

3.13 Amenity, Noise and Quality of Life

Reasoned Justification

3.84 Planning policies seek to ensure a high quality design and quality of life for all existing and future occupiers of the land and buildings. All development proposals should take into consideration the impact on the living and working conditions of existing and future occupiers and the continued operation of the authorised uses and businesses surrounding the site. This applies to all development including changes of use and small scale building extensions.

Amenity

3.85 For planning purposes ‘**amenity**’ is defined as the ‘the desirable features of a place that ought to be protected or enhanced in the public interest’. These features include maintaining privacy and light, and ensuring the existing and potential occupiers are protected from pollution including that in the forms of noise, odour, vibration, air, dust, insects or artificial light pollution. The potential impact of development needs to be considered on a cumulative as well as individual basis, and indirect impacts such as traffic generation as well as more direct impacts also need to be considered.

3.86 New development consistent with the **Local Plan** and the continuance of existing businesses should not have unreasonable restrictions put on it because of the introduction of new and incompatible land uses. The policy therefore takes a cautious approach to ensure that new development forms a pattern which does not adversely affect the area as a whole in the future.

Noise

3.87 Planning decisions should avoid development that would give rise to noise that would have significant adverse impacts on health and quality of life. It is recognised that development will create some noise and a business wanting to develop in continuance of their business should not be unreasonably restricted if land uses have changed around them since they were established. Therefore development which is likely to give rise to noise pollution should not be located close to land uses that are sensitive to noise, and new noise sensitive uses such as residential development should not be located in a noisy area.

3.88 Conditions will be used to reduce the impact of noise on quality of life. A precautionary approach will be taken and it may be necessary to apply conditions such as restrictions on opening hours etc. However, these conditions need to be proportionate, reasonable and not overly restrictive to new business. The existing back ground noise level will affect the impact of noise generating uses on the area and their effect on health and quality of life, and this should be reflected in any

planning conditions imposed. Proposals also need to be considered both individually and cumulatively with special consideration given to the impact noise generating uses will have on the tranquillity of a rural area.

Lighting

- 3.89 **Amenity** and environmental quality can be impacted in other ways including by poorly designed and managed lighting. This is a particular issue in rural parts where the relatively 'dark skies' contribute greatly to character and amenity. References to useful guidance and advice are given in the Notes below.
- 3.90 The importance of tranquillity to wildlife should also be recognised. Increased noise and lighting in particular can have an adverse impact on certain bat and bird species.

Policy DM 3.13 Amenity, noise and quality of life

(1) Development should ensure a reasonable standard of amenity reflecting the character of the local area. In all cases particular regard will be paid to avoiding:

- a. Overlooking and loss of private residential amenity space**
- b. Loss of day light, overshadowing and overbearing impact**
- c. Introduction of incompatible neighbouring uses in terms of noise, odour, vibration, air, dusts, insects, artificial light pollution and other such nuisances.**

Planning permission will be refused where proposed development would lead to an excessive or unreasonable impact on existing neighbouring occupants and the amenity of the area or a poor level of amenity for new occupiers.

(2) In considering applications which may result in an increase in noise exposure, account will be taken of the operational needs of the proposed and neighbouring businesses, the character and function of the area including background noise levels at different times of day and night and the need to protect areas of rural tranquillity.

(3) Development will not be permitted where the proposed development would generate noise or artificial light which would be significantly detrimental to the amenity of nearby residents or the occupants of other noise sensitive uses. Proportionate mitigating measures including limiting conditions will be used to reduce the potential noise or artificial light impact to an appropriate level whenever practical to do so.

Notes

- **National Planning Policy Framework** Core Planning Principles para. 17 states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
- **National Planning Policy Framework** section Conserving Natural Environment Para 122- 123 addresses the conserving and enhancing of the natural environment.
- **Joint Core Strategy** Policy 7 expects all development to maintain or enhance the quality of life and well being of communities.
- Detailed guidance on noise is provided in *Noise Policy Statement for England* - Department for the Environment, Food and Rural Affairs.
<http://archive.defra.gov.uk/environment/quality/noise/policy/documents/noise-policy.pdf>
- The Environment Agency have produced *Guidance for developments requiring planning permission and environmental permits under the Environmental Permitting (England and Wales) Regulations 2010 (EPR)*. Planning and permitting decisions are separate but closely linked. Planning permission determines if a development is an acceptable use of the land. Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution. Further advice is also available in a *Guide for Developers* and on the Environment Agency's web pages.
http://a0768b4a8a31e106d8b0-50dc802554eb38a24458b98ff72d550b.r19.cf3.rackcdn.com/LIT_7260_bba627.pdf
- *Further detailed advice and guidance used and subscribed to by the Council's Environmental Services is available, including:*
 - Technical Guidance: Planning on noise (incl. wind turbines) - draft based on PPG24 - Norfolk Environmental Protection Group
 - Planning and Pollution in Norfolk – Norfolk Environmental Protection Group
- Useful advice on the design of lighting to control light pollution is produced by the Institute of Lighting Professionals in association with others. Of particular relevance are guidance documents focusing on reducing obtrusive light, providing reasonably adequate lighting for crime reduction, and protection of bats and other sensitive species:
 - *Guidance Notes for the Reduction of Obtrusive Light GN01* – ILP: 2011
<https://www.theilp.org.uk/documents/obtrusive-light/>
 - *A Guide for Crime Reduction Professionals* – ILP / ACPO Secured by Design: 2011
http://www.securedbydesign.com/pdfs/110107_LightingAgainstCrime.pdf
 - *Bats and Lighting in the UK* - Institute of Lighting Engineers / Bat Conservation Trust: 2009
http://www.bats.org.uk/data/files/bats_and_lighting_in_the_uk_final_version_version_3_may_09.pdf
- Norfolk County Council Environmental Lighting Zones Policy expect all public highways lighting to minimise light pollution in respect of all

exterior lighting installations with reference to the Norfolk County Council Environmental Lighting Zones.