

M44. Would policies D12 and D13 provide a justified and effective strategic framework to mitigate the impacts of existing noise and nuisance generating activities or uses on proposed new noise-sensitive development and reduce, manage and mitigate noise in relation to new development?

- 44.1 Yes. The Policies are consistent with national policy, which emphasises the importance of avoiding significant adverse impacts¹ on health and quality of life as a result of noise related to new development².
- 44.2 Meeting London's development needs and making the most efficient use of land requires new development to be located next to existing land uses, which may generate noise or other nuisances in their normal operations (and vice versa). Many such uses, including cultural venues, pubs, schools, sporting venues, industrial sites and transport infrastructure, play a vital role in London's economy and its global success, and thus a strategic approach is required that ensures development enables new and old land uses to co-exist sustainably.³
- 44.3 The Mayor's London Environment Strategy recognises that meeting London's development needs requires a strategic approach to the management of noise in order to reconcile the competing needs of noise mitigation with housing pressures, a growing economy, and the need to maintain London as a vibrant and interesting city.⁴
- 44.4 Policies D12 and D13 provide an effective framework for the application and implementation of the Agent of Change principle in local plans (D12 B) and sets out parameters for development management (D12 D-F) in order to bring forward development that has been specifically designed to protect the new occupiers (or neighbouring properties) from noise and other impacts. Policy D13 sets out specific approaches that should be taken during the design and planning of development to reduce, manage and mitigate noise to enable it to comply with the Agent of Change principle – for example, by integrating soundproofing into a residential development proposed to be located near an existing music venue. This will ensure adverse impacts arising from existing noise and nuisance generating activities or uses on new noise sensitive development are avoided or mitigated in all development in order to promote good health and quality of life for all Londoners, wherever in the city they are.

In particular:

- a) **Would Policy D12, in setting out the 'agent of change' principle, be necessary in light of paragraph 123 of the NPPF?**
- 44.5 Paragraph 123 of the 2012 National Planning Policy Framework (NPPF) sets out aims for planning policies and decisions in relations to noise and new development, and the identification and protection of areas of tranquillity.⁵ It states that existing businesses should not have unreasonable restrictions placed on them as a result of changes in nearby land uses.

¹ Department for the Environment, Food and Rural Affairs, Noise Policy Statement for England, March 2010

² NLP/GD/003: DCLG, National Planning Policy Framework (NPPF), 2012, Paragraph 123

³ NLP/SI/025: Mayor of London, London Environment Strategy, May 2018

⁴ NLP/SI/025: Mayor of London, London Environment Strategy, May 2018

⁵ NLP/GD/003: DCLG, National Planning Policy Framework (NPPF), 2012, Paragraph 123

- 44.6 Within London, this will be considered through the Agent of Change principle. As the policy explains, 'Agent of Change' refers to the principle that the person or business responsible for the change is responsible for managing the impact of the change. In the context of the draft Plan, the Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.
- 44.7 Policy D12 is required to set out how to effectively apply the Agent of Change principle in plan-making and development management in London, so that relevant noise-generating land uses remain viable. The Policy (paragraph 3.12.2) identifies types of noise-generating and noise-sensitive land uses that may result in a conflict with new development close by. It explains that this conflict should be managed and mitigated by applicants designing the proposed new development in a sensitive way to in order to respect the existing land use. This will be achieved by protecting existing noise-sensitive uses from new noise-generating uses, and protecting new development of a noise-sensitive nature from any existing noise-generating uses close by. The policy establishes a strategic framework for boroughs to operate within when developing local policies to address noise and nuisance-related issues in their development plans. It also sets out parameters for detail to be included in impact assessments accompanying development proposals, and provides criteria that boroughs are to use when assessing development proposals (as explained in paragraph 44.6 above). This approach will ensure that the aims of paragraph 123 of the 2012 NPPF are implemented in a way that responds to London's specific circumstances.
- 44.8 Furthermore, the Policies will help deliver Good Growth by setting out how to make the best use of land in a sustainable way that establishes, early on in the planning process, an understanding of existing places, including what is valued about them, and using this to inform future growth, renewal, and place-making (GG2A, B, C and E). By requiring that boroughs consider and address issues related to noise and nuisance-generating uses at the beginning of the plan-making process, the Policies will more effectively manage the development of noise-generating and noise-sensitive development to minimise future conflicts and reduce reactive mitigation measures at the development management stage.
- 44.9 The Policies recognise and reflect the Government's move towards a more specific approach to noise and the Agent of Change principle between the 2012 NPPF and the 2018 NPPF. In response to comments received during consultation on the draft London Plan, Policy D12 has been clarified and broadened out through minor suggested changes to address how the Agent of Change principle should not focus solely on noise-generating activities or uses.
- b) Would the identification and protection of 'Quiet Areas' be effective, as set out in Policy D13B? Would it be justified?**
- 44.10 As London's population grows and its urban environment becomes denser, the retention of quiet areas throughout the city is increasingly important to Londoners' quality of life. London's parks, green spaces, waterways, private gardens and natural landscapes are the places where Londoners can relax, away from the hustle and bustle of the city. Given the built-up nature of much of London, there is a need to ensure that here are opportunities to find quiet areas, so Policy D13B encourages boroughs to identify and nominate 'Quiet Areas', in line with guidance from the Department for Environment Food & Rural Affairs (Defra).

- 44.11 Policy D13 makes it clear that the identification and management of Quiet Areas by boroughs and other relevant stakeholders should be consistent with the procedure in Defra's Noise Action Plan for Agglomerations and provides further additional detail for boroughs (D13B and supporting text paragraph 3.13.6).
- 44.12 The Policy recognises that the identification and definition of these areas are matters most effectively addressed at the borough level, as they are likely to reflect the specific context of individual boroughs – what is considered a Quiet Area in denser mixed-use parts of London may differ from what a more residential area may consider a Quiet Area (paragraph 3.13.6).
- c) The Noise Action Plan for Agglomerations published by Defra states '*Local approaches to the management of quiet areas should be integrated with wider policies for securing Government policy on sustainable development*'⁶. Policy D13B forms part of the Plan's wider sustainable development objectives expressed in the Good Growth Policies, in particular it helps deliver policies GG2D and GG3E. Would policies D12 and D13 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to these matters?**
- 44.13 Yes. The Policies interpret national policy into a practical framework for development plan writers to apply locally to deliver Good Growth, as explained above.
- 44.14 Given London's population and the need to accommodate substantial growth, effectively managing noise and nuisance-generating activities or uses will be important to maintaining Londoners' quality of life while making the best uses of the city's land to deliver housing, along with a strong economy and vibrant culture. A consistent approach to these development issues is therefore needed in London's local and neighbourhood plans.

⁶ Defra, Noise Action Plan for Agglomerations, 2014, 22.2 management of Quiet Areas,

