

## **RELEVANT POLICIES ON LIGHT POLLUTION**

We hope that the following policy guide will be of assistance to individuals, organisations and councils engaged in combating light pollution in Norfolk.

### **NATIONAL POLICY**

The need to address the impact of light pollution on the countryside is recognised in the National Planning Policy Framework (NPPF).

#### **NPPF Clause 180c states:**

*“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

### **COUNTY POLICY**

The Norfolk County Council Environmental Lighting Zones Policy applies to all street lights that are the responsibility of the County Council. It stipulates that ‘cut off lamps’ (meaning full cut off, flat glass lights) will be used on all lighting schemes in areas classed as Rural Dark Landscape. In effect, this is most of the county - see map below.

The policy is also advisory in respect to non County Council lighting.

### **DISTRICT COUNCIL POLICIES**

District Councils determine most of the planning applications for developments in the countryside and in Norfolk all have policies that relate to exterior lighting.

## **South Norfolk Council Policy IMP 25 - (Outdoor lighting)**

*“Proposals for any development involving out door lighting schemes will be expected to include details of such schemes as part of the submitted planning application, and will be expected to demonstrate that:*

- i) The proposed lighting is the minimum required for security or working purposes*
- ii) Light spillage and glare are minimised, particularly in areas of open countryside or on the edge of settlements*
- iii) There is no detrimental impact on residential amenity, highway safety or to sites of nature conservation value.”*

## **North Norfolk District Council Policy EN13 deals with Pollution and Hazard Prevention and Minimisation. It states that:**

*“All development proposals should minimise, and where possible reduce, all emissions and other forms of pollution, including light and noise pollution.”*

The introduction to this policy includes the following wording (paragraph 3.3.70):

*“Light and noise pollution arising from new development can, individually and cumulatively, have a significantly damaging impact on the countryside and settlements in North Norfolk where many places do not have street lights and where the tranquil environment is highly valued. These are therefore important considerations.”*

## **Breckland Council Policy DC 1 (Protection of Amenity) states:**

*“For all new development consideration will need to be given to the impact upon amenity. Development will not be permitted where there are unacceptable effects on the amenities of the area or the residential amenity of neighbouring occupants, or future occupants of the development site.*

*When considering the impact of the development in terms of the amenities of the area and residential amenity, regard will be had to the following issues:*

- a. Overlooking and/or privacy loss*
- b. Dominance or overshadowing*
- c. Odour, noise, vibration or other forms of disturbance*
- d. Other forms of pollution (including contaminated land, light pollution or the emission of particulates)*
- e. Important features or characteristics of the area*
- f. Quality of the landscape or townscape”*

**Broadland District Council's emerging Development Management Policies include EN2 (Landscape).**

This policy has, as one of its aims the protection of the nocturnal character of the area. The term nocturnal character (paragraph 3.14) when used in this context refers to:

*"...the impact of any external lighting proposals at night when they are likely to have most impact, particularly in the countryside. The presence of any existing lighting should be taken in to account along with levels of illumination associated with the proposed lighting."*

NPPF clause 125 from the 2012 NPPF is also quoted to reinforce the applicability of EN2.

**Borough Council of Kings Lynn and West Norfolk Policy DM15 (Environment, Design and Amenity)**

*"Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:*

- *Overlooking, overbearing, overshadowing;*
- *Noise; Odour; Air quality; Light pollution;*
- *Contamination;*
- *Water Quality and*
- *Visual impact.*

*"The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.*

*Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.*

*Development proposals should demonstrate that safe access can be provided and adequate parking facilities are available."*

In the policy approach section to DM15 (paragraph C.15.6) it says:

*"Noise, odour, air quality, light pollution and land contamination will be assessed in relation to relevant standards and national guidance. In cases where the development has uncertain potential for a negative impact on amenity temporary permissions and/or a requirement to record baseline environmental conditions prior to development and undertake monitoring afterwards will be given/required. These indicators can be used to gauge the likely impact as a result of the proposed development. Mitigation*

*measures may be sought such as limiting the operational hours of a development and there may be ongoing requirements to monitor the impact on environmental quality.”*

CPRE Norfolk’s Light Pollution Guidance Notes are quoted as one of the relevant local and national policies and guidance documents to be consulted.

## **CITY AND TOWN COUNCIL PLANNING AUTHORITIES**

### **Norwich City Council Development Management Policy DM2 (Amenity)**

In its new local plan (adopted December 2014), Norwich City Council has a Development Management Policy DM2 (Amenity) which, under the heading Existing Occupiers, states:

*“Development will be permitted where it would not result in an unacceptable impact on the amenity of the area or the living or working conditions or operations of neighbouring occupants. Particular regard will be given to: a) the prevention of overlooking and the loss of privacy; b) the prevention of overshadowing and loss of light and outlook; and c) the prevention of disturbance from noise, odour, vibration, air or artificial light pollution.”*

### **Great Yarmouth Borough Council**

Great Yarmouth Borough does not currently have a policy relating to light pollution but has stated that it may consider covering the issue in its emerging Development Management Policy Document.

## **ADVICE TO PARISH COUNCILS**

The most effective way for Parish Councils to address light pollution is to adopt the CPRE Norfolk Standard Light Pollution Clause and attach it to every planning application response they consider. This often leads to the District Council attaching a condition to a planning permission in order to limit or control external lighting. The clause wording is:

*“National Planning Policy Framework Clause 180c and Norfolk County Council’s Environmental Lighting Zones Policy both recognise the importance of preserving dark landscapes and dark skies. In order to minimise light pollution, we recommend that any outdoor lights associated with this proposed development should be:*

- 1) fully shielded (enclosed in full cut-off flat glass fitments)*
- 2) directed downwards (mounted horizontally to the ground and not tilted upwards)*
- 3) switched on only when needed (no dusk to dawn lamps)*
- 4) white light low-energy lamps (LED) and not orange or pink sodium sources”*

The Clause and notes are available to download from our website  
[www.cprenorfolk.org.uk/light-pollution](http://www.cprenorfolk.org.uk/light-pollution)

## **STATUTORY NUISANCE LAWS**

Intrusive lighting was made a statutory nuisance under the **Clean Neighbourhoods and Environment Act (2005)**. This act gives power to individuals to complain about poor lighting which has an adverse impact on their property. Complaints should be directed via the Environmental Health Department of (usually) the District or Borough Council.

## **FURTHER LINKS**

Useful advice on combating light pollution can also be found on the following websites:

- **Defra:** In the last few years, the DEFRA team responsible for light pollution has carried out a lot of work on the subject.  
[www.defra.gov.uk/environment/quality/noise/artificial-light-pollution](http://www.defra.gov.uk/environment/quality/noise/artificial-light-pollution)
- **Institute of Lighting Professionals (ILP):** The ILP has a range of resources on their website. Of particular interest is their 'Guidance notes for the reduction of obtrusive light': [www.theilp.org.uk](http://www.theilp.org.uk)
- **Campaign for Dark Skies:** The website of the British Astronomical Association's Campaign for Dark Skies provides a wide range of information on the subject. They also have a network of Local Officers who are organised by county.  
[www.britastro.org/dark-skies/](http://www.britastro.org/dark-skies/)
- **The Royal Commission on Environmental Pollution (RCEP):** In 2009, RCEP carried out a research project 'Artificial light in the environment' and made a series of recommendations to Government. The Government responded in early 2010. You can access the report and the Government response via Google search '*The Royal Commission on Environmental Pollution Report "Artificial Light in the Environment"*'.

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For further advice on this issue, please contact David Hook, CPRE Norfolk Light Pollution Campaign Co-ordinator on [hookd47@yahoo.com](mailto:hookd47@yahoo.com) / 01508 498187.

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Every effort has been made to ensure that cases are accurately represented. We will happily correct any factual errors or omissions.