

Guidance on Noise from Construction and Demolition Sites

This guidance note has been produced to help anyone who is carrying out, or affected by, construction or demolition work within the area of the Council.

Construction sites are noisy. It is likely that where development is taking place near to existing residential or business premises, neighbours will be disturbed from time to time by noise.

Complaints can however be avoided if care is taken to minimise the impact of operations on neighbouring premises. This leaflet outlines a number of recommendations to help contractors ensure that they are doing everything reasonably possible to prevent disturbances.

These recommendations are not exhaustive, and contractors should always consider the circumstances of their site and the nature of the intended construction and implement the most suitable steps for their situation.

Recommended Hours of Operation

Most construction sites operate satisfactorily without formal controls on hours of operation. However, when operating in close proximity to residential properties or when subject of complaint, the Environmental Protection team recommend that contractors adhere to the following hours of operation:

- **Monday to Friday: 08:00 to 18:00**
- **Saturday: 08:00 to 13:00**
- **Sundays and Public Holidays: NO WORKING**

Works which cannot be heard beyond the site boundary are not covered by this recommendation.

If the Environmental Protection Team receives complaints about construction sites operating beyond the recommended hours, we may take legal action to restrict the site activities to the hours stated above.

Unavoidable or Emergency Works

On rare occasions, it is expected that contractors will need to work outside of the above 'recommended hours of operation'. For example, road restrictions may require that works are undertaken in less busy periods, works may not be able to be completed within the 'recommended hours' or urgent/ emergency repairs or works may be necessary.

Except in an emergency, contractors should notify residents likely to be affected by the noise and also the Environmental Protection Team, in advance of the works taking place of the following:

- The nature of the intended works
- The expected timescales
- Why this work cannot be undertaken within the recommended hours
- A point of contact (preferably on site) in case of complaints.

Statutory Undertakers

Works undertaken by statutory undertakers may occasionally give rise to complaints. However, unless works are causing significant disruption and are intended to continue for several nights it is unlikely that the Environmental protection Team can take any action

Recommended Working Practices

In order to minimise noise disturbances from construction it is recommended that the following actions should be considered:

- The quietest available plant and machinery should be used; e.g. hoists and cement mixers should be electrically powered wherever possible.
- All equipment should be properly maintained to prevent unnecessary noise.
- When machinery is not actually being used it should be switched off and not left idling.
- Stationary noise sources should be sited away from noise sensitive areas such as nearby houses.
- Acoustic barriers could be used to shield noise sensitive areas from noise sources; these can be purpose built or constructed from materials on site such as bricks, sheds or mounds of earth.
- Acoustic covers to items such as compressors and generators should always be in place.
- Try to avoid undertaking the noisiest activities early in the morning.
- Ensure that the site radio does not affect neighbours
- Ensure all employees are aware of noise control measures.
- Keep the neighbours informed

Legal Controls

The Council has powers under the Control of Pollution Act 1974 Section 60 to control site noise and can serve a Notice imposing requirements as to the way in which works are to be carried out.

Such a notice may specify:-

- The plant or machinery which is or is not, to be used;
- The hours during which the works may be carried out;
- Noise levels which must not be exceeded
- Provide for any change of circumstances.

These requirements can cover the following kinds of work:-

- a) The erection, construction, alteration, repair or maintenance of buildings, structures or roads;
- b) Breaking up, opening or boring under any road or adjacent land in connection with the construction, inspection, maintenance or removal of the works;
- c) Demolition or dredging works;
- d) Any work or engineering construction (whether or not comprised in paragraphs (a), (b) or (c) above.

Subject to a right of appeal against a notice to a Magistrates Court within 21 days of the date of service, if any person upon whom such a notice is served contravenes, without reasonable excuse, any requirements of the notice, they shall be guilty of an offence.

Penalties upon conviction are up to £2000 for first or subsequent offences, together with a fine of up to £50 for each day on which the offence continues after conviction.

It should be noted that a Local Authority has alternative powers to take proceedings in the High Court for an injunction in cases where they consider it appropriate and this authority will not hesitate to take such action where a serious noise nuisance exists and/or unacceptable delay would be occasioned by following the procedure outlined above.

Contact Environmental Protection

Should you wish to discuss the advice provided in this leaflet, or if you wish to make a complaint regarding a construction site, please contact the Council on:

Dartford Borough Council- 01322 343434

Sevenoaks District Council- 01732 227000