

## Poor sound insulation

In some cases we may find that noise problems are occurring, not because of anyone's unreasonable behaviour but due to your neighbour's reasonable day to day activities.

In normal circumstances such activities would be part of daily 'give and take' but in flats and attached houses where the separating structure has relatively poor sound insulation, the impact of these activities can be amplified.

At present there is nothing in the law that allows us to take action in these circumstances and, if poor sound insulation is the cause of your problem, we can assist with very little other than some practical advice that you may find helpful.

## Departures from this policy

If it is necessary to depart from the procedures or targets laid down in this policy during our investigation, we will advise you that we have done so and provide an explanation.

## Asking for help

If you would like us to investigate a problem with noise, please contact us in one of the following ways.

### Phone

01395 517457

### Visit

Council Offices, Knowle, Sidmouth, EX10 8HL  
(Monday–Friday, 9 am–5 pm)

### Write

Environmental Health  
East Devon District Council  
Knowle, Sidmouth, EX10 8HL

### Email

[environmentalhealth@eastdevon.gov.uk](mailto:environmentalhealth@eastdevon.gov.uk)

### Online

[www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)



To request this information in an alternative format or language please call 01395 516551 or email [csc@eastdevon.gov.uk](mailto:csc@eastdevon.gov.uk)

We consider requests on an individual basis



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# Dealing with noise

## **Our policy for dealing with noise**

This policy sets out the way that we will deal with your noise problems. We will act within the constraints of the law and we will only take enforcement action where there is enough evidence to prove that a statutory nuisance exists.

## **Principles**

We believe that our residents can reasonably expect:

- not to have their homes regularly disturbed by unreasonable noise
- to be protected from significant loss of amenity from noise or vibration caused by new developments
- to have access to a qualified and experienced officer to investigate noise that is causing them a nuisance.

## **What we need to know**

- Your name and address along with your telephone contacts and email address.
- The address of the land or property that the noise is coming from (please identify this if at all possible).
- A description of the noise that is disturbing you including when it occurs, how long you have been troubled by it, and how it actually affects you.
- Whether you have taken any steps to resolve the problem informally before coming to us and if not, your reasons for not doing so.

## **Confidentiality**

We will not disclose your identity to anyone else without your express consent but you should be aware that due to local circumstances, neighbours can often make an accurate guess.

## **Our investigation**

Once we receive a formal request to investigate your noise problem you can expect the following from us:

- Your case will be allocated to an officer who will normally contact you within two working days.
- The officer will discuss with you how our investigation will proceed.
- Our usual procedure is to contact the person responsible for the noise informing them that a complaint has been received. We often find that neighbours are unaware that there is a problem.
- We will usually ask you to keep a diary to help us to identify patterns of noise and to show that there is a regular and persistent problem.
- In many of our investigations, matters will be resolved amicably and informally. In a few cases we may also refer both parties to a local Mediation Service for help in seeking an informal resolution.
- In those cases where noise problems persist we will usually make arrangements to assess the character and level of the noise ourselves.

This is achieved through a combination of personal visits to your home and the use of calibrated digital noise analysers that we can install in your home.

- If we are satisfied that a statutory nuisance has occurred and we consider that such nuisances are also likely to recur, we will serve and enforce a noise abatement notice on the person responsible for that nuisance.

## **Helping yourself**

In some cases we are unable to help because we are not satisfied that the noise that bothers you is sufficiently loud or that it happens often enough to amount to a statutory nuisance. You may disagree with our findings.

In the case of some business activities, the law restricts what we can do. Even if problems persist after a business has put in place controls that are genuinely the 'best available' to reduce noise, we may be unable to take any further action. In cases where we cannot help, the law still allows you to pursue a private legal action through the Courts.