

Regulations and Standards

In Ireland, the principal law relating to noise and nuisance is **Sections 106, 107, and 108 of Part VI of the Environmental Protection Agency (EPA) Act 1992**. Local Authorities have powers under Section 107(1) to serve a notice on any person in charge of premises, processes or works, other than an activity which is licensable by EPA, when they consider that it is necessary to do so in order to prevent or limit noise. The EPA has the same power in relation to an activity licensable by it.

The **(Noise) Regulations 1994 (S.I. 179)** which implemented Section 108 of the EPA Act, 1992, were designed to simplify and strengthen the procedures for dealing with noise nuisance. A Local Authority, the EPA or any other affected person may complain to the District Court under Section 108(1) of the EPA Act, *where any noise is so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause or annoyance to a person in any premises in the neighborhood, or to a person lawfully using any public place.*

The **Department of the Environment** has issued a self-explanatory leaflet entitled ‘Guide to Noise Regulations’ which outlines the steps to be taken where a person is experiencing nuisance caused by noise. It includes a form which can be filled in and then forwarded to the Clerk of the local District Court. There is no requirement to be represented in Court by a solicitor. In addition, as there are no statutory limits currently in place, noise monitoring data is not necessarily required; however, their guidance indicates that it may be beneficial in comparing data with the **World Health Organisation (WHO) Guidelines for Community Noise (1999)** provide community noise exposure recommendations (Table 1). Alternatively, a written record which includes dates and times during which the perceived noise nuisance occurred and/or a tape recording of the type of noise experienced, can provide important evidence which can be presented in Court.

Environment	Critical health effect	Sound level dB(A)*	Time hours
Outdoor living areas	Annoyance	50 - 55	16
Indoor dwellings	Speech intelligibility	35	16
Bedrooms	Sleep disturbance	30	8
School classrooms	Disturbance of communication	35	During class
Industrial, commercial and traffic areas	Hearing impairment	70	24

Music through earphones	Hearing impairment	85	1
Ceremonies and entertainment	Hearing impairment	100	4

Table 1: WHO Community Noise Guidance

The **NRA** (National Roads Authority) issued Guidelines for the Treatment of Noise and Vibration in National Road Schemes and has indicated typically deemed acceptable noise levels at the façade of dwellings during construction (Table 2). These construction limits are often specified in planning conditions as construction phase noise limits to ensure an acceptable noise environment for sensitive receptors in the vicinity of major developments.

Days & Times	L_{Aeq1hr} dB	L_{pAmax} slow dB
Monday to Friday 07:00 to 19:00hrs	70	80
Monday to Friday 19:00 to 22:00hrs	60	65
Saturday 08:00 to 16:30hrs	65	75
Sundays and Bank Holidays 08:00 to 16:30hrs	60	52

Table 2: Maximum permissible noise levels at the façade of dwellings during road construction

In determining acceptable noise levels much depends on the existing noise levels, the character of the area and the nature of the development.

In the UK DOE Advisory Leaflet 72 gives advice as to maximum levels of construction site noise at residential locations during daytime hours at 75dBA (façade L_{eq}) in urban areas, guideline which is also applied by the UK Environment Agency.

British Standard BS 5228:1997 - *Noise Control on Construction and Demolition Sites* provides detailed guidance on the methods and techniques available to control noise from construction work and is widely used on large scale construction projects. The standard covers areas such as noise

sources, remedies and their effectiveness, while it also includes guidance on the monitoring of noise from sites for the purposes of assessing compliance with noise control targets.

As regards industrial noise sources, for licensed activities the EPA normally specify daytime and night time limits for IPPC and waste licensed activities. Typical daytime limits are 55dBA and night time 45dBA measured at the nearest noise sensitive location.

European policy on environmental (or ambient) noise (European Commission - Noise Policy)

In 1996 the European Commission issued a Green Paper in which it was stated that an estimated 20% of the EU citizens were exposed to noise levels that scientists and health experts considered to be unacceptable, at which most people become annoyed, sleep is disturbed and health may be at risk.

There are already a number of EU directives in place to control noise from transport sources, for example from vehicles and outdoor machinery. The Green Paper proposed a more strategic approach control by focusing on those exposed to environmental noise. The Commission believes that such an approach would require comprehensive information about noise exposure levels across the EU and what action is being taken at local level.

In July 2000 the Commission issued a proposal for a Directive relating to the Assessment and Management of Environmental Noise (the Environmental Noise Directive 2002/49/EC). It concerns noise from road, rail and air traffic and industry. It focuses on the impacts of noise on individuals, and it complements existing EU legislation which sets standards for noise emissions from specific sources.

The Irish Environmental Noise Regulations 2006 give effect to EU Directive 2002/49/EC. Environmental noise is defined in the Regulations as unwanted or harmful outdoor sound created by human activities, including noise emitted by means of transport, road traffic, rail traffic, air traffic, and from sites of industrial activity. The Regulations are not intended to address domestic or neighbourhood noise, noise at work places, noise inside means of transport, or noise due to military activities in military areas.

A two-stage approach to the assessment and management of environmental noise is provided for in the Regulations. Firstly, the preparation of strategic noise maps for areas and infrastructure falling within defined criteria, e.g. large agglomerations, major roads, railways and airports. Secondly, based on the results of the mapping process, the Regulations require the preparation of noise action plans for each area concerned. The fundamental objective of action plans is the prevention and reduction of environmental noise.

The Regulations provide for strategic noise maps and action plans to be made available to the general public. They also provide for public consultation on proposed action plans, and for the results of public consultation to be taken into account in finalising action plans or reviews of action plans.

The Environmental Protection Agency are the National Authority with overall responsibility for implementation of the Regulations. Implementation at local level is a matter for the local authorities concerned and Dublin Airport Authority, the National Roads Authority, Iarnród Éireann and the Railway Procurement Agency.

The aforementioned EU directives in place to control noise from transport sources, for example from vehicles and outdoor machinery are listed below:

Road traffic noise

- Motor Vehicles - [70/157/EEC](#)
- Motor Cycles - [97/24/EC](#)
- Tyres for motor vehicles and their trailers and their fitting - [2001/43/EC](#)

Aircraft noise

- Subsonic Aircraft - [80/51/EEC](#)
- Subsonic Jet Aeroplanes - [89/629/EEC](#)
- Limitation of the Operations of Aeroplanes - [92/14/EEC](#)
- Operating restrictions at Community airports - [2002/30/EC](#)

For more information about these Directives, see here.

Railway noise

- Interoperability of the Trans-European high-speed rail system - [96/48/EC](#)
 - Technical specification for interoperability (TSI) relating to high-speed rolling stock - Commission Decision [2002/735/EC](#)
 - Technical specification for interoperability (TSI) relating to high-speed railway infrastructures - Commission Decision [2002/732/EC](#)
- Interoperability of the conventional Trans-European rail system - [2001/16/EC](#)
 - Commission Decision 2004/446/EC of 29 April 2004 specifying the basic parameters of the 'Noise', 'Freight Wagons' and 'Telematic applications for freight' Technical Specifications for Interoperability referred to in Directive 2001/16/EC ([OJ L 193 p. 1](#))

- Directive [2004/50/EC](#) of 29 April 2004 amending Council Directive 96/48/EC and Directive [2001/16/EC](#) (OJ L 164, 30.4.2004)
- Commission Decision [2006/66/EC](#) adopted on 23 December 2005 concerning the technical specification for interoperability relating to the subsystem "rolling stock - noise".

Noise from Equipment for Use Outdoors - 2000/14/EC

Further information can be found on the following webpage:

http://ec.europa.eu/enterprise/mechan_equipment/noise/index.htm