

How a novel Welsh law to protect birdsong could rewrite the planning hymn sheet

Isabella Kaminski

05 Aug 2024

Wales is a nation of song, but its songbirds have seen better days. To prevent a ‘silent Wales’, policymakers have just passed a law requiring local authorities to consider soundscapes and birdsong in their decision-making. Will it take off elsewhere? Isabella Kaminski reports.



Wales is a nation of song, but its songbirds have seen better days, writes Isabella Kaminski. Credit: Getty Images



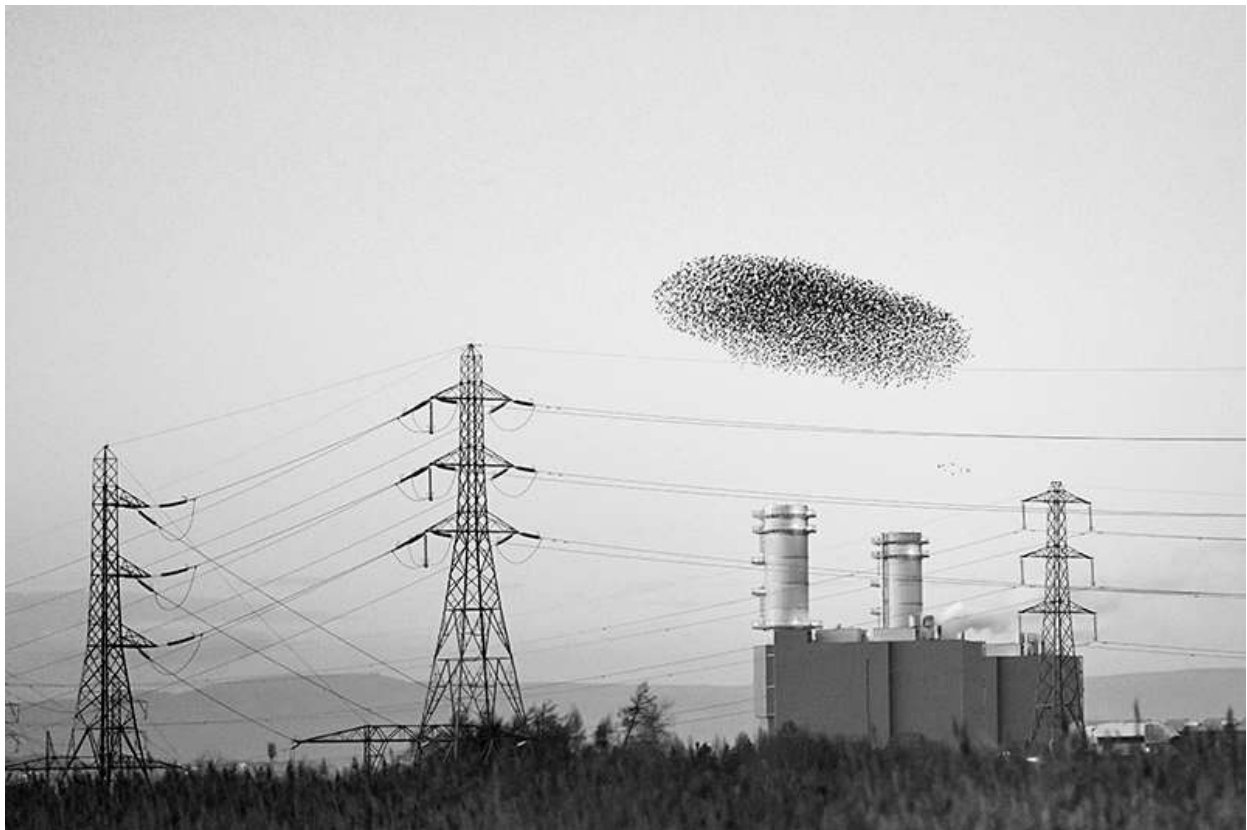
Wales has long been known as the land of song, a place where the melodies of male voice choirs and wood warblers have rung for centuries. But while the nation’s music industry is thriving, its birds are in trouble, with more than 60 species on the IUCN’s red list.

Having heard the alarm bells, the Welsh Government has now developed a more nuanced idea of how sound affects people and the environment, and it is trying to put this into practice.

Earlier this year, Wales passed a novel law: the Environment (Air Quality and Soundscapes) (Wales) Act 2024. From April, all local authorities in Wales have had a duty to have regard to the national strategy on soundscapes when exercising their public functions.

The idea is to recognise the value to society of positive sounds, particularly those in nature, and to give them a boost through the planning process. It's the first place in the world where this is a legal requirement.

'Wales is a nation of song'



Starlings pictured in a murmuration at the Newport Wetlands National Nature Reserve. Credit: Getty Images/Michael Roberts

Soundscapes are a concept emerging from academia, which considers the acoustic environment as experienced by people in a particular context, and Wales has been ahead of the curve on this subject for some years.

The word soundscape has appeared in Welsh policy since 2011 when councils were asked to nominate urban green spaces as dedicated quiet

areas. Seven years later, the government published its first noise and soundscape action plan, which began to reframe noise policy in terms of its Well-being of Future Generations Act.

The plan described unwanted or harmful sound resulting from human activities as a “pollutant”, but stressed the value of speech, music and the sounds of nature.

“Wales is a nation of song, and the last thing the Welsh Government wants is a Wales that is silent,” it said.

This set a precedent recognised by the UN Environment Programme in a 2022 report, which called for a wider shift in global policymaking “from only managing environmental sounds when they cause noise pollution to considering environmental sounds as opportunities for promoting healthy living environments for all age, gender and social groups”.

“ ‘From this point forward, the law requires the government to have policies on the sounds that people do want to hear as well as on those they don’t ’ ”

Martin McVay – policy advisor on noise, soundscape and chemicals for the Welsh Assembly Government

Another Welsh plan followed in 2023, which the new soundscapes law puts on a statutory footing. Welsh ministers must update it every five years.

This strategy focuses on the significant impacts of the aural environment on human physical and psychological health and wellbeing, aspiring to preserve or cultivate positive soundscapes “where natural sounds such as flowing water, birdsong, the wind in the trees and human conversation are more prominent than background traffic noise”.

Writing in the journal *Noise Mapping*, Martin McVay, the civil servant who, until recently, led on soundscapes at the Welsh Government, said that “from this point forward, the law requires the government to have policies on the sounds that people do want to hear as well as on those they don’t”.

Groundbreaking approach

Lisa Lavia, managing director of the Noise Abatement Society, who has been advising the Welsh Government on soundscapes, describes its approach as “groundbreaking”.

“Noise is comfortably the second environmental stressor on health, after air pollution, and therefore any efforts to tackle noise is most welcome,” says Kristian James, an environmental public health specialist at Public Health Wales, but speaking on behalf of the Chartered Institute of Environmental Health.

“Pursuing policies, where sound is taken into account either through strategic planning or local planning, enables those positive benefits to be considered alongside other co-benefits as well.”

In practice, councils in Wales now have to consider soundscapes when approving a wide range of transport, building and energy plans, which means developers will have to consider them when submitting applications. If the plans pose unacceptable risks, they might have conditions imposed to address them or even be rejected. An example in the strategy of something to be avoided is homes where sound levels outside bedroom windows are likely to ruin the inhabitants’ sleep.

Legislating for birdsong

However, councils will also be expected to think more holistically about how to boost sounds that improve people’s lives, for example by putting in place hedgerows that screen out traffic noise while also providing habitat for birds.

A key part of this requires community involvement. “We have said we want to encourage greater use of participatory soundscape techniques such as social surveys and soundwalks to inform decision-making in order to involve people who reflect the diversity of the population affected by those decisions,” writes McVay.

The plan touches on the benefits to nature too, noting that mammals and birds can be affected by human sounds. It clearly states that noise from developments that might disturb or harm a legally protected species, or its habitat is a “material consideration” in the planning process.



The lives of mammals, such as hedgehogs, can be affected by human sounds. Credit: Getty Images/Sunphol Sorakul

Jack Harvie-Clark of Apex Acoustics, and chair of an Association of Noise Consultants committee that helped develop the emerging Welsh guidance document, says the new law could significantly support conservation efforts and boost biodiversity by reducing noise pollution, enhancing natural soundscapes and creating tranquil areas.

In a statement, the Welsh Government said it recognised that these benefits are intertwined because the human ability to hear natural sounds, particularly birdsong, is reliant on healthy ecosystems.

“Songbirds are an important indicator of a healthy and biodiverse ecosystem, and appreciating their contribution to human well-being, including in urban areas, helps make the case for decision-makers ... to preserve the habitats that support their populations,” said the government.

“As we develop our policy further, we will explore potential opportunities to enhance nature restoration through improved soundscapes.”

Financial constraints



The Welsh government (pictured) has accepted that financial constraints are a barrier to implementation. Credit: Getty Images/Matthew Horwood

But putting these plans into action might prove more difficult.

Peter Rogers, founder of Sustainable Acoustics and chair of the parliamentary and public liaison group of the Institute of Acoustics, says the new law marks a significant shift in how the acoustics industry, developers and regulators will have to think about noise.

Rogers admits that assessing soundscapes is more complex than measuring the decibels coming from a construction site. It requires an understanding of different layers of sound and their context within a particular location that includes visual aspects, wider environmental health factors such as air quality. It also has to consider the experiences of different groups of people, some of whom may be more vulnerable or sensitive to sound than others. Much of that relies not only on objective measurements but also subjective methods, for example questionnaire social survey techniques.

Councils will have to wait until spring 2025 for a “refresh” of existing statutory guidance to help them understand their precise role.

And, despite acknowledging that “financial constraints in the public sector are a barrier to the swift uptake of soundscape management”, the Welsh Government has not offered any extra funding to support them.

There is also a substantial gap in the formal training and certification currently available to acoustic consultants and regulators.

“But that isn't to say that we as a profession can't actually do this, and that local authorities can't do it as well,” says Rogers. “We are currently working out exactly what that might sound like.”



A robin shouting to be heard. Image: Getty Images/Santiago Urquijo

International and British standards on soundscapes provide a good starting point, while the Welsh Government said it would try to ensure council officers receive the necessary training.

Lavia says experts are still working out how to put soundscapes into practice in a way that is both measurable and enforceable. But she believes they can eventually become a standard part of the planning process.

Although the initial transition may require significant effort and resources, Harvie-Clark expects the long-term benefits of improved soundscapes, such

as enhanced quality of life and better environmental outcomes, to justify these investments.

The Welsh Government stresses that the policy is in its infancy, and just the beginning of work on soundscapes in Wales. “It is anticipated that, as policy areas develop and their benefits can be better measured, the reach of this policy can be broadened and a wider range of interested stakeholders who would benefit from engagement with this policy can be approached.”

Beyond Wales

Policymakers in other parts of the UK will be watching to see how Wales’ new soundscapes law plays out. London has had guidance on soundscapes for some years. And England, where it could potentially intertwine with new rules on biodiversity net gain, is quietly catching up. The House of Lords Science and Technology Committee recently requested information on soundscapes as part of its ongoing inquiry into the effects of artificial light and noise on human health.

“The success of Wales’ initiative could serve as a model for other parts of the UK. If the integration of soundscapes into planning and environmental regulations proves effective in improving public health, enhancing urban liveability, and supporting biodiversity, it is likely that similar legislation will be considered elsewhere,” says Harvie-Clark.

Harvie-Clark also thinks it is likely to inspire other countries to develop similar frameworks “potentially leading to a broader international movement towards integrating soundscapes into environmental policy”.

“Wales’ legislative move to include soundscapes is a groundbreaking step with potential ripple effects that could transform how sound environments are managed globally.”

“We’re very much on the road to something that will try and improve people’s environments ... that will lead to places being generally quieter, [and] having stronger connections to natural sounds. The end goal is definitely worth doing,” agrees Rogers.