



Appendix 10.2

NOISE POLICY REVIEW

Noise & Vibration

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Government Policy and Guidance

Noise Policy Statement for England (NPSE), 2010ⁱ

The Noise Policy Statement for England ('NPSE') is the overarching Government policy on noise. It seeks to clarify the underlying principles and aims in past and existing policy documents, legislation and guidance in relation to all forms of noise including environmental noise, neighbour noise and neighbourhood noise (but not noise in the workplace).

It uses the established concepts from toxicology of the No Observed Effect Level (NOEL) and the Lowest Observed Adverse Effect Level (LOAEL). As set out in the explanatory notes, the NPSE extends these by introducing Significant Observed Adverse Effect Level (SOAEL). This is the level above which significant adverse effects on health and quality of life occur.

However, the explanatory note to the NPSE states that it is not possible to identify a single objective value to define SOAEL for noise that is applicable to all sources of noise in all situations. It is likely to be different for different noise sources, for different receptors and at different times. The NPSE recognises that "*further research is required to increase understanding of what may constitute a significant adverse impact on health and quality of life from noise. However not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available*". Consequently, the practitioner must determine the appropriate threshold values to be adopted for the sources and situations being assessed, based on the available evidence.

The NPSE sets out the following long-term vision of noise policy and supporting aims:

"Noise Policy Vision

Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.

This long-term vision is supported by the following aims:

- *Avoid¹ significant adverse impacts on health and quality of life;*
- *Mitigate and minimise adverse impacts on health and quality of life; and*
- *Where possible, contribute to the improvement of health and quality of life.*

Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development."

Within the NPSE, the phrase "*within the context of Government policy on sustainable development*" is used. This means that noise must not be treated in isolation. Instead, when implementing the aims of the policy, consideration should be given to the economic and social benefit of the activity causing the noise as well as the other environmental effects of the development.

The second aim of the NPSE refers to noise impacts that lie somewhere between LOAEL and SOAEL. The NPSE asserts that, while this means that all reasonable steps should be taken to mitigate and minimise adverse effects, this does not mean that such adverse effects cannot occur.

¹ "Avoid" here does not mean a significant adverse effect cannot ever exist. Instead, it means make every effort so that significant adverse impacts do not occur. The hierarchy set out in the PPG:N confirms this to be the case – see Table 1. The reason is that the NPSE covers all sources and for historical legal reasons, there are certain circumstances (e.g., statutory nuisance legislation) where a significant adverse impact is lawfully allowed to occur.

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National Planning Policy Framework (NPPF), 2021ⁱⁱ

The potential impacts of noise are addressed in the following paragraphs of the NPPF:

- Paragraph 174e: “Planning policies and decisions should contribute to and enhance the natural and local environment by:…
 - e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans*”
- Paragraph 185: “Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
 - a) *mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; and*
 - b) *identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason*”
- Paragraph 187: “*Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.*”

Planning Practice Guidance for Noise (PPG:N), 2019ⁱⁱⁱ

Further government guidance on the consideration of noise for planning has been published as the PPG:N, last revised in July 2019. The PPG:N supports the NPPF by providing a range of advice and includes a noise exposure hierarchy table, and again makes reference to the NPSE.

The hierarchy table (reproduced in Table 1 below), provides descriptive (i.e., non-numerical) guidance on the potential effects of various degrees of noise exposure with reference to the effect levels referred to in the NPSE, i.e., where noise is above or below the NOEL, LOAEL and SOAEL, as well as featuring the additional effect level of No Observed Adverse Effect Level (NOAEL) and a description of unacceptable adverse effects that should be prevented. The table confirms that adverse effects (between LOAEL and SOAEL, where noise starts to cause small changes in behaviour or attitude) should be mitigated and reduced to a minimum. Increasing noise exposure will cause the SOAEL boundary to be crossed, with there being two types of adverse effect above it:

- A significant observed adverse effect – noise causes a material change in behaviour, e.g., keeping windows closed or avoiding certain activities at certain times. The planning process should be used to avoid this effect occurring, for example through choice of sites and use

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of appropriate mitigation. It is undesirable for such exposure to be caused, but as mentioned in the footnote on the previous page, there are circumstances when such effects can occur. Decisions must take account of the economic and social benefit of the activity causing or affected by the noise caused; and

- An unacceptable adverse effect – noise exposure would cause extensive and sustained adverse changes in behaviour and / or health without the ability to mitigate the effects of the noise. Under these circumstances, the impacts on health and quality of life are such that regardless of the benefits of the activity causing the noise this situation must be prevented from occurring.

Table 1 PPG:N Noise Exposure Hierarchy Table

Response	Examples of outcomes	Increasing effect level	Action
No Observed Effect Level			
Present and not intrusive	Noise can be heard, but does not cause any change in behaviour, attitude or other physiological response. Can slightly affect the acoustic character of the area but not such that there is a change in the quality of life	No Observed Effect	No specific measures required
No Observed Adverse Effect Level			
Present and intrusive	Noise can be heard and causes small changes in behaviour, attitude or other physiological response, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a small actual or perceived change in the quality of life.	No Observed Adverse Effect	No specific measures required
Lowest Observed Adverse Effect Level			
Present and disruptive	The noise causes a material change in behaviour, attitude or other physiological response, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area.	Observed Adverse Effect	Mitigate and reduce to a minimum
Significant Observed Adverse Effect level			
Present and disruptive	The noise causes a material change in behaviour, attitude or other physiological response, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area.	Significant Observed Adverse Effect	Avoid
Present and very disruptive	Extensive and regular changes in behaviour, attitude or other physiological response and/or an inability to mitigate effect of noise leading to psychological stress, e.g. regular sleep	Unacceptable Adverse Effect	Prevent

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Response	Examples of outcomes	Increasing effect level	Action
	deprivation/awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory.		

Regional Policy

***Oxfordshire County Council Local Transport and Connectivity Plan 2022-2050 (2022)*^{iv}**

Although the policies contained within the Transport and Connectivity Plan are not focused on reducing noise emissions, there are several references to the noise benefits that will arise as a result of their adoption. This includes policies: 6, 8, 9, 12, 14, 16, 28, 35, 41, 47, 49 and 50. In general terms, the policies encourage the use of more sustainable methods of transport, reduced speeds in urban areas which are likely to lower road traffic noise emissions, and also focus on creating green travel corridors away from noisy roads.

Local Policy

***Cherwell Local Plan*^v**

The Cherwell Local Plan 2011 – 2031 sets out the long-term spatial vision for the District and contains policies to assist in achieving that vision.

The Local Plan does not appear to contain any policies relating to noise which are applicable to the Proposed Development. However, the following ‘Saved Policies’ from the Cherwell Local Plan 1996^{vi} are relevant:

- ENV1 - Development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not normally be permitted.
- ENV6 - Developments at oxford airport which, either directly or indirectly, would be likely to increase noise nuisance will be resisted.

***Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford’s Unmet Housing Need*^{vii}**

The Site is identified as a key area for housing alongside expansion of the science park and Policy PR8 of the Local Plan Partial Review sets out how this is intended to be delivered. The proposals are for:

“A new urban neighbourhood will be developed on 190 hectares of land to the east of the A44, as shown on the policies map.”

Noise is directly mentioned in item d of the development proposals with regard to minimising noise levels on habitats, especially along wildlife corridors.

***Cherwell Planning and Noise Guidance (undated)*^{viii}**

This guidance states that any industrial or commercial development must not cause an increase in background noise levels at the nearest noise sensitive property, or at the boundary of the property.

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The guidance generally recommends that noise levels within residential properties should not exceed the World Health Organisation values where practicable. It sets out the following criteria for internal and external spaces:

Table 2 Cherwell Noise Guidance

Space	Time Period	Target Level
Bedrooms	night time (23:00 to 07:00) ^	30dB L _{Aeq}
Living Rooms	day time (07:00 to 23:00)	40dB L _{Aeq}
Gardens and Terraces	day time*(07:00 to 23:00)	55dB L _{Aeq}
Notes: ^ Individual noise events should not exceed 45dB L _{AMAX} at night (BS 8233. 1999) *Not in town centre or near main roads		

It is noted that the guidance is not dated but does refer to the previous version of BS 8233 which was updated in 2014.

ⁱ Defra (2010), Noise Policy Statement for England

ⁱⁱ Ministry of Housing, Communities & Local Government (2021), National Planning Policy Framework.

ⁱⁱⁱ Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government (2019), Planning Practice Guidance: Noise.

^{iv} Oxfordshire County Council (2022), Local Transport and Connectivity Plan 2022 – 2050

^v Cherwell District Council (2015), The Cherwell Local Plan 2011 – 2031 (Incorporating Policy Bicester 13 re-adopted on 19 December 2016).

^{vi} Cherwell District Council (1996) The Cherwell Local Plan

^{vii} Cherwell District Council (2020) Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford's Unmet Housing Need (PR2020)

^{viii} Cherwell District Council (undated), Planning and noise guidance, <https://www.cherwell.gov.uk/info/69/pollution/480/planning-and-noise-guidance/2>