

Bothered by **Noise?**
There's no need to suffer



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Department of the
Environment

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Introduction

What can you do about noise?

It is a fact of life that we all make noise. Whether we are talking to others, playing music, entertaining, driving in our cars or just going about our daily business, we all generate noise. What is a noise to one person may be pleasurable to another.

Excessive noise can reduce quality of life, harm health, interfere with communications, reduce professional performance and weaken the immune system. In some cases, it can even destroy one's life entirely. In 2008 the charity Environmental Protection UK carried out the National Noise Survey. 17% of those who participated in the survey were bothered, annoyed or disturbed by noise from their neighbours inside their homes. Thus, it appears that a significant number of people in the UK may benefit from the information and advice contained in this leaflet.

This leaflet indicates how to deal with excessive noise. It has been arranged in three sections.

1. **Informal and Formal Action-** Explains what to do about noise from neighbours, local commercial and industrial premises and vehicle noise.
2. **Additional Noise Controls-** Tells you about byelaws and specific controls relating to construction sites and loudspeakers.
3. **Planning to Stop the Noise-** shows how to get involved in the planning stages of a potential noise source to ensure it does not become a problem. It also contains details of sources of further information.

About this booklet

The advice contained in this leaflet applies to Northern Ireland and is a guide to your rights and the sort of action that can be expected from your distinct council. However, it is not an authoritative interpretation of the legislation. The penalties and fines referred to in this text are subject to revision from time to time.



Introduction

What is noise?

Noise has been given a variety of definitions, depending on the circumstances in which it occurs and the effects it produces. Noise is different to sound. Sound is a variation in pressure that can be detected by the ear, while noise is considered to be “sound which is undesired by the recipient”. In other words noise can be any sound which intrudes, disturbs or annoys.

Sound is measured in decibels (dB). The threshold of human hearing is 5dB and a sound of around 150dB is thought to produce instantaneous hearing damage. However, volume is not the only thing that can affect one’s response to sound. Unexpected sound, repetitive bass beats, screeches or whines can be just as annoying.

Noise is often categorised as follows:

- **Industrial** - manufacturing, workshops, agricultural;
- **Commercial and leisure** – entertainment, sports and leisure premises, petrol stations, car washes, hot food premises, bars, restaurants, shops, offices, security alarms;
- **Domestic** - DIY, music, television, parties, animal noise, shouting, house alarms, and other neighbourhood noise;
- **Construction, demolition and road works**;
- **Transport** – road vehicles, railways, civil and military aircraft, vehicle alarms, delivery vehicles; and
- **Street noise** – loudspeakers, ice cream van chimes, street traders and performers and public addresses.

Below are examples of typical sound levels.

Sound Level in Decibels

Sound Level (dB(A))	Environmental Conditions
140	Threshold of pain (134dB(A))*
130	
120	Loud Nightclub standing at speaker (120dB(A))
110	
100	Pneumatic drill at 5 m (100 dB(A)) Heavy goods vehicle from pavement
90	Powered lawnmower at operators ear
80	Average traffic on street corner (74 dB(A)) Vacuum cleaner at 3m
70	Telephone ringing at 2m Conversational Speech
60	Typical business office (54 dB(A))
50	Living room in suburban area Refrigerator humming at 2m
40	Library (34 dB(A))
30	Bedroom at Night
20	Broadcasting Studio (14 dB(A))
10	Threshold of hearing
0	

* A-weighted – the main way of adjusting measured sound pressure to levels which take into account human hearing and our uneven frequency response.

Section 1 – Informal and Formal Action

Informal Action

A Quiet Word

If you are concerned about noise from a neighbour's home, a local business, a manufacturer or equipment in the street, the best way to deal with the problem may be to approach those responsible for the noise. Talk to the person or company responsible and point out the problem. They may have been unaware that they were causing disturbance. Remember that everyone can be guilty of making noise at some point without knowing it. The problem is not always one of inconsiderate behaviour, as even properties with reasonably good sound insulation may not cope with noise generated by powerful modern equipment.

Mediation

If the direct approach does not succeed, mediation may assist in resolving the problem. An independent third party listens to the views of both parties and possibly brings the parties together with a view to reaching an agreement if possible. You can find out about the availability of mediation by contacting Mediation Northern Ireland at 83 University Street, Belfast, BT7 1HP, tel: 028 90 438614.

It is important to try and resolve the issue by informal means in the first instance, so that you can demonstrate to a court at a later stage that you tried to be reasonable and avoid resorting to the courts.

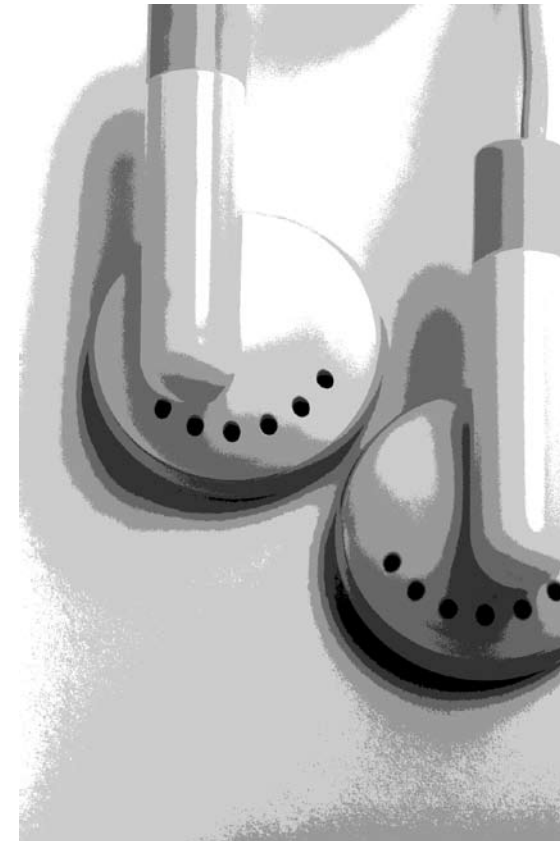
Formal Action

When informal action is not possible or fails, formal action can be taken to resolve the issue. The most common route is to complain to the district council.

Article 38 of the Pollution Control and Local Government (Northern Ireland) Order 1978 gives district councils power to deal with noise from premises, including land, which they consider amounts to a statutory nuisance. These powers apply not only for the control of existing noise, but also where a noise is expected to occur or reoccur. For legal purposes "noise" includes vibration. Where the council is satisfied that a noise nuisance exists it must serve a legal notice requiring abatement of the noise. The notice must specify the time limit for compliance with its requirements and can be served on the person responsible for the nuisance, or if that person cannot be found, the owner or occupier of the premises from which the noise emanates.

Who to Complain To

Formal noise complaints should be made to the district council. The environmental health department is usually the appropriate department. Telephone numbers for all councils can be found at the back of this leaflet.



Section 1 – Informal and Formal Action

What Constitutes a Noise Nuisance

When a district council environmental health officer investigates a noise complaint, the crucial point on which a judgement must be made is whether or not the noise amounts to a statutory nuisance. The environmental health officer cannot simply take the word of the complainant.

Noise is a subjective thing and different people react to it in different ways. What can cause extreme annoyance to one person may hardly be noticed by another. A noise may be irritating but may not necessarily constitute a “nuisance” in the legal sense.

There is no fixed level of noise which constitutes a statutory nuisance. Individual circumstances differ and each case is judged on its merits. In deciding whether or not a noise is sufficient to amount to a statutory nuisance, the environmental health officer has to consider the reaction of the average, reasonable person to the noise, taking account not only of its volume, but also factors such as when and how often the noise occurs and the duration of the noise occurrence.

In the case of domestic noise the environmental health officer may have to make several visits to the property to establish a case as there is no guarantee that noise will occur on any of the occasions when the officer is present. In addition to this, many complaints about domestic noise relate to noise occurring late at night or at weekends and although district councils will normally try to assist, staff limitations often make monitoring at these times difficult. However, some district councils, may be able to install noise monitoring equipment in one’s home or arrange visits outside normal office hours to assist in investigating the complaint.

Serving an Abatement Notice

A district council may initially try to solve this problem informally. If this fails and it is satisfied the noise amounts to a statutory nuisance they must serve an abatement notice pursuant to the Pollution Control and Local Government (Northern Ireland) Order 1978. This may require the noise to be stopped altogether or limited to certain times of the day. A notice must be served on the person responsible for the noise or, if this person cannot be located, the owner or occupier of the premises. A person on whom an abatement notice is served has the right to appeal it within 21 days of it being served.

Failure to Comply with an Abatement Notice

If a person on whom an abatement notice has been served, fails without reasonable cause, to comply, he will have committed an offence. For offences relating to domestic premises the magistrates court may impose a fine not exceeding the statutory maximum (currently £5000).

Defence of Best Practicable Means

It is a defence in court proceedings relating to noise arising in the course of a trade or business to prove that the best practicable means have been used to try and prevent or counteract the effect of the noise. This defence recognises that there can be technical and other limitations as far as industry is concerned.

Section 1 – Informal and Formal Action

Seeking an Injunction

If, after investigating a complaint, the district council considers that summary proceedings in the magistrate's court would not provide an adequate remedy and the noise amounts to a statutory nuisance, it may seek an injunction in the high court for the purpose of securing abatement, prohibition or restriction of the nuisance.

Codes of Practice

Codes of practice give advice about the minimisation of problems caused by potentially noisy activities. Article 51 of the Pollution Control and Local Government Order 1978 gives the Department of the Environment the power to issue and approve codes of practice for the minimisation of noise. There are codes dealing with noise from audible intruder alarms, ice-cream van chimes and model aircraft. There are also a number of independent codes on noise offering advice on how to reduce the effects of noisy activities including the use of audible bird scarers, noise from pop concerts and off-road motorcycling.

Courts must have regard to relevant codes approved by the Department of the Environment when considering the defence of best practicable means.



Section 1 – Informal and Formal Action

Complaining to a Magistrates Court

If for whatever reason, the district council does not take action or you do not wish to involve them, you can complain about the noise problem directly to the magistrates court under article 39 of the Pollution Control and Local Government (Northern Ireland) Order 1978. You will need to persuade the magistrate that the noise problem amounts to a nuisance or if the nuisance has abated, that it is likely to reoccur.

How do I Proceed?

It is important that you keep a written record of the dates, times and duration of the offending noise, as well as a description of its nature and the distress it causes you in reasonable occupation of your home.

Try to resolve the problem informally before contacting the court by writing to the person responsible for the noise. If you know where the noise is coming from but do not know who or what is causing it, then making contact with the owner or occupier of the premises may resolve the problem. Make sure that the letter is dated and keep a copy. Although the law does not require you to do this, it is likely to strengthen your case if you show that you have acted in a reasonable manner and have given the person responsible for the noise the chance to rectify the situation before resorting to legal measures.

If there is still no improvement, the next step is to contact your local Petty Sessions Office (Magistrate's court). Inform them that you wish to make a complaint under Article 39 of the Pollution Control and

Local Government (NI) Order 1978. A summons will then be issued and served on the person responsible for the noise, stating the date and time of the court hearing. The respondent to the notice is likely to attend court to defend himself and may make counter-accusations.

It is not necessary to have a solicitor present to represent you at the hearing, although you may have one in attendance if you wish. If you present your own case, the Clerk of the court will give you advice and guidance, or you can contact your local Citizens Advice Bureau which may be able to offer assistance.

If the magistrate decides in your favour the court will make an order requiring the defendant to abate the nuisance and specify the measures necessary to achieve this. The order may also prohibit or restrict a recurrence of the nuisance and again specify how this is to be done. A person who without reasonable excuse contravenes any requirements of such an order is guilty of an offence under the Pollution Control and Local Government

(NI) Order 1978 and can be fined. Therefore, you should continue to keep your record of noise occurrences up to date in case the court order is ignored and it is necessary to return to court.

Getting help with the costs

Legal representation is not available for this type of case through the legal aid scheme. However, you may be financially eligible under the "Green Form Scheme" which provides free legal advice and assistance in the preparation of your case. For further advice contact the Citizens Advice Bureau or the Northern Ireland Legal Services Commission.

Section 1 – Informal and Formal Action

You can take civil action for a noise nuisance at common law by seeking an injunction to restrain the defendant from continuing the nuisance and/or by issuing a claim for damages or loss. To succeed in such an action, you must show that the noise causes inconvenience beyond what other occupiers in the neighbourhood can be expected to bear.

Counting the Cost

Instigating a civil action can be expensive, so it is advisable to seek the advice of a solicitor or the Citizens Advice Bureau before going ahead. Advice from a solicitor may be free to those who are financially eligible under the “Green Form Scheme”. A solicitor will also be able to advise on whether you will be likely to meet the means and merits tests which apply to applications for full civil legal aid.

In civil actions for damages or an injunction for the abatement, prohibition or restriction of a nuisance, the defence of “best practicable means” is not available. In these actions the criterion upon which the court bases its judgment is how the nuisance affects others.



Section 2 – Additional Noise Controls

There are additional controls which can help to stop or reduce noise from particular sources.

Byelaws

Some district councils have made byelaws to control noise from certain sources. For example, byelaws have been approved for noise in parks or recreation grounds. The type of noise covered by these byelaws may include singing, the playing of musical instruments, radios or stereos. Check with the relevant district council for details.

Loudspeakers in the Street

Your district council has powers under Article 42 of the Pollution Control and Local Government (NI) Order 1978 to deal with loudspeakers in the street. Their use in the street for advertising, entertainment, trades or businesses is banned and their use for other purposes is restricted to the hours between 8am and 9pm. There is an exemption for vehicles from which perishable foodstuffs (for example, ice cream) are sold, but loudspeakers on these vehicles may only be used between the hours of 12 noon and 7pm and must not give reasonable cause for annoyance to those nearby.

A number of organisations including the police, ambulance and fire brigades, are exempt from the general rules governing the use of loudspeakers in the street.

Noise from Construction Sites

Article 40 of the Pollution Control and Local Government (NI) Order 1978 gives district councils the power to specify the way in which construction, demolition and similar works must be carried out so as to minimise noise. Requirements may be specified before work commences or after work has begun. Control will be exercised by the issue of a notice which may specify the plant or machinery which is, or is not to be used or the hours of operation or permitted noise levels from particular types of machinery. Article 41 of the Order allows the contractor, or the other person arranging for works to be carried out, to ask the district council to make its requirements known in advance. The district council has a duty to reply to an application within 28 days.

A code of practice (BS 5228, 2009) has been issued by the British Standards Institution and approved by the Department of the Environment. This suggests ways of carrying out construction and similar works so as to ensure that noise on the site is kept to a minimum.

Noise Abatement Zones

Article 43 of the Pollution Control and Local Government (NI) Order 1978 provides for a district council to make an order designating parts of its area a “noise abatement zone” and specifying the classes of premises to which the order applies. Noise abatement zones are designated to cater for areas where noise from premises, especially industrial premises, is such that without preventative measures, the background noise levels would gradually increase to an unacceptable level. The situation is not common in Northern Ireland and consequently this article has not yet been brought into force. The position will be reviewed from time to time in light of experience both in Northern Ireland and in Great Britain where a number of noise abatement zones have been declared.

Section 2 – Additional Noise Controls

The Noise Act 1996

In addition to noise nuisance powers, district councils have discretion to adopt the Noise Act 1996. The Act contains provision for a night-time noise offence and introduces an objective standard against which noise at night from domestic premises, may be assessed. It offers a choice of penalties, including service of a £100 fixed penalty notice on offenders. In certain circumstances councils implementing The Noise Act 1996 may seize noise making equipment and apply for forfeiture. An order for forfeiture operates to deprive the offender of any rights over the equipment to which the order relates. If your district council decides to adopt these powers they are required to advertise their intention to do so at least two months in advance.



Section 3 – Planning to Stop the Noise

Preventing or reducing noise at source is preferable to having to deal with noise once it becomes a problem. The planning system plays an important role in reducing noise at source and there is scope for you to participate in the planning process. Further information is contained in Planning Policy Statement 1 General Principles, which is available from the divisional planning offices or the Planning Service's website (http://www.planningni.gov.uk/index/policy/policy_publications/planning_statements.htm).

Planning Policy Statement 8 relating to Open Spaces, Sport and Outdoor Recreation also makes reference to noise issues. This is also available on the Planning Service website.

Development Plans

Noise may be a factor in evaluating the alternative uses of land and the Department of the Environment's Planning Service is aware of the need to take noise into account when preparing development plans. The Planning (NI) Order 1991 provides scope for members of the public to make representations to the Planning Service on noise problems or any other matter during the formation of plans.

Applications for Planning Permission

The Planning Service also takes account of the potential impact of noise when considering applications for planning permission. Authorisation for any form of development can be subject to conditions to prevent or minimise noise disturbance. For example, work on the development can be restricted to particular times, the use of power tools regulated or requirements about the provision of noise barriers imposed.

All applications for planning permission, except for minor developments affecting dwelling-houses, such as extensions or domestic garages, are published in the local press. In addition, Planning Service will normally notify neighbours individually where a development proposal will substantially affect them. If you wish to make representations on a proposed development you should notify your local Divisional Planning Office.

Roads Proposals

The Department for Regional Development's Roads Service is required to publish details of proposed new trunk and special roads. The public has a right to object to these proposals on any grounds, including noise. If you are concerned about such a proposal, send your objection to the Roads Service during the objection period, setting out very clearly your grounds for complaint. In some cases a public inquiry may be called and you will be notified of this in advance if you have objected to the scheme.

Section 3 – Planning to Stop the Noise

Further Information and Advice on Noise

Here are some useful contact points for further advice on noise from other sources.

Noise at Work

Excessive exposure to loud noise can cause permanent hearing damage. The risk of hearing damage depends on the amount of exposure but generally one is at risk of some degree of hearing impairment if one works in a place where it is necessary to shout to make oneself heard by anyone one metre away. The risk is greater if you are also exposed to high noise levels in your leisure time, for example from nightclubs, shooting or DIY.

The Control of Noise at Work Regulations (Northern Ireland) 2006 impose duties on employers and on self-employed persons to protect both employees who may be exposed to noise at work and other persons who might be affected by the noise.

Any employer who carries out work which is liable to expose employees to a daily or weekly personal noise

exposure level of 80dB (A weighted) and a peak sound pressure of 135 dB(C weighted) (“the lower exposure action value”) must assess the risks of such noise to the employee’s health and eliminate the risk from exposure at source by reducing it to as low a level as is reasonably practicable. Where an employee is exposed to noise exceeding a daily or weekly personal noise exposure of 85 dB (A weighted) and a peak sound pressure of 137 dB (C weighted) (“the upper exposure action value”) the employer must reduce the noise as much as is reasonably practicable by adopting, amongst other things, organisational and technical measures. Other requirements of these regulations include the provision of personal hearing protectors for employees experiencing the lower exposure action value.

In addition, where the upper exposure action value is experienced employers must mark “Hearing Protection Zones” and erect signage indicating that ear protection should be worn. The employer is also

required as far as is practicable, to ensure that the hearing protectors are used and that anything provided to employees are in efficient working order and in good repair. The employer should also place employees under health surveillance in certain circumstances, ensure that appropriate health records are maintained and ensure employees are examined by a doctor where necessary.

These Regulations also place obligations on employees. Employees must make full and proper use of personal hearing protectors and report any defect in the noise control measures to his employer.

Noise levels which are not as high as those referred to above but still cause difficulties may be regulated under the general provisions of the Health and Safety at Work (NI) Order 1978. Under this Order employers have a general duty to take all reasonably practicable steps to ensure the health, safety and welfare of employees and others who may

be affected by work activities. The provisions of the Order and the Regulations are enforced by health and safety inspectors from the Health and Safety Executive of the Department of Enterprise, Trade and Investment or Environmental Health officers of district councils.

People who suffer substantial hearing loss from working in certain occupations where noise levels are very high may qualify for an industrial injuries disablement benefit which is paid by the Social Security Agency. A document DB1, A Guide to Industrial Injuries Disablement Benefits sets out the occupations covered, information on the benefit and information on how to claim.

The leaflet is available at <http://www.dsdni.gov.uk/print/db1.pdf>.

A summary leaflet on Industrial Injuries Disablement Benefits (leaflet IIDBAA5) is available at http://www.dsdni.gov.uk/print/sd_7.pdf.

Further Information and Advice on Noise

For further information contact the Industrial Injuries Branch at Castle Court, Royal Avenue, Belfast, BT1 1SD (telephone 028 9033 6000).

The Health and Safety Executive for Northern Ireland can also direct you towards appropriate sources of information (The Health and Safety Executive for Northern Ireland, 83 Ladas Drive, Belfast, BT6 9FJ. Telephone: 028 90 243249, Fax No: 028 90 235353).

Noise from Road Traffic

Noise from traffic is probably the most widespread source of noise nuisance. There are a number of ways in which the problem can be tackled. For example, the noise can be reduced at source by making vehicles quieter; traffic can be routed by traffic management schemes away from sensitive areas; new roads can be built to take traffic away from built up areas; and people can be protected in their homes by sound insulation and noise barriers.

Reduction of Vehicle Noise

The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 requires the fitting of a silencer to an internal combustion engine and places noise limits on vehicles with at least three wheels. Different noise limits apply to agricultural motor vehicles, industrial tractors and motorcycles.

Motor Horns

The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 prohibit the sounding of a horn when a vehicle is stationary, unless there is danger from a moving vehicle. It also disallows the sounding of horns from moving vehicles on restricted roads between 11.30pm and 7am, except when another road user poses a danger. The Highway Code for Northern Ireland also states that horns should not be used aggressively and should only be used to warn other road users of your presence. Any issues regarding the illegal use of motor horns should be reported to the PSNI. Only ambulances, police, the fire brigade and certain other specified emergency vehicles may be fitted with a gong, bell, siren or two-tone horn.



Section 3 – Planning to Stop the Noise

Procedures for Complaining

Excessive Vehicle Noise

Complaints about noisy vehicles should be addressed to the Police Service of Northern Ireland (PSNI). However, the measurement of the noise emissions from individual vehicles on busy public roads presents many technical problems for the PSNI and they may often find it difficult to help, unless the excessive noise is due to an obvious fault, such as a defective silencer.

Traffic Noise

Any complaints or suggestions about the routing or regulation of road traffic should be addressed to the Local Division of the Department for Regional Development's Road Service. Changes in traffic patterns can have repercussions over a wide area and it is not always possible to resolve complaints or to implement suggestions, but constructive ideas are welcomed.

Noise from Air Traffic

The Department for Transport is responsible for general policy on the control of civil aircraft noise in the United Kingdom. It introduces, for example, the Air Navigation (Noise Certification) Orders which implement international recommendations in respect of the control of aircraft noise at source.

Under The Airports (NI) Order 1994 the Department for Regional Development also has a role to play in relation to civil aircraft noise at airports in Northern Ireland. It can require airports to take such measures as it considers necessary for limiting noise and vibration and may make a scheme requiring airport operators to pay grants toward noise insulation for affected buildings.

The Aerodromes (Noise Restrictions) (Rules and Procedures) Regulations 2003 implement into UK law the provisions of a European Directive on noise related operating restrictions at UK airports. This law applies to some of the busiest airports in the UK, including George

Best Belfast City Airport, but does not require action to counter noise to be taken. Instead, the Regulations set out a process that must be followed where such action is being contemplated. Where a prescribed airport chooses to develop a plan to control noise it must take the following into account:

- Using modern, quieter planes;
- Using procedures to reduce operational noise (optimising the use of air traffic management procedures so that aircraft are flown as quietly as possible, consistent with safe operation);
- The effect of land use planning and management policies in preventing or limiting noise sensitive development around airports; and
- Restricting or banning certain aircraft from operating.

Civil Aircraft

Noise control is primarily a matter for the airport management and complaints about airport noise should be directed to the airport operator. Where a consultative committee exists, complaints may be channelled through that body. Contact details are:

George Best Belfast City Airport Forum
C/O George Best Belfast City Airport
Sydenham
Belfast
BT3 9JH
Telephone: 208 90 939093
Fax No: 028 90 939094

Belfast International Airport Consultative Committee
Crumlin
BT29 4AB
Telephone No: 208 90 484848

Where there is a serious noise problem and the Department for Regional Development considers that the airport management is failing to deal with it, the Department may invoke its power under the Airports (NI) Order 1994.

Section 3 – Planning to Stop the Noise

Noise from Military Aircraft

Complaints about military aircraft should be addressed to G9 (Pol), HQ 38(Irish) Bde & NI Garrison, BFPO 825 (Telephone: 02892 263498).

Where loss, injury or damage has resulted from military aircraft flying in Northern Ireland, G9 (Pol) should be contacted in the first instance. It would assist to have details of the incident to hand to aid identification of the aircraft concerned. If compensation is also being claimed, details of the alleged loss, injuries or damage and the names of any witnesses should also be provided. If livestock is involved, veterinary evidence and laboratory reports from the Department of Agriculture and Rural Development will also be required.

Noise from Industrial Premises

Part A and B Processes

The Pollution Prevention and Control (Northern Ireland) Regulations 2003 require certain prescribed industrial installations (Part A and B installations) to be authorised by the Chief Inspector from the Northern Ireland Environment Agency (NIEA). These regulations require operators to prevent or at least minimise emissions from such installations. As noise is considered as an emission under these regulations, conditions in the permits require the operators of the installations to minimise the noise impact on the environment. NIEA also maintains a public register for PPC installations. For more details contact:

The Northern Ireland Environment Agency
Klondyke Building
Cromac Avenue
Gasworks Building Park
Lower Ormeau Road
Belfast
BT7 2JA
Tel: 028 90 569296

Part C Processes

District Councils regulate Part C processes and in the event of a noise complaint you should contact your local District Council Environmental Health Department.

Where an industrial installation is not prescribed under the above Regulations, a district council may be able to deal with noise emissions that it considers amounts to a statutory nuisance (see earlier in this leaflet for further information on statutory nuisance).

Noise from Waste Facilities

The Northern Ireland Environment Agency is responsible for the regulation of waste facilities in Northern Ireland. These typically include landfill sites, waste transfer stations, recycling centres and civic amenity sites.

The licence or permit for such operations may include conditions for the control of noise emissions from activities on the site. For more detail on control of noise from waste facilities contact the NIEA at the address above.



Section 3 – Planning to Stop the Noise

Compensation for Depreciation of Property Value

One may be entitled to claim compensation if the value of your property depreciates as a result of noise (and other physical factors) arising from certain public works, including new or substantially altered roads, airports and railways. Claims should be made after the end of the first year and before the end of the third year from the date of the opening of the works. You should contact the authority responsible for the works for further details. Even if you do not qualify for compensation, it may be worth asking Land and Property Services to check with the district valuation officer to see whether you can obtain a rates reduction.

The Noise Insulation Regulations (Northern Ireland) 1995 provide for the insulation of buildings against noise caused by or expected to be caused by traffic using new roads and certain altered roads. An explanatory booklet, Land Compensation Your Rights Explained - Insulation Against Traffic Noise is available from the Department for Regional

Development (Clarence Court, 10 – 18 Adelaide Street, Belfast, BT2 8GB, Tel: 028 90 540540 or <http://applications.drdni.gov.uk/publications/document.asp?docid=7178>).

House Purchase

When viewing a property you are thinking of purchasing, remember that the noise you can expect to experience can vary dramatically according to traffic pattern and industrial and other activities in the locality. A further visit during the working day, when traffic is at its worst or in the evening could prove worthwhile. The impact of noise from airports or other large installations depend on wind direction and therefore vary considerably over a wide area according to the weather.

Further Reading

The Statutory Publications Offices

Available from the Statutory Publications Office, OFMDFM, A5.03, Castle Buildings, Stormont, Belfast, BT4 3SR

The Pollution Control and Local Government (NI) Order 1978

Code of Practice on Noise from Audible Intruder Alarms, DOE 1982

Code of Practice on Noise from Model Aircraft, DOE 1982

Code of Practice on Noise from Ice-cream Van Chimes, DOE 1982

The Noise Act 1996

Free Publications

Further information on noise matters in general can be obtained from your District Council or the Department of the Environment:

Air and Environmental Quality Unit
Climate and Waste Division
Department of the Environment
Calvert House
23 Castle Place Belfast
BT1 1FY

Tel: 028 90 254834
Fax: 028 90 254732



Further Reading



Alternatively contact the relevant district council. The relevant numbers are:

Council	Telephone Number
Antrim Borough Council	028 94 463113
Ards Borough Council	028 91 824000
Armagh City and District Council	028 37 529600
Ballymena Borough Council	028 25 660300
Ballymoney Borough Council	028 27 660200
Banbridge District Council	028 40 660600
Belfast City Council	028 90 270428
Carrickfergus Borough Council	028 93 351192
Castlereagh Borough Council	028 90 494640
Coleraine Borough Council	028 70 347034
Cookstown District Council	028 86 762205
Craigavon Borough Council	028 38 312400
Derry City Council	028 71 365151
Down District Council	028 44 610800
Dungannon and South Tyrone Borough Council	028 87 720300
Fermanagh District Council	028 66 325050
Larne Borough Council	028 28 272313
Limavady Borough Council	028 77 722226
Lisburn City Council	028 92 509250
Magherafelt District Council	028 79 397979
Moyle District Council	028 20 762225
Newry and Mourne District Council	028 30 313031
Newtownabbey Borough Council	028 90 340000
North Down Borough Council	028 91 270371
Omagh District Council	028 82 245321
Strabane District Council	028 71 382204

Department of the Environment
www.doeni.gov.uk

“The Department’s aim is to secure a better and safer environment and support effective local government”.

Further information on noise matters in general, or the content of this leaflet may be obtained for the Department of the Environment, Climate and Waste Division, Air and Environmental Quality Unit at the following address:

Air and Environmental Quality Unit
Climate and Waste Division
Department of the Environment
Calvert House
23 Castle Place Belfast
BT1 1FY

Tel: 028 90 254834

Fax: 028 90 254732

Email: epdwebteam@doeni.gov.uk

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MISSION STATEMENT