

**NOISE STRATEGY**



Consultation on:

# Issues and Options for the Westminster Noise Strategy



# CONTENTS

- What is the purpose of this Noise Issues and Options Report? 3**
- 1 Introduction 5**
  - Sound and Noise ..... 5**
- 2 Noise and the City of Westminster 9**
  - Impacts of Noise ..... 10**
  - Noise Laws, Policies and Responsibilities..... 13**
- 3 Issues and Options for the Westminster Noise Strategy 13**
  - Issue 1 Buildings and open spaces ..... 16**
  - Issue 2 Noise from neighbours ..... 21**
  - Issue 3 Noise associated with entertainment premises..... 24**
  - Issue 4 Noise from events ..... 28**
  - Issue 5 Roadworks and utilities works ..... 30**
  - Issue 6 Noise from transport ..... 31**
- What next? 35**
- Appendix 1 Key Noise Laws 36**
- Appendix 2 Key Noise Policies and Planning Conditions 37**

## **What is the purpose of this Noise Issues and Options Report?**

This Noise Issues and Options Report is the first step in developing the Westminster Noise Strategy. Its primary purpose is to give an opportunity to individuals and organisations to provide a steer to the council on the development of the Westminster Noise Strategy.

We would like your views on which noise issues and problems the Westminster Noise Strategy should focus on and how to address noise problems in Westminster:

- (1) Do you think the right noise problems and issues are identified in this report – are there any omissions?
- (2) Do have any comments on how the council should change or develop further the options identified?
- (3) Do you have additional ideas to reduce noise problems?
- (4) Do you or your organisation already have noise management solutions in place that you think could be used more widely?

Please return your comments on this Issues and Options Report by Monday 17<sup>th</sup> November 2008 so we can use your feedback to prepare a draft Westminster Noise Strategy. Comments should be posted or e-mailed to:

**Noise Issues and Options Report Consultation**  
**Sue Beaghan**  
**Community Protection Department**  
**Westminster City Council**  
**4th Floor City Hall**  
**64 Victoria Street**  
**SW1E 6QP**  
**[noisestrategy@westminster.gov.uk](mailto:noisestrategy@westminster.gov.uk)**

The draft Westminster Noise Strategy itself will be published for comment before it is finalised and formally approved for implementation in 2009. If you would like to discuss the Noise Issues and Issues Report with an officer, please phone 020 7641 1921 or e-mail [noisestrategy@westminster.gov.uk](mailto:noisestrategy@westminster.gov.uk)



# 1 Introduction

- 1.1 Some sounds in Westminster are iconic; Big Ben striking the hour or the sound of the changing of the guard are part of the character of Westminster. Sound is an important part of communication; it is a positive part of experiencing the city. However, many people suffer from the impacts of ‘unwanted sound’ - *noise*.
- 1.2 Westminster is noisy! There is a constant hum or roar of traffic spread through much of the city, and many noises cause annoyance or disturbance. The council’s 24-hour Noise Team now receives over 18,000 reports of noise problems a year.
- 1.3 The Westminster City Plan 2006–2016, prepared by Westminster City Partnership sets out an overarching strategy for improving quality of life and wellbeing across the city. The need to tackle noise pollution by reducing noise nuisance (particularly entertainment related noise and traffic noise) and to protect quieter areas are key actions in the Westminster City Plan.<sup>1</sup>
- 1.4 Last year the Leader of Westminster City Council made a commitment to develop the first noise strategy for Westminster to reduce noise problems – and the associated issue of vibration, which like noise can be disturbing. This Noise Issues and Options Report is the first step in developing the Westminster Noise Strategy. Its purpose is to provide a starting point for discussions with other agencies and organisations with noise management responsibilities.

## Sound and Noise

- 1.5 Before beginning to discuss Westminster’s noise environment and possible ways to reduce noise problems, it is useful to consider what is meant by the words ‘*sound*’ and ‘*noise*’ and how they are measured. Sound is caused by a pressure wave transmitted through air, water or some other medium. In the simplest terms, noise is defined as ‘unwanted sound’.
- 1.6 There are various types of sound measurement instruments and units of measurement – decibels (abbreviated dB) are one such measure. They can give some sense of the loudness of a sound but it is important to note an increase of 10 dB of a sound corresponds to a doubling of its loudness, but that a change of less than 3 dB is generally imperceptible to the human ear. Box1 sets out the decibel levels of some typical sounds.
- 1.7 It is not necessarily the loudest noises that cause most annoyance; some noises cause a problem because they are intermittent and unpredictable; and other noises have tonal characteristics that most people experience as unpleasant because they are screeches or deep and intrusive tones. Experience of noise is also relative to when it is heard. Louder or more intrusive noises are more of an issue when at bed-times than at other times of the day.

---

<sup>1</sup> Westminster City Plan 2006 – 2016, p 31

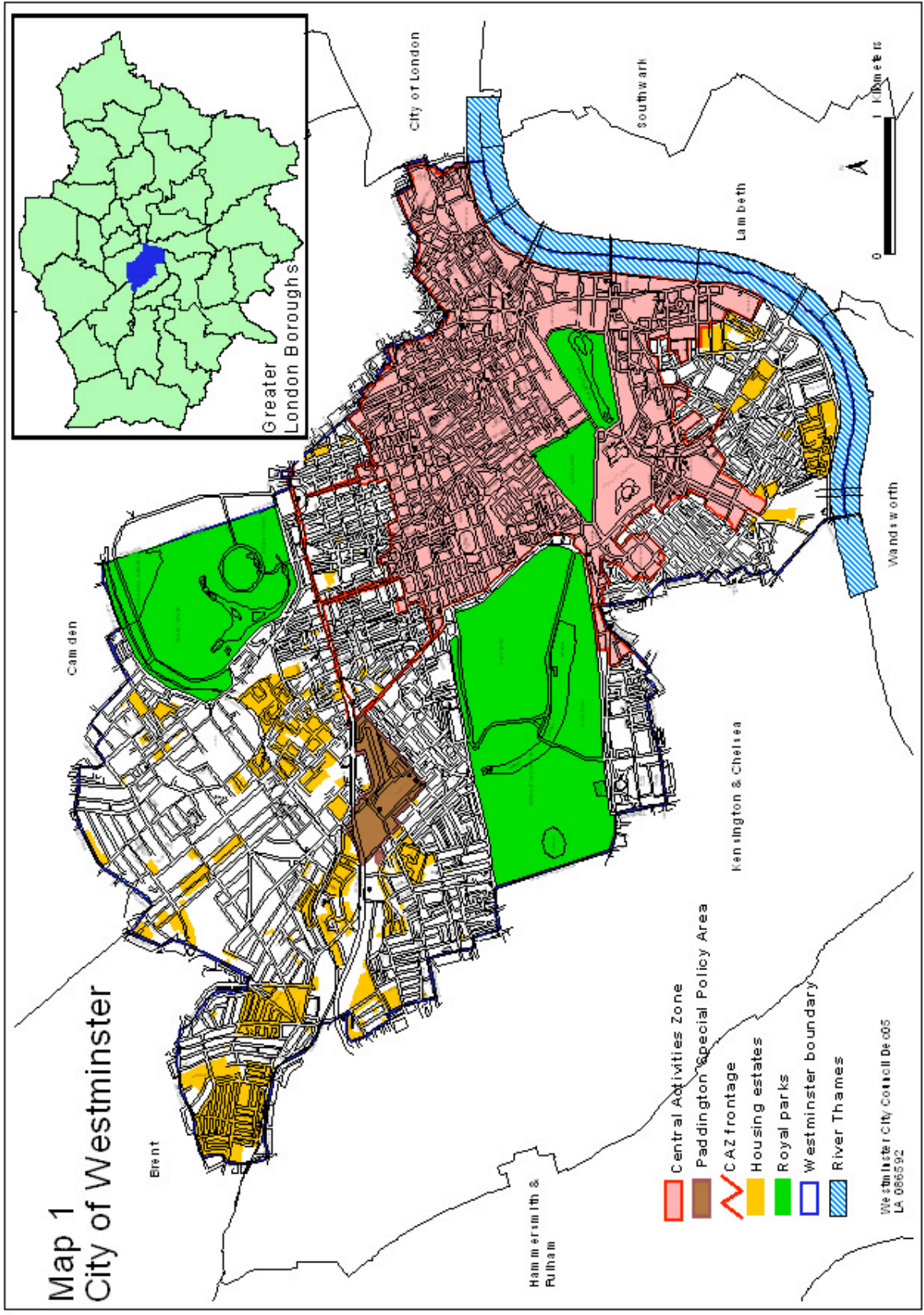
- 1.8 The collective effect of many different noise sources forms an ambient noise level. This may be made up of traffic noise, noise from air conditioning, from voices and many other sources. A particular noise is heard relative to this ambient noise. If the ambient noise level reduces in volume, other noises may be experienced as more disturbing, even though their volume has not changed. To illustrate, noise from people talking loudly on the street may sound more intrusive when the ambient noise level is quieter.
- 1.9 Identification of, and response to noise varies from person to person and is dependent on time and place. Assessing the impacts of noise is therefore as much about understanding perceptions and values as it is about measurement.

### Box 1 Examples of Typical Noise Levels

The table below shows approximate sound pressure levels for some typical noises. There is a very large variation around any of the following figures. In practice, environmental noise levels are continuously changing throughout time.

Noise source/situation	Sound Pressure Level in dB(A)	Typical subjective description
30m from military jet at take-off	140	Painful, intolerable
Pop concert, near stage	105	
Night club (typical locations within)	100	Extremely noisy
Pneumatic drill, at 7m	95	
Powered lawnmower at operator's ear, Older diesel lorry from footway	90	Very noisy
Ringling alarm clock at 1m	80	
Car or light van at 60 km/h from 7m	75	
Domestic vacuum cleaner at 3m, Telephone ringing at 2m	70	Noisy
Busy general office (typical locations within)	60	
Normal conversation at 1m	55-60	
Boiling kettle at 0.5m	50	
Refrigerator humming at 2m	40	
British Museum Reading Room	35	
Bedroom in quiet area with windows shut	20-30	Very quiet
Remote rural location with no specifically identifiable sound	20	
Threshold of hearing	0	Uncanny silence

Source: Taken from Mayor of London's Ambient Noise Strategy (GLA, 2004), based on various sources, including Draft Technical Guidance Note IPPC H3, Part 2, October 2001 and 'Bothered by Noise?' DETN/2, DETR (now Defra), 2001.





## 2 Noise and the City of Westminster

- 2.1 The City of Westminster has a large residential population estimated to be 244,400<sup>2</sup>, and forecasts suggest the population will exceed 300,000 by 2016. The daytime population of the city, expanded by workers and visitors, is close to 1 million.
- 2.2 Westminster has four of London's main line railway termini, with two, Paddington and Victoria, having direct connections to airports, Heathrow and Gatwick respectively; and ten out of twelve London Underground lines, including the network's busiest underground station, at Victoria.
- 2.3 Westminster is an important centre for commerce and tourism. Westminster has the highest amount of office floor space of any London borough and retail centres of international importance. There are over 40,000 businesses in Westminster and 90% of these employ fewer than 10 people. Westminster is home to Europe's largest night-time economy with over 3,000 eating, drinking and nightlife establishments concentrated primarily in central Westminster. Housing is the predominant land use in the north and west and south of Westminster, but there are smaller but significant and long established residential communities in the central part of the city.
- 2.4 The diverse built form and range of activities as well as the volumes of transport and pedestrian movement make Westminster unique; the city's noise environment reflects this. Westminster is significantly louder than other parts of London, with average noise levels in quieter areas of the city noisier than the average level in England and Wales. This was confirmed by the Westminster Noise Survey undertaken in 2008, which found that even during the night (23.00-07.00 hrs) Westminster had average noise levels of 55.7dB (A), while average daytime levels (07.00-19.00 hrs) were 62.0dB(A).
- 2.5 The impact of a particular noise can vary greatly over the course of a 24 hour period. Noise which may be acceptable during the day, or at least is masked by other ambient noise (the collective effect of the many different noise sources) may be very intrusive at night. The loudness and occurrence of noises, for example noise from people on the street, have seasonal differences and can vary enormously between summer and winter.
- 2.6 Noise levels can be starkly different even in areas within close proximity. An example of this is the noisy frontages of buildings on Park Lane and the much quieter back streets behind them. Parks and public gardens are an important feature of the landscape in Westminster. Against the hustle and bustle of the city they are particularly valued by many for the tranquillity they offer<sup>3</sup>.

---

<sup>2</sup> Mid Year Population Estimate, 2006

<sup>3</sup> 'Open Space Strategy', 2007, p 33

## Impacts of Noise

- 2.7 Noise (unwanted sound) is a serious environmental problem in Westminster. The World Health Organisation state that *to protect the majority of people from being seriously annoyed during the day-time, the sound pressure level on balconies, terraces and outdoor living areas should not exceed 55 dB  $L_{Aeq}$  for a steady continuous noise... at night, sound pressure levels at the outside façades of the living spaces should not exceed 45dB  $L_{Aeq}$  and 60dB  $L_{Amax}$* .
- 2.8 The Westminster Noise Survey, 2008 found that, as with most urban areas in the UK, noise levels in Westminster exceed the guideline levels set by the World Health Organisation by a significant margin (see Box 2)<sup>4</sup>.
- 2.9 There is a growing body of research<sup>5</sup> on the health impacts of noise disturbance. Permanent hearing damage can be caused immediately by sudden, extremely loud, explosive noises; immediate damage is likely at levels of 150dB. Hearing loss is more usually gradual because of prolonged exposure to noise. People often experience temporary deafness after leaving a noisy place, although hearing recovers within a few hours. However, this is a sign that if the person continues to be exposed to noise their hearing could be permanently damaged. Hearing loss is not the only problem. People may develop tinnitus (ringing, whistling, buzzing or humming in the ears), a distressing condition which can lead to disturbed sleep and be associated with sickness and loss of balance.
- 2.10 As well as impacts on hearing, noise can have effects on other aspects of physical and psychological health. Noise can lead to sleep disturbance which can have detrimental effects on health. There is also evidence linking environmental noise to cardiovascular disease.
- 2.11 The annoyance created by noise does not necessarily lead to more serious mental health issues and a causal relationship between noise and mental illness has not been proven. However, there is evidence to suggest annoyance can create “minor psychological problems such as tension, irritability and difficulty concentrating”<sup>6</sup>.
- 2.12 Research has also shown that exposure to noisy environments at school can adversely affect children’s learning and educational attainment. Noise can adversely affect performance, for example in reading, attentiveness, problem solving and memory.<sup>7</sup>

---

<sup>4</sup> ‘Westminster Noise Survey’, 2003, Westminster City Council and World Health Organisation published ‘Guidelines for Community Noise’, in 1999. These are discussed in further detail in Section 2 of this Report.

<sup>5</sup> London Health Commission ‘Noise & Health: Making the Link’

<sup>6</sup> London Health Commission (2003) ‘Noise and Health: Making the Link’ p8.

<sup>7</sup> World Health Organisation ‘Guidelines’, (p.XII)

## Box 2 World Health Organisation Guidelines for Community Noise in Specific Environments (Source: Mayor of London's Ambient Noise Strategy (GLA, 2004))

The World Health Organisation published guideline values for noise in 1999. The guidelines follow a precautionary approach, identifying, on the basis of scientific studies, the lowest noise the lowest noise levels below which adverse effects would not be expected (rather than thresholds above which adverse effects would occur).

Specific Environment	Critical health effect(s)	LAeq[dB]	Time base [hours]	LAm <sub>max, fast</sub> [dB]
Outdoor living area	Serious annoyance, daytime and evening	55	16	
Outdoor living area	Moderate annoyance, daytime and evening	50	16	
Dwelling, indoors	Speech intelligibility and moderate annoyance, daytime and evening	35	16	
Inside bedrooms	Sleep disturbance, night-time	30	8	45
Outside bedrooms	Sleep disturbance, window open (outdoor values)	45	8	60
School class rooms pre-schools, indoors	Speech intelligibility, disturbance of information extraction, message communication	35	During class	
Pre-school bedrooms, indoors	Sleep disturbance	30	Sleeping time	45
School playground outdoor	Annoyance (external source)	55	During play	
Hospital, ward rooms, indoors	Sleep disturbance, night time	30	8	40
Hospital, ward rooms, indoors	Sleep disturbance day-time and evening	30	16	
Hospitals, treatment rooms, indoors	Interference with rest and recovery	See note 1		
Industrial, commercial, shopping and traffic areas, indoors and outdoors	Hearing impairment	70	24	110
Ceremonies, festivals and entertainment events	Hearing impairment (patrons:<5times/year)	100	4	110
Public addresses, indoors and outdoors	Hearing impairment	85	1	110
Music, etc, through headphones/ earphones	Hearing impairment (free field value)	85 See note 4	1	110
Impulse sounds from toys, fireworks and firearms	Hearing impairment (adults)			140 See note 2
Impulse sounds from toys, fireworks and firearms	Hearing impairment (adults)			120 See note 2
Outdoors in parkland and conservation areas	Disruption of tranquillity	See note 3		

Note 1 As low as possible

Note 2 Peak sound pressure (not LAm<sub>max, fast</sub>), measured 100 mm from the ear

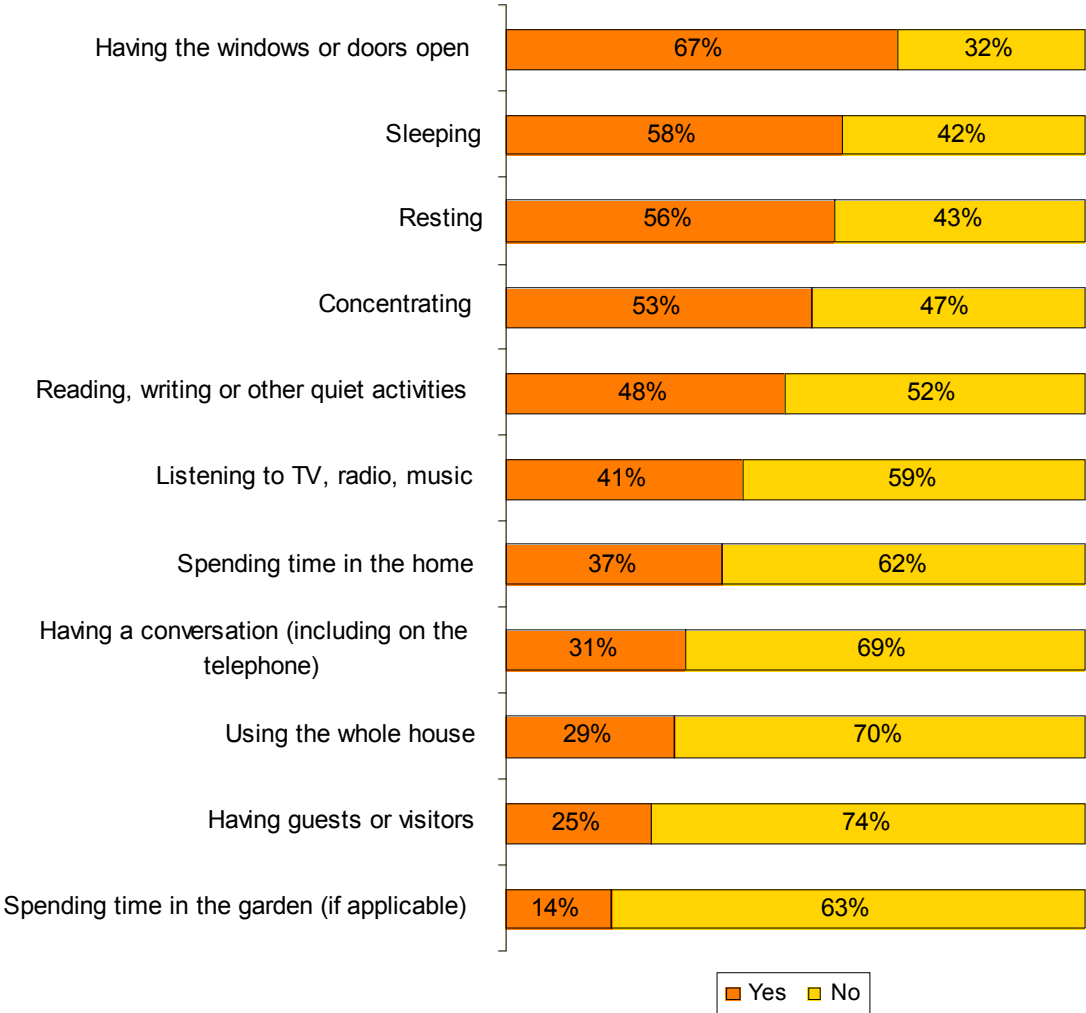
Note 3 Existing quiet outdoor areas should be preserved and the ratio of intruding noise to natural background sound should be kept low

Note 4 Under headphones, adapted to free-field values.

2.13 More generally, noise can also inhibit communication with others and can have an adverse effect on home life and enjoyment of public and private spaces in the city. This was reflected in the Westminster Resident Noise Attitude Survey, 2008 (see Box 2).

**Box 2 Interference effect of noise sources most bothering residents in Westminster (Source: Westminster Resident Noise Attitude Survey, 2008)**

A noise attitude survey of 2000 Westminster resident’s was recently undertaken (Westminster Noise Attitude Survey, 2008). Those residents who had been bothered by any noise sources were asked in what ways the most annoying of the noise sources had interfered with their home life. The chart below shows the percentages of residents who felt noise had interfered with a number of common activities.



## Noise Laws, Policies and Responsibilities

- 2.14 A number of council departments have responsibility for implementation and enforcement of noise legislation and policy (see Appendix 1 Key Noise Laws and Appendix 2 Key Noise Policies). The noise team has a central role in the investigation and abatement of *statutory noise nuisance*<sup>8</sup>. There are also several other sections of the council with statutory responsibilities relating to noise such as Building Control, Development Planning Services, Licensing and Housing. In addition, some of the council's own activities and services are themselves noise generating.
- 2.15 There are also a number of other public agencies with noise management responsibilities or activities with noise implications for Westminster, including:
- CityWest Homes and other Registered Social Landlords (RSLs)
  - Police and Emergency services
  - Transport for London
  - Highways Agency
  - Civil Aviation Authority
  - Health and Safety Executive
  - Magistrates Court
  - Ministry of Defence.
- 2.16 The activities of development industry, entertainment companies, utilities companies, waste and recycling companies and private residential landlords operating in Westminster also have noise implications.

---

<sup>8</sup> Under the Environmental Protection Act 1990, 'noise emitted from premises so as to be prejudicial to health or a nuisance' may constitute a **statutory nuisance**.

### 3 Issues and Options for the Westminster Noise Strategy

- 3.1 The council wants to narrow the gap from existing noise levels in Westminster towards World Health Organisation guideline levels. The Westminster Noise Strategy will set out actions to reduce noise problems and enhance Westminster sound environments with the objective of improving health, wellbeing and quality life and experience for Westminster's residents, workers and visitors.
- 3.2 The mixture of commercial and residential uses in areas of the city and even within individual buildings gives rise to a number of sustainability benefits and adds to the vibrancy of the city. However, it can also give rise to complex – and sometimes insoluble – noise management problems. Increased population growth and building and transport development increase the potential for noise generation.
- 3.3 Lifestyle and workplace changes are also important factors in considering the noise environment in Westminster. These wider environmental and societal changes have important implications for noise management, for example:
- home, flexible and shift working to support 24 hour working in an increasingly service focussed economy
  - increased leisure time and disposable income and corresponding growth in leisure activities
  - climatic changes leading to warmer summers
  - the increase in equipment and machinery in modern workplaces and homes.
- 3.4 Noise levels and sources vary *spatially* as well as *temporally*. Consideration of the personal dimension – the recognition that experience of noise varies between individuals – adds a further layer of complexity. These factors combine to present a significant challenge to developing the Westminster Noise Strategy and tackling noise problems.
- 3.5 While many noise problems are not readily solved, and reducing noise levels is a very long-term process, the Westminster Noise Strategy will need to take existing opportunities to reduce noise problems and look for new opportunities to improve the noise environment and ultimately quality of life. Identifying opportunities to reduce noise problems through exercise of Westminster City Council statutory functions and within its own service must be integral to the Westminster Noise Strategy. However, the council will need to work in partnership with the residential and business communities as well as other public authorities to deliver change.
- 3.6 The council needs a strategy for managing noise which protects residential amenity as well as supporting uses which contribute to the buzz and vitality of Westminster. This means finding ways to accommodate and manage growth and in particular noise generating uses, such as those from transport and the entertainment and leisure sector. It also means trying to achieve this in a way that recognises the need to protect, create and maintain times of peace and quiet and quieter places.
- 3.7 Based on the results of the Westminster Noise Attitude Survey, 2008 (see Box 3) , reports of noise complaints to the council, previous consultation exercises, and

discussions with local stakeholder in the process of preparing this Report<sup>9</sup>, the council has identified 6 clusters of key noise problems that the Noise Strategy should focus:

- **Issue 1 Buildings and open spaces**
- **Issue 2 Noise from neighbours**
- **Issue 3 Noise from events**
- **Issue 4 Noise associated with entertainment premises (including waste and recycling collections)**
- **Issue 5 Noise from road and utilities works**
- **Issue 6 Noise from transport.**

---

<sup>9</sup> This includes feedback from the Westminster Amenity Society meeting of 13 May 2008 and discussions with residents during the April/ May round of Area Forum meetings.

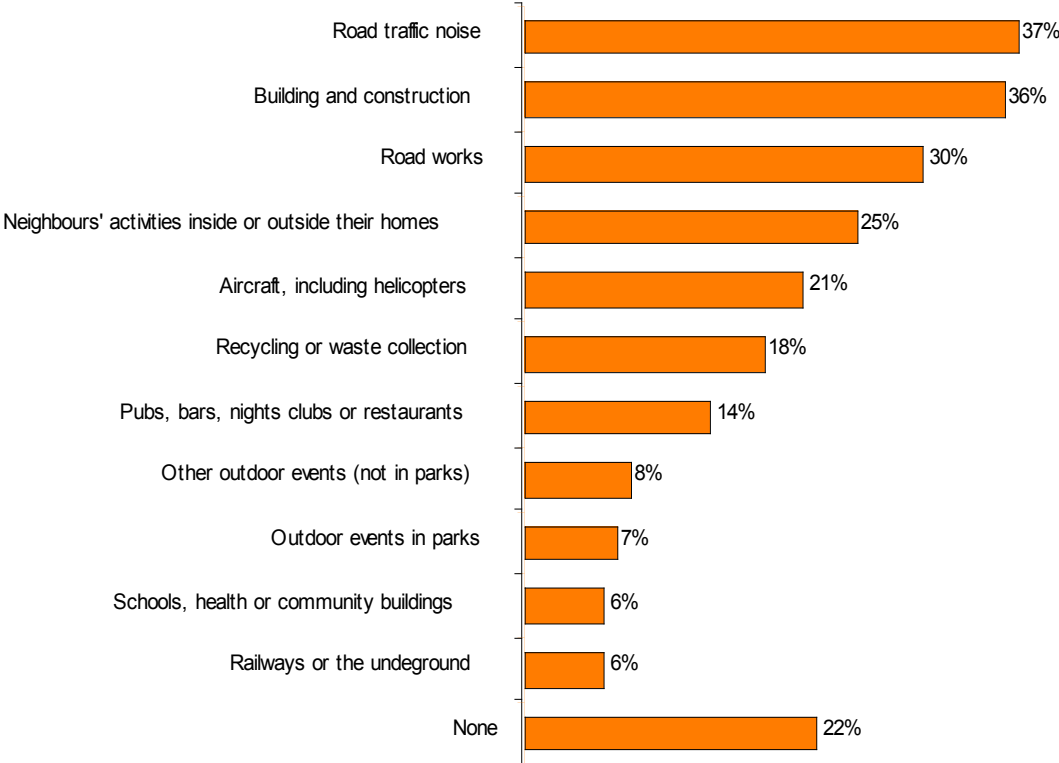
### Box 3 Noise sources most bothering residents in Westminster

A noise attitude survey of 2000 Westminster resident’s was recently undertaken (Westminster Noise Attitude Survey, 2008). This survey revealed that road traffic noise, noise from construction, and road works, and noise from neighbours were the top sources of noise problems. Residents were asked whether they had been bothered by a number of different noise sources while at home in the last 12 months. The list included the following noise sources:

- railways or the Underground
- recycling or waste collection
- outdoor events in parks
- other outdoor events (not in parks)
- pubs, bars, night clubs or restaurants
- schools, health or community buildings
- other businesses (shops, offices or workspaces)
- neighbours’ activities inside or outside their homes
- building and construction
- road works
- road traffic noise
- aircraft, including helicopters
- other noises.

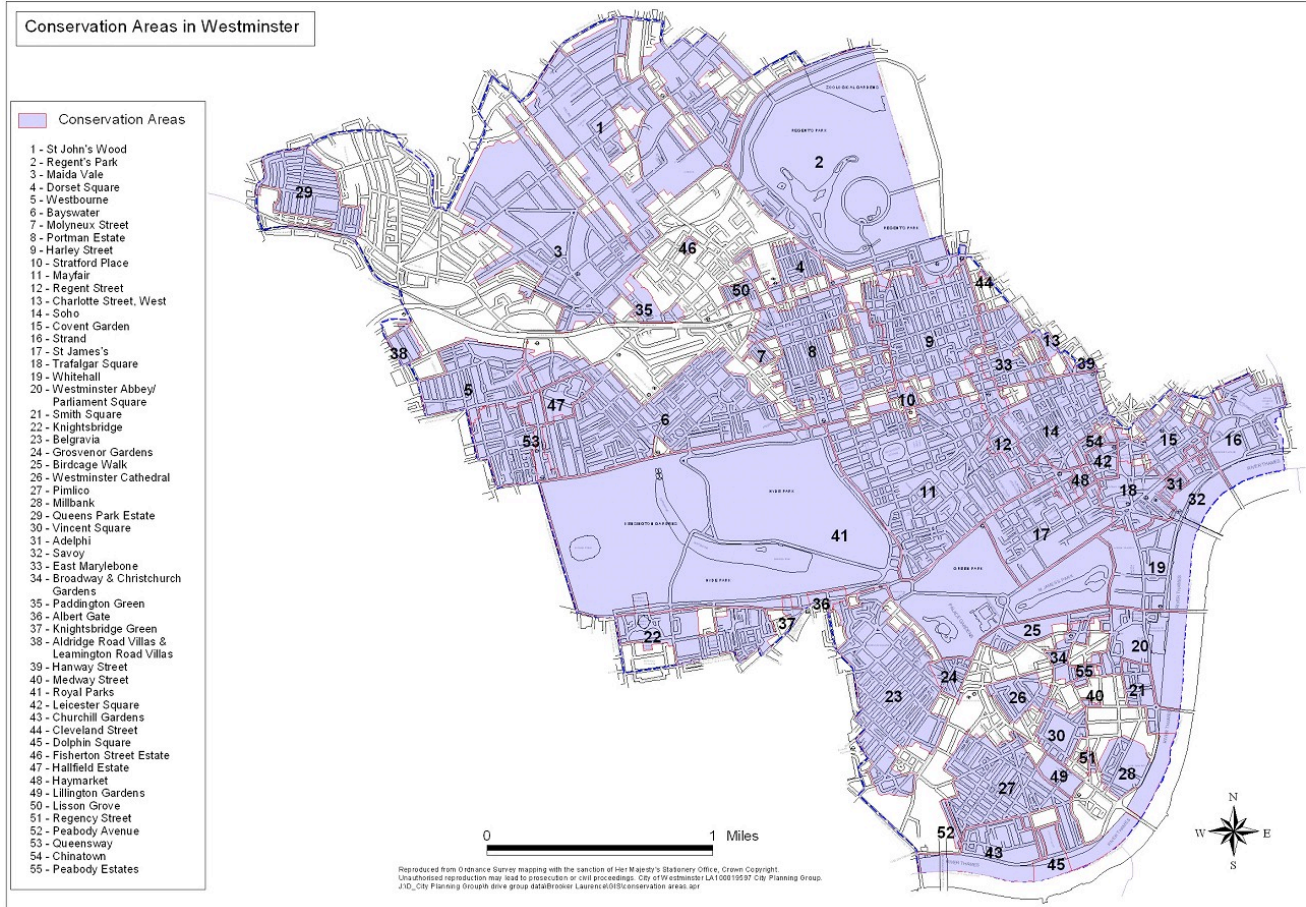
The chart below shows the top noise sources cited by residents. Percentages add to more than 100% because those surveyed could list more than one noise source.

Percentage of residents bothered by noise sources





3.8 Westminster has a rich historic environment; Conservation Areas cover over 78% of the city, which contains 11,000 listed buildings and structures (see Map 2). Conservation of this built environment is central to the council's planning approach. Westminster is also a city of change and growth. This is evidenced by the large number of construction projects across the city. Construction activities can generate high levels of noise. Proposals for the development of Crossrail at several sites throughout the city and the development of the Victoria Station interchange present major noise management challenges. Major transport infrastructure and building projects are not the only source of construction noise; even minor renovations can have significant local noise impacts.

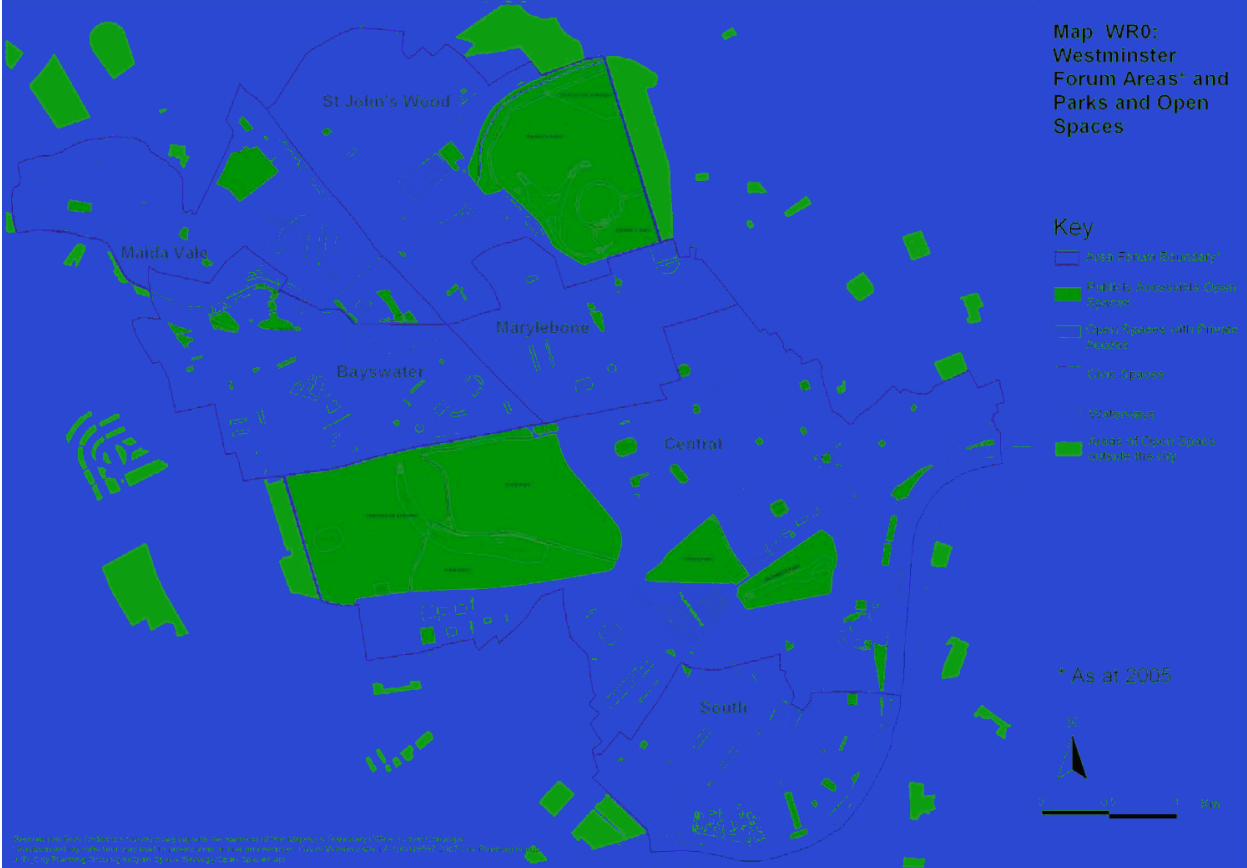


Map 2: Conservation Areas in Westminster

3.9 Before building and construction work takes place, there are planning and design processes that shape where certain types of activities and development can occur in the city and the form that they may take. Protecting *noise sensitive uses*, such as homes and schools and noise 'receptors' – the residents and occupants of noise sensitive developments – from noise is already an important part of this planning and design process.

3.10 In a historic and densely developed city like Westminster, complete physical separation of noise sensitive uses from major noise generators is not always going to be practical and is sometimes not desirable in terms of maintaining the diversity of uses in central areas of the city.

- 3.11 Public consultation<sup>10</sup> has highlighted that noise from air conditioning and other plant is a particular problem in Westminster. Although not exclusive to either mixed use developments or central areas in the city, this problem is more pronounced in these circumstances.
- 3.12 Open spaces, including the Royal Parks, are an important feature of the landscape in Westminster (see Map 3) and providing respite from the hustle and bustle of the city<sup>11</sup>. The relative tranquillity of these spaces is integral to their enjoyment and unwelcome noise intrusion into these spaces has been the subject of complaints and concern.



Map 3 Open Spaces in Westminster  
 Source: Westminster Open Space Strategy, 2007

- 3.13 Tackling noise at source and protecting against noise exposure are essential. It is also important to recognise the positive features of Westminster’s *soundscapes* (aural landscapes)<sup>12</sup>. There may be potential for positive interventions to enhance Westminster’s soundscapes, alongside noise mitigation measures.

<sup>10</sup> For example in relation to the Local Development Framework, Core Strategy Issues and Options Document, May 2007

<sup>11</sup> Open Space Strategy, 2007, p 33

<sup>12</sup> There has been research on the role of positive sounds (and not just intrusive noises) in design and planning: Positive Soundscapes Project, 2006, ongoing , University of Salford

### **What does the council already do?**

- 3.14 The Westminster Unitary Development Plan (UDP), 2007 contains stringent planning policies setting internal noise standards and maximum noise emission standards for buildings, plant and other equipment. The UDP also highlights the particular value of many open spaces, parks and gardens in providing tranquillity. The UDP will eventually be replaced by the Local Development Framework Core Strategy Development Plan Document and City Management Development Plan Document, which are currently being prepared.
- 3.15 The planning policies set out in the UDP are implemented by the council through the process of granting and refusing planning permission. When planning permissions are granted, this permission is often conditional and subject to a range of *planning conditions* that a developer will need to follow (see Appendix 1, for further details).
- 3.16 Breaches of planning conditions and development without the necessary planning permission are investigated and enforced by the council's planning enforcement team. A large number of their cases are noise problems; this is often in relation to plant and equipment. This team liaises with the noise team in cases where there is a *statutory noise nuisance* element.
- 3.17 Westminster City Council also operates a Code of Construction Practice which sets standards and procedures for managing the environmental impact of constructing major projects within the City of Westminster. It includes specific provisions in relation to noise. The Code of Construction Practice applies predominantly to large scale developments and major infrastructure projects.
- 3.18 National Building Regulations cover internal sound insulation in new buildings<sup>13</sup>. The council's building control section enforces Building Regulations, including 'Part E: Sound Insulation' requirements for internal sound transmission. Structural noise can still be a problem even in newer buildings. Transfer of noise *within* older buildings can be a particularly acute problem. This is an issue in Westminster which has lots of older building stock.

### **What are the challenges to addressing this noise issue now or in the future?**

- 3.19 Planning and design policies can help secure a healthy noise environment for residents and other occupiers of buildings and can make a significant contribution to noise management within the city. While planning and design processes have an important role, there is a wide range of factors that contribute to the quality of the acoustic environment of buildings. In addition, there are constraints on powers available through existing planning legislation to tackle noise problems.
- 3.20 Building Regulations have an important role in preventing noise but there are limits to what can be achieved. Sound insulation and transmission is a very complex area; there is a distinction between what can be achieved for new building and what can be achieved in refurbishments. This is a particular issue in Westminster, which is densely built up and contains buildings and areas of particular historic and architectural value.

---

<sup>13</sup> Building Regulations (approved Document E). In addition, British Standard, BS 8233:1999 'Sound insulation and noise reduction for buildings'. Other guidance documents - BS8233 (general) and BB93 (schools) - consider both internal sound transmission and external noise.

- 3.21 Sometimes, building design measures to reduce noise may lead to other adverse impacts. For example, sealed windows may lead to a need for air conditioning units which in turn may contribute to local air pollution and increased noise levels as well as increased energy consumption. Similarly, design measures to reduce noise could lead to adverse impacts on the historic and architectural quality of a building. The challenge is to ensure that buildings are designed to minimise adverse impact on the acoustic environment and get the balance right between responding to environmental sustainability objectives and protecting the historic fabric of the city.

### **Options/ Ideas for the Westminster Noise Strategy:**

**1A** Assess current planning approaches and where appropriate strengthen planning policies and practices in relation to:

- locating noise sensitive uses
- managing the location, size and activities of entertainment uses
- controlling plant and equipment.

**1B** Develop more specific sustainable design guidance criteria and policies on noise for new buildings and renovations, including specific standards and guidance around plant and air conditioning, for implementation through design and planning processes and by improved maintenance.

**1C** Develop a case for, and lobby for the development of, a national noise rating system for:

- buildings
- plant and equipment.

This could be along the lines of current energy rating measures.

**1D** Review the effectiveness of current codes, controls and guidance on construction noise and vibration and identify scope for enhancements to these or new controls.

**1E** Review existing Building Regulations and identify and lobby for enhancement of these.

**1F** Review collaborative working arrangements within the council and identify ways to improve the assessment and mitigation of noise impacts from large transport construction projects.

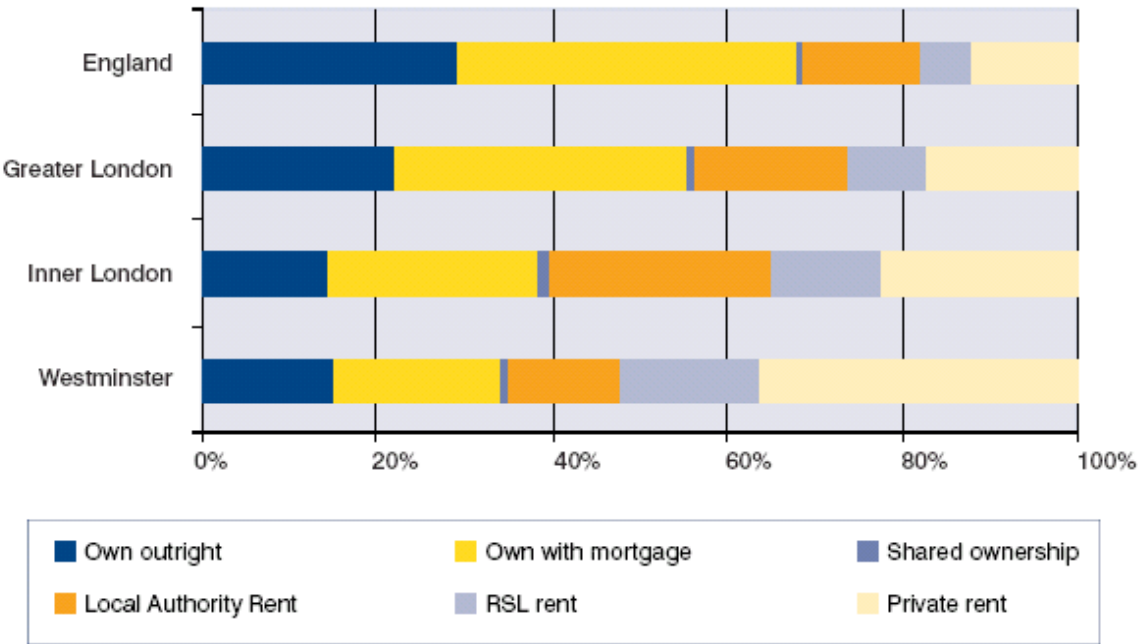
**1G** Develop criteria for identifying publicly accessible 'relatively tranquil areas' and identify or develop measures to limit unwanted noise intrusion and protect or enhance the sound environment in these.

**1H** Explore the potential to develop positive soundscape schemes for public spaces, to enhance the quality of the acoustic environment; and identify funding sources to support this.

## Issue 2: Noise from neighbours

3.22 Westminster is a lively and vibrant place to be and this has to be balanced with a need to respect people’s right to peaceful enjoyment of where they live. In common with most of inner London, rented accommodation is the dominant type of housing in Westminster. However, within the rented sector, private renting accommodates a greater proportion of households than in the rest of inner London, as illustrated (see Box 4).

### Box 4 Housing Tenure in Westminster



Source: Housing Strategy, 2007–12, based on Census 2001 data

3.23 An assessment of reports of noise problems to the council’s 24 hour noise team was carried out in 2005. This showed that the most common cause of noise problem reported is neighbours in their homes. In fact, over half of the 18,000 reports received by the noise team relate to neighbours inside or outside their homes.

3.24 A recent noise attitude survey of Westminster’s residents found that 25% of respondents have been bothered by noise from their neighbours. Noise from neighbours was found to be a particularly significant problem in the north west of the city and south of the city. These areas have a high concentration of flats where neighbours live in close proximity. This increases the chances of hearing neighbours making noise.

3.25 Noise from neighbours can cause a great deal of distress, particularly when heard late at night or during the early hours of the morning and resulting in loss of sleep. Noises made by neighbours inside their home can be from a variety of sources:

- shouting and arguments cause disturbance (not just because of the level of the noise but because of the associated anxiety).
  - loud music and parties
  - DIY
  - domestic appliances such as washing machines and vacuum cleaners
  - noise from pets (in particular barking dogs)
  - cars/motorbike engines and intruder or car alarms
  - ringing of malfunctioning intruder alarms
  - noise from fireworks (throughout the year)
  - garden equipment such as mowers and leaf blowers.
- 3.26 Noises made by neighbours outside are less widespread, although this is affected by the weather. Long warm summers see an increase in the number of complaints as more use is made of gardens and other open spaces, such as for parties, barbecues and children playing. Those affected by other people's activities are more likely to be disturbed in their own garden or home where windows are left open.
- 3.27 Noise from people standing around in the street and common areas on estates is seen as a problem by some residents. This may be registered as a noise issue but is also tied to the fear of crime and anti-social behaviour.
- 3.28 Problem neighbour noises vary considerably according to local and personal circumstances. People having different work patterns can exacerbate the situation. But fundamentally, people have different tolerances and varying expectations of the level, type and time of noise that they should experience. In addition, many people do not appreciate the severity of their noise impacts on neighbours.

### **What does the council already do?**

- 3.29 The council has a 24-hour noise team which deals with noise complaints all year round. Officers will speak to the resident who has reported a noise problem and give advice or arrange to visit and assess the noise problem. Noise problems can be dealt with in a formal way if they cause disturbance considered to be a 'statutory nuisance'. Following a successful pilot scheme with Civic Watch, a 24-hour noise team officer is working on the more longstanding complex noise issues in coordination with other partners such as Civic Watch, Safer Neighbourhoods Team, Social Services and CityWest Homes.
- 3.30 The 24-hour noise team encourages residents to speak to their neighbours in the first instance to try to resolve their problem. The complaints are dealt with on a priority basis and generally speaking the complaints that affect the largest number of residents are dealt with first. Not all noise that causes residents a problem can be determined as a statutory nuisance. In these cases, advice is available for residents to take their own action through the courts.
- 3.31 CityWest Homes manages Westminster City Council's 22,000 residential properties, of which just over 9,000 have been sold and almost 3,000 of these sold properties have been sublet. The standard tenancy agreement contains a condition prohibiting tenants from doing anything which causes or is likely to cause a nuisance or annoy someone else, including noise generating activities.
- 3.32 Residents living in housing managed by CityWest Homes are already provided with leaflets on dealing with noise issues and have access to mediation from two well

established providers: CALM and Camden Mediation Service. Mediation is a process in which an impartial third party (the professional mediator) aims to help people in dispute to find a mutually acceptable resolution, where possible.

### **What are the challenges to addressing this noise issue now or in the future?**

- 3.33 One of the initial challenges is to quantify the level of neighbour noise problems in Westminster and standardise the way they are reported. Information on noise complaints is reported in different ways by partners, such as the Police, CityWest Homes and the 24-hour noise team. Not all complaints of noise are recorded by all agencies.
- 3.34 As highlighted in paragraph 3.22 above, private rented housing makes up a third of Westminster Housing stock<sup>14</sup>. In the private rented sector the population is more transient than in the other sectors. Engaging with the very large number of private landlords and occupants of private rented homes (whether perpetrators of noise or suffering the effects of noise) presents a significant challenge.
- 3.35 Some older properties converted to flats (particularly in the north of the city) have inherent problems of poor sound quality; and noise from everyday living can be heard in adjacent flats. This results in complaints about noise from normal living. Although the occupants can be disturbed by noise from their neighbour it is very difficult to address these structural problems without massive costs and disruption.

### **Options/ ideas for the Westminster Noise Strategy:**

**2A** Review the process for the collection of noise complaint data from a range of organisations and develop ways to pool this information to enable increased understanding of issues and trends to form the basis for future actions.

**2B** Review the current liaison arrangements with other local organisations to improve coordinated intervention in noise-related anti-social behaviour issues.

**2C** Review the effectiveness of current codes, tenancy terms, and guidance on neighbour noise and identify scope for enhancements to these, or new controls.

**2D** Develop and publicise new guidance to residents on common noise issues such as parties, laminate flooring and DIY.

**2E** Review the take up of mediation services and potential for wider application.

**2F** Develop a programme to promote engagement with landlords and occupants of private rented stock to ensure improved response by them to noise issues, including the drafting of model tenancy clauses on noise.

**2G** Develop information packs on neighbour noise aimed at both those who have made complaints and those who have been the subject of them.

---

<sup>14</sup> Housing Strategy 2007 - 2012

### **Issue 3: Noise associated with entertainment premises**

- 3.36 An appropriate balance has to be struck between the legitimate aspirations of the entertainment industry and the needs of residents and other users of the city. There are several different dimensions and sources of noise problems associated with entertainment premises. These problems can be particularly acute in areas where there is a mix of residential and commercial premises, mainly in the central part of the city.
- 3.37 Noise from *inside* an entertainment premises such as voices or loudspeakers can be a problem; this is sometimes referred to as noise breakout. Common sources of the noise are music from loudspeakers. Patrons *outside* entertainment premises, such as in formal outdoor eating and drinking areas as well those who have spilled out informally onto the street to smoke or to enjoy good weather, can also lead to significant noise problems.
- 3.38 Noise from people on their way to and from entertainment premises can also affect residents even at some distance from the premises themselves, especially along routes to transport facilities, parking areas, near taxi or mini-cab ranks and near hot food takeaways. People lingering in the streets after leaving premises can be a nuisance due to the lateness of the hour. Having become accustomed to high noise levels within premises, their voices can remain elevated when leaving premises and walking along the road. Noise of this type is often unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults but most of it is “high spirits”. Noise from vehicles collecting customers (including car doors slamming and sounding of horns) adds to this.
- 3.39 A further source of noise nuisance, particularly affecting mixed use areas, relates to the servicing of premises such as deliveries, or waste and recycling collections. These noises can be particularly intrusive at night and in the early morning when ambient noise levels are lower. While this can be an issue throughout the city, the Westminster Resident Noise Attitude Survey (2008) found this was particularly acute in parts of the city with a greater mix of uses – West End, St James and Marylebone High Street wards.

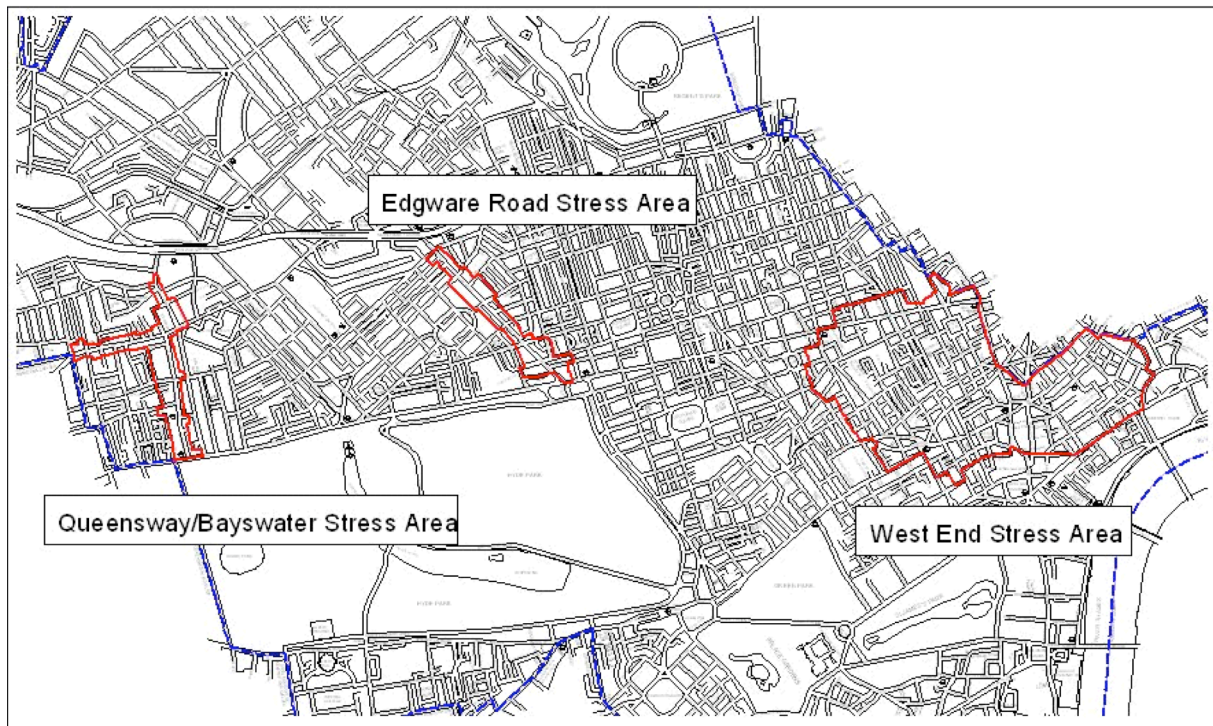
#### **What does the council already do?**

- 3.40 Under the Licensing Act 2003, the supply of alcohol, regulated entertainment and late night refreshment are all licensable activities at premises. The Licensing Act, 2003 has four main objectives, these are:
- prevention of crime and disorder
  - public safety
  - prevention of public nuisance
  - protection of children from harm.
- 3.41 The council issues these licences with a requirement to adhere to certain conditions in accordance with the council’s statement of Licensing Policy, 2008. These conditions are imposed to address the licensing objectives. As a result of this a number of noise conditions have been attached to new premises’ licences being granted in the Westminster area. This applies to new applications for licenses which are relatively few in number. Where problems arise from existing licensed premises,



which comprise the vast majority, changes can only be made through a formal review process if the licensee has failed to comply with the conditions or promote the main licensing objectives. The review process can be initiated by a *responsible authority* such as the council, but also residents and businesses.

- 3.42 In certain parts of the city, where the increased concentration of entertainment uses and the longer hours of operation have had a cumulative adverse effect on local environmental quality, the council have identified stress areas. In these 'stress areas', the council does not permit further planning permission or licenses for entertainment uses within certain categories that would add to this detrimental impact. Planning conditions to some commercial premises throughout the city do limit the times for collection and deliveries.



Map 2 'Stress Areas' in Westminster

- 3.43 Noise management issues are part of the assessment process used by the council in appointing contractors, and is part of the tender evaluation criteria for the street cleansing and waste collection contract. The council has established an active partnering approach with its own waste, recycling and cleansing contractors to address such issues.
- 3.44 Plastic shovels have been introduced for use by the street cleansing teams to reduce noise. The code of practice for the operation of cleansing vehicles includes considerations to reduce disturbance by noise. The use of the vehicle hydraulics and crushing equipment is often noisier than the sound of the vehicle, so in noise sensitive areas the vehicles don't operate this until they leave the street.

## **What are the challenges to addressing this noise issue now or in the future?**

- 3.45 The evidence base for noise related to entertainment premises is not comprehensive. Information from partners is held in differing ways and details on noise issues in the street, which could be related to the premises, are not co-ordinated. It is also a challenge to capture the information in a way that usefully relates back to specific locations. There is the problem of relating specific noise related anti-social behaviour to identifiable premises and suggesting controls that could be put in place to reduce the impact on the noise environment. Monitoring the effectiveness of new policies and processes will be difficult because many of the noise problems occur away from the initial place of entertainment.
- 3.46 The timing of cleansing activities, waste collection and deliveries can be a problem as they are best performed when streets are clear of people (early morning collections and deliveries can be disturbing for the same reason). This is compounded by some commercial waste and recycling operators who want to operate in the early hours before congestion charging begins. In mixed use areas, the removal of waste and glass bottles in particular, from inside the premises, can be disturbing, particularly if it is done late at night when the ambient noise level is lower.
- 3.47 The locations of the main waste vehicle depots are outside Westminster as are the disposal points. These depots are time restricted, which limits the flexibility on the operational time band for the vehicles. There are several different waste collection services operating in Westminster and the council has limited control over the activities of private commercial waste and recycling operators that service businesses throughout the city.

### **Options/ ideas for the Westminster Noise Strategy**

**3A** Review the effectiveness of current policies, conditions, codes and regulations on noise from licensed premises and identify the scope for new controls or enhancement to these.

**3B** Develop voluntary codes of practice for licensed premises.

**3C** Consider the potential to lobby for increased enforcement powers.

**3D** Review the process for collection and analysis of noise complaints/evidence of noise related to licensed premises collected by other local organisations, to develop a full picture of noise issues.

**3E** Assess the scope to develop informal local agreements between residents and licensed premises to reduce noise impacts.

**3F** Develop an initiative to increase local community understanding of and participation in licensing processes.

**3G** Explore the potential to influence the choice of public transport routes and pick-up points and to channel people away swiftly from licensed premises.

**3H** Review the collaborative working arrangements between licensing inspectors, safer neighbourhood officers, noise team and other enforcement officers to improve enforcement capability.

**3I** Assess the potential to review and implement quieter waste and recycling collection operational arrangements and vehicles.

**3J** Develop a training package for waste and recycling collection staff to minimise the noise impacts from waste and recycling collections.

**3K** Explore the potential to lobby for greater regulation of private commercial waste and recycling services.

**3L** Review the effectiveness of current forms of control for dealing with noise from delivery vehicles and identify scope for new controls or enhancement to these.

## Issue 4: Noise from events

- 3.48 Each year there are many events in Hyde Park and Regent's Park as well as in some of the smaller squares and gardens. They are attended by hundreds of thousands of people looking to have a good time in Westminster. There are also many street based events, including the annual Notting Hill Carnival. The council noise monitors the bigger events. Westminster will play a key role in the delivery of the 2012 Olympics and will host five events: archery, beach volleyball, cycling, the marathon and the triathlon.
- 3.49 As Westminster is home to the national Parliament, as well as iconic locations such as Trafalgar Square, it means that the city is also the focus for a large number of demonstrations and open air events. As with concerts in the parks, these events and protests have been the subject of complaints about noise.

### What does the council already do?

- 3.50 The supply of alcohol, regulated entertainment and late night refreshment are all licensable activities at premises *and* public open spaces under the Licensing Act 2003. This allows the council to attach conditions to any licence issued, to prevent public nuisance caused by noise. The review process can be initiated by a *responsible authority* such as the council but also other interested parties, including residents and businesses, who can call a licensee to a 'Review' if they fail to comply with the conditions or to promote the main objectives of the Act.
- 3.51 There are also restrictions on the number of licensable events. While events do take place in smaller squares, including those privately owned, the majority are in the Royal Parks and Trafalgar Square. The Royal Parks licence permits up to 13 major events and 30 minor events per year within Westminster. In Trafalgar Square, 40 licensable events are permitted each year of which 20 can be major events. This does not restrict other activities not covered by the Licensing Act, 2003, for example political rallies. These are dealt with under the Environmental Protection Act, 1990 and health and safety legislation.
- 3.52 Vehicles in motion are exempt from the provisions of the Licensing Act 2003. As a result, the vehicles for parades such as the Notting Hill Carnival do not require a premises licence. The static sound systems operated in the Westminster area for the Notting Hill Carnival require a Temporary Event Notice in order to operate (but these are not required for events with fewer than 500 people involved). This is issued under the Licensing Act 2003, but only the Police can object to such a Notice where they consider this is justified on the grounds of the prevention of crime and disorder. The council has considered the use of Traffic Control Orders to place conditions on the organisers, requiring them to limit the noise emitted by both the floats and the static sound systems. Traffic Control Orders have always been needed to close local roads and allow the removal of vehicles which would otherwise be blocking the route of the carnival, but can cover other issues such as noise.
- 3.53 These large events often result in high numbers of complaints. The council uses the National Outdoor Events Association's Code of Practice for Outdoor Events and, on many occasions, requires stricter controls than in the national code. The Code and restrictions placed by the council are largely adhered to.

### **What are the challenges now and in the future?**

- 3.54 There is an increasing demand for use of the parks and other open spaces, such as Trafalgar Square, for outdoor events. This is likely to increase in the run up to the London 2012 Olympics. One of the biggest challenges which the local authority constantly faces is trying to balance the needs of local residents and businesses against the needs of event organisers and those attending events in Westminster.
- 3.55 The right to peaceful protest has been termed 'an essential foundation of democratic society'. Balancing this right with minimising disturbance to nearby residents and members of the public presents a challenge. A recent Government White Paper, 'The Governance of Britain – Constitutional Renewal', has suggested the repeal of the legislation that requires demonstrations in the vicinity of Parliament to apply for consent to use loudspeakers.

#### **Options/ ideas for the Westminster Noise Strategy:**

**4A** Assess the effectiveness of current forms of control for dealing with noise from outdoor events and identify scope for new controls or enhancements to these.

**4B** Assess the complaints received by the council, to shape future policy on the granting of further premises licences and consideration of 'Reviews' for outdoor events.

**4C** Assess the controls used to minimise noise impacts from Notting Hill Carnival and identify how they could be used more effectively.

**4D** Consider the existing communication process to residents about events in their area.

**4E** Develop a lobbying strategy for the review of the national Code of Practice for Outdoor Events.

## **Issue 5: Roadworks and utilities works**

3.56 The maintenance of Westminster's road network is a major source of noise disturbance. This can cause annoyance, particularly when carried out at night. Diversion of traffic to less-used routes can also create noise disturbance. Utilities maintenance works can also create noise. The main noise source is digging work, such as mechanical breaking by a JCB and slot cutting to get access.

### **What does the council already do?**

3.57 The council operates a Considerate Roadworks scheme; although membership is not compulsory the scheme has been taken up by all utilities companies and contractors including Transerv, the council's own provider. Where the roadworks are carried out by the council through Transerv, the scheme is followed and affected properties within a certain radius are notified. Where works are being carried out by Transport for London or other utilities companies the council asks for notification to be given to its noise team. The council notifies residents when undertaking roadworks on its own network.

3.58 The council also conducts random inspections of 30% of utilities works sites. New regulations under the Traffic Management Act, 2004 would allow the council to introduce a permit scheme for utilities companies. This is currently being consulted upon but would allow site specific conditions to be imposed.

### **What are the challenges to addressing this noise issue now or in the future?**

3.59 In planning roadworks, difficult decisions have to be made about the short term impacts and longer term benefits. Much of the repair work on the roads in Westminster is carried out by Transport for London. There is a constant struggle to keep the transport system moving. To facilitate this, most of the works to major roadways are carried out at times when there is less traffic. This is often late at night or at the weekend when residents are hoping for some respite from noise.

3.60 Utilities providers have a statutory right to undertake works on the highway, under the New Roads and Street Works Act, 1991. The council can't interfere with this right and can only set times based on the need to keep traffic moving, as part of its network management duty (under the Traffic Management Act, 2004). Under the 1991 Act, utilities providers only have a responsibility to notify those directly impacted by their works and consideration of noise impacts is not part of this.

### **Options/ ideas for the Westminster Noise Strategy:**

**5A** Review the noise aspects of the council's Considerate Roadworks scheme.

**5B** Develop noise-related conditions for the Utilities Permit scheme.

**5C** Review the effectiveness of current forms of notification about noise from road and utilities roadworks and identify the scope for new controls or improvement of the existing measures.

**5D** Lobby for noise to be recognised, and its specific impacts to be considered, in implementing road and utilities works and notification of these.

## **Issue 6: Noise from transport**

- 3.61 Transport is the major noise source in Westminster. Most of this is from road traffic, but noise from trains and aircraft also contribute to the ambient noise level.

### **Road traffic noise**

- 3.62 Referring to noise from road traffic is something of an oversimplification as there are several different sources encompassed. The general drone of road traffic comes from two different sources, noise from:

- the vehicle, both engine noise and its passing through the air
- the interface between the vehicle and road.

The sound of the tyres passing over the road surface can vary depending on the type and condition of the road surface and the tyres. Noise from the road surface tends to be more noticeable at higher speeds. However, with the continuing improvements in car and lorry design this changeover point is reducing. The quantity, speed and type of traffic are the main contributors to ambient noise.

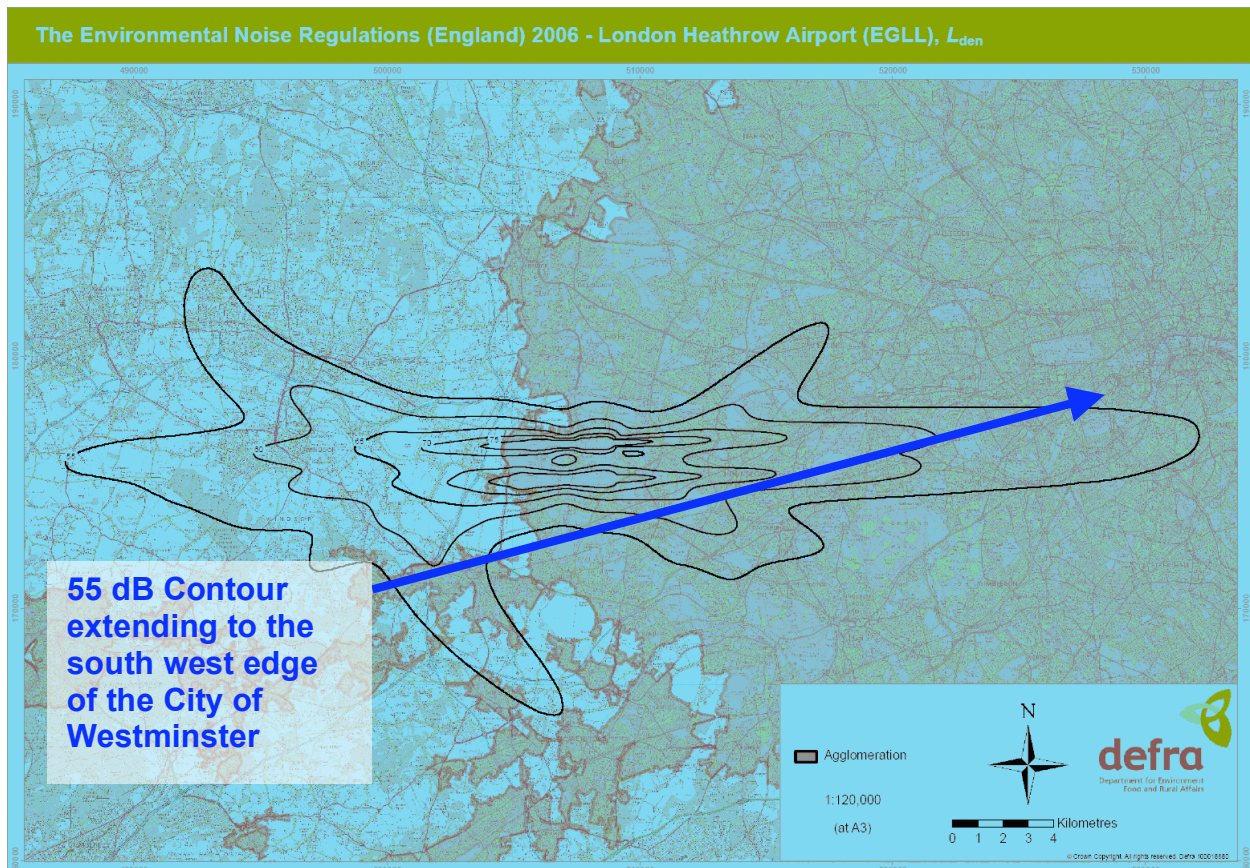
- 3.63 The mix of traffic is also significant, as heavy vehicles, buses and coaches are generally noisier than cars. But some motorbikes and scooters are disproportionately noisy for such a small vehicle.
- 3.64 Drivers' behaviour has an impact on the levels of noise and particularly the disturbance caused by traffic noise. The sound of car horns, sound systems in cars, warning signals and reversing alarms can be quite intrusive due to the short duration and unexpected nature of the noise. Acceleration and braking can also cause disturbance, particularly when these relate to traffic lights, roadworks and where new traffic calming measures have been introduced.
- 3.65 The council has received complaints from residents about noise from emergency sirens. The use of sirens by the police and other emergency services is controlled by the Road Vehicles (Construction and Use) Regulations 1996. These are necessary to protect the public and facilitate faster emergency responses. They are, to some extent, an inevitable noise which is a feature of living in central London.

### **Railway and Tube Noise**

- 3.66 As with noise from road traffic the train/rail interface is particularly significant in determining noise levels. The contact between track and vehicle is one source and another is the condition of the track and the track bed. This is particularly true with noise from the Underground in the Victoria area where vibration may be noticeable, as the lines are closer to the surface. Groundborne vibration can be heard as a low rumble in buildings, without residents actually experiencing vibration.
- 3.67 The number, type and speed of trains, amongst other things, affect trackside noise levels. Rattling windows are caused by airborne low frequency noise rather than actual structural vibration taking place. The council have also received some complaints about the level and frequency of station announcements.

## Planes and Helicopters

- 3.68 Aircraft noise has a lesser effect on Westminster than road transport. However, there are flight paths affecting Westminster which can lead to noise intrusion. Defra published airport noise maps for London earlier in 2008, which show the distribution of sound levels of 55dB(A) and above for daytime and 50dB(A) for night. Heathrow is the only London airport with a noise map contour of 55dB(A) or above, which is close to Westminster (this is illustrated on the Map below). The Heathrow 55dB(A) contour extends to the south-west boundary of the City of Westminster, and touches the edge of Churchill Gardens Estate. One implication is that in other parts of the south-west of Westminster the average noise from Heathrow aircraft is only just less than 55dB(A).



Source: Base map from Defra Website – with annotation added. This is the Heathrow Noise Map for London showing a composite of average day, evening and night levels (termed 'Lden').

- 3.69 Reports to the Westminster City Council noise team of annoyance from helicopter noise are few, as complaints are dealt with by the Civil Aviation Authority (CAA). However, aircraft noise does affect parts of the city. The main London helicopter route for single engine aircraft is along the River Thames, on the southern boundary of Westminster. The route is used by civilian and military helicopters and is part of the London CTR (Control Zone) subject to CAA regulations and guidance.
- 3.70 Twin-engined helicopters may fly over much of Westminster. There is no readily available data on the type, frequency and number of helicopters overflying Westminster. Over-flying is primarily by police and ambulance helicopters. Other uses include flights for royal use (the landing points are the grounds of Buckingham Palace and near Kensington Palace). Further uses are for purposes such as TV news cameras or to transport celebrities to events in central London. Helicopters are most



intrusive when they hover for prolonged periods, or operate at low level, especially at night.

### **Water Transport**

- 3.71 Complaints to the council about noise from the movement of river and canal boats are rare. However, there have been complaints in the past about public address systems from 'party' and 'trip' boats and noise from people and music aboard them. Licensing conditions have been applied in some cases.

### **What does the council already do?**

- 3.72 The council has formalised its consultation process on road traffic management, particularly when implementing new schemes, and looks at noise issues at an early stage with the intention of reducing the impact of noise on the surrounding residents and businesses. Road safety measures to encourage reduced speeds can also result in reduced traffic noise. But road safety measures (such as humps) can have adverse noise impacts due to increased braking and acceleration. There are some restrictions on movement of heavy goods vehicles through the city. As the type of vehicles driven in Westminster has an impact on the level of ambient transport noise, a reduction of the number of heavier and noisier vehicles in some areas can reduce general traffic noise in those local areas. The council has no powers to make changes to noise levels emitted from a vehicle's engine or exhaust.
- 3.73 The council has no powers to control noise from aircraft in flight (civil or military planes or helicopters). The council monitors and engages with and lobbies central government in relation to proposals for airport capacity enhancements and operational changes (such as to flight paths) to ensure that Westminster is not adversely affected by noise. The council does have powers to control aircraft noise to a limited extent, where it is associated with planning approval for the use of land in Westminster. A restrictive approach to the development of helicopter landing facilities is set out in the Westminster Unitary Development Plan, 2007. However, the council does not have powers to control helicopter movements or their noise in flight. The Civil Aviation Authority (CAA) regulates helicopter movements in London by defining helicopter routes and which helicopter flights can be made outside these routes.

### **What are the challenges to addressing this noise issue now or in the future?**

- 3.74 Road surfaces can generate slightly less noise if different surfaces are used, but these are more effective on high speed roads. But road resurfacing causes temporary noise during the works themselves.
- 3.75 From a maintenance perspective on both the Underground and the railways there is a potential conflict with the council's policy on construction working hours because, for operational and safety reasons, railway maintenance can largely be done only when train services are not running. The need for maintenance to ensure the smooth running of trains and the Underground, to reduce noise from track-borne noise and vibration has to be balanced against the noise and disturbance caused by the construction work and the need to do some of this during unsociable hours when the tracks are not in use.

- 3.76 In recent years, there has been a substantial rise in air traffic. Expansion of capacity at Heathrow and other airports in the South East and operational changes in terms of flight paths raise the potential for further significant increases of noise.

**Options/ ideas for the Westminster Noise Strategy:**

**6A** Review existing noise mapping of transport sources and work with the GLA and Defra to use their information to improve understanding of noise issues.

**6B** Develop a lobbying strategy to promote the development and use of planes, helicopters, trains and vehicles which are quieter in operating conditions.

**6C** Explore the further use of quieter road surfaces, the implications of traffic calming and traffic flow schemes, and a reduction in speed limits in residential areas, to reduce the noise impact from traffic. Identify funding sources to sustain this.

**6D** Explore options to improve identification and prioritisation of repairs to roads in relation to noise impacts.

**6E** Review the various existing vehicle restrictions for access within Westminster and liaise with appropriate bodies to publicise the conditions and strengthen enforcement.

**6F** Work with the Civil Aviation Authority to achieve improved monitoring of existing helicopter use and avoid increased noise from their movements in the area.

**6G** Work with emergency services to explore the potential to better manage noise from emergency vehicle sirens.

**6H** Work with transport providers to explore the potential to better manage noise from public announcements in stations.

## What next?

A shared commitment to the aims, objectives and delivery of any actions will be essential to the success of the Westminster Noise Strategy in reducing noise problems and ultimately improving wellbeing and quality of life.

The comments received on this Noise Issues & Options Report will contribute to developing a draft Westminster Noise Strategy. The council will also draw on advice from an Expert Advisory Panel set up for this strategy. The Panel is chaired by Professor Stephen Stansfeld, Professor of Psychiatry at Barts and the Royal London School of Medicine and Dentistry, University of London. Professor Stanfeld is an internationally recognised expert in the field of noise and health and noise cognition.

Parallel to preparing the Westminster Noise Strategy, a **Strategic Environmental Assessment (SEA)** will also be undertaken. The council wishes to ensure that in developing the Westminster Noise Strategy the full range of environmental impacts of individual actions proposed and their joint effect are considered, and any adverse impacts avoided or mitigated. Carrying out a Strategic Environmental Assessment (SEA) is a statutory requirement for certain strategies and programmes and provides a useful way of ensuring environmental protection objectives are met. An SEA includes the preparation of an Environment Report. *The Westminster Noise Strategy Environment Scoping Report* has also been prepared for consultation and is available on the council's website, with hard copies available on request; please call 020 7641 1921 or e-mail [noisestrategy@westminster.gov.uk](mailto:noisestrategy@westminster.gov.uk)

The Westminster Noise Strategy will include further specific objectives and, where appropriate, targets to support its implementation, to reduce noise problems in Westminster and enhance the sound environment. It will include an action plan for the council and other partner organisations.

The draft Westminster Noise Strategy (and the SEA Environment Report) will be published for comment before it is finalised. It will be formally approved by Westminster City Council in 2009. A programme of implementation will follow.

## Appendix 1 Key Noise Laws

At the European Community Level, the European Environmental Noise Directive, 2002 requires the UK to produce maps of *environmental* noise across England and action plans to reduce noise where necessary and maintain environmental noise quality where it is good. 'Environmental noise' refers to general environmental noise from transport and industry. The directive does not set any specific noise levels or values to be used in the action plans. However, the European Commission's 5<sup>th</sup> Environmental Action Plan on the environment proposed the following for night noise exposure **outside homes**:

- to phase out exposure above 65 dB LAeq;
- to ensure that at no point in time a level of 85 dB LAeq is exceeded;
- to aim to ensure that the proportions of the population exposed to average levels between 55 and 65 dB LAeq should not increase; and that
- exposure in quiet areas should not increase beyond 55 dB LAeq.

The European Commission's 6<sup>th</sup> Environmental Action Plan on the environment does not contain specific noise exposure levels but advocates a substantial reduction in the number of people regularly affected by long-term average noise levels.

The Environmental Noise (England) Regulations 2006 set a framework for the assessment and management of exposure to environmental noise to fulfil the requirements of the EU Environmental Noise Directive, 2002. Maps of transport noise have been published by the government during 2008 and the action plans associated with these are still being prepared. The government have said that they will publish a national noise strategy covering ambient and neighbour noise.

In England there are two main streams of legislation related to noise management. The first stream relates to prevention of statutory noise nuisance. The Control of Pollution Act, 1974 and the Environmental Protection Act, 1990 are central, but powers to enforce against noise are also contained in a range of other legislation including (but not limited to):

- Noise and Statutory Nuisance Act, 1993
- Noise Act, 1996
- Licensing Act, 2003.

The second stream of legislation is the planning legislation set out in the Planning and Compulsory Purchase Act, 2004, which provides a framework for noise management through the planning process. There is little integration between these two main streams of legislation.

Building Regulations 2003, Approved document E 'Resistance to the Passage of Sound' is also relevant. This requires that construction meets defined sound insulation standards. It does not consider emissions of noise *from* a building but covers:

- protection against sound from other parts of the building and adjoining buildings
- protection against sound within a dwelling house
- reverberation in the common internal parts of buildings containing flats or rooms for residential purposes
- acoustic conditions in schools.

## Appendix 2 Key Noise Policies and Planning Conditions

### Westminster City Council's Planning Policies

The council's planning policies are set out in the Unitary Development Plan (UDP), 1997. There are three specific noise policies; these are set out below.

**POLICY STRA 17 NOISE**, which sets out the council's aim to reduce noise levels in Westminster below maximum levels set out in the World Health Organisations (WHO) 'Guidelines for Community Noise'.

**POLICY ENV 6: NOISE POLLUTION**, states

"The council will:

- 1 require design features and operational measures to minimise and contain noise from developments, to protect noise sensitive properties
- 2 where developments adjoin other buildings or structures, require applicants to demonstrate that as far as is reasonably practicable developments will be designed and operated to prevent transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties
- 3 require a noise and vibration assessment report where development or change of use could affect noise sensitive properties
- 4 require residential developments to provide adequate protection from existing background noise
- 5 not permit development that would cause noise disturbance in tranquil areas
- 6 apply conditions when granting planning permission to restrict noise emissions, transmission of noise or perceptible vibration and hours of operation, to require incorporation of acoustic measures to meet these conditions and to require, where appropriate, such conditions to be complied with before new plant or the development is used
- 7 require all mechanical, ventilation and ducting equipment to be contained within the building envelope of new developments
- 8 encourage developers to ensure servicing of plant and machinery so that that noise conditions are met at all times
- 9 require developers, when carrying out construction work, to keep to a minimum disturbance to surrounding areas, and to adhere to hours of working agreed with the City council prior to start on site
- 10 seek measures to minimise and reduce noise from traffic."

**POLICY ENV 7: CONTROLLING NOISE FROM PLANT MACHINERY AND INTERNAL ACTIVITY**, states:

“(A) Where development is proposed, the council will require the applicant to demonstrate that this will be designed and operated so that any noise emitted by plant and machinery and from internal activities, including noise from amplified or unamplified music and human voices, will achieve the following standards in relation to the existing external noise level at the nearest noise sensitive properties, at the quietest time during which the plant operates or when there is internal activity at the development.

1) where the existing external noise level exceeds WHO Guideline levels of LAeq,12hrs 55dB daytime (07.00- 19.00); LAeq,4hrs 50dB evening (19.00-23.00); LAeq,8hrs 45dB night-time (23.00-07.00): either,

(a) and where noise from the proposed development will not contain tones or be intermittent sufficient to attract attention, the maximum emission level (LAeq15min) should not exceed 10 dB below the minimum external background noise at the nearest noise sensitive properties. The background noise level should be expressed in terms of LA90,15min or

(b) and where noise emitted from the proposed development will contain tones, or will be intermittent sufficient to attract attention, the maximum emission level (LAeq15min) should not exceed 15 dB below the minimum external background noise at the nearest noise sensitive properties. The background noise level should be expressed in terms of LA90,15min.

2) where the external background noise level does not exceed the above WHO Guideline levels, policy ENV 7(A)(1)(a) and (b) will apply except where the applicant is able to demonstrate to the council that the application of slightly reduced criteria of no more than 5 dB will provide sufficient protection to noise sensitive properties: either,

(a) where noise emitted from the proposed development will not contain tones or be intermittent sufficient to attract attention, the maximum emission level (LAeq15min) should not exceed 5dB below the minimum external background noise level at the nearest noise sensitive properties. The background noise levels should be expressed in terms of LA 90, 15min.

or

(b) where noise emitted from the proposed development will contain tones or will be intermittent sufficient to attract attention, the maximum emission level (LAeq15min) should not exceed 10 dB below the minimum external background noise level at the nearest noise sensitive properties. The background noise levels should be expressed in terms of LA 90, 15min.”

**Westminster City Council’s Noise Planning Conditions**

The council’s main standard noise conditions relate to the following matters:

- plant and machinery; noise and hours
- internal activity
- vibration
- where proposed or existing residential would suffer noise from outside, or from within the same or an adjoining building

- noise from emergency plant and generators.

The conditions are applied and varied in the grant of planning permission on a case by case basis. There are also other conditions indirectly related to noise management issues, for example hours of opening.

### **Westminster City Council's Licensing Policy, 2008**

Westminster City Council's Licensing Policy also contains provisions related to noise management. Protecting local environmental quality and specifically reducing noise impacts underlies many of the licensing policies. Policy PN1 Prevention of public nuisance is particularly relevant to the Noise Strategy and considers noise and vibration issues. It requires license applicants to have included measures to limit noise and vibration from their operation.

### **National and Regional Policies**

The current government Planning Policy Guidance Note 24 'Planning and Noise' (PPG24) outlines key considerations in determining applications for noise sensitive and noise creating development. It sets out a requirement for 'proportionate and reasonable' measures to control noise, and includes:

- engineering solutions – for example, using quiet machinery, containing or screening noise sources and noise receptors;
- layout solutions – for example, distance, screening by other buildings or non critical rooms in a building;
- administrative solutions – for example, limiting source operating time, restricting activities on the site, specifying an acceptable noise limit.

PPG 24 introduced the concept of Noise Exposure Categories (NEC), which local planning authorities should use when assessing proposals for **residential** development affected by road, rail, air traffic, or mixed sources and their protection from existing noise in the locality.

The Greater London Authority Act, 1999 requires the Mayor of London to prepare an *Ambient* Noise strategy - other sources of noise nuisance and workplace noise are excluded. The statutory ambient noise strategy, 'Sounder City' was published by the Greater London Authority (GLA) in March 2004. It seeks to minimise adverse impacts of noise and positively manage London's soundscape. It sets out a number of ways to achieve this including traffic management and urban design measures. The Mayor's Strategy focuses on environmental noise which is 'mostly the long term, outdoor and on-going sources like transport and industry' (The Mayor's Ambient Noise Strategy, 2004, page 1).

The regional spatial strategy, the London Plan is the strategic plan that sets out a planning framework for future spatial development in London and sets the policy framework for regional involvement in planning applications. The London Plan expresses the spatial dimensions of the regional ambient noise strategy. It includes a specific policy on noise: Policy 4A.20 Reducing noise and enhancing soundscapes, which states:

"The Mayor will and boroughs in DPDs should reduce noise by:

- minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals
- separating new noise sensitive development from major noise sources wherever practicable

- supporting new technologies and improved practices to reduce noise at source, especially in road, rail and air transport
- reducing the impact of traffic noise through highway management and transport policies
- containing noise from late night entertainment and other 24-hour activities, and where appropriate promoting well-managed designated locations
- identifying areas of relative tranquillity, which it is intended should be protected or enhanced.

The Mayor will work with strategic partners to ensure that the transport, spatial and design policies of this plan support the objectives, policies and proposals set out in the London Ambient Noise Strategy”.

Noise policies and programmes at the national and regional level are putting greater emphasis on protecting quieter or ‘relatively tranquil areas’. This is reflected in the Mayor’s Ambient Noise Strategy, 2004 and London Plan, 2008. Defra is working on proposals for identifying quieter area and the London Plan indicates additional criteria will also be established over time to identify areas of relative tranquillity.