

Factsheet 29: Environmental Protection



Noise Nuisance

When is noise a nuisance?

Sometimes a noise can be annoying but it may not be a nuisance as far as the law is concerned. The law of nuisance is used, in most cases, to deal with unreasonable disturbance by noise. The following have to be considered together when deciding if noise is a nuisance.

- Disturbance – the noise must interfere with your enjoyment of living in your home, for example, by preventing you sleeping or reading
- Loudness – the louder the noise is the more likely it is to be a nuisance
- Length of time – the longer the noise goes on for the more likely it is to be a nuisance
- Occurrence – the more often the noise occurs the more likely it is to be a nuisance
- Time of day – noise which is not a nuisance during the day may be a nuisance if it occurs at night
- Type of noise – the more annoying the noise (e.g. Whistling) the more likely it is to be a nuisance
- Locality – the law states that people living in different areas (e.g. Town / Countryside) can expect to hear different types and levels of noise
- Average person – if you have above average sensitivity to noise then the law may not consider the noise a nuisance.

Types of noise problems

Different solutions can be provided by the Council dependent on the type of noise, the scale of the problem and its impact on your quality of life.

- Neighbour noise, such as loud music, barking dogs, faulty burglar alarms and DIY
- Construction noise from building sites
- Entertainment noise from pubs and clubs

- Industrial noise from factories



How do you deal with a noise nuisance?

Often the best way is by discussing the disturbance with your neighbour. If this fails there are things the Council can do (see our fact sheet 'How the Council can help with a noise nuisance' – Factsheet 30).

It may be that you need to take your own legal action (see our fact sheet 'How to take your own legal action to deal with a noise nuisance' – Factsheet 29).

Contacting us

If you would like more information you can contact us by:

Writing to: Environmental Health Department, Town Hall, Lancaster Road, Preston PR1 2RL

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Environmental Health