



COUNCIL EXECUTIVE

CONSULTATION ON STATUTORY TRANSPORT NOISE ACTION PLAN

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the Council Executive of the Transport Scotland consultation on the statutory Transportation Noise Action Plan 2019-2023 and seek approval for the proposed response in [Appendix 1](#).

B. RECOMMENDATION

It is recommended that the Council Executive:

1. notes the contents of this report and the proposed consultation response in [Appendix 1](#); and,
2. approves the proposed consultation response contained in [Appendix 1](#).

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>Environmental Noise Directive 2002</p> <p>Environmental Noise (Scotland) Regulations 2006</p> <p>There are no equality issues</p> <p>Management of environmental noise is to address health problems caused by homes affected by routinely elevated noise levels</p> <p>Responsibility for the Strategic Environmental assessment lies with the Scottish Government. The 2008 SEA is published online</p> <p>In support of policy EMG 5 of the West Lothian Local Development Plan the council has in place Supplementary Guidance on Noise.</p>
III Implications for Scheme of Delegations	There are no implications for the Scheme of Delegation. No new delegations are proposed.

to Officers

IV	Impact on performance and performance Indicators	There are no performance indicators associated with environmental noise management.
V	Relevance to Single Outcome Agreement	<p>Our children have the best start in life and are ready to succeed</p> <p>We live in resilient, cohesive and safe communities</p> <p>People most at risk are protected and supported to achieve improved life chances</p> <p>We live longer, healthier lives and have reduced health inequalities.</p> <p>We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.</p>
VI	Resources - (Financial, Staffing and Property)	The draft Transport Noise Action Plan does not provide detail on expectations on local authorities, which have responsibilities for many of the roads identified. It is, therefore, not possible to identify future resource requirements.
VII	Consideration at PDSP	This consultation was not considered at the Environment PDSP due to the restricted timescale.
VIII	Other consultations	Roads & Transportation Planning Services

D. TERMS OF REPORT

D1 Introduction

Elevated background noise levels are recognised to lead to health problems, including those of the cardiovascular system. It is, therefore, important for the health of our residents that homes are not exposed to elevated background noise levels.

This report relates to the strategic mapping and action planning for noise from transport sources. Council approved Supplementary Guidance on Planning and Noise manages this issue on a case by case basis for new developments.

This report relates to the [current Scottish Government consultation](#) on the proposed action plan for 2019-23 to deal with noise from transport sources outwith the four large city areas, referred to in the report as agglomerations.

Assessment is limited to:

- Roads with more than 3,000,000 (three million) vehicle passages per year; and
- Railways with more than 30,000 (thirty thousand) train passages per year.

These criteria remain the same as the Round 2 noise mapping.

Air traffic noise is the responsibility of the airports and Civil Aviation Authority and is not covered by this consultation. Data and maps are available on the [Scotland's Noise web site](#).

D2 Background

The Environmental Noise Directive (END) requires the Scottish Government on a five yearly cycle (rounds) to:

- produce strategic noise maps;
- prepare a series of specific noise action plans based on the results of these noise maps; and
- develop Noise Action Plans (NAPs) to prioritise the management of noise.

It does not set limit values, nor does it prescribe Action Plans measures. These remain at the discretion (in this case) of the Scottish Government.

Rounds 1 and 2 of noise modelling have previously been completed and actions are now underway on Round 3. The round 3 noise mapping, a five year update of the Round 2 mapping, took place during 2017 and the results are published on the [Scotland's Noise website](#). D4 outlines the key findings as they currently stand.

The consultation closes on 16 January 2019. It is anticipated that the NAPs will be adopted by the Scottish Government in summer 2019 following any changes being made which arise from the consultation exercise. Summaries of the NAPs will be provided to the European Commission.

If a major development occurs within the five year life of the NAPs, which affects the approved NAPS, the plans will be reviewed and revised if necessary.

D3 Noise maps

Responsibility for producing the noise maps and NAPS lies with the Scottish Government via Transport Scotland.

Transport Scotland clearly seeks a collaborative approach with local authorities. The proposed consultation response makes it explicit that whilst West Lothian Council has a strong track record on collaborative working, this will be dependent on the availability of revenue funding for staff resources and capital funding for any identified necessary works.

The European Commission's advisory group on environmental noise recommends that Member States use computer modelling rather than measurements when measuring noise for Noise Mapping purposes. There are several technical and practical reasons why noise maps are normally produced using computer predictions rather than from noise measurements. It is worth noting that because the maps are not based on direct measurements:

- they cannot be used to determine the noise level at any specific property;
- the noise levels represent annual averages; and
- the predicted noise is at 4m above ground level, not ground or human ear height.

D4 Candidate Noise Management Areas (CNMAs)

Initial analysis of the noise map, using the Prioritisation Matrix in Section 5.1 of the draft document, provides a focus for deriving actions to manage noise by identifying Candidate Noise Management Areas (CNMAs). This prioritises buildings with a high population density exposed to high levels of transport noise. In practice, flats close to busy roads or railways are most likely to be prioritised.

Determination of a CNMA is simply a means of highlighting that a geographical area should be considered further in terms of a potential need for noise management. It may be that following further analysis, the area will be disregarded entirely or extended or reduced.

CNMAs for West Lothian are outlined in [Appendix 2](#)

The CNMAs may subsequently progress into a Noise Management Area (NMA) status. Between 2019 and 2023, the NMAs will be the primary consideration when formulating environmental noise management actions/policy following the actions listed in the Transportation NAP.

The process follows the Technical Guidance published by the Scottish Government during Round 1.

D5 Candidate Quiet Areas (CQAs)

END is clear that Member States should aim to identify and preserve Quiet Areas. Preserving existing quiet areas is of equal importance to managing high noise levels in noisy areas where people are most likely to be affected by noise. Noise mapping has been used to identify Candidate Quiet Areas in Scotland. However, there are no identified Candidate Quiet Areas (CQA) on the major road or rail networks mapped during END Round 3.

D6 Actions to date

Transport Scotland outlines the actions taken to date, which are outlined in Section 7.1 of the draft Transport NAP. Selected highlights include:

- considered and applied quieter road surfacing material in the CNMA locations during routine maintenance;
- appropriate noise mitigation is included as part of all Transport Scotland transport projects. This is also reviewed as part of its before and after monitoring process;
- worked closely with local authorities, and others, in relation to noise complaints where development management has a part to play in improving outcomes;
- contributed to noise action week and have raised awareness of low noise tyres on Transport Scotland media outlets

D7 Consultation Response

It is recommended that the principles of the draft Transport NAP are accepted. However, key issues arising are:

- the lack of clarity on what expectations there are of local authorities where the roads causing the issue are not the responsibility of Transport Scotland;
- although West Lothian has robust planning policy to avoid siting new homes near existing transport noise sources, this is not the case throughout Scotland risking ongoing generation of further CNMAs. This risk could be managed out by adopting similar arrangements across Scotland as are in place in West Lothian;
- West Lothian has high quality, quiet rural and semi-rural areas. Nothing is proposed to identify or protect these from future transport related noise;
- the objective proposed to improve matters in NMAs are broad and unspecific. No funding is currently attached, risking plans with no implementation; and
- promoting modal shift, particularly on non-trunk routes is not actively promoted.

Every effort has been made to reflect these matters within the limited scope of the consultation frame work. No option is provided for general comments or feedback.

E. CONCLUSION

The Scottish Government has published the draft Transport Noise Action Plan associated with the third round of statutory noise mapping required by the Environmental Noise Directive 2002.

Whilst the general approach is supported, interaction with, and expectations on, local authorities is not clear and no process exists to identify quiet areas in West Lothian.

F. BACKGROUND REFERENCES

[Consultation on Transportation Noise Action Plan 2019-2023](#)

[Scotland's Noise web site](#)

[Environmental Noise Directive 2002](#)

[Environmental Noise \(Scotland\) Regulations 2006](#)

[Programme for Scotland 2018 - 2019, Delivering for Today, Investing for Tomorrow](#)

[National Transport Strategy](#)

Appendices/Attachments:

Appendix 1: Proposed consultation response

Appendix 2: Candidate Noise Management Areas in West Lothian

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Appendix 1: Proposed Consultation Response

#	Question
1	<p>The overall approach of the TNAP is as follows.</p> <ul style="list-style-type: none"> • Firstly to continue to ensure noise management is incorporated into all transport-related activities, across the spectrum of design, construction, maintenance, policy, and point-to-point transportation activities. • Secondly, to further seek to manage noise levels where necessary and practicable at Noise Management Areas (NMAs), and aim to preserve environmental noise quality where it is good. <p>What are your views on this overall approach?</p> <p>The overall approach is, in principle, laudable. Ensuring no new problems are created by effective planning and consideration of noise measures during development and operation of transport infrastructure is to be welcomed. However:</p> <ul style="list-style-type: none"> • Addressing existing problems is sufficiently broad and unspecific as to be ineffective at delivering improvement on the ground; • Whilst it is accepted that some improvements can be made during routine maintenance (such as changes to road surface materials), no budget is proposed to address existing problems. Given ongoing pressures on local authority budgets, no improvements with capital or revenue budget implications beyond routine budgets are likely to proceed in the absence of additional funding; • No indication is provided as to the duties or expectations on local authorities, which are responsible for many of the roads identified, It is recognised that whilst responsibility lies with the Scottish Government (as 'competent authority'), a collaborative approach with local authorities is likely to be sought. Whilst West Lothian Council has a strong track record of collaborative working, the degree of any partnership will be directly associated with the availability of revenue funding for staff capacity and capital funding for works; and • No detail is provided on how new developments, particularly residential, do not arise alongside existing noise sources such as to create new CNMAs. This needs to be considered as part of the Development Planning process, aligned with the relevant Local Development Plans, as it currently is in West Lothian.
2	<p>The TNAP prioritisation process, including the Building Prioritisation Score (BPS), Source Prioritisation Score (SPS), and Candidate Noise Management Areas (CNMAs), is defined in Section 4 of the TNAP.</p> <p>What are your views on the prioritisation process?</p> <p>In principle, the prioritisation process should direct interventions to locations of highest noise and population density. However, there will be residential development proposed alongside existing transport noise sources. In West Lothian, robust Supplementary Guidance is in place to ensure homes are not constructed close to sources of transport noise, and where this cannot be avoided, to mitigate its effects. It is therefore entirely conceivable that flats may be intentionally constructed close to a transport noise source, providing a noise barrier for lower density housing which could not otherwise be constructed. (Such flats would be designed to have noise sensitive areas of the quiet façade and / or for mechanical ventilation to remove any need or ability to open windows on the façade facing the noise source). West Lothian Council would suggest that:</p> <ul style="list-style-type: none"> • The principles of the planning and noise supplementary guidance be more widely applied across Scotland to ensure new CNMAs / NMAs are not accidentally created, creating a burden of the Scottish Government and local authorities; and

	<ul style="list-style-type: none"> the CNMA assessment process be ‘fine-tuned’ to ensure that flatted developments specifically designed to deal with elevated levels of transport noise be excluded at an early stage, reducing the need for more formal assessment.
3	<p>The TNAP has 4 key objectives, with a series of actions (16 in total) ascribed to these.</p> <p>What is your view on the TNAP Key Objectives and actions?</p> <p>In principle, the key objectives and actions are acceptable. However:</p> <ul style="list-style-type: none"> There is no recognition of the benefits of modal shift to sustainable travel, public transport or changes to propulsion methods (in lower road speed areas) It is unclear to what degree these apply or are expected of local authorities where they manage the roads concerned. The degree to which local authorities can collaborate with the Scottish Government (as ‘competent authority’) will depend on revenue funding for local authority staff capacity and capital funding to carry works.
4	<p>The options for managing noise within the TNAP were developed using the source, pathway, receptor model.</p> <p>Do you consider there has been anything left out of the action plan using this approach. If so, what do you consider has been omitted?</p> <p>Quiet areas outwith agglomerations are not identified and therefore no measures are designed to protect such areas. In the absence of identification or designation, these will not be considered as requiring protection in any future developments from e.g. high speed rail, new road development or flightpath changes.</p>
5	<p>Action 1D of the TNAP is committed to establishing and operating a Noise Inspection Panel (NISP) to assess issues on Transport Noise from a source, transmission, receptor perspective to support delivery of the TNAP, and report yearly on progress.</p> <p>What are the key issues you consider should be discussed at the Noise Inspection Panel?</p> <p>The remit, constitution and purpose of the NISP is not outlined beyond the entry in table 6, line 1D. Further information is required to allow meaningful comment, however the need for consultation and engagement with the local authorities and communities concerned must be a fundamental to the process.</p>
6	<p>There are no Quiet Areas within the TNAP, however the actions within the TNAP will take account of any defined Quiet Areas and related actions.</p> <p>Do you consider enough is being done to protect Quiet Areas?</p> <p>No. There is currently no process in place to identify quiet areas outwith the Agglomerations. This leaves rural areas, which would be subject to most change in the event of development, undesignated and therefore not considered in any development proposals.</p>
7	<p>Our approach in TNAP delivery will be to work collaboratively in partnership with others.</p> <p>How can other stakeholders play their part in supporting delivery of the TNAP?</p> <p>Many roads identified are the responsibility of local authorities. The draft TNAP makes little or no mention as to how it would apply to these situations, how NMAs would be addressed or what expectations or requirements sit with local authorities.</p>

Whilst West Lothian Council has a strong track record of collaborative working, the degree of any partnership will be directly associated with the availability of revenue funding for staff capacity and capital funding for works; a

Appendix 2: Candidate Noise Management Areas in West Lothian

Road CNMAs

Transport Scotland Reference Number	Source	Road / Area	Community	Responsible Authority
32	A706	Manse Road	Whitburn	West Lothian Council
33	A89	South Bridge Street	Bathgate	West Lothian Council
34	M8	Bathgate Road	Bathgate	Transport Scotland
35	A705	East Main Street	Whitburn	West Lothian Council
43	A899	West Main Street	Broxburn	West Lothian Council
44	A899	West Main Street	Broxburn	West Lothian Council
45	A99	East Main Street	Uphall	West Lothian Council
47	A89	North Bridge Street	Bathgate	West Lothian Council
48	A899	Edinburgh Road	Bathgate	West Lothian Council
54	A89	East Main Street	Armadale	West Lothian Council
60	B8046	Pumpherston Road	Uphall Station	West Lothian Council
75	A803	High Street (Preston Road)	Linlithgow	West Lothian Council
76	A803	High Street (Whiten Loan ¹)	Linlithgow	West Lothian Council

Rail CNMAs

Transport Scotland Reference Number	Nearest Street or Road	Nearest Community
25	West Port Place	Union Road /Preston Road junction, Linlithgow
26	Strawberry Bank	Linlithgow

¹ Should read 'Whitten Lane'