



meeting **HIGHWAYS SELECT COMMITTEE**

date **Monday 5 March 2007** agenda item number

Report of the Head of Service (Highway Polices and Programmes)

NOISE FROM ROAD SURFACES

Purpose of the report

1. To inform Highway Select Committee of the Authority's position with regard to noise emanating from new and existing roads.

Background

2. Traffic noise is a concern to residents of property adjacent to busy roads and the topic has been the subject of complaint to elected Members by the general public. Petitions have been submitted requesting that low noise surfacing be provided. There are statutory requirements with regard to new road projects, but there are no equivalent requirements for existing roads.

Issues

3. When building a new road scheme or carrying out an improvement where a new lane is added bringing the carriageway closer to property, residential properties within 300metres of a new or altered highway are eligible for consideration for noise insulation under Part 2 of the Land Compensation Act 1973. The Authority meets its statutory requirements by providing mandatory noise insulation where predicted noise levels (within 15 years of opening the new/altered road) at one or more facades will increase by at least 1dB(A) and will be not less than the specified level of 68dB(A) L10 (18hr). Noise caused by traffic using the new/altered road must contribute at least 1dB(A) to the noise level. This usually takes the form of a standard package that includes secondary glazing; noise suppressed mechanical ventilation and Venetian blinds. Residents are notified by letter of a formal offer if they are eligible for mitigating features. Only living rooms and bedrooms are eligible.
4. In addition, once a new/altered road has been built and operating for 12 months, owners of property adjacent to the said road can claim injurious affection under Part 1 of the Land Compensation Act. Compensation is paid for depreciation in the value of property based on a variety of factors

such as noise, dust, pollution and lighting etc. This is usually dealt with by a Valuer in Corporate Property who deals with Agents acting on behalf of the various claimants. Recent major schemes subject to this process are Rainworth By-Pass and Mansfield Ashfield Regeneration Route.

5. When planning a road scheme, both of the above aspects are taken into consideration when preparing a scheme estimate but in the construction of new build schemes, low noise surfacing is the normal material now used. However with regard to Part 1 Claims for injurious affection, these can still be made up to seven years after the road first begins operating and this makes financial planning on projects a lengthy and uncertain process with much of the residual costs falling on the Authority to bear.

Existing Roads

6. As stated in paragraph 2 above, house owners living next to existing roads also have concerns about noise levels emanating from the road surfaces. The County Council at present does not have a policy to resurface existing roads based on noise criteria. This type of situation is experienced and repeated at many locations throughout the County and indeed the UK where the general increase in traffic volumes and associated traffic noise levels causes problems. To introduce a policy to undertake surfacing works solely on noise criteria would not be financially sustainable to the Authority.
7. The priority has to be to maintain Nottinghamshire roads in a safe and serviceable condition for all road users to meet our statutory duty of care as local highway authority under S.41 of the Highways Act. In practice, the existing road network in Nottinghamshire (some 4200km) is monitored for structural condition on an annual basis and when the condition assessment justifies the undertaking of planned maintenance work, then the opportunity is used to introduce low noise surfacing at appropriate locations.

Recommendations

It is recommended that:

Members of Select Committee are requested to take the above information into account when considering their recommendations on highway matters for the Cabinet Member for Environment.

Phil Rankin
Head of Highway Polices and Programmes

Background papers: nil.