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**From:** Environmental Health  
**Sent:** 01 October 2024 16:32  
**To:** Development Control  
**Cc:** Christopher Harrison  
**Subject:** PLANNING APP 4/24/2302/0F1 - WIND TURBINE, STUBSGILL FARM, DISTINGTON

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Removal of existing wind turbine and erection of a replacement turbine up to 76 metres blade tip height, with associated development

Thank you for the above consultation.

Environmental Health have considered any potential impact upon residential amenity from this proposed development, and the Noise Assessment and Shadow Flicker Assessment that has been submitted within the Planning Statement.

The Shadow Flicker Assessment is considered acceptable. The dwelling 'Bergandal' is a long-term empty property and is also partly masked by a small copse of trees adjacent to its eastern gable.

Though the proposed wind turbine will not comply with the simplified noise limit of 35 dB(A) LA90 (10 mins) set out in ETSU-R-97 'The Assessment and Rating of Noise from Wind Farms', the noise emissions at the nearest noise-sensitive properties are only marginally above this level and are not considered excessive given that the background noise levels are also within guidance limits.

Suggested conditions on noise limits are set out below.

Working hours on the development are proposed to be 07.00 – 19.00 Monday to Friday and 07.00 – 13.00 Saturday only.

Planners may wish to amend these times slightly. Standard construction hours are 08.00 – 18.00 Monday to Friday and 08.00 – 13.00 Saturday.

As such, Environmental Health have no objections to this development, and the following conditions are suggested:

- Operational noise limits for the wind turbine
  - (i) The noise emissions from the wind turbine shall not exceed a level of 35 dB LA90 (10 minutes) during the daytime (07.00 – 23.00 hours) and 43 dB LA90 (10 minutes) during the night time (23.00 – 07.00 hours) at the curtilage of any dwelling lawfully existing at the time of this consent at wind speeds up to and including 10 m/s at 10 m height.
  - (ii) For properties with a valid financial interest, the noise emissions from the wind turbine shall not exceed a level of 45 dB LA90 (10 minutes) at wind speeds up to and including 10 m/s at 10 m height.
  - (iii) Where this is not possible, ETSU-R-97 derived limits of background noise level plus 5 dB (whichever is greater) for all wind speeds up to 10 m/s at 10 m height shall apply.

Reason: In order to safeguard the amenities of nearby residential occupiers.

- Decommissioning / Construction Working Hours

Following approval of the development, decommissioning and construction activities that are audible at the site boundary shall be carried out only between the following hours: Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holidays. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of the amenities of surrounding occupiers during the decommissioning and construction of the development.

Regards

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