



Lime Down

Solar Park

Environmental Statement

Volume 3, Appendix 14-1: Noise and Vibration Legislation, Policy and Guidance

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Appendix 14-1: Noise and Vibration Legislation, Policy and Guidance

1.1 Introduction

- 1.1.1 This Environmental Statement (ES) appendix identifies and describes the legislation, policy and supporting guidance considered relevant to the assessment of the likely significant effects of the Scheme on noise and vibration.
- 1.1.2 Legislation and policy are considered at national and local levels. This appendix does not assess the Scheme against legislation and policy; instead, the purpose of considering legislation and policy is as follows:
- To identify legislation and policy that could influence the sensitivity of receptors (and therefore the significance of effects) and any requirements for mitigation; and,
 - To identify legislation and policy that could influence the methodology to be used within the Environmental Impact Assessment (EIA) presented in the ES. For example, a policy may require the assessment of an impact or the use of a specific methodology.
- 1.1.3 The relevant legislation and policy will be assessed within the Planning Statement. The following sections identify and describe the legislation, policy and supporting guidance considered specifically relevant to the noise and vibration assessment.

1.2 National Legislation, Policy and Guidance

- 1.2.1 National legislation, policy and guidance relating to noise and vibration, and pertinent to the Scheme, is outlined below.

National Legislation

Control of Pollution Act 1974

- 1.2.2 The Control of Pollution Act 1974 (CoPA) (Ref 1) requires that Best Practicable Means (BPM), as defined in Section 72 of the CoPA, are adopted to control construction noise on any given site. Sections 60 and 61 of the CoPA provide the main legislation regarding enabling works and construction site noise and vibration. If noise complaints are received, a Section 60 notice may be issued by the Local Authority with instructions to cease work until specific conditions to reduce noise have been adopted.
- 1.2.3 Section 61 of the CoPA provides a means to apply for prior consent to carry out noise generating activities during construction. Once prior consent has been

agreed under Section 61, this provides a defence for any contravention of a Section 60 notice provided the agreed conditions are maintained on-site.

Environmental Protection Act 1990

- 1.2.4 Section 79 of the Environmental Protection Act 1990 (EPA) (Ref 2) prescribes a statutory nuisance as noise (including vibration) emitted from premises (including land) that is prejudicial to health or a nuisance.
- 1.2.5 Local Authorities are required to investigate any public complaints of noise, and if they are satisfied that a statutory nuisance exists, or is likely to occur or recur, they must serve a noise abatement notice. A notice is served on the person responsible for the nuisance. It requires either simply the abatement of the nuisance or works to abate the nuisance to be carried out, or it prohibits or restricts the activity.
- 1.2.6 In determining if a noise complaint amounts to a statutory nuisance the Local Authority can take account of various guidance documents and existing case law as no statutory noise limits currently exist for defining a statutory nuisance. Demonstrating the use of BPM to minimise noise levels is an accepted defence against failure to comply with a noise abatement notice.

National Policy

National Policy Statements

- 1.2.7 The type of energy generating technology incorporated by the Scheme (solar photovoltaic generation) is specifically referenced within National Policy Statements (NPS) and, therefore, the EIA takes the following NPS into account:
 - Overarching National Policy Statement for Renewable Energy (EN-1) (Ref 3); and
 - National Policy Statement for Renewable Energy Infrastructure (EN-3) (Ref 4);
- 1.2.8 National Policy Statement for Electricity Networks Infrastructure EN-5 (November 2023) (Ref 5) advises that generic noise effects are covered in Section 5.12 of EN-1 which are summarised in Table 1. EN-5 provides further guidance on the assessment of noise from overhead lines, however as the Scheme does not include these, these are not relevant to the assessments presented in **ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1]**.
- 1.2.9 The NPS set out the Government's energy policy infrastructure for delivery of major energy infrastructure, along with the need for new infrastructure and guidance for determining applications for Development Consent Orders (DCO). The NPS provide specific guidance and criteria that applicants should cover

when assessing the effects of their Scheme, and how the Secretary of State should consider these impacts, and any mitigation measures applied.

- 1.2.10 The relevant NPS requirements for noise and vibration, along with an indication of where in the ES this information can be sourced, are included within Table 1.

Table 1: Relevant NPS Policy for Noise and Vibration

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
National Policy Statement for Energy EN-1		
Paragraph 4.7.3	Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise	All reasonable steps taken to mitigate and minimise potential adverse noise and vibration effects on health and quality of life are covered in Section 14.7 and Section 14.9 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1] .
Paragraph 5.12.4	Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4.	The potential for noise and vibration effects on ecological and cultural heritage receptors are covered in ES Volume 1, Chapter 9: Ecology and Biodiversity [EN010168/APP/6.1] and ES Volume 1, Chapter 12: Cultural Heritage [EN010168/APP/6.1] respectively.
Paragraph 5.12.6	<p>Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:</p> <ul style="list-style-type: none"> a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal, impulsive, low frequency or temporal characteristics of the noise if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise identification of noise sensitive receptors and noise sensitive areas that may be affected the characteristics of the existing noise environment a prediction of how the noise environment will change with the proposed development <ul style="list-style-type: none"> in the shorter term, such as during the construction period – in the longer term, during the operating life of the infrastructure at particular times of the day, evening and night (and weekends) as appropriate, and at different times of year an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life / well- 	<p>A description of noise generating aspects of the Scheme, identification of noise sensitive receptors and identification of acoustic features are presented in Section 14.4, ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1].</p> <p>Noise sensitive receptors and the characteristics of the existing noise environment are identified in Section 14.4 and Section 14.6 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1] respectively.</p> <p>An assessment of the effect of predicted changes to the noise environment at noise sensitive receptors during day and night periods of the construction (short-term) and operational (longer-term) phases is presented in Section 14.8 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1].</p> <p>Noise predictions cover a reasonable worst-case and are assumed to be consistent for a times of day, week and year.</p>

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	<p>being where appropriate, particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas</p> <ul style="list-style-type: none"> • if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise • all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life. 	<p>An assessment of underwater or subterranean noise is not relevant to the Scheme.</p> <p>All reasonable steps taken to mitigate and minimise potential adverse noise and vibration effects on health and quality of life are covered in Section 14.7 and Section 14.9 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1].</p>
Paragraph 5.12.7	The nature and extent of the noise assessment should be proportionate to the likely noise impact.	A Study Area has been defined within which noise effects have been assessed (see Section 14.4 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1])
Paragraph 5.12.8	Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation.	An assessment of the noise impact of ancillary activities is scoped out. This approach was agreed with the planning inspectorate at ID3.8.1 of ES Volume 3, Appendix 1-2: Scoping Opinion Responses [EN010168/APP/6.1] .
Paragraph 5.12.9	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards 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 and other guidance which also give examples of mitigation strategies.	All relevant British Standards have been referenced in the assessment of construction, decommissioning and operational noise – see Section 13.4 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1] .
Paragraph 5.12.10	Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e. physical design and location of development). The applicant should consult EA and/or the SNCB, and other relevant bodies, such as the MMO or NRW, as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered.	The potential for noise and vibration effects on ecological receptors are covered in ES Volume 1, Chapter 9: Ecology and Biodiversity [EN010168/APP/6.1] .

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
Paragraph 5.12.12	Applicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation.	An assessment of the effect of predicted changes to the noise environment at noise sensitive receptors during day and night periods of the construction and operational phases is presented in Section 14.8 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1] . All reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life are covered in Section 14.7 and Section 14.9 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1] .
Paragraph 5.12.13	The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and the Planning Practice Guidance on Noise.	In line with national policy requirements, all reasonable steps taken to mitigate and minimise potential adverse effects from both operational and construction noise are covered in Section 14.7 and Section 14.9 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1] .
Paragraph 5.12.15	The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).	In line with national policy requirements, all reasonable steps taken to mitigate and minimise potential adverse effects including in respect of the types and locations of plant, among other measures are covered in Section 13.7 and Section 14.9 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1] .
Paragraph 5.12.16	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 England, the NPPF, and the government's associated planning guidance on noise. In Wales the relevant policy will be PPW and the TANs, as well as the Welsh Government's Noise and Soundscape Action Plan.	This Appendix covers statutory requirements for noise and gives due regard to relevant sections of the Noise Policy Statement for England, the National Planning Policy Framework (NPPF), and the government's associated planning guidance on noise.
Paragraph 5.12.17	The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise: <ul style="list-style-type: none"> avoid significant adverse impacts on health and quality of life from noise 	ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1] demonstrates that significant adverse impacts on health and quality of life are avoided (Section 14.10) and how adverse impacts on health and quality of life are mitigated and

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	<ul style="list-style-type: none"> mitigate and minimise other adverse impacts on health and quality of life from noise where possible, contribute to improvements to health and quality of life through the effective management and control of noise 	managed as far as reasonably practicable Section 14.7 and Section 14.9.
National Policy Statement for Renewable Energy Infrastructure EN-3		
Paragraph 2.5.2	Proposals for renewable energy infrastructure should demonstrate good design, particularly in respect of landscape and visual amenity, opportunities for co-existence/co-location with other marine and terrestrial uses, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage.	All reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life are covered in Section 14.7 and Section 14.9 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1] .
Paragraph 2.10.162	The Secretary of State is unlikely to give any more than limited weight to traffic and transport noise and vibration impacts from the operational phase of a project.	An assessment of the noise impact from operational traffic and transport noise is scoped out. This approach was agreed with the planning inspectorate at ID3.8.1 of ES Volume 3, Appendix 1-2: Scoping Opinion Responses [EN010168/APP/6.1] .
National Policy Statement for Electricity Networks Infrastructure (EN-5)		
Paragraph 2.11.7	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.	<p>All relevant British Standards have been referenced in the assessment of construction, decommissioning and operational noise. This is included in Section 14.4 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1].</p> <p>All reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life are covered in Section 14.7 and Section 14.9 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1].</p>

National Planning Policy Framework

- 1.2.11 Policy guidance with respect to noise is found in the National Planning Policy Framework (NPPF) (Ref 6), updated in December 2024. With regard to noise and planning, the NPPF contains the following statement at Paragraphs 187 and 191 as set out in Table 2 below:

Table 2: Relevant NPPF Policy for Noise and Vibration

Relevant NPPF Paragraph	Requirement of the NPPF	Location of information provided to address this
187	<p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <p>[...]</p> <p>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; and</p> <p>[...]</p>	<p>All reasonable steps taken to mitigate and minimise potential adverse effects are covered in Section 14.9, and Section 14.11 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1].</p>
198	<p>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:</p> <p>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;</p> <p>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; and</p> <p>[...]</p>	<p>All reasonable steps taken to mitigate and minimise potential adverse effects are covered in Section 14.9, Section 14.10, Section 14.11 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1]. Cumulative effects have been assessed in Section 14.13 of ES Volume 1, Chapter 14: Noise and Vibration [EN010168/APP/6.1].</p>

The Noise Policy Statement for England

- 1.2.12 The Noise Policy Statement for England (NPSE) (Ref 7) sets out the role and purpose of noise policy, together with the Government's Noise Policy Vision and Aims, consistent with the NPPF(Ref 6).
- 1.2.13 The aims of the NPSE (Ref 7) (Paragraph 1.7) require that:
- "Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:*
- avoid 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."*
- 1.2.14 Paragraph 2.24 of the NPSE (Ref 7) states that in relation to minimising and mitigating adverse effects:
- "...all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life while also taking into account the guiding principles of sustainable development (paragraph 1.8). This does not mean that such adverse effects cannot occur."*
- 1.2.15 At Paragraphs 2.20 and 2.21, the NPSE (Ref 7) introduces the following concepts with regard to noise effects:
- "[...] No Observed Effect Level (NOEL) – 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.*
- Lowest Observed Adverse Effect Level (LOAEL) – This is the level above which adverse effects on health and quality of life can be detected,*
- [...] Significant Observed Adverse Effect Level (SOAEL) – This is the level above which significant adverse effects on health and quality of life occur."*
- 1.2.16 Paragraph 2.15 of the NPSE (Ref 7) recognises that it is not possible to have a single set of noise levels relating to the above categories which are applicable to all sources of noise in all situations, and it is acknowledged that further research is required to increase the understanding of what may constitute a significant adverse effect on health and quality of life from noise.

National Guidance

Planning Practice Guidance

- 1.2.17 Planning Practice Guidance (PPG) for Noise (Ref 8) provides further guidance with regard to the assessment of noise within the context of Planning Policy. The overall aim of this guidance, tying in with the principles of the NPPF (Ref 6) and the NPSE (Ref 7), is to:

“[...] identifying whether the overall effect of noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.”

- 1.2.18 A summary of the effects of noise exposure associated with both noise generating developments and noise sensitive developments is presented within the PPG (Ref 8) and repeated below in **Table 3**.

Table 3: Operational Noise Significance Criteria

Perception	Examples of Outcomes	Increasing Effect Level	Action
NOEL			
Not Present	No Effect	No Observed Effect	No specific measured required
NOAEL			
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
LOAEL			
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
SOAEL			
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

Perception	Examples of Outcomes	Increasing Effect Level	Action
UAEL			
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

1.2.19 The PPG (Ref 8) also states that neither the NPSE (Ref 7) nor the NPPF (Ref 6) (which reflects the Noise Policy Statement) expects noise to be considered in isolation, separately from the economic, social and other environmental dimensions of the Scheme.

1.2.20 Furthermore, the PPG: Noise (Ref 8) identifies at Paragraph 011, the requirement for developments proposals to incorporate measures to mitigating the impact of noise on residential developments. In particular:

“Noise impacts may be partially offset if residents have access to one or more of:

- *a relatively quiet facade (containing windows to habitable rooms) as part of their dwelling;*
- *a relatively quiet external amenity space for their sole use, (e.g. a garden or balcony). Although the existence of a garden or balcony is generally desirable, the intended benefits will be reduced if this area is exposed to noise levels that result in significant adverse effects;*
- *a relatively quiet, protected, nearby external amenity space for sole use by a limited group of residents as part of the amenity of their dwellings; and/or*
- *a relatively quiet, protected, external publicly accessible amenity space (e.g. a public park or a local green space designated because of its tranquillity) that is nearby (e.g. within a 5-minute walking distance).”*

1.3 Local Policy and Guidance

Wiltshire Core Strategy and Emerging Local Plan

1.3.1 Local Planning Policy within Wiltshire is directed by the Wiltshire Core Strategy (Ref 9), adopted in January 2015. An update to the Core Strategy (Wiltshire Emerging Local Plan) (Ref 10) underwent consultation in November 2023 and was submitted the Wiltshire Local Plan to the Secretary of State for Housing Communities and Local Government for independent examination on 28 November 2024. Given the advanced nature of the updated Core Strategy, relevant emerging policies relating to noise and vibration have been identified.

- 1.3.2 Policies relating to noise and vibration identified within the emerging Wiltshire Core Strategy are as follows:

Policy 86 – Renewable Energy

“Proposals for renewable energy schemes, and integrated renewable and low-carbon technologies on existing buildings, will be supported in the context of delivering sustainable development, addressing climate change and helping Wiltshire to transition to a low-carbon future. In all cases, proposals will need to demonstrate the satisfactory resolution of all site-specific constraints. In particular, proposals will need to demonstrate how impacts have been assessed, including any cumulative effects and, where applicable, taken into account the following considerations in accordance with other relevant policies of this Plan:

[...]

k. the amenity of local residents, including noise, odour, visual amenity and safety.

Proposals will also need to demonstrate that there are appropriate plans or a planning mechanism in place requiring the removal of the equipment/ancillary infrastructure on cessation of energy generation, and/or storage, and restoration of the site back to its original use or an acceptable alternative countryside use for sites in countryside locations.”

Policy 91 – Conserving and Enhancing Wiltshire’s Landscapes

“Development will conserve and where possible enhance Wiltshire’s landscapes by:

[...]

6. be located and designed to prevent erosion of relative tranquillity (light pollution and noise) and intrinsically dark landscapes, and use opportunities to enhance areas in which tranquillity have been eroded”.

Policy 98 – Ensuring High-Quality Design and Place Shaping

“A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. This will be achieved through:

[...]

viii. having regard to the compatibility of existing land and building uses in the vicinity of the proposed development, the impact of the development on the amenities of existing occupants, and ensuring that appropriate levels of amenity

are achievable within the development itself, including the consideration of vehicle parking, access and movement, internal and external space standards, private outdoor space, waste storage and collection, privacy, overshadowing, mass and height (overbearing), vibration, and pollution (e.g. light intrusion, noise (including vibration), smoke, odour, fumes, effluent, waste or litter)”.

Wiltshire Council Noise and Planning Technical Guidance

- 1.3.3 Technical guidance relating specifically to noise and vibration is provided within the Noise and Planning Technical Guidance (Ref 11) published by Wiltshire Council on the 31 January 2023. The statement of principles for the planning guidance states that:
- “Recommendations to Development Management concerning the noise impact of any proposed development will be based on the following aims:*
- a) The avoidance of significant adverse impacts on noise-sensitive receptors from existing or new potentially noisy developments and/or the avoidance of significant adverse impacts on existing noise generating uses as a consequence of the siting of new noise-sensitive developments.*
 - b) That suitable mitigation to minimise adverse impacts from noise and vibration will be provided where appropriate.*
 - c) The improvement of health and quality of life through high quality design and place shaping.”*
- 1.3.4 Additionally, the statement of principles identifies the following approach shall be taken in the aim of supporting the delivery principles of the NPSE (Ref 7):
- “Where proposals are expected to have a significant adverse impact then this department will recommend the application is refused. This is the level above which the noise causes a material change in behaviour such as keeping windows closed for most of the time or avoiding certain activities during periods when the noise is present.*
- Where the proposals are expected to have no observed effect then this department will not object on noise grounds. Noise is regarded as having no adverse effect so long as the exposure is such that it does not cause any change in behaviour or attitude. Where mitigation is needed to achieve these levels ECP will recommend that appropriate conditions are attached to any permission.*
- Where the proposals are predicted to have an adverse impact then ECP recommendations will be based on the context of each application.”*
- 1.3.5 The statement also considers the principles of good acoustic design when determining mitigation measures, resulting in the following hierarchy of measures (in descending order of preference):

- Level 1 – Control of Noise at Source;
- Level 2 – Site Layout and Design;
- Level 3 – Dwelling Layout and Orientation;
- Level 4 – Planning Restrictions; and
- Level 5 – Building Envelope.

1.3.6 Section 6.6 of the guidance refers to the introduction of a new industrial or commercial noise source, and states:

“For most proposed industrial and commercial noise sources, an assessment in line with BS 4142 should be carried out at the façade of noise sensitive premises [...]

New developments should contribute and enhance the area in which they are located and where possible i.e. prevent ‘noise creep’, contribute to the improvement of people’s health and quality of life as per the NPSE. Therefore, the design objective should be:

‘The development should be designed so as to achieve a rating level of 5dB (L_{Aeq}) below the typical background (L_{A90}) level at the nearest noise sensitive location.’

Where this criterion cannot be achieved, the various noise control measures considered as part of the assessment should be fully explained (i.e. relocation of noise sources, use of quieter equipment, enclosures, screening, restriction of the hours of operation) and the achievable noise level should be identified. This information will allow a judgement to be made concerning the application and its likely impact on the surrounding area. In addition to the above, maximum noise levels should also be adequately controlled.”

1.4 References

- Ref 1 His Majesty's Stationery Office (HMSO) (1974) The Control of Pollution Act 1974. Available at: <https://www.legislation.gov.uk/ukpga/1974/40>.
- Ref 2 HMSO (1990) The Environmental Protection Act 1990. Available at: <https://www.legislation.gov.uk/ukpga/1990/43/contents>
- Ref 3 Department for Energy Security and Net Zero (2024) Overarching National Policy Statement for energy (EN-1). Available at: <https://www.gov.uk/government/publications/overarching-national-policy-statement-for-energy-en-1>
- Ref 4 Department for Energy Security and Net Zero (2024) National Policy Statement for renewable energy infrastructure (EN-3). Available at: <https://www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3>
- Ref 5 Department for Energy Security and Net Zero (2024) National Policy Statement for Electricity Networks Infrastructure (EN-5). Available at: <https://assets.publishing.service.gov.uk/media/65a78a5496a5ec000d731abb/nps-electricity-networks-infrastructure-en5.pdf>
- Ref 6 Ministry of Housing, Communities and Local Government (2024) National Planning Policy Framework (NPPF). Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Ref 7 Department for Environment, Food and Rural Affairs. Noise Policy Statement for England (2010). Available at: <https://www.gov.uk/government/publications/noise-policy-statement-for-england>.
- Ref 8 Ministry of Housing, Communities and Local Government. Planning Practice Guidance: Noise (2014, updated July 2019). Available at: <https://www.gov.uk/guidance/noise--2>
- Ref 9 Wiltshire Council (2015) Wiltshire Core Strategy. Available at: <https://www.wiltshire.gov.uk/planning-policy-core-strategy>.
- Ref 10 Wiltshire Council (2025) Wiltshire Local Plan 2020–2038: Regulation 19 Consultation. Available at: <https://www.wiltshire.gov.uk/article/8037/The-Local-Plan-review>
- Ref 11 Wiltshire Council (2023) Wiltshire Noise and Planning Technical Guidance. Available at: <https://www.wiltshire.gov.uk/env-health-noise-information>.