

Construction

Noise Nuisance
Environmental Protection



Noise – Construction

A certain amount of noise is inherent in most types of construction and building operations, which can rarely be completely prevented. However, noise from construction sites can be very disturbing. This can take a variety of forms including concrete breakers, compressors, power tools, hammering, banging, crane and plant noise, reversing alarms and noise from loading/unloading activities.

Noise and vibration from demolition and construction sites can be formally controlled by a Local Authority by serving a notice under Section 60 of the Control of Pollution Act 1974. This legislation gives the Council powers to restrict the days and hours of work, the ways in which works are carried out and the type of plant that is used. Failure to comply with the requirements of a notice can lead to a fine of up to £20,000.

There are no set working times or noise limits in noise legislation or local bylaws. North Kesteven District Council therefore takes a flexible approach to construction site noise issues and believes that a working compromise can sometimes be achieved by agreement. We use the following as a general guide for both residents and companies undertaking construction work to hopefully ensure that disturbance is kept to an acceptable minimum level without unnecessary restrictions on contractors.

North Kesteven District Council Construction Noise Guidelines:

- Noisiest works (such as pile driving and concrete breaking) should be limited to more acceptable times of the day. Where disturbance is unavoidable, local residents should be given reasonable advance notice of such works.
- All plant and equipment used on site should be properly maintained and silenced where practicable. Developers must demonstrate that they use best practicable means to keep noise to a minimum.
- Methods of works are available that minimise noise affecting neighbours, such as partial screening of noisy activities or sitting of works away from noise sensitive premises.
- Generally, where residential occupiers can be disturbed, the following working hours should be adopted: 0700 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturdays with no noisy construction work Sundays or Public Holidays.

The above times do not restrict other work activities that do not result in noise disturbance at neighbouring noise sensitive premises. It is unlikely that the Local Authority will formally restrict operations on a site if these working hours are only occasionally not met. For this reason, any complainants will normally be asked to keep records of disturbance for 14 days in order to assess the frequency and extent of the problem. Alternatively, operations outside of these hours may be agreed directly with local residents or on a formal basis with the Local Authority if it can be demonstrated that the works cannot be carried out at any other time and that items of plant and equipment are operated and maintained so that their use causes the minimum amount of noise.

Complainants should note that restricting working hours will increase the overall length of time taken for the development to complete.

Where emergency works have to be carried out, for example on burst water main or rail track repair work, the above guideline hours of operation do not apply. In such situations, evening and night-time working may be permitted. However, at all times noise should be kept to as low a level as reasonably practicable.

Contractors planning to undertake construction and demolition work can consult the Local Authority before proceeding, and through making an application for prior consent (section 61 procedure) formally agree on requirements and limits. Any contractors planning overnight works that may be audible at noise sensitive premises should contact the Local Authority for further advice. It is preferable that contractors apply for a prior consent rather than face the prospect of a notice being served after they have commenced work, the effect of which may seriously interfere with their planned work programme.

Further advice or clarification on any matter raised can be sought by contacting the Environmental Protection Unit at North Kesteven District Council.