Appendix 10.1: Policy, Standards and Guidance

National Planning Policy Framework

In July 2023 the National Planning Policy Framework (NPPF) was amended as the current national planning policy that applies to England.

Paragraph 185 of the NPPF states:

> *"Planning policies and decisions should also ensure that new development is appropriate for its location taking in account the likely effects (including cumulative effects) of pollution on heath, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impact 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 impact on health and the quality of life;*

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 of the NPPF states:

> *"Planning policies and decisions should ensure that new development can be integrated with existing business 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".*

Noise Policy Statement for England

With regard to 'significant adverse impacts on health and the quality of life', the NPPF refers to the 'Noise Policy Statement for England' (NPSE).

The Noise Policy Statement for England refers to the World Health Organisation when discussing noise impacts and introduces observed effect levels which are based on established concepts from toxicology that are applied to noise impacts by WHO.

Three levels are defined as follows:

"NOEL – No Observed Effect Level

- *This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.*

LOAEL – Lowest Observed Adverse Effect Level

- *This is the level above which adverse effects on health and quality of life can be detected.*

SOAEL – Significant Observed Adverse Effect Level

- *This is the level above which significant adverse effects on health and quality of life occur".*

The first aim of the NPSE states that significant adverse effects on health and quality of life should be avoided. The second aim refers to the situation where the impact lies somewhere between LOAEL and SOAEL, and it requires that all reasonable steps are taken to mitigate and minimise the adverse effects of noise. However, this does not mean that such adverse effects cannot occur.

Planning Practice Guidance – Noise

The Planning Practice Guidance (PPG) provides further detail about how the effect levels can be recognised. Above the NOEL noise becomes noticeable, however it has no adverse effect as it does not cause any change in behaviour or attitude. Once noise crosses the LOAEL threshold it begins to have an adverse effect and consideration needs to be given to mitigating and minimising those effects, taking account of the economic and social benefits being derived from the activity causing the noise. Increasing noise exposure further might cause the SOAEL threshold to be crossed. If the exposure is above this level the planning process should be used to avoid the effect occurring by use of appropriate mitigation such as by altering the design and layout. Such decisions must be made taking account of the economic and social benefit of the activity causing the noise, but it is undesirable for such exposure to be caused. At the highest extreme the situation should be prevented from occurring regardless of the benefits which might arise. Table 1 summarises the noise exposure hierarchy.

Table 1: National Planning Practice Guidance Noise Exposure Hierarchy			
Response	**Examples of Outcomes**	**Increasing Effect Level**	**Action**
No Observed Effect Level			
Not present	No Effect	No Observed Effect	No specific measures required
No Observed Adverse 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 Adverse Effect	No specific measures required
Lowest 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.	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 deprivation/awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory.	Unacceptable Adverse Effect	Prevent

The PPG summarises the approach to be taken when assessing noise. It accepts that noise can override other planning concerns, but states:

> *"Neither the Noise Policy Statement for England nor the National Planning Policy Framework (which reflects the Noise Policy Statement) expects noise to be considered in isolation, separate from the economic, social and other environmental dimensions of proposed development".*

Central Lincolnshire Local Plan – Adopted April 2023

Policy S14 from the local plant relates to renewable energy and states the following:

"The Central Lincolnshire Joint Strategic Planning Committee is committed to supporting the transition to a net zero carbon future and will seek to maximise appropriately located renewable energy generated in Central Lincolnshire (such energy likely being wind and solar based).

Proposals for renewable energy schemes, including ancillary development, will be supported where the direct, indirect, individual and cumulative impacts on the following considerations are, or will be made, acceptable. To determine whether it is acceptable, the following tests will have to be met:

i. The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets, their settings and the historic landscape; and highway safety and rail safety; and

ii. The impacts are acceptable on aviation and defence navigation system/communications; and

iii. The impacts are acceptable on the amenity of sensitive neighbouring uses (including local residents) by virtue of matters such as noise, dust, odour, shadow flicker, air quality and traffic;"

ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise

ProPG Planning and Noise provides professional practice guidance in relation to new residential development exposed to noise from transport sources. It provides practitioners with a recommended approach to the management of noise within the planning system in England.

The guidance reflects the Government's overarching National Planning Policy Framework, the Noise Policy Statement for England, and Planning Practice Guidance (including PPG-Noise) and draws on other authoritative sources of guidance. It provides advice for Local Planning Authorities and developers, and their professional advisors, on achieving good acoustic design in and around new residential developments.

British Standard 5228:2009 +A1:2014 "Code of Practice for noise and vibration control on construction and open Sites – Part 1: Noise" (BS5228-1)

Guidance on the prediction and assessment of noise from development sites is given in British Standard 5228 -1:2009 +A1:2014 "Code of Practice for noise and vibration control on construction and open Sites – Part 1: Noise" (BS5228-1), and BRE Controlling particles, vapour and noise pollution from construction Sites, Parts 1 to 5, 2003.

In addition to the guidance from the local authority, the Control of Pollution Act 1974 (COPA 1974) gives the local authority power to serve a notice under Section 60 imposing requirements as to the way in which works are to be carried out. This could specify times of operation, maximum levels of noise which may be emitted and the type of plant which should or should not be used.

However, it might be preferable for the chosen contractor to obtain prior consent under Section 61 of COPA 1974. Section 61 enables anyone who intends to carry out works to apply to the local authority for consent. Under Section 61 the local authorities and those responsible for construction work, have an opportunity to settle any problems, relating to the potential noise, before work starts.

In addition to COPA 1974, BS5228-1 provides guidance on significance criteria for assessing the potential noise impacts associated with the construction phase of large projects. For the purposes of this noise assessment, the noise likely to be generated by the earthworks and construction phase, have been assessed against significance criteria established, using the BS5228-1 ABC Method.

The ABC method for determining significance criteria requires the ambient noise levels at existing sensitive receptors to be determined. The ambient noise levels at each existing receptor location are then rounded to the nearest 5dB(A) to determine the appropriate threshold value in accordance with the category value A, B or C, as detailed in the following table.

Thresholds of Significant Impact from Construction Noise at Residential Receptors in accordance with the ABC Method of BS5228-1			
Assessment Category and Threshold Value Period (LAeq)	**Threshold Value, in decibels (dB)**		
	Category A *1	**Category B *2**	**Category C *3**
Daytime (0700 to 1900 hours) and Saturdays (0700 to 1300 hours)	**65**	**70**	**75**
***1 Category A: Threshold values to use when ambient noise levels (when rounded to the nearest 5dB) are less than this value.**			
***2 Category B: Threshold values to use when ambient noise levels (when rounded to the nearest 5dB) are the same as Category A values.**			

***3 Category C: Threshold values to use when ambient noise levels (when rounded to the nearest 5dB) are higher than Category A values.**

The noise level likely to be generated at the receptor during the construction phase, i.e. the ambient noise level plus construction noise, is then compared to the appropriate category value. If the noise level is greater than the appropriate category value, a significant noise impact may be registered.

British Standard 5228:2009 +A1:2014 "Code of Practice for noise and vibration control on construction and open Sites – Part 2: Vibration" (BS5228-2)

Guidance on the assessment of vibration from development sites is given in British Standard 5228-2:2009 'Code of Practice for noise and vibration control on construction and open sites – Part 2: Vibration' (BS5228-2). BS5228-2:2009 indicates that vibration can have disturbing effects on the surrounding neighbourhood; especially where particularly sensitive operations may be taking place. The significance of vibration levels which may be experienced adjacent to a site is dependent upon the nature of the source.

BS5228-2 indicates that the threshold of perception is generally accepted to be between a peak particle velocity (PPV) of 0.14 and 0.3mm/sec. In an urban situation it is unlikely that such vibration levels would be noticed. BS5228 also indicates that it is likely that vibration of 1.0 mm/s in residential environments will cause complaint but can be tolerated if prior warning and explanation have been given to residents. The standard also indicates that 10 mm/s is likely to be intolerable for any more than a very brief exposure to this level.

The Highways Agency Research report No. 53 'Ground Vibration caused by Civil Engineering Works' 1986 suggests that, when vibration levels from an unusual source exceed the human threshold of perception, complaints may occur. The onset of complaints due to continuous vibration is probable when the PPV exceeds 3mm/sec.

British Standard BS6472: 2008 'Guide to Evaluation of human exposure to vibration in buildings. Part 1: Vibration sources other than blasting' (BS6472-1) suggests that adverse comments or complaints due to continuous vibration are rare in residential situations below a PPV of 0.8mm/sec. Continuous vibration is defined as 'vibration which continues uninterrupted for either a daytime period of 16 hours or a night-time period of 8 hours'. The proposed earthworks and construction works at the site will not cause continuous vibration as defined in BS6472-1.

BS5228-2 2009 suggests that the onset of cosmetic damage is 15mm/sec (15 mm/s at 4 Hz increasing to 20 mm/s at 15 Hz for residential or light commercial type buildings).

British Standard 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound (BS4142)

BS4142 is used to rate and assess sound of an industrial and/or commercial nature including:

- sound from industrial and manufacturing processes;
- sound from fixed installations which comprise mechanical and electrical plant and equipment;
- sound from the loading and unloading of goods and materials at industrial and/or commercial premises; and
- sound from mobile plant and vehicles that is an intrinsic part of the overall sound emanating from premises or processes, such as that from forklift trucks, or that from train or ship movements on or around an industrial and/or commercial site.

The standard is applicable to the determination of the following levels at outdoor locations:

- rating levels for sources of sound of an industrial and/or commercial nature; and
- ambient, background and residual sound levels, for the purposes of:

  1) Investigating complaints;

  2) Assessing sound from existing, proposed, new, modified or additional source(s) of sound of an industrial and/or commercial nature; and

  3) Assessing sound at proposed new dwellings or premises used for residential purposes.

The purpose of the BS4142 assessment procedure is to assess the significance of sound of an industrial and/or commercial nature.

BS4142 refers to noise from the industrial source as the 'specific noise' and this is the term used in this report to refer to noise which is predicted to occur due to activities associated with the existing industrial premises. The 'specific noise' levels, of the existing industrial premises that have been measured are detailed in this report.

BS4142 assesses the significance of impacts by comparing the specific noise level to the background noise level (LA90). This report provides details of the measured or calculated background noise levels.

Section 8 of BS4142 discusses ways to determine the background sound level, in Section 8.1 it states;

"Since the intention is to determine a background sound level in the absence of the specific sound that is under consideration, it is necessary to understand that the background sound level can in some circumstances legitimately include industrial and/or commercial sounds that are present as separate to the specific sound".

Certain acoustic features can increase the significance of impacts over that expected from a simple comparison between the specific noise level and the background noise level. In particular, BS4142 identifies that the absolute level of sound, the character, and the residual sound and the sensitivity of receptor should all be taken into consideration. BS4142 includes allowances for a rating penalty to be added if it is found that the specific noise source contains a tone, impulse and/or other characteristic, or is expected to be present. The specific noise level along with any applicable correction is referred to as the 'rating level'.

The greater the increase between the rating level over the background noise level, the greater the magnitude of the impact. The assessment criteria given by BS4142 are as follows:

- A difference of around +10dB or more is likely to be an indication of a significant adverse impact, depending on the context.
- A difference of around +5dB is likely to be an indication of an adverse impact, depending on the context.
- The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

During the daytime, BS4142 requires that noise levels are assessed over 1-hour periods. However, during the night-time, noise levels are required to be assessed over 15-minute periods.

Where the initial estimate of the impact needs to be modified due to context, BS4142 states that all pertinent factors should be taken into consideration, including:

- The absolute level of sound;
- The character and level of the residual sound compared to the character and level of the specific sound; and

- The sensitivity of the receptor and whether dwellings or other premises used for residential purposes will already incorporate design measures that secure good internal and/or outdoor acoustic conditions.

British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings

British Standard 8233 "Guidance on sound insulation and noise reduction for buildings" 2014, suggests the following guideline noise levels and states that they are based on guidelines issued by the World Health Organisation;

- 35 dB $L_{Aeq\ (16\ hour)}$ during the day time in noise sensitive rooms
- 30 dB $L_{Aeq\ (8\ hour)}$ during the night time in bedrooms
- 45 dB $L_{Amax,F}$ during the night time in bedrooms
- 50 dB $L_{Aeq\ (16\ hour)}$ desirable external noise levels for amenity space such as gardens and patios
- 55 dB $L_{Aeq\ (16\ hour)}$ upper guideline value which would be acceptable in noisier environments.

In addition, for internal noise levels it states;

"Where development is considered necessary or desirable, despite external noise levels above WHO guidelines, the internal target levels may be relaxed by up to 5 dB and reasonable internal conditions still achieved."

Furthermore, with regard to external noise, the Standard states;

"However, it is also recognised that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited".

Emerging Overarching National Policy Statement for Energy (EN-1) (November 2023)

In respect to noise, the Policy Statement states;

"The Government's policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to "noise" below apply equally to the assessment of impacts of vibration".

"Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards (For example BS4142, BS6472 and BS8233) and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards (For example BS5228) and other guidance which also give examples of mitigation strategies".

"A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England265, the NPPF, and the government's associated planning guidance on noise".

Emerging National Policy Statement for Electricity Networks Infrastructure (EN-5) (November 2023)

EN-5 provides specific advice in respect of electricity networks infrastructure but advises should be considered along with EN-1.

With regard to the assessment of noise from substations, the Policy Statement states; "standard methods of assessment and interpretation using the principles of the relevant British Standards (for example BS4142) are satisfactory."

And also that;
"The Secretary of State should ensure that appropriate assessment methodologies have been used in the evidence presented to it, and that the appropriate mitigation options have been considered and adopted. Where the applicant can demonstrate that appropriate mitigation measures will be put in place, the residual noise impacts are unlikely to be significant."

Emerging National Policy Statement for Renewable Energy Infrastructure (EN-3) (November 2023)

EN-3 provides specific advice in respect of renewable energy infrastructure (including PV) but advises should be considered along with EN-1 and states;
" Applicants should include in the ES a noise assessment of the impacts on amenity in case of excessive noise from the project in line with guidance set out in Section 5.12 in EN-1."