



Technical Appendix 9.10

Proposed Planning Condition Limits

Table of contents

Contents

1	Proposed Planning Condition Limits	3
1.1	Summary	3



1 Proposed Planning Condition Limits

1.1 Summary

- Noise level limits determined in accordance with ETSU-R-97 and the IoA GPG take into account the cumulative turbine noise levels generated from all wind turbines. In contrast, noise level limits included within a planning permission can only be pertinent to just the development being approved. This is because should any enforcement action be necessary in the future, the operator would only have control over the turbines that are the subject of the planning approval. *Planning Circular 4/1998: The use of conditions in planning permissions* sets out six tests for planning conditions, of which points 3 and 4 are that the condition must be “*relevant to the development to be permitted*”, and “*enforceable*”.
- In determining such ‘Proposed Development only’ noise level limits it is necessary to:
 - consider if the noise levels from the identified cumulative developments are inconsequential (e.g. more than 10dB below the overall limits) in which case the overall noise level limits can be applied in full to the Proposed Development; or if not
 - apply a downward correction to the overall limits to determine the ‘Proposed Development only’ limits (e.g. subtracting the levels generated by the cumulative developments). The downward correction should be such that the compliance with downward corrected limits by the Proposed Development in isolation would not give rise to an exceedance of the overall limits under the cumulative scenario.
- Prior to determining the ‘Proposed Development only’ limits, the receptors where those limits should apply have been identified. Inspection of **Figure 9.2: Noise Contour – 10m/s – Proposed Development in Isolation** and **Appendix 9.9 Assessment Against Derived Limits** has identified the receptors where there is the greatest potential for the overall noise level limits to be exceeded as a result of the introduction of the Proposed Development. These are as detailed in **Table 9.10.1**.

Cumulative Limits	Receptor Location
Mollin Farm	Mollin Farm
Burrancehill Cottage	Courancehill
	Burrancehill Cottage
Lamphitt	Lamphitt
Glenview	Woodside

Table 9.10.1: Proposed Noise Limit Locations

- At each of these five receptor locations, the noise levels from each of the identified cumulative developments individually fall at least 10dB below the overall limits.
- Notwithstanding this, and to represent a worst case, the ‘Proposed Development only’ noise level limits have been calculated by subtracting the contribution of each individual cumulative development from the overall noise level limits. The resulting ‘Proposed Development only’ noise level limits are detailed in **Table 9.10.2** below and apply at properties that do not have a financial involvement in the Proposed Development.

Receptor	Period	Wind Speed Referenced to 10m (Standardised U ₁₀), m/s									
		3	4	5	6	7	8	9	10	11	12
Mollin Farm	Daytime limit	40.0	39.9	39.8	39.5	39.4	39.4	40.0	41.8	43.3	43.3
	Night-time limit	43.0	43.0	42.9	42.7	42.7	42.7	42.7	42.7	45.2	47.8
Courancehill	Daytime limit	40.0	39.9	39.8	39.6	39.6	39.6	40.0	42.2	44.1	44.1
	Night-time limit	43.0	43.0	42.9	42.8	42.8	42.8	42.8	42.8	43.4	45.1
Burranchill Cottage	Daytime limit	40.0	39.9	39.8	39.6	39.5	39.5	39.9	42.2	44.1	44.1
	Night-time limit	43.0	43.0	42.9	42.8	42.8	42.8	42.8	42.8	43.4	45.1
Lamphitt	Daytime limit	40.9	40.9	40.9	41.4	42.6	44.3	46.4	49.0	51.3	51.3
	Night-time limit	43.0	43.0	42.9	42.7	42.7	44.4	46.4	48.3	50.2	51.3
Woodside	Daytime limit	40.0	39.9	39.8	39.6	39.6	39.6	39.6	41.2	42.9	42.9
	Night-time limit	43.0	43.0	42.9	42.8	42.8	42.8	42.8	42.8	43.0	44.8

Table 9.10.2: Proposed Development Only Noise Level Limits (Non-Financially Involved Properties), L_{A90}, dB

- The limits in **Table 9.10.2** are appropriate for use within a noise related planning condition for the Proposed Development. Limit compliance at other properties can be checked by applying the most appropriate noise limits selected from this table. The IoA GPG provides the following example text to address this scenario:

“Where a dwelling to which a complaint is related is not listed in the tables attached to these conditions, the wind farm operator shall submit to the Local Planning Authority for written approval proposed noise limits selected from those listed in the Tables to be adopted at the complainant’s dwelling for compliance checking purposes. The proposed noise limits are to be those limits selected from the Tables specified for a listed location which the independent consultant considers as being likely to experience the most similar background noise environment to that experienced at the complainant’s dwelling. The rating level of noise immissions resulting from the combined effects of the wind turbines when determined in accordance with the attached Guidance Notes shall not exceed the noise limits approved in writing by the Local Planning Authority for the complainant’s dwelling.”

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