

<b>Subject:</b>	<b>Quiet Areas Report</b>		
<b>Date of Meeting:</b>	<b>27 March 2013</b>		
<b>Report of:</b>	<b>Strategic Director, Place</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Tim Nichols</b>	<b>Tel:</b> 292163
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<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Under the Environmental Noise Directive 2002/49/EC the Environmental Noise (England) Regulations 2006 were introduced. These required the Department for Environment, Food and Rural Affairs (DEFRA), as the 'competent authority' to carry out noise mapping of certain areas and these maps were then intended to be the baseline information for the production of Noise Action Plans.
- 1.2 In March 2010 the Secretary of State for Environment, Food and Rural Affairs formally adopted Noise Action Plans for 23 agglomerations (large urban areas), major roads, and major railways in England. Brighton was chosen as one of those agglomerations. This Action Plan covers the noise issues arising from road, railway, aviation and industrial sources (as described in the Directive) that affect the Brighton agglomeration. Nothing in this Action Plan affects the management of noise from any other noise source. The Brighton Agglomeration Noise Action Plan is in Appendix A
- 1.3 While DEFRA were producing the Action Plan the City Council trialled a 'Noise Action Plan Support Tool' and reported the findings to DEFRA.
- 1.4 The Action Plans set out a process for identifying and aiming to protect 'Quiet Areas' from an increase in noise in the 23 agglomerations.
- 1.5 There is no guidance or statutory definition for defining or assessing Quiet Areas. In Dec 2011 Brighton and Hove City Council were approached by Environmental Protection UK (EPUK) and DEFRA to trial a public engagement approach to identifying Quiet Areas, within urban locations, supported by an assessment method to benchmark the public view. A project was conducted to trial a method for identification and designation of quiet areas. This was undertaken in the context of national and local policy in relation to this area of work.
- 1.6 The research undertaken by Brighton and Hove City Council and EP UK has demonstrated that many factors influence people's use of open spaces. Considering the information collected it would be fair to consider areas that users perceive as being peaceful/quiet/tranquil as those that should be considered as being designated as quiet spaces.

- The Quiet Garden
- Kipling Gardens
- St Ann's Well – Sensory Garden
- Royal Pavilion Garden

## **2. RECOMMENDATIONS:**

That the Environment and Sustainability Committee –

- 2.1. Note the findings of the Noise Action Plan produced by DEFRA for Brighton Agglomeration and dated March 2010 (Appendix 1)
- 2.2 Note the findings of the Brighton and Hove City Council report identifying proposed designation of quiet areas, which was undertaken in parallel with work for DEFRA and Environmental Protection UK. (Appendix 2)
- 2.3 Note that the protection and enhancement of quiet open spaces will be explored during the preparation of the City Plan Part 2 and where appropriate a criteria based policy will be included within Part 2 of the City Plan and through designation of Local Green Spaces in Neighbourhood Plans
- 2.4 Instructs the Strategic Director, Place-
  - I. To propose to DEFRA, as competent authority, that the open spaces identified in paragraph 4.6 designated as Quiet Areas in accordance with the Environmental Noise (England) Regulations 2006
  - II. To ensure that quiet areas and preservation of such areas will be included considered within the next local planning policy document
  - III. To use DEFRA's Noise Action Plan is included within the Local Transport Plan and is used to inform relevant decisions, for example regarding barriers, planting, road surfaces and bids for DEFRA funding

## **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The Government intends that the Environmental Noise Directive Action Plans will assist the management of environmental noise in the context of Government policy on sustainable development. Within this policy context, this Noise Action Plan aims to promote good health and good quality of life.
- 3.2 The Government recognises that open spaces contribute to the quality of urban life. The Government also recognises that good management of open spaces, including well designed and implemented planning policies for open space are therefore fundamental to delivering broader Government objectives
- 3.3 Local authorities will be expected to adopt policies to manage the local noise environment so as to protect the quietness of these open spaces and avoid

increases in noise from those sources of noise covered by the Action Plans. This will include reviewing their approach to the management of the open spaces concerned in the course of the normal development and implementation of their open space policies.

#### 3.4 Noise Policy Statement for England

The Noise Policy Statement for England provides three aims to support the long term vision of 'Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.' The third aim seeks to improve health and quality of life through pro-active management of noise while considering sustainable development principles. This aim specifically relates to quiet areas stating 'protection of quiet places and quiet times as well as the enhancement of the acoustic environment will assist with delivering this aim.'

#### 3.5 The Natural Environment White Paper

The white paper titled The Natural Choice – securing the value of nature (DEFRA 2011) provides a series of commitments from the authors. It is recognised that for many people, a sense of tranquillity contributes to their enjoyment of the natural environment. The following commitment is detailed in the document and specifically relates to quiet areas:

We will work with local authorities to establish mechanisms for formally identifying and protecting urban Quiet Areas, so that people living in cities can benefit from access to areas of relative quiet for relaxation and contemplation.

#### 3.6 National Planning Policy Framework

The Department for Communities and Local Government state that planning policies and decisions should aim to identify and protect areas of tranquillity. Areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason. It should also be noted that the National Planning Policy Framework also includes the provision for designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. The Council's current Local Plan and the proposed open space policy in the Submission City Plan Part 1 seek the protection of open space and better, more effective and appropriate use of these spaces. Where possible new open space sites will be allocated within the City Plan Part 2. The designation of Local Green Space will also be considered through the City Plan Part 2 and the Neighbourhood Planning process. Therefore the protection and enhancement of quiet open spaces will be explored and where appropriate a criteria based policy will be included in the City Plan Part 2

#### 3.7 Public Health Outcomes Framework

The Department of Health (2012) document provides a series of indicators for public health. Noise is considered as one of these being identified as a 'placeholder' indicator – having regards to the number of complaints received per local authority and the proportion of the population exposed to transport noise levels.

#### 3.8 Public Health White Paper

This paper Healthy Lives, Healthy People: Our strategy for public health in England (Department of Health 2010) comments that the quality of the

environment around us also affects any community. The paper makes reference to the importance of noise and the availability of green and open spaces, amongst other factors, as influencing the health and wellbeing of the local population.

- 3.9 Joint Strategic Needs Assessment – Brighton and Hove City Council  
Section 6.4.10, titled Noise Pollution, of the Joint Strategic Needs Assessment Summary 2012 states:  
'The Noise Action Plan for the Brighton Agglomeration was produced by DEFRA in 2010. This identifies priority areas for action. The City Council have trialled a "Noise Action Plan Support Tool" & reported the findings to DEFRA.. In response to the noise maps, the City Council are currently working with Environmental Protection UK & DEFRA advisors on designating some local open spaces as 'quiet areas'.'
- 3.10 The UK Noise Association made a presentation on 19th January 2010 as part of the evidence gathered by Environment and Community Safety Overview and Scrutiny Committee work, explaining the relationship between speed and sound levels.

#### **4 Defining Quiet Areas**

- 4.1 The 23 Action Plans produced by DEFRA set out a process for identifying and aiming to protect 'Quiet Areas' from an increase in noise. There is no guidance or statutory definition for defining or assessing 'Quiet Areas' so in December 2011 Brighton and Hove City Council and EPUK were commissioned by DEFRA to trial a method for identification and designation of these areas. Following a thorough literature on research in this field it was proposed to initially look at 9 areas across the City. These were identified geographically with the assistance of the project group and the Parks and Countryside Manager at Brighton and Hove City Council. A variety of areas were purposely selected to provide some very urban areas and others more rural.
- 4.2 The following open spaces were initially selected across the Brighton Agglomeration (as defined in the Action Plan):
1. Duke's Mound – opposite Volks railway stop
  2. Easthill Park Portslade – walled garden – Green Flag
  3. Kipling Gardens – Green Flag
  4. Preston Park – walled garden – Green Flag
  5. Queens Park – quiet garden
  6. Royal Pavilion Gardens – bench near to New Road (mixed use space)
  7. Saunders Park – community garden area
  8. St Nicholas Church Gardens – play park and community garden section
  9. Withdean Park – bog garden
- 4.3 Following assessment of the online survey two further spaces were identified for assessment.
10. Preston Park – rose garden – Green Flag
  11. St Ann's Well – sensory garden – Green Flag

- 4.4 To assess and measure the soundscape it was decided to adopt the triangulation method of assessment established by Botteldooren in 2012. This covered three dimensions mental, sensory and physical. Three methods were selected.
- *Online survey* – an online survey was developed by Environmental Protection UK using Survey Monkey with input from all other project partners. The aims of the survey were to find out why people in Brighton and Hove visit open spaces, which open spaces visitors and people living and working in the city visit for quiet and their views on quiet space in the city. Questions were linked as much as possible to the face-to-face surveys as well as to the policy relating to the research.
  - *Face-to-face survey/interviews* – the face-to-face survey was developed by project partners using surveys previously used in research on quiet areas – including a ‘Value of Quiet’ survey that was used in Westminster. Adjustments were made following a small trial. It was developed having regard to the fact that the majority of the surveyors were volunteers. The survey aimed to determine people’s reasons for visiting a particular open space, how they perceived any noise and sound affecting it, and how this impacted on their enjoyment of the space.
  - *Noise monitoring* (including soundscape assessment) – static measurements to provide a level within the area and a walk round monitoring route to give an understanding of the levels that users may be exposed to when approaching the area. The main purpose of the measurements was to benchmark the subjective findings from public surveys. During static monitoring constant note taking of the soundscape heard was recorded.
- 4.5 Appendix B of this Committee Report details the results of this research
- 4.6 The research established that the areas that would be most suitable to be designated as quiet areas, having regard to all the information available would be
- Queens Park – Quiet Garden,
  - St Ann’s Well Gardens
  - Kipling Gardens
  - Royal Pavilion Gardens.
- 4.7 The research also concluded that having regards to the triangulation method identified by Botteldooren (2012) it is fair to comment that the assessment methods selected fit within this method. This method provides a good overall measurement procedure taking into account both subjective and acoustic measurement.
- 4.8 This method could be implemented by other local authorities, and taking into account the limitations of the project, could be successfully implemented to identify and possibly determine quiet areas.
- 4.9 Acoustic measurements alone would not be suitable for identifying and assessing quiet areas.

- 4.10 Public engagement is essential to ensure that areas selected for investigation are used frequently.
- 4.11 Areas that may be acoustically quiet are not necessarily the ones that open space users visit for quiet.
- 4.12 The public engagement aspects of the project have led to a large amount of data that has been required to be interpreted, however, some of this has proved invaluable to the project.
- 4.13 The majority of respondents want to see a reduction in traffic noise affected the open spaces that were investigated.
- 4.14 Quiet areas may not be the most suitable name to use for these open spaces, the definition provided in the Environmental Noise Directive is not suitable.

## **5. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 5.1 A partnership and public engagement approach was adopted. This included engagement of relevant teams across the local authority including noise specialists, strategic planning, environmental improvement, parks and open space and seafront teams. Environmental Protection UK was a key partner with this work and in particular delivering the Quiet Areas report to DEFRA.
- 5.2 Local knowledge of the project partners were used to inform the initial selection of publicly accessible open spaces managed by the local authority. A city wide online survey was undertaken to canvass wider views of users and relevant community groups on quiet open spaces across the City. Site specific survey work consisting of acoustic measurements and interviews with park users was also carried out
- 5.3 Engagement with organisations and agencies undertaking linked work has been important and included The Noise Abatement Society working on their Soundscape project (looking to address street noise), the outcomes of which should be complimentary to quiet areas work. The South Downs National Park recognises the importance of tranquil places ( a number of spaces that fall in the park boundary were identified by residents)
- 5.4 In accordance with the Action Plan Lewes, Worthing, Adur and Arun District Council officers were consulted and appear to be supportive with the approach of applying the European Noise Directive 2002/49/EC and DEFRA 's Noise Action Plan

## **6 Financial and other Implications**

### Financial Implications

- 6.1 There are no additional financial implications arising from the recommendations in this report.

*Finance Officer Consulted: Jeff Coates*

*Date 27/02/2013*

### Legal implications

- 6.2 All relevant legislative provisions are referred to in the body of the report. For the purposes of this report, the principal piece of legislation is The Environmental Noise (England) Regulations 2006 (SI 2006/2238).

The Regulations apply to environmental noise to which humans are exposed in particular in built-up areas, in public parks or other quiet areas in an agglomeration, near schools, hospitals and other noise-sensitive buildings and areas.

They do not apply to noise that is caused by the exposed person himself, noise from domestic activities, noise created by neighbours, noise at work places or noise inside means of transport or due to military activities in military areas.

Lawyer consulted: Oliver Dixon

Date: 28/02/13

### 6.3 Equalities Implications

Quiet areas policy can also be linked to BHCC's Equality and Inclusion Policy which replaces the Single Equality Scheme which intends to provide better access to public spaces.

### 6.4 Sustainability Implications

The Quiet Spaces proposals support the Council's biosphere project, the City Plan and bio diversity policy (CP10), the Brighton and Hove Local Bio Diversity Action Plan, and the Open Spaces Strategy.

### 6.5 Crime and Disorder Implications

None arising from this report

### 6.6 Risk and Opportunity management Implications

None arising from this report

### 6.7 Public Health Implications

Links to the Joint Strategic Needs Assessment (JSNA) are described in para. The JSNA also encourages the public to make better use of their local environment with a focus on hard to reach groups, those who are less active, and residents in areas with most deprived access to green space.

### 6.8 Corporate and City Wide Implications

Open spaces are an vital city resource

### 6.9 Evaluation of any Alternative Options

Officers considered it worth while to develop a Quiet Spaces policy and to support DEFRA's Noise Action Plan. The Council, like many others, is behind the noise action planning process timetable for quiet areas. Publishing formally identified Quiet Areas and ongoing management and protection will achieve compliance

6.10 Reasons for Report Recommendations

This is an opportunity to link to corporate policies inc the Local Transport Plan, City Plan and Bio Diversity Plans.

**SUPPORTING DOCUMENTATION**

**Background Papers**

1. Environmental Noise Directive 2002/49/EC
2. Environmental Noise (England) Regulations 2006 (as amended)

**Appendices**

1. Appendix A : Noise Action Plan Brighton Agglomeration
2. Appendix B : Brighton and Hove Council Quiet Areas Report 2012