

Broads Local Plan – Preferred Options (April) Bite Size Pieces

Report by Planning Policy Officer

Summary: This report introduces the following topics of the Preferred Options version of the Local Plan: Dark Skies, Major Hazards and Safety by the Water.

Recommendation: Members' views are requested.

1 Introduction

1.1 The first of the bite-size pieces of the Preferred Options discusses dark skies and light pollution, major hazards and safety by the water. Members' views are requested to inform the draft policy approach in the Preferred Options. It is important to note that this is not necessarily the final text or approach, but is part of the development of the final text. There could be other considerations that come to light between now and the time the final version is presented to Planning Committee in November 2016.

2 Dark Skies

2.1 Between October 2015 and March 2016 the skies of the Broads Authority Executive Area were assessed for the darkness quality, from land and water.

2.2 The report at Appendix 1 sets out the methodology, shows the results of the survey and includes maps showing the darkness of the Broads. Generally, the higher the reading, the darker the sky and any readings over 20 magnitudes per arc second represent an intrinsically dark sky.

2.3 It can be seen that the Broads has areas of intrinsic dark skies. According to the National Planning Policy Framework (NPPF) we can therefore seek to protect these dark landscapes.

2.4 The maps at Appendix 1 show that there are two particularly dark areas of the Broads - an area on the Waveney around Geldeston and an area to the north of the system around Hickling Broad.

2.5 It is therefore proposed that the Preferred Options will include a strong light pollution policy that seeks to protect the intrinsically dark skies of the Broads and in particular the two zones of particular darkness. This could mean that lighting schemes are of particular importance in areas where there are readings of 20 above and the aim is for lighting to be the right amount (intensity), doing what it is needed (angled down) and potentially when needed. There could be scope for a Supplementary Planning Document or a bespoke guide for lighting in the Broads.

- 2.6 South Downs National Park proposes a strong light pollution policy. Their Local Plan is one stage ahead of us. That is to say they are producing their publication version and have already completed the preferred options stage. It is intended that South Downs NPA's experience in producing this policy is understood as the Broads Authority prepares its own policy on Light Pollution.
- 2.7 Furthermore, further evidence base is being produced by the CPRE on light pollution. Whereas the Dark Skies survey of the Broads 'looked up', the CPRE work 'looks down' from satellites. The findings of that report are due soon and will inform this section of the Local Plan.
- 2.8 Five organisations commented on this part of the Issues and Options and all supported attempts to tackle light pollution.

3 Major Hazards

- 3.1 The NPPF at Paragraph 172 requires Local Plans to consider public safety from major accidents: 'planning policies should be based on up-to-date information on the location of major hazards and on the mitigation of the consequences of major accidents'.
- 3.2 Five types of hazards were identified:
- (i) Major hazard installations
 - Major hazards comprise a wide range of chemical process sites, fuel and chemical storage sites, and pipelines. The Health and Safety Executive/Laboratory were contacted in January 2016. They advise that the consultation distances for these sites can be downloaded from their website. There are three areas identified near to the Broads Authority Executive Area that are classed as major hazard installations, one each in Hoveton, Norwich and Horning but there is no information on the nature of the hazard.
 - (ii) Major accident hazard pipelines
 - These carry gas for example. The Health and Safety Executive/Laboratory were contacted in January 2016. They responded with locations of some potential pipelines that could be of relevance to the Broads Authority.
 - RWE nPower plc operate a gas pipeline that skirts around the Broads Authority Executive Area at Caister on Sea and the Trinity Broads. This pipeline does go through the Executive Area across the River Thurne between Ludham and Potter Heigham.
 - National Grid Gas PLC operates a gas pipeline that crosses the Broads Authority Executive Area at two locations. It crosses the River Yare between Brundall and Norwich and cross the River Bure between Belaugh and Wroxham.

- There are other pipelines which are likely not to be major pipelines (as they are not on the dataset from the National Grid website). Information provided from the Health and Safety Executive only have a start and end point. These additional pipelines are:
 - Norwich to Loddon. The start point in Norwich is in the Broads Executive Area, at the car park at Whitlingham.
 - Loddon to Hopton. This looks like it would pass through the Broads.
 - Loddon to Wissett Lodge. This looks like it would pass through the Waveney between Beccles and Bungay.
- (iii) Explosive sites
- These sites are licensed to manufacture or store explosive materials. HSE would consider explosives sites to be those sites licensed by HSE for the manufacture and/or storage of explosives where the requirements of Regulation 13 (8) of ER 2014 apply. <http://www.hse.gov.uk/explosives/new-regulations.htm> . The Explosive Sites Team of Health and Safety Executive were contacted in January 2016. They responded with some potential sites near to the Broads, but none of the sites provided are within the Broads. The nearest are at the port of Great Yarmouth.
- (iv) Nuclear installations
- Installations and consultation distances that affect the Broads Authority Executive Area. The Office for Nuclear Regulation was contacted in January 2016. They responded saying: *'On behalf of the Office for Nuclear Regulation, I can confirm that there are no (ONR) consultation areas around nuclear sites that extend into the area for which the Broads Authority is the local planning authority. There are therefore no nuclear major accident hazards that you would need to consider during the development of your Local Plan.'*
- (v) Control of Major Accident Hazard Regulations (COMAH)
- Such sites may include those involving gas storage or chemical production for example. The Environment Agency advised in February 2016 that COMAH sites could be of relevance to this requirement of the NPPF. They assessed their data and concluded that there are no such sites within the BA area, but there are sites at Great Yarmouth; Norwich and Catfield. However, they are all at least 1km outside the Broads area.
- 3.3 These are not included in map format in this document because of security concerns.
- 3.4 There are no COMAH sites, nuclear installations or explosive sites of relevance to the Broads Authority Executive Area.
- 3.5 As the Local Plan is produced, it will be important to check proximity of any site allocations to the pipelines and installations.

4 Safety by the Water

- 4.1 There is no legislation to govern the provision of safety equipment in relation to personal risk by the water. There are guides which the Authority directs potential developers of waterside development towards. On occasion, the Authority adds conditions to planning permissions relating to development near the waterside (usually moorings) to ensure the provision of a means of getting out of the water in any tidal condition (usually ladders and grab fixtures).
- 4.2 Typical safety features which this section relates to are:
- Way of getting out of the water.
 - Chain, rail or similar structure that someone in the water can grab onto in any tidal conditions.
 - Lifebuoys or unlocked throw lines
- 4.3 A workshop was held with Head of Safety Management, Senior Waterways and Recreation Officer and the Rivers Engineer along with Development Management to write this section. The proposed draft section is at Appendix 2 to this report.

5 Financial Implications

- 5.1 Generally officer time in producing these policies and any associated guidance as well as in using the policies to determining planning applications.
- 5.2 For future applicants, they may need to improve lighting in their schemes as well as safety issues. These can be considered at an early stage and therefore do not necessarily have to add to a schemes cost significantly. The viability of all policies will be assessed.

Background papers: None

Author: Natalie Beal
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Appendices: APPENDIX 1 – Dark Skies report
APPENDIX 2 - Safety by the Water section of the Local Plan
Click here for the Appendices:
<http://www.broads-authority.gov.uk/broads-authority/committees/planning-committee/planning-committee-29-april-2015>