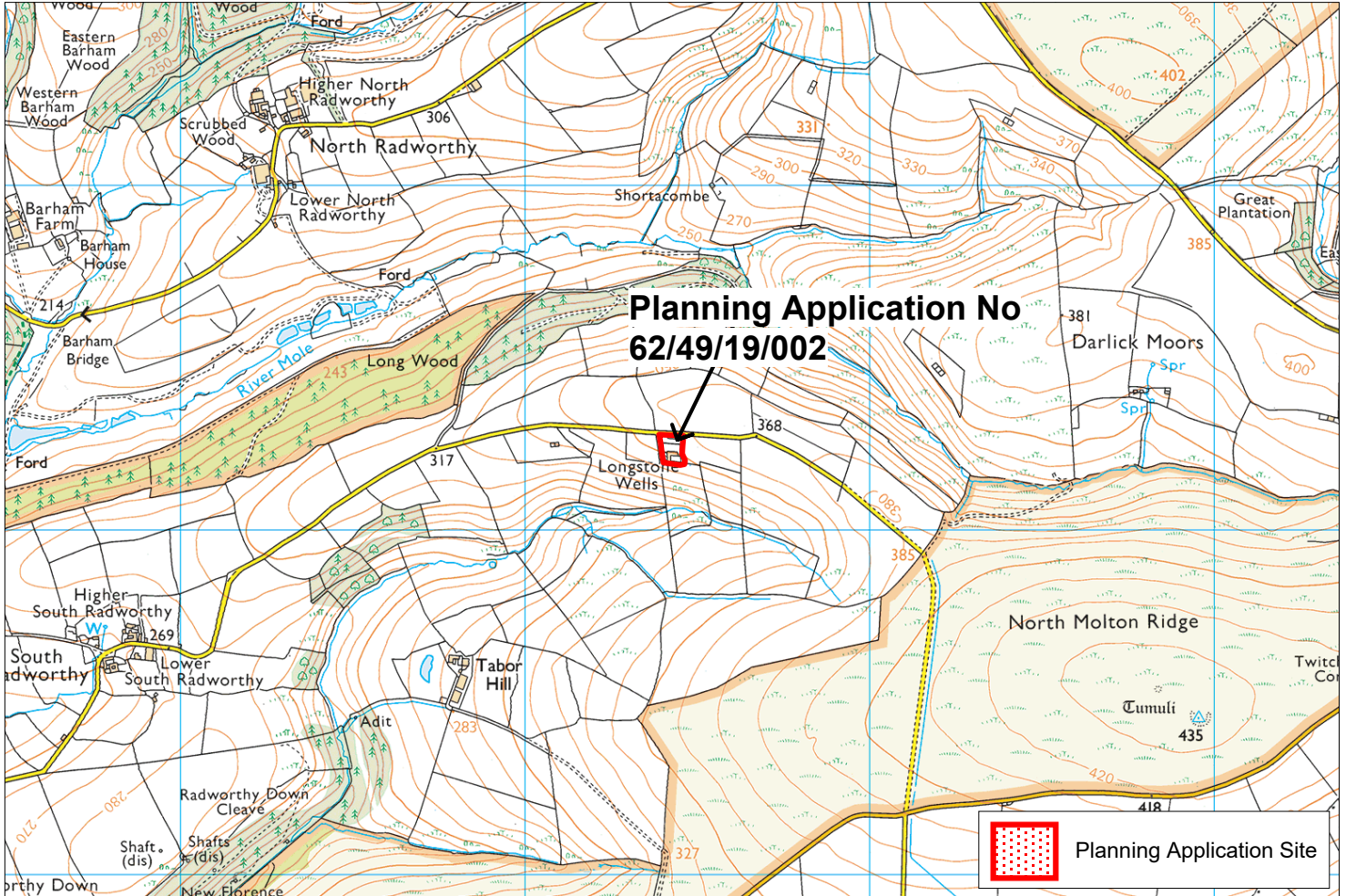
Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

# 6.3



Site Map  
1:2500

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Overview Map  
1:20000

Digital Mapping Solutions (OS Explorer Map) provided by Dotted Eyes.  
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**Application decisions delegated to the Chief Executive**

<b><u>Ref and Grid Ref</u></b>	<b><u>Applicant &amp; Location</u></b>	<b><u>Decision and Date</u></b>
6/26/19/113 ST047365	Miss S Holmes - Lawful Development Certificate for the existing use of building as a single dwellinghouse. (CLEUD), The Stables, Chidgley, Nr Watchet, Somerset	Withdrawn 02-Oct-2019
62/19/19/006 SS577473	Ms M Whitchurch - Proposed replacement of existing roof and front windows together with the alteration to the opening on lower floor level to include french doors and the installation of thermal board and new silicon render to the exterior walls. (As per additional information) (Householder), Sherracombe, Lester Point, Combe Martin, Devon	Approved 01-Oct-2019
62/41/19/021 SS709466	Ms Pettinger - Lawful Development Certificate for the existing use of holiday accommodation as residential dwelling. As per additional information. (CLEUD), Padawan Cottage, High Bullen Farm, Barbrook, Devon	Approved 08-Oct-2019
6/9/19/120 SS914279	Mr C Futcher - Proposed conversion of outbuilding to ancillary accommodation. As per additional information. (Householder), Melton House, 43 High Street, Dulverton, Somerset.	Approved 17-Oct-2019
62/19/19/005 SS597473	Mr & Mrs Hunt - Proposed demolition of utility and shower room to be replaced with two storey extension. (Householder), 1 Girt Farm Cottages, Combe Martin	Withdrawn 02-Oct-2019
6/15/19/105 SS925336	Ms FE Ford - Lawful Development Certificate for the proposed re-roofing and installation of roof lights together with repairs to south elevation and installation of drainage to existing main drains. (CLOPUD), The Old Cottage, Lype Lane, Exton, Dulverton, Somerset	Withdrawn 30-Sep-2019

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**Application decisions delegated to the Chief Executive**

<b><u>Ref and Grid Ref</u></b>	<b><u>Applicant &amp; Location</u></b>	<b><u>Decision and Date</u></b>
6/3/19/109LB SS945272	Mr & Mrs Arnold - Listed Building Consent for proposed removal of roof slates to south east and south west elevations including renewal of flat roof dormer to south west elevation, installation of 2 no. chimney flues and internal alterations to provide an en-suite room and separate bathroom. (As per additional information) (Listed Building), Gilclose, Dyehouse Lane, Bury, Brompton Regis, Dulverton, Somerset	Approved 17-Oct-2019
6/25/18/102 SS817484	Mr Druiff & Ms Murray - Lawful Development Certificate for the existing use of land as caravan site, incorporating a caravan with incidental storage facility and other infrastructure. (As per additional Information). (CLEUD), Four Acre, Broomstreet Lane, Oare, Somerset	Refused 14-Oct-2019
62/41/19/023 SS709466	Ms S Pettinger - Lawful Development Certificate for the existing use of holiday accommodation as a residential dwelling. As per additional information. (CLEUD), Here Be Dragons, High Bullen Farm, Barbrook, Devon	Approved 08-Oct-2019
62/41/19/029 SS725494	Mrs S Wilson-Smith - Proposed change of use from guesthouse to single dwellinghouse. (Full), Countisbury Lodge, 6 Tors Park, Lynmouth, Devon	Approved 21-Oct-2019
6/9/19/110 SS914273	Mr M Jeffery - Proposed two storey side extension. As per additional information. (Householder), 15 Battleton, Dulverton, Somerset	Approved 04-Oct-2019
6/34/19/106 SS938413	Mr A Jones - Proposed Variation of Condition 5 of approved application 6/34/15/102 to amend hours for use of the gallop track to allow use throughout the year. (Alteration/Lift Condition), East Harwood Racing Stables, Harwood Lane, Timberscombe, Somerset	Refused 24-Sep-2019

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**Application decisions delegated to the Chief Executive**

<b><u>Ref and Grid Ref</u></b>	<b><u>Applicant &amp; Location</u></b>	<b><u>Decision and Date</u></b>
6/36/19/103 SS990292	Mr K Govier - Works to existing yard and erection of walls. (Full), Rainsbury Farm, Upton, Taunton, Somerset	Approved 19-Sep-2019
6/26/19/115 ST027389	Ms T Stevens - Proposed change of use of building to camping barn, retention of shed and use of caravan for holiday accomodation. (Full), Orchard View, Golsoncott Lane, Golsoncott, Old Cleeve	Refused 10-Oct-2019
HRN 19/02 SS945272	Melanie Grimaldi - Removal of hedge for the duration of construction works to allow access and off-road parking. (Hedgerow Removal), Bidgoods, 19 Bury, Brompton Regis, Dulverton, Somerset	Not Required 11-Oct-2019
6/40/18/113 SS915376	Mr M Taylor - Application to modify Section 106 Agreement under 6/43/14/101 to retain agricultural occupancy condition on Pit Pony Cottage and to enable land tied under the existing Section 106 Agreement to be held in separate ownership. (Full), Pit Pony Cottage, Hoe Farm, Wheddon Cross, Minehead, Somerset	Approved 19-Sep-2019
6/3/19/110 SS993340	Mr & Mrs J Gordon - Proposed Change of Use of building to ancillary accommodation to main dwelling together with the change of use of the land to domestic garden. As per amended description and amended plans and additional information. (Full), Eastcott House Barn, Withiel Florey, Brompton Regis, Dulverton, Somerset	Approved 09-Oct-2019
6/3/19/108 SS945272	Mr & Mrs Arnold - Proposed removal of roof slates to south east and south west elevations including renewal of flat roof dormer to south west elevation, installation of 2 no. chimney flues and internal alterations to provide an en-suite room and separate bathroom. (As per additional information) (Full), Gilclose, Dyehouse Lane, Bury, Brompton Regis, Dulverton, Somerset	Approved 17-Oct-2019



**Application decisions delegated to the Chief Executive**

<b><u>Ref and Grid Ref</u></b>	<b><u>Applicant &amp; Location</u></b>	<b><u>Decision and Date</u></b>
WTCA 19/10 SS674449	Mrs M O'Dowd Churces Conservation Trust - Works to trees in Conservation Area: to fell 1 no. Ash tree at St Petrock's Church showing early signs of ash die-back (Works to Trees in Conservation Area), St Petrock's Church, Church Lane, Parracombe, Devon	Approved 15-Oct-2019
WTPO 19/04 SS891469	Mr N Brown - Works to Trees subject to Tree Preservation Order: Removal of one Cedrus Atlantica (Works to trees subject to Tree Preservation Order), 12 Hurlstone Park, Bossington Lane, Porlock, Minehead, Somerset	Approved 14-Oct-2019
6/41/19/102 ST012376	Mr & Mrs K Allan - Lawful Development Certificate for the existing siting of a Polytunnel. (CLEUD), Langridge Mills Farm, Luxborough, Somerset	Approved 19-Sep-2019
6/41/19/103 ST012376	Mr & Mrs Allan - Proposed construction of agricultural building for housing livestock and storage. Retrospective. (Full), Langridge Mills Farm, Luxborough, Somerset	Approved 27-Sep-2019
6/20/19/101 SS977379	Mr R Maddock - Proposed livestock building. As per additional and amended plans and additional information. (Full), Monkham Farm, Luxborough, Watchet, Somerset	Approved 27-Sep-2019
WTCA 19/11 SS936431	Mrs M Jay - Works to trees in Conservation Area: to remove willow, infected with laetiporus sulphureus. (Works to Trees in Conservation Area), Crockford, Fairgarden Road, Wootton Courtenay, Somerset	Approved 27-Sep-2019
6/27/19/113 SS869471	Mr F Keen - Proposed erection of single storey garage. (Householder), Lavender Cottage, Porlock Weir Road, Porlock.	Approved 19-Sep-2019

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**Application decisions delegated to the Chief Executive**

<b><u>Ref and Grid Ref</u></b>	<b><u>Applicant &amp; Location</u></b>	<b><u>Decision and Date</u></b>
6/3/19/113 SS999341	Mr N Chambers - Lawful Development Certificate for the existing use of land as part of the residential curtilage. (CLEUD), Combe Cottage, Eastcott Lane, Withiel Florey, Minehead, Somerset	Approved 30-Sep-2019
6/43/19/105 SS938433	Mr P Clapham Wootton Courtenay Villagers' Stores Ltd - Proposed blocking up of existing wooden garage door and insertion of window, replacement of Royal Mail wall mounted post box to be inserted into east side of building together with part change of use to a mixed use comprising of Post Office and licensed cafe area. (Full), Villagers' Stores and Post Office, Main Street, Wootton Courtenay.	Approved 03-Oct-2019
62/41/19/027 SS716494	Miss A Dalgamo All in One Services Ltd - Proposed change of use of Social/Youth Club to allow use of space for washing and ironing together with storage space for cleaning materials etc in association with holiday home cleaning and maintenance company. (Amended description). As per Additional Information. (Full), The Hayloft, Bakers Court, Bakers Court Lane, Lynton, Devon	Approved 15-Oct-2019

## EXMOOR NATIONAL PARK AUTHORITY

5 November 2019

### REVISED BUDGET FOR 2019/20

#### Report of the Chief Finance Officer

**Purpose of the report:** To report on the budgetary review that has been carried out at the end of the first half of the year and to agree the financial strategy for the remainder of the year.

**RECOMMENDATIONS:** Exmoor National Park Authority is recommended to:

- (1) APPROVE the revised Core Budget for 2019/20 as set out in Appendix 1 with changes to core staffing.
- (2) NOTE the position regarding reserves as set out in Appendix 3 and the projected balance on the General Fund at 31 March 2020 of £300,000 at the level agreed with the auditors.
- (3) AUTHORISE the Chief Executive and Chief Finance Officer to make such adjustments as are necessary to keep within the overall budget and with the objective of transferring underspends that arise to reserves.
- (4) APPROVE in principle the changes to Planning Fee income.

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

#### **Legal and Equality Implications:**

Local Government Act 2003, Parts 1-3 (Capital Finance, Financial Administration and Grants), Sections 1-39

Accounts and Audit (England) Regulations 2011, Part 2 (Financial Management and Internal Control)

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

**Financial and Risk Implications:** The revised budget is in line with the resources made available to the Authority for 2019/20. Budgeting and financial arrangements are in place to control and ensure spending is kept in line with the revised budget with a General Fund balance available to meet any unforeseen eventuality.

**Climate Change Response:** Changes to allocations and approvals suggested within the report will have no adverse impact on the climate. The establishment of the Environmental Resilience Reserve is an important step in developing the authority's capacity to respond to climate change.

## 1. INTRODUCTION

- 1.1 The net budget for 2019/20 was based on the notified National Park Grant (NPG) for the year of £3,211,500. This is the final year of the four-year settlement from DEFRA.
- 1.2 The budget that was formulated and approved for 2019/20 was:

	£
Core Budget	2,825,200
Contributions to Reserves	187,700
Top Sliced Programmes	148,600
Small Grants Scheme	50,000
<b>Total</b>	<b><u>3,211,500</u></b>

- 1.3 The Authority's 2019/20 budget was set at the meeting on 5 February 2019. Funds were found for pressures arising in the Land and Property Estate, to support the work of the Exmoor Hill Farming Network and to extend the contracts of certain fixed term members of staff. The budget was set at the point before the Glover Review had been published and before the results of the Job Evaluation process were fully known.

## 2. KEY THEMES WITHIN THE REVISED BUDGET

- 2.1 The usual approach when recommending the revised budget is to review the Core Budget, contributions to reserves and top-sliced programmes, to ensure that resources can be reallocated between pressures and underspends arising in year. During this financial year there are greater financial issues that require consideration. In particular the initial and ongoing costs of job evaluation are now evident, the financial impact of the costs related to Ash-Dieback are becoming clearer and certain vacancies within the core staffing structure have arisen. There are also fixed term contracts that are due to finish at the end of March and funding will need to be agreed now if the Authority wishes to extend these.
- 2.2 For these reasons a more fundamental review of finances is suggested at this time than is normally the case. Appendix 4 at the end of this report also contains certain recommended changes to Planning Fee income.

## 3. REVIEW OF THE CORE BUDGET

- 3.1 The report that went to the Authority meeting in May detailed the anticipated increase in staffing costs caused by the Job Evaluation process. By way of reminder, this was stated as up to £50,000 in year 1 (2018/19), leading to £200,000 increase in costs by the end of year 6 when staff who have moved to a higher grade are at the top of the increment.
- 3.2 This is a key financial challenge and one that we need to be actively managing before we can consider finding resources for pressures arising.
- 3.3 During the course of 2019/20 several vacancies from the core staffing complement have arisen. The majority of these have been filled but the Leadership Team considers that certain posts, due to the clear financial necessity, can be deleted.

These recommendations are not made lightly but we believe are necessary to keep resources in balance. The posts that are recommended to be deleted are shown below.

- Conservation Advisor (Farming & Wildlife) 0.5 FTE
- Conservation Advisor (Trees & Woodland) 1.0 FTE
- Corporate & Customer Support Team Leader 0.8 FTE

- 3.4 The combined financial saving attached to the removal of these posts is £70,000 p.a. This is broadly speaking the saving necessary to meet years 1 and 2 of the costs of the Job Evaluation process. Alongside these changes to staffing we continue to seek out additional income streams and administrative and procurement savings. There will of course be other significant issues in the forward year budget setting process.
- 3.5 Delivering these savings will allow the Authority to consider other issues arising.
- 3.6 A detailed review of all the core budget headings has been carried out based on the organisational management arrangements of the Authority. The results of this review are contained in Appendix 1, which compares the revised budget with the original budget for the year.
- 3.7 The revised budget is based upon the anticipated outturn for the year. As such it reflects known changes such as the year 1 costs of job evaluation and staffing vacancies. The saving from staffing vacancies is also able to meet some of the additional costs attached to the cost of stabilising the rock face at Weir Cleave (£20,000) and also to make an initial contribution towards the cost of removing diseased Ash Trees (£30,000).
- 3.8 We have known for some time that Exmoor and the National Park Authority will be affected by the spread of Ash Die-Back. The Woodlands Manager has recently commissioned work to identify the number of Ash trees on our land that are within a 'hazard zone'. We also have an indication of the likely cost of such removals based upon conversations with neighbouring authorities and industry experts. We do not yet know how quickly the disease will spread and therefore when the work will need to be completed. A sensible, managed approach to funding this therefore is to look to make a series of allocations over a period of time as the costs become clearer. The £60,000 that we are recommending be transferred now (£30,000 from the core budget and £30,000 from reserves) can therefore be seen as the first 'down payment' on meeting these costs. Funds will also be sought for this cost when the 2020/21 budget is set.
- 3.9 The Revised Budget presented does not foresee significant under or overspend for the remainder of 2019/20. Should these arise at year end, Recommendation 3 provides the mechanism whereby the Chief Finance Officer and Chief Executive use the General Fund and reserves to meet any overspend and receive underspend to supplement reserves for future spending periods.
4. **REVIEW OF TOP- SLICED PROGRAMMES, PARTNERSHIPS AND CONTRIBUTIONS TO RESERVES**
- 4.1. When the revenue budget for the year was set, the top sliced element ('Programmes') was agreed at £148,600, of which £50,000 was set aside for small grants and £187,700 was added to reserves.

- 4.2 Appendix 2 sets out the current position of the Programmes, Partnerships and Contributions to Reserves Budget. No changes to the original budget are suggested at this time.
- 4.3 Whilst a number of projects are underway and a reasonable proportion of the available Programmes budget is committed at the time of writing, it is likely that the full budget will not be spent by 31 March 2020. The treatment of underspends will be considered as part of the year end processes.

## 5. **REVIEW OF RESERVES**

- 5.1 From a starting point for the year of £2,985,020 and with approvals currently at £3,371,320, projections for the current and forthcoming two-year period are shown in Appendix 3.
- 5.2 These reserves are currently investing in schemes at White Rock Cottage, Weir Cleave and Driver Farm. Plans to restore and build bridges from the Rights of Way reserve are well developed and the new IT system for Planning is soon to begin. 2019/20 will be the final year for Landscape Conservation Grant payments and the existing Headwaters of the Exe scheme.
- 5.3 Appendix 3 also details certain suggested transfers of reserves. As mentioned in 3.8, to achieve the £60,000 necessary to fund the immediate costs of Ash Die-Back also requires £30,000 from reserves. It is recommended that this be taken from the Headwaters reserve as there is an amount that will be uncommitted at the completion of the scheme.
- 5.4 The underspend at the end of 2018/19 bolstered the General Contingency allocation. It is now recommended that £98,000 be allocated to extending certain fixed term contracts through to the end of 2020/21. We will also be seeking external funds to support the continuation of this work. The relevant posts are:
- Get Involved Project Coordinator 0.5 fte
  - Get Involved Community Engagement Officer 0.5 fte
  - Outreach & Engagement Coordinator 1.0 fte
  - Health & Wellbeing Coordinator 0.6 fte
  - Historic Buildings Officer 1.0 fte
  - Economy Project Officer 0.8 fte
- 5.5 Following on from the Authority's decision in October to declare a Climate Emergency, a new reserve has been established. This is titled Environmental Resilience and we will look to add funds to this as part of the budget setting process. Staff are in the process of scoping the precise aims and objectives of this.
- 5.6 Members will observe that reserves will undergo further review and updating as part of the development of the 2020/21 Medium Term Financial Plan and revenue budget. This will be presented to the Authority for their Business Planning Workshop in early December and formally to the National Park Authority meeting on 4<sup>th</sup> February.
- 5.7 The projected balance of approximately £300,000 on the General Fund Reserve is consistent with the Medium Term Financial Plan. This is the balance held to meet any unforeseen or exceptional items of expenditure and to provide working capital and is the equivalent of one month's operating costs.

## 6. **FINANCIAL OUTLOOK**

- 6.1 The Authority has been in the favourable position of having stable funding levels for four years from 2016/17. This has provided a useful degree of reassurance and a firm basis for financial planning. However, we no longer have this certainty and must instead plan for a broader range of funding possibilities.
- 6.2 This report provides recommendations which will allow the Authority to meet the first two year's costs of Job Evaluation. However, there are another 4 years of savings attached to JE that still have to be found. If further income streams can be established this will reduce the likelihood of further reductions in staffing being necessary.
- 6.3 Appendix 4 to this report recommends the development of new charges for providing the Planning Service.

**Gordon Bryant**  
**Chief Finance Officer**  
**October 2019**

Section	Budget Heading	2019/20 Original Budget £	2019/20 Revised Expenditure £	2019/20 Revised Income £	2019/20 Revised Budget £	Variance between 19/20 Revised and 19/20 Original
Support to Land Managers	Access & Recreation	129,000	159,200	-29,000	130,200	-1,200
	Archaeology & Historic Environment	72,600	73,300	-1,200	72,100	500
	Field Services	257,800	286,100	-22,000	264,100	-6,300
	Conservation Advice & Support	304,300	313,800	-10,200	303,600	700
	Rangers	126,800	151,700	-18,000	133,700	-6,900
<b>Support to Land Managers Total</b>		<b>890,500</b>	<b>984,100</b>	<b>-80,400</b>	<b>903,700</b>	<b>-13,200</b>
Support services to the Community	Development Management	314,200	346,600	-77,000	269,600	44,600
	Sustainability & Economy	67,000	70,500	0	70,500	-3,500
<b>Support services to the Community Total</b>		<b>381,200</b>	<b>417,100</b>	<b>-77,000</b>	<b>340,100</b>	<b>41,100</b>
Support to National Park Users	Education & Volunteers	57,700	59,900	-2,000	57,900	-200
	National Park & Information Centres	130,100	275,300	-133,700	141,600	-11,500
	Information & Interpretation Management	201,900	201,400	0	201,400	500
	Pinkery	0	140,000	-140,000	0	0
	Visitor Facilities	33,200	93,200	-60,000	33,200	0
<b>Support to National Park Users Total</b>		<b>422,900</b>	<b>769,800</b>	<b>-335,700</b>	<b>434,100</b>	<b>-11,200</b>
Corporate & Customer Support	Legal Support	65,000	65,000	0	65,000	0
	Strategy & Performance	303,700	308,100	0	308,100	-4,400
Finance and ICT Services	Finance and ICT Services	348,800	369,500	-20,000	349,500	-700
Land and Property Services	Land and Property Services	14,000	277,200	-242,000	35,200	-21,200
<b>Support Services Total</b>		<b>731,500</b>	<b>1,019,800</b>	<b>-262,000</b>	<b>757,800</b>	<b>-26,300</b>
Corporate Management	Corporate Management	128,800	124,500	0	124,500	4,300
	Historic Pensions Contributions	140,000	140,000	0	140,000	0
	Corporate Subscriptions	36,000	31,000	0	31,000	5,000
	Members	94,300	94,000	0	94,000	300
<b>Corporate Management Total</b>		<b>399,100</b>	<b>389,500</b>	<b>0</b>	<b>389,500</b>	<b>9,600</b>
<b>Total Core Budget</b>		<b>2,825,200</b>	<b>3,580,300</b>	<b>-755,100</b>	<b>2,825,200</b>	<b>0</b>



**EXMOOR NATIONAL PARK AUTHORITY  
ANALYSIS OF PROGRAMMES, PARTNERSHIPS AND CONTRIBUTIONS  
TO RESERVES**

**2019/20**

ORIGINAL BUDGET	<u><b>386,300</b></u>
<b>LESS: Contributions to Reserves</b>	
Corporate Equipment & Vehicle Replacement	50,000
Internship and Trainee Fund	15,000
Get Involved Continuation	7,700
Estates Reserve	<u>115,000</u>
	<b>187,700</b>
<b>LESS: Top sliced Programmes</b>	
Historic Buildings Officer post	30,000
Tourism	20,000
Hill Farm Network	19,000
Potential Pinkery overspend	15,000
Education Outreach continuation	10,000
Housing Network Coordinator	10,000
Research & Data Gathering	10,000
Economy Project Officer	8,000
Naturally Active in Later Life	5,000
Website Development	5,000
SERC/DBRC Bio-records	5,000
STEAM	4,000
Ponies	3,000
Planning Fee Reimbursement Fund	2,500
Joint committee	2,100
	<u><b>148,600</b></u>
<b>LESS: Partnership Fund - small grants scheme</b>	
	<u><b>50,000</b></u>
<b>2019/20 Programmes &amp; Partnership Fund</b>	<u><b>386,300</b></u>

**EXMOOR NATIONAL PARK AUTHORITY  
ANALYSIS OF RESERVES**

	Balance 31/03/19	2019/20 Original Budget Allocations	2019/20 In- Year Reserve Transfers	Current Balance	Transfers (from) Reserves 2019/20	Transfers (from) Reserves 2020/21	Transfers (from) Reserves 2021/22	Projected Balance 31/03/22
	£	£	£	£	£	£	£	£
<b>REVENUE EARMARKED RESERVES</b>								
<b>Support to Land Managers</b>								
Ashcombe Garden Restoration	10,253			10,253				10,253
Mire - Archaeology	29,758			29,758	-10,000	-10,000		9,758
Headwaters of the Exe	147,139		-30,000	117,139	-20,000			97,139
Headwaters of the Exe 20/21 - 25/26 (PR 19)	50,000			50,000				50,000
Heritage Projects	81,495			81,495	-20,000	-20,000	-20,000	21,495
Deer Monitoring Study	13,424			13,424				13,424
Woodland Mgt Reserve	25,784		30,000	55,784	-45,000			10,784
External Funding Bids	23,274			23,274				23,274
Rights of Way	181,263			181,263	-50,000	-50,000	-50,000	31,263
Simonsbath Project Development	4,017			4,017				4,017
Simonsbath Project Delivery	190,084			190,084	-190,084			0
Landscape Conservation Grant Scheme	25,244			25,244	-25,244			(0)
<b>Support to National Park Users</b>								
Caremoor For Exmoor	11,611			11,611	-5,000			6,611
National Park Centres spend to save	7,336			7,336				7,336
Get Involved Programme	50,068	7,700	10,000	67,768	-30,000	-30,000		7,768
Toilet Upgrade Programme	15,000			15,000	-10,000			5,000
Health & Well-being	36,954		11,000	47,954	-25,000	-20,000		2,954
Support for New Audiences Fund	12,411			12,411	-5,000			7,411
<b>Support to the Community and Business</b>								
Development of Planning Service	54,794			54,794	-20,000	-20,000		14,794
Conserv Area Appraisals & Neighbourhd Plan	22,283			22,283				22,283
Dunster Action Plan	21,189			21,189				21,189
<b>Strategy &amp; Performance</b>								
Environmental Resilience	0			0				0
IT and Web Development	87,175			87,175	-30,000	-25,000		32,175
Corporate Equipment & Vehicle Replacement	112,425	50,000		162,425	-50,000	-50,000	-50,000	12,425
Planning Policy	127,910			127,910	-40,000	-35,000		52,910
Research & Development	42,049			42,049	-25,000	-15,000		2,049
Improving and Innovating/ Spend to Save	131,106			131,106	-30,000	-25,000	-20,000	56,106
Internship and Trainee Fund	44,813	15,000		59,813	-20,000	-18,000	-18,000	3,813
Authority Estate	126,751	115,000		241,751	-80,000	-75,000	-50,000	36,751
	<b>1,685,608</b>	<b>187,700</b>	<b>21,000</b>	<b>1,894,308</b>	<b>-730,328</b>	<b>-393,000</b>	<b>-208,000</b>	<b>562,980</b>
<b>PROGRAMMES &amp; PARTNERSHIPS</b>								
Programmes - fixed term	242,805	148,600	77,000	468,405	-225,000	-150,000		93,405
Partnership Fund/ small grants scheme	74,077	50,000		124,077	-60,000	-50,000		14,077
Programmes & Partnership Earmarked - County	90,000			90,000				90,000
	<b>406,882</b>	<b>198,600</b>	<b>77,000</b>	<b>682,482</b>	<b>-285,000</b>	<b>-200,000</b>	<b>0</b>	<b>197,482</b>
<b>GENERAL FUND AND CONTINGENCIES</b>								
General Fund	336,337			336,337				336,337
Contingency Fund - General (pf uncommit)	456,193		-98,000	358,193				358,193
Contingency Fund - Legal	100,000			100,000				100,000
	<b>892,530</b>	<b>0</b>	<b>-98,000</b>	<b>794,530</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>794,530</b>
<b>TOTAL RESERVES</b>	<b>2,985,020</b>	<b>386,300</b>	<b>0</b>	<b>3,371,320</b>	<b>-1,015,328</b>	<b>-593,000</b>	<b>-208,000</b>	<b>1,554,992</b>

### Proposal to Charge for Pre-Application Advice

- (i) In addition to determining applications for planning permission, advert consent, listed building consent and works to protected trees, the Development Management team provides advice and information on planning prior to the submission of an application. For many years this service has been completely subsidised by National Park Grant. However, given the pressures outlined in this report, this is no longer desirable. Therefore agreement is sought to the principle of charging for pre-application advice and to instruct the Head of Planning and Sustainable Development to draw up a fee charging schedule which will be agreed by Members at a later Authority meeting.
- (ii) In terms of the legislation, Councils can choose to recover the cost of pre-application work by making a charge under the s.93 Local Government Act 2003 for providing a discretionary service.

### The Pre-Application Service

- (iii) Early in 2014 a cross sector group from councils, the development industry and statutory consultees agreed 10 Commitments that they believed would improve the contribution of pre-application discussions to good planning. These commitments were:
  - Enable sustainable development to proceed efficiently from proposal to completion.
  - Offer a range of pre-application services to developers, making sure that each choice can be delivered in a timely, effective manner; proportionate to the size of the proposal.
  - Help potential applicants to select the level of engagement necessary to deal with the issues raised by the proposal.
  - Demonstrate that your pre-application services are good value for money, whether or not you make a charge to the prospective applicant.
  - Co-operate to bring together the right people to address all of the development issues.
  - Have an open exchange of information.
  - Be collaborative; the requirements of all parties should be given consideration.
  - Provide an opportunity for councillors to be actively involved in pre-application discussions.
  - Engage with local communities about development proposals as early as possible.
  - Maintain an agreed record of information submitted, advice given and any agreements reached.

- (iv) Officers have been delivering the pre-application service in accordance with these commitments successfully for a number of years. The fourth of the 10 commitments requires councils to demonstrate their pre-application services are good value for money, whether or not a charge is made for the service. Officers currently offer a high level of service which is valued by agents and residents alike. This current proposal seeks to continue to deliver, and where identified, improve the service for prospective applicants and agents and offer a value for money service.
- (v) Any fee paying service needs to ensure that the longer-term benefit of having the LPA's advice and early community involvement, outweighs the short-term cost of both providing the information and paying for the service. The service must have the capacity to deliver useful answers and advice within a promised timeframe.
- (vi) Applicants who are asked to pay for pre-application service will want to be sure that the cost is fairly calculated and relevant to the services provided.
- (vii) It is important to recognise that the National Park Authority and communities gain from pre-application engagement, so it is vital that any charging is balanced against the risks of applicants being deterred because of the cost. But conversely, we also need to assess the risks of providing an ineffective offer "on the cheap", if we are unable to resource a service that is worthwhile to developers.
- (viii) The starting point is therefore that the National Park Authority should know what it costs them to provide a useful, good value pre-application service. Staff time forms the largest part of pre-application engagement. This includes the costs of employment (wages, holidays, national insurance, pension etc.) for the productive hours spent in work. For simplicity, overhead costs of providing services (corporate services, office costs etc.) can also be distributed across the total staff hours to create a composite hourly rate including on-costs.
- (ix) A future service is unlikely to seek full reimbursement of staff time but a contribution to delivering this valued service.
- (x) At this stage it is difficult to confirm the likely return from charging for pre-application advice. However, having taken a conservative estimate on officer time and expense, it is likely that charging for pre-application advice would see a fee income of approximately £15,000 per year.

## EXMOOR NATIONAL PARK AUTHORITY

5 November 2019

### TREASURY MANAGEMENT MID-YEAR REPORT

#### Report of the Chief Finance Officer

**Purpose of Report:** To report to Members on Treasury Management Performance for the first six months of the 2019-20 financial year.

**RECOMMENDATION:** The National Park Authority is recommended to NOTE the Treasury Management Outturn for the first six months of the 2019-20 financial year.

**Authority Priority:** Achieve by providing core services; getting best value from our resources and improving our performance.

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

Accounts and Audit (England) Regulations 2011, Part 2 (Financial Management and Internal Control)

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

#### Background Papers:

- The Local Government Act 2003 (LGA 2003)
- The CIPFA Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes Revised Edition 2011 (CIPFA TM Code).
- The CIPFA Prudential Code for Capital Finance in Local Authorities: Revised Edition 2011 (CIPFA Prudential Code).

**Financial and Risk Implications:** The implications are identified throughout the report.

**Climate Change Response:** It has been assessed that this report does not have an adverse impact on our ability to respond to climate change.

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## 1. INTRODUCTION

- 1.1 The Treasury Management Strategy for 2019-20 is underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (Revised 2017), which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year. The Code also recommends that the Authority is informed of Treasury Management activities at least twice a year.

- 1.2 CIPFA published new versions of the Prudential Code for Capital Finance in Local Authorities (Prudential Code) and the Treasury Management Code of Practice. MHCLG also published revised Investment Guidance which came into effect from April 2018. This report gives a summarised account of Treasury Management activity and outturn for the first half of the year, and ensures the Authority is embracing Best Practice in accordance with CIPFA recommendations.
- 1.3 During the reporting period, Somerset County Council (SCC) has managed Treasury Management activities under an agreed Service Level Agreement. Investments were made on the basis of aggregating funds in order to maximise the benefits for both bodies (including using SCC's "Comfund"). Accounting arrangements were in place to divide the interest gained (and charged) between the Authorities.
- 1.4 The Authority delegates responsibility for the implementation and monitoring of its treasury management policies and practices, and the execution of administration of treasury management decisions, to me as Chief Finance Officer.

## 2. INVESTMENT ACTIVITY

- 2.1 A total of £15.2k has been earned in Comfund gross interest in the first six months of the year on an average balance of £2.97m (£11.8k on £3.02m for the same period 2018-19). Comfund administration charges were £305k, giving net income of £14.9k for the period.
- 2.2 The average revenue balance has increased slightly when compared to the same period last year, from £280k to £302k. The average Comfund investment reduced by a similar amount from £3.02m for the same period 2018-19 to £2.97m this year. The benefit of using Comfund over revenue has been £9.3k for the year-to-date.
- 2.3 The combined return of Comfund and Revenue has been 0.97% on an average balance of £3.27m. When compared to the market, this represents a return 24 basis points in excess of the average 6-month LIBID figure for the year-to-date on an investment with an effective average duration of 2 weeks. The table below highlights these figures:

	<b>Balance on 31/03/2019 £000</b>	<b>Rate as at 31/03 %</b>	<b>Balance on 30/09/2019 £000</b>	<b>Rate as at 30/09 %</b>	<b>Average Balance for period £000</b>	<b>Average Rate for period %</b>
Revenue Balances	8	0.375	-44	0.375	302	0.375
Comfund Balances	2,900	1.03	2,800	1.0	2,971	1.03
<b>Total Balances</b>	<b>2,908</b>	<b>1.03</b>	<b>2,756</b>	<b>1.0</b>	<b>3,273</b>	<b>0.97</b>

- 2.4 The Guidance on Local Government Investments in England gives priority to security and liquidity and the Authority's aim is to achieve a yield commensurate with these principles.
- 2.5 As mentioned in 1.3, SCC has managed Treasury Management activities under an agreed Service Level Agreement. Investments were made on the basis of aggregating funds in order to maximise the benefits for both bodies (including using SCC's "Comfund"). The current arrangement strategy of lending all surplus funds to SCC represents an investment that is virtually free from risk of counterparty default, as SCC is the only counterparty.
- 2.6 Security of capital remained SCC's main investment objective. Current SCC approved deposit counterparties are listed below. Those used during the first half of the year are denoted with a star.

<b>Bank or Building Society</b>			
Australia & NZ Bank	*	Lloyds Bank	*
Bank of Montreal		National Australia Bank	
Bank of Nova Scotia		National Westminster	*
Bank of Scotland		Nationwide BS	
Barclays Bank Plc		Nordea Bank	
Canadian Imperial Bank of Commerce		OP Corporate Bank	
Close Brothers Ltd	*	Oversea-Chinese Banking Corp	
Commonwealth Bank of Australia		Rabobank	*
DBS Bank Ltd	*	Royal Bank of Scotland	
DZ Bank		Santander UK	*
Goldman Sachs Inv Bank	*	Standard Chartered Bank	*
Handelsbanken Plc		Toronto-Dominion Bank	*
HSBC Bank	*	United Overseas Bank	*
Landesbank Hessen-Thüringen			
<b>Sterling CNAV Money Market Funds</b>			
Goldman Sachs		Insight	*
Deutsche MMF		Standard Life	*
Invesco Aim	*	LGIM	*
Federated Prime Rate	*	Insight	*
JP Morgan	*	SSGA	*
<b>Other Counterparties</b>			
Debt Management Office		Other Local Authorities (13)	*
CCLA Property Fund	*		

2.7 During the period SCC has continuously monitored counterparties, and all ratings of proposed counterparties have been subject to verification on the day, immediately prior to investment. Other indicators taken into account have been:-

- Credit Default Swaps and Government Bond Spreads
- GDP and Net Debt as a Percentage of GDP for sovereign countries
- Likelihood and strength of Parental Support
- Banking resolution mechanisms for the restructure of failing financial institutions i.e. bail-in
- Share Price
- Market information on corporate developments and market sentiment towards the counterparties and sovereigns

2.8 **Counterparty Update** There were minimal credit rating changes during the period. After completion of UK Banks' ringfencing and the subsequent upgrades for the ringfenced entities of National Westminster and RBS, these counterparties were reintroducing to the SCC lending list with a limited duration of 100-days.

2.9 Credit Default Swap (CDS) spreads rose and then fell again during the quarter, continuing to remain low in historical terms. After rising to almost 120bps in May, the spread on non-ringfenced bank NatWest Markets plc fell back to around 80bps by the end of September, while for the ringfenced entity, National Westminster Bank plc, the spread remained around 40bps. The other main UK banks, as yet not separated into ringfenced and non-ringfenced from a CDS perspective, traded between 34 and 76bps at the end of the period.

2.10 In response to the overall worsening UK and global economic picture and the factors highlighted in the Economic Background at 1.1, the maximum duration for which deposits could be made was reduced for several counterparties, some from 6-months to 100-days, others from 13-months to 6-months.

2.11 Maturities for new investments with financial institutions on the Council's list are currently limited as follows:-

#### **UK Institutions**

Barclays Bank, Close Brothers Ltd, Goldman Sachs International Bank, National Westminster Bank, and RBS - **a maximum period of 100 days;**

Bank of Scotland, HSBC Bank, Lloyds Bank, Nationwide Building Society, Santander UK, and Standard Chartered Bank - **a maximum period of 6 months;**

#### **Non-UK Institutions**

National Australia Bank - **a maximum period of 100 days.**

All other overseas banks on the lending list - **a maximum period of 6 months.**

2.12 In order to diversify the portfolio, 13 deposits totalling £70m were placed with UK Local Authorities. As well as reducing unsecured deposits with banks, deposits with LA's allows for some longer-dated maturities with excellent creditworthiness and an appropriate yield.



### **3. The Economic Background**

- 3.1 UK Consumer Price Inflation (CPIH) fell to 1.7% year-on-year in August 2019 from 2.0% in July, weaker than the consensus forecast of 1.9% and below the Bank of England's target. The most recent labour market data for the three months to July 2019 showed the unemployment rate edged back down to 3.8% while the employment rate remained at 76.1%, the joint highest since records began in 1971. Nominal annual wage growth measured by the 3-month average excluding bonuses was 3.8% and 4.0% including bonuses. Adjusting for inflation, real wages were up 1.9% excluding bonuses and 2.1% including.
- 3.2 Quarter 2 GDP confirmed the UK economy contracted by 0.2% following the 0.5% gain in Q1 which was distorted by stockpiling ahead of Brexit. Only the services sector registered an increase in growth, a very modest 0.1%, with both production and construction falling and the former registering its largest drop since Q4 2012. Business investment fell by 0.4% (revised from -0.5% in the first estimate) as Brexit uncertainties impacted on business planning and decision-making.
- 3.3 Politics, both home and abroad, continued to be a big driver of financial markets over the period. Boris Johnson won the Conservative Party leadership contest and has committed to leaving the EU on 31st October regardless of whether a deal is reached with the EU.
- 3.4 Tensions continued between the US and China with no trade agreement in sight and both countries imposing further tariffs on each other's goods. The US Federal Reserve cut its target Federal Funds rates by 0.25% in September to a range of 1.75% - 2%. The euro area Purchasing Manager Indices (PMIs) pointed to a deepening slowdown in the Eurozone. These elevated concerns have caused key government yield curves to invert, something seen by many commentators as a predictor of a global recession. Market expectations are for further interest rate cuts from the Fed and in September the European Central Bank reduced its deposit rate to -0.5% and announced the recommencement of quantitative easing from 1st November.
- 3.5 The Bank of England maintained Bank Rate at 0.75% and in its August Inflation Report noted the deterioration in global activity and sentiment and confirmed that monetary policy decisions related to Brexit could be in either direction depending on whether or not a deal is ultimately reached by 31st October.
- 3.6 After rallying early in 2019, financial markets have been adopting a more risk-off approach in the following period as equities saw greater volatility and bonds rallied (prices up, yields down) in a flight to quality and anticipation of more monetary stimulus from central banks. The Dow Jones, FTSE 100 and FTSE 250 are broadly back at the same levels seen in March/April.
- 3.7 Gilt yields remained volatile over the period on the back of ongoing economic and political uncertainty. From a yield of 0.63% at the end of June, the 5-year benchmark gilt yield fell to 0.32% by the end of September. There were falls in the 10-year and 20-year gilts over the same period, from 0.83% to 0.55% and from 1.35% to 0.88% respectively.

- 3.8 London Interbank Bid (LIBID) rates based on the Intercontinental Exchange London Interbank Offered Rate (LIBOR) fixings show that there was significant downward movement in rates from April to the end of September. The slowdown in global trade, and rate cuts in Europe and the US meant that markets were expecting further reductions. This view was enhanced after Boris Johnson was elected leader of the Conservative Party and a no-deal Brexit appeared more likely.
- 3.9 6-month and 12-month rates were the most volatile, with a high to low difference of 0.18% and 0.29% respectively. Most periods closed on or close to year-to-date lows and had reduced by 0.01%, 0.09%, 0.13%, and 0.17% respectively over the period. 1-month, 3-month, 6-month, and 12-month LIBID rates averaged 0.60%, 0.66%, 0.73%, and 0.83% respectively over the period. However, rates paid by banks to Local Authorities have been volatile and non-uniform, being based on individual institutions' wholesale funding requirements at the time. The effect that economic conditions had on money market rates during the period can be seen in Appendix A, Table 1.

#### 4. Debt Management

- 4.1 The Authority is currently debt free. Any potential borrowing is driven by the capital plan. There are no plans that would necessitate borrowing during the remainder of 2019-20 or in the foreseeable future.

#### 5. Compliance with Prudential Indicators

- 5.1 The Authority has no borrowing, and all lending remains at a maximum of one month duration, therefore all Prudential Indicators remain at zero. For completeness of reporting, and in line with the CIPFA code, the Authority can confirm that it has complied with its Prudential Indicators for 2019-20. Those agreed by Full Authority and actual figures as at 30<sup>th</sup> September are included below: -

	2019-20 £thousand	As at 30-09-19 £thousand
Authorised limit (borrowing only)	100	0
Operational boundary (borrowing only)	100	0

#### Maturity structure of borrowing

	Upper Limit	Lower Limit	As at 30-09-18
Under 12 months	100%	0%	0%
>12 months and within 24 months	0%	0%	0%
>24 months and within 5 years	0%	0%	0%
>5 years and within 10 years	0%	0%	0%
>10 years	0%	0%	0%

	2019-20 £thousand	As at 30-09-19 £thousand
Prudential Limit for principal sums invested for periods longer than 365 days	0	0

## Credit Risk Indicator

SCC has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating / credit score of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk (in conjunction with Arlingclose) and will be calculated quarterly.

Credit risk indicator (to be below target)	Target	Actual
Portfolio average credit rating (score)	A (6)	AA- (4.28)

CIPFA no longer recommends setting upper limits on fixed and variable rate exposures, so these are no longer calculated for this paper.

## 6. Outlook for Quarters 3 & 4

- 6.1 The global economy is entering a period of slower growth in response to political issues, primarily the trade policy stance of the US. There appears no near-term resolution to the trade dispute between China and the US, a dispute that the US appears comfortable exacerbating further.

The UK economy has displayed a marked slowdown in growth due to both Brexit uncertainty and the downturn in global activity. In response, global and UK interest rate expectations have eased dramatically.

- 6.2 Central bank actions and geopolitical risks will continue to produce significant volatility in financial markets, including bond markets. SCC treasury advisor Arlingclose expects Bank Rate to remain at 0.75% for the foreseeable future but there remain substantial risks to this forecast, dependant on Brexit outcomes and the evolution of the global economy.

A table of forecast rates to September 2022 is shown below: -

	Dec 19	Mar 20	Jun 20	Sep 20	Dec 20	Mar 21
Upside Risk	0.00	0.00	0.25	0.25	0.25	0.25
Base Rate	0.75	0.75	0.75	0.75	0.75	0.75
Downside Risk	-0.50	-0.75	-0.75	-0.75	-0.75	-0.75

	Jun 21	Sep 21	Dec 21	Mar 22	Jun 22	Sept 22
Upside Risk	0.25	0.25	0.25	0.25	0.25	0.25
Base Rate	0.75	0.75	0.75	0.75	0.75	0.75
Downside Risk	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75

## **7. Summary**

- 7.1 In compliance with the requirements of the CIPFA Code of Practice this report provides Members with a summary report of the treasury management activity during the first six months of 2019-20. As indicated in this report none of the Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

## **8. Other issues**

- 8.1 On 9<sup>th</sup> October HM Treasury, without warning, imposed a 1% premium on all loans from the PWLB. Within the letter to all Local Authority Chief Finance Officers, it cited the following:

“Some local authorities have substantially increased their use of the PWLB in recent months, as the cost of borrowing has fallen to record lows. HM Treasury is therefore restoring interest rates to levels available in 2018, by increasing the margin that applies to new loans from the PWLB by 100bps (one percentage point) on top of usual lending terms.”

“This restoration of normal PWLB lending rates will apply to all new loans with immediate effect. The Government will monitor the impact of this change and keep rates policy under review.”

- 8.2 During the period the South West Audit Partnership (SWAP) conducted an audit of SCC’s Treasury Management function. It awarded the best possible outcome, ‘Substantial Assurance’, as quoted below:

“We can offer substantial assurance as the areas reviewed were found to be adequately controlled. Internal controls are always in place and operating effectively and risks against the achievement of objectives are well managed.”

- 8.3 Both the CIPFA Code and government guidance require the Authority to invest its funds prudently, and to continue to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield.
- 8.4 The Authority’s objective when investing money remains to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

**Gordon Bryant**  
**Chief Finance Officer**  
**October 2019**

## Appendix A

### Money Market Data and PWLB Rates

The average low and high rates correspond to the rates during the financial year-to-date, rather than those in the tables below.

Table 1: Bank Rate, Money Market Rates (LIBID Rates based on Intercontinental Exchange LIBOR rates)

Date	Bank Rate	O/N LIBID	7-day LIBID	1-month LIBID	3-month LIBID	6-month LIBID	12-month LIBID	2-yr SWAP Bid
01/04/2019	0.75	0.55	0.57	0.60	0.72	0.83	0.93	0.97
30/04/2019	0.75	0.56	0.57	0.61	0.69	0.82	0.97	1.04
31/05/2019	0.75	0.56	0.58	0.60	0.67	0.75	0.87	0.87
30/06/2019	0.75	0.55	0.56	0.60	0.65	0.73	0.83	0.83
31/07/2019	0.75	0.54	0.56	0.59	0.65	0.69	0.73	0.66
31/08/2019	0.75	0.56	0.56	0.58	0.63	0.66	0.71	0.65
30/09/2019	0.75	0.54	0.57	0.59	0.63	0.70	0.76	0.65
<b>Average</b>	<b>0.75</b>	<b>0.55</b>	<b>0.57</b>	<b>0.60</b>	<b>0.66</b>	<b>0.73</b>	<b>0.83</b>	<b>0.82</b>
<b>Maximum</b>	<b>0.75</b>	<b>0.56</b>	<b>0.58</b>	<b>0.61</b>	<b>0.72</b>	<b>0.83</b>	<b>0.98</b>	<b>1.06</b>
<b>Minimum</b>	<b>0.75</b>	<b>0.54</b>	<b>0.55</b>	<b>0.58</b>	<b>0.63</b>	<b>0.65</b>	<b>0.69</b>	<b>0.60</b>
<b>Spread</b>	<b>0.00</b>	<b>0.02</b>	<b>0.03</b>	<b>0.03</b>	<b>0.09</b>	<b>0.18</b>	<b>0.29</b>	<b>0.46</b>

Table 2: PWLB Borrowing Rates – Fixed Rate, Maturity Loans

Change Date	Notice No	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
01/04/2019	129/19	1.72	2.04	2.56	2.58	2.46	2.44
30/04/2019	167/19	1.88	2.22	2.69	2.71	2.61	2.58
31/05/2019	209/19	1.61	1.90	2.43	2.48	2.39	2.36
28/06/2019	249/19	1.61	1.88	2.43	2.49	2.40	2.36
31/07/2019	295/19	1.40	1.70	2.33	2.41	2.35	2.32
30/08/2019	338/19	1.29	1.41	1.94	2.01	1.91	1.88
30/09/2019	380/19	1.27	1.47	1.97	2.01	1.91	1.87
	<b>Low</b>	1.21	1.33	1.85	1.92	1.81	1.77
	<b>Average</b>	1.57	1.83	2.34	2.39	2.30	2.27
	<b>High</b>	1.93	2.27	2.73	2.75	2.65	2.61
	<b>Spread</b>	0.72	0.94	0.88	0.83	0.84	0.84

Table 3: PWLB Borrowing Rates – Fixed Rate, Equal Instalment of Principal (EIP) Loans

<b>Change Date</b>	<b>Notice No</b>	<b>4½-5 yrs</b>	<b>9½-10 yrs</b>	<b>19½-20 yrs</b>	<b>29½-30 yrs</b>	<b>39½-40 yrs</b>	<b>49½-50 yrs</b>
01/04/2019	129/19	1.65	1.73	2.06	2.38	2.56	2.61
30/04/2019	167/19	1.78	1.90	2.24	2.54	2.70	2.74
31/05/2019	209/19	1.57	1.61	1.92	2.24	2.43	2.50
28/06/2019	249/19	1.59	1.61	1.89	2.23	2.43	2.50
31/07/2019	295/19	1.40	1.41	1.72	2.10	2.33	2.42
30/08/2019	338/19	1.35	1.28	1.43	1.74	1.95	2.02
30/09/2019	380/19	1.34	1.26	1.48	1.79	1.97	2.03
	<b>Low</b>	1.27	1.20	1.34	1.64	1.85	1.93
	<b>Average</b>	1.55	1.58	1.84	2.16	2.34	2.41
	<b>High</b>	1.83	1.95	2.29	2.58	2.73	2.78
	<b>Spread</b>	0.56	0.75	0.95	0.94	0.88	0.85

**EXMOOR NATIONAL PARK AUTHORITY  
EXMOOR CONSULTATIVE AND PARISH FORUM**

**MINUTES** of the meeting of the Exmoor Consultative and Parish Forum held on Thursday 12 September 2019 at 7.00pm at Withypool Village Hall.

**PRESENT**

Mike Ellicott	Exmoor National Park Authority and Chairman of the Forum
John Anson	Cutcombe Parish Council
Andrew Bray	Wootton Courtenay Parish Council
Valerie Carveth	Exton Parish Council
Kevin Connell	Winsford Parish Council
Steven Pugsley	Exmoor National Park Authority and Somerset West and Taunton
Frances Nicholson	Exmoor National Park Authority and Somerset County Council
Jeremy Payne	Oare and Culbone Parish Meeting
Will Lock	Exmoor Young Voices
Vivian White	Exmoor National Park Authority and Cutcombe Parish Council
Richard Edgell	Exmoor National Park Authority, DCC & North Devon District Council
Susan J May	Exmoor Trust
Roger Webber	Selworthy and Minehead without Parish Council
Penny Webber	Selworthy and Minehead without Parish Council
Jonathan Rullason	Skilgate Parish
Liz Bulled	North Molton Parish Council
Martin Ryall	Exmoor National Park Authority
Roger Foxwell	Cutcombe Parish Council
Jeremy Holtom	Exmoor National Park Authority and Parracombe Parish Council
Nick Thwaites	Exmoor National Park Authority and Somerset West & Taunton Council
Ron Buckingham	Elworthy Parish Council
Marilyn Crothers	Nettlecombe Parish Council
Eric Ley	Exmoor National Park Authority
Caitlin Collins	Timberscombe Parish Council

**1. Apologies for absence were received from:**

John Bray	Winsford Parish Council
Sarah Bryan	Exmoor National Park Authority
Louise Crossman	Invitee
Beccy Brown	Somerset West and Taunton Council
Molly Groves	Porlock Parish Council
David Woodbury	Combe Martin Parish Council
Christine Wyr	Combe Martin Parish Council
Representative	Brompton Regis Parish Council
Sir Richard Peek	North Molton Parish Council
Prof John Wibberley	Invitee
Roger Ferrar	Invitee
Sarah Takle	Exmoor National Park Authority
Peter Pilkington	Somerset West and Taunton Council
Jeremy Payne	Oare and Culbone Parish Council
Sarah Cookson	Brushford Parish Council
Baroness Mallalieu	Invitee
Lady Downes	Invitee

## National Park Authority staff in attendance:

Dean Kinsella, Head of Planning & Sustainable Development

Tim Braund, Head of Information and Communication

Hazel Malcolm, Business Support Officer (Note Taker)

1. **MINUTES:** The [minutes](#) of the Forum meeting held on 13 June 2019 were agreed as a correct record.

### Matters Arising

- **Chair of the Exmoor Consultative and Parish Forum** – The new Chair introduced himself and was welcomed by Forum Members. The Chair thanked Steven Pugsley for his previous 12 years as Chair of the Forum.
- **Consultation on The Rural Workers Succession Farm Dwellings.** A Forum Member asked how many responses there had been to the consultation and how many of the responses were from Parish Councils? **Action: Dean Kinsella to provide Forum Members with consultation response figures.**

## 2. QUESTIONS FROM THE FLOOR:

- **Partnership Plan Groups.** A Forum Member asked of availability to the general public of agendas and minutes of the various Partnership Plan Groups held by Exmoor National Park Authority. **\*UPDATE** from Exmoor National Park Authority. Membership of the different Partnership Plan Groups include representatives from across Exmoor National Park Authority's partners and those with a particular interest or specialism relevant to the topic. On the point about minutes and agendas from these groups being made publicly available. The meetings are not formal meetings and are not decision-making groups. Information about the meetings and their activities are available via the Lead Officer. Information about the different Partnership Plan Groups and Lead Officers can be found on a PDF on the website at: <https://www.exmoor-nationalpark.gov.uk/about-us/partnership-working>

Exmoor National Park Authority are looking at how to improve communications about what the groups do.

- **Health of the Red Deer on Exmoor.** Forum Members raised the health and monitoring of the health of the red deer on Exmoor as a concern, particularly relating to TB. It was noted there was a prevalence of TB in deer around and on National Trust Land. The National Trust have a dedicated Stalker tasked with culling any deer showing signs of TB. Anyone licensed to shoot deer must take samples post mortem to send to Defra for analysis. These samples must reach Defra within 24 hours of culling. Forum Members have asked for a deer expert to present at the November meeting of the Forum. **Action: Arrange for an expert on deer to present at the next ECPF to be held in November.**
- **Consultation on the closure of Porlock Fire Station.** Forum Members raised that the consultation on the proposed closure of Porlock Fire Station would close on 22 September. The consultation can be responded to online. Forum Members noted that individuals must write in, rather than representing Parish Councils. ENPAs response to the consultation would be discussed at a Leadership Team meeting on 16 September.
- **Minutes of the Exmoor Consultative and Parish Forum.** A Forum Member asked that the minutes of the ECPF be produced promptly and circulated to Parish Councils as soon



as possible, as this would inform Parish Council meetings. **Action: The ECPF is currently being reviewed, the question raised by Forum Members on the availability of the meeting minutes is noted as part of the review.**

### 3. TWO VALLEYS NATURAL FLOOD MANAGEMENT PROJECT:

Carina Gaertner, Project Manager (Rural Catchments) WWT, provided a presentation on the Wildfowl and Wetland Trust (WWT) project the Two Valleys Project on community action against flooding, referred to as Natural Flood Management (NFM). This project is currently taking place in the Doniford and Monksilver catchments and is one of 58 projects benefitting from £15 million of Defra Funding into Natural Flood Management projects.

Some of the aims of the Two Valleys project are:

- Reduce flood impacts
- Create and restore wildlife habitat
- Promote NFM as an exemplar in delivering multiple wetland benefits to individuals and communities.

The Two Valleys project is a partnership project between the WWT, the Environment Agency, the Farming and Wildlife Advisory Group (FWAG), the National Trust and others. It is not connected to Exmoor National Park Authority's Mires Project.

Carina's presentation can be viewed on our website at <https://www.exmoor-nationalpark.gov.uk/about-us/meetings-agendas-reports/exmoor-consultative-and-parish-forum/12-sep-2019>

Carina alerted Forum Members to a Community Event taking place on 16 October at the Williton Pavilion. **Action: Carina to send details to Hazel Malcolm for dissemination to Forum Members. \*NB An email providing details of the event was sent to Forum Members on 16 September.**

### 4. HEALTH AND WELLBEING UPDATE:

Tim Braund, Head of Information and Communication at Exmoor National Park Authority presented initiatives the Authority is involved in the area of Health and Wellbeing.

In 2016 Defra published its 8 Point Plan for England's National Parks, which included directives to promote innovative schemes for National Parks to serve national health. As part of its Partnership Plan Exmoor National Park Authority has the 3 points of:

- **Be inspired:** people have a range of high-quality opportunities to learn about and understand Exmoor from digital and printed information and interpretation, formal and informal education, attending events or visiting National Park Centres
- **Get involved:** more people volunteer, enabling deeper experiences and connections with Exmoor and supporting National Park purposes
- **Be connected:** more people are enabled to experience, enjoy and understand Exmoor, particularly young people and people from diverse backgrounds. Individual **health and wellbeing is enhanced** as a result of engaging with the National Park

One of Governments health initiatives is 'Social Prescribing' using the outdoors to promote healthy lives and improved mental health. 90% of the population are urban based, initiatives are based to look at how to help such people gain access to the open air. Tim highlighted some of the projects that Exmoor National Park Authority are involved in such as the FUN Project (Families United through Nature) and Outreach initiatives taking place in the Halcon

Estate in Taunton and Hamp Estate in Bridgwater. Tim's presentation can be viewed on our website at <https://www.exmoor-nationalpark.gov.uk/about-us/meetings-agendas-reports/exmoor-consultative-and-parish-forum/12-sep-2019>

- Forum Members noted the biggest challenge to such initiatives is that of transport to enable urban based populations to make the most of places such as the UK's National Parks.
- Rural isolation was also highlighted as a contributor to mental health issues amongst rural based populations.

**5. FARMING ISSUES:** Forum Members noted the following:

- Exmoor National Park Authority does not have a branding for food products compared to other National Parks. The example being given of Dartmoor Lamb being sold in a supermarket in Minehead.
- Exmoor Young Voices suggested that Exmoor National Park Authority and the Exmoor Hill Farming Network (EHFN) should work together on such an initiative.
- Richard Edgell Chair of the Devon County Council Farming Group made Forum Members aware of a presentation to be arranged with a date TBC on promoting farm tenancies as an opportunity for people to get into farming.
- Forum Members noted theft was an increasing issue across Exmoor, with Police aware of several individuals involved. Forum Members were advised to alert police if a white Ford Focus car and a white Transit van were seen together and not to approach the individuals.
- The NFU has recently published a report on greenhouse gases. It was suggested by Forum Members that Exmoor National Park Authority should work with farmers and the NFU on greenhouse gases.

**6. PLANNING ISSUES:** Dean Kinsella, Head of Planning and Sustainable Development at Exmoor National Park Authority updated Forum Members on the following:

- Responses to the consultation on Rural Farm Worker Succession Dwellings Guidance are being considered. An update will be provided towards the end of September with the guidance being signed off at the November Authority meeting.
- Separate to Planning Issues, Dean updated Forum Members on the Sustainable Economy project 'Rural Enterprise Exmoor' led by Dan James, the Sustainable Economy Manager for Exmoor National Park Authority. The project Rural Enterprise Exmoor aims to better understand the breadth and depth of business activity within the National Park. The type of activity involved is:
  - Initial audit of business activity
  - Engage with businesses on the benefits and barriers to locating a business on Exmoor
  - Once the data has been collated and analysed it will be used to inform a rural enterprise strategy.

Dean asked Forum Members to alert communities to this new project. **Action: Forum Members to make wider communities aware of the Rural Enterprise Exmoor project.**

For further information about the project contact Dan James, Sustainable Economy Manager at [ruralenterprise@exmoor-nationalpark.gov.uk](mailto:ruralenterprise@exmoor-nationalpark.gov.uk)

- **Planning Consultations.** A Forum Member asked if comments made after the 21 days consultation period would still be taken into consideration. Dean reiterated that all comments relating to a planning consultation would be taken into consideration.
- **Winsford Emergency Services Mast.** Members noted concerns about position within the landscape of the proposed emergency services mast at Winsford. Action: Dean Kinsella noted the concerns relating to landscape. The National Park will investigate these concerns.

**7. EMERGING ISSUES OR TOPICS FOR WIDER DEBATE:** The following were noted:

- The Review of the Exmoor Consultative Forum is ongoing. Responses to the Review and recommendations on the Forum are encouraged by emailing Dean Kinsella [dkinsella@exmoor-nationalpark.gov.uk](mailto:dkinsella@exmoor-nationalpark.gov.uk). The ECPF is to be moved around, several potential locations such as Molland and Luxborough were noted. It was noted for the meeting at Withypool those responsible locally for the village hall, had set up the tables and chairs in advance and were happy to have them left at the end of the meeting to be cleared away the following day. This is extremely helpful as often the tables at village halls are far too heavy for one person (usually female) to move around without help or risk of injury. **Action: Forum Members to suggest suitable locations, which include a good amount of parking available.**
- In 2021 there will be a new mandatory EID system for farm livestock. This system will rely on having a good phone signal. This prompted some discussion around the use of phone masts, and the recent Government consultation on relaxing the permitted rights on masts, for example, to make them taller, and whether Exmoor National Park should be exempt from these relaxations. It was recognised by Forum Members that there needs to be some acceptance of the infrastructure needed to attract high tech businesses to Exmoor. Members also noted with the pace of technology the need for masts could be outstripped by evolving technology.

**8. DATE AND TIME OF NEXT MEETING:** The next meeting will be held on Thursday 14 November 2019 at **10:30am** at the Moorland Hall, Wheddon Cross.

**9. OTHER BUSINESS OF URGENCY:** There was none

The meeting closed at 9:10pm

(Chairman)