



Northumberland National Park Authority
Eastburn, South Park, Hexham
Northumberland NE46 1BS
Tel: 01434 605555

Reference No. 18NP0003

TOWN AND COUNTRY PLANNING ACT 1990
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

Agent :

I Need Planning Permission
Wharnccliffe
Catton
Hexham
NE47 9QS

Applicant :

Mr & Mrs Howard
Longsyke Farm,
Once Brewed
Haltwhistle
NE49 9PR

Under the above Act, Northumberland National Park Authority hereby grants planning permission for:

Proposed installation of two domestic wind turbines at Longsyke Farm, Haltwhistle, Northumberland, NE49 9PR.

as described in application reference **18NP0003** and in the plans and drawings attached to it, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To ensure that the development is commenced within a reasonable period of time from the date of this permission, as required by Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Application form, received 15th January 2018;
- Site Plan Existing, Drawing no: LOC, received 15th January 2018
- Site Plan and Elevations, Drawing no: 001, received 15th January 2018
- Noise Calculation and ETSU-R-97 Report, received 15th January 2018
- Design and Access Statement, received 15th January 2018
- Evancewind, Product Certification Evance R9000 Acoustic Noise Assessment, Issue 05, received 15th January 2018

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- Shadow Flicker Report, received 15th January 2018
- Britwind R9000 5kW Wind Turbine Product Specification, received 15th January 2018

Reason: For the avoidance of doubt, to enable the local planning authority to adequately manage the development and to ensure the proposal accords with policies 1, 2, 3, 5, 7, 6, 12, 14, 15, 17, 18, 19, 20, 25 and 28 of the Northumberland National Park Authority Core Strategy & Development Policies Document (Core Strategy) and the National Planning Policy Framework (NPPF).

3. The noise emitted from the wind turbines, as measured in accordance with the guidelines stated within ETSU-R-97, at the curtilage boundary of any dwelling (as in existence at the time of this permission), with the exception of Longsyke Farm, shall not exceed 35dB(A)L90,10min at wind speeds of up to 10m/s at 10m height. The measurements shall be made in accordance with the methodology detailed in 'ETSU-R-97: The Assessment and Rating of Noise from Wind Farms' and the noise emission values for the wind turbines shall include the addition for any tonal penalty as recommended in the same document.

Reason: In the interests of residential amenity and to ensure the proposals accord with Policy 3 of the Northumberland National Park Authority Core Strategy & Development Policies Document (Core Strategy) and the National Planning Policy Framework (NPPF).

4. The noise emitted from the wind turbines, as measured in accordance with the guidelines stated within ETSU-R-97, at Longsyke Farm, shall not exceed 45dB(A)L90,10min at wind speeds of up to 10m/s at 10m height. The measurements shall be made in accordance with the methodology detailed in 'ETSU-R-97: The Assessment and Rating of Noise from Wind Farms' and the noise emission values for the wind turbines shall include the addition for any tonal penalty as recommended in the same document.

Reason: In the interests of residential amenity and to ensure the proposals accord with Policy 3 of the Northumberland National Park Authority Core Strategy & Development Policies Document (Core Strategy) and the National Planning Policy Framework (NPPF).

5. Within 21 days from receipt of a written request from the Local Planning Authority following a written and specified complaint to it alleging noise disturbance at a dwelling, the wind turbine operator shall, at its expense, employ an independent consultant approved by the Authority to assess the level of noise emissions from the wind turbine at the complainant's property in accordance with procedures described in "ETSU-R-97: The Assessment and Rating of Noise from Wind Farms' published by ETSU for the Department of Trade and Industry and submit a report on the consultant's



findings to the Local Planning Authority. If noise levels are found to exceed those stated in condition 3, appropriate mitigation measures shall be included within the report and the measures as approved shall be implemented in accordance with a timescale also approved by the Local Planning Authority.

Reason: In the interests of residential amenity and to ensure the proposals accord with Policy 3 of the Northumberland National Park Authority Core Strategy & Development Policies Document (Core Strategy) and the National Planning Policy Framework (NPPF).

6. If the turbine ceases to operate for a continuous period of six months (unless such cessation is due to the turbine being under repair or replacement) then, unless otherwise approved in writing by the Local Planning Authority, within three months of the end of that period a scheme shall be submitted to the Local Planning Authority for its approval in writing which sets out the following:
 - i. Proposed details for the decommissioning and removal of that turbine and any ancillary equipment and structures relating solely to that turbine;
 - ii. A restoration scheme for the land where the turbine and any associated ancillary equipment and structures was removed from; and
 - iii. Proposals for the management and timing of the works.

The approved scheme shall be implemented within 12 months of the date of its approval by the Local Planning Authority.

Reason: To ensure that the turbine provides a source of renewable energy generation whilst in situ, to ensure that it is removed from the land if it ceases to function, and to ensure that the land is reinstated in an acceptable manner in the interests of visual amenity and the landscape character of the National Park in accordance with Policies 1, 3, and 20 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

7. All cabling associated with the development shall be located underground.

In the interest of visual amenity and for the development to accord with Policies 1, 3 and 20 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

8. Prior to the installation of the proposed turbines, details of the colour finish for the proposed blades, hub and tower shall be submitted to and agreed in



writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure that the development respects local landscape character in order to preserve the visual appearance and amenity of the area, and the special qualities of the National Park, in accordance with Core Strategy policies 1, 3 and 20 and the NPPF.

9. Prior to the fixing of any external lighting associated with the development, details of the external lighting shall be submitted to and agreed in writing with the Local Planning Authority. Details should include:
- The specific location of all external lighting units;
 - Design of all lighting units;
 - Details of beam orientation and lux levels; and
 - Any proposed measures such as motion sensors and timers that will be used on lighting units.

The approved lighting scheme shall be installed in accordance with the approved details and shall be maintained as such during the operation of the development, unless removed.

Reason: In order to ensure that there is no harmful impact upon the tranquility and intrinsically dark character of Northumberland National Park and the Northumberland International Dark Sky Park through excessive light pollution, in accordance with Policies 1 and 19 of the Core Strategy and paragraph 125 of the NPPF.

Informative Notes :

1. This Planning Permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, may constitute unauthorised development and may be liable to enforcement action.
 - (b) You, your agent, or any other person responsible for implementing this permission should inform the Local Planning Authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.
2. This permission is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and



beyond. Some conditions may require work to be carried out, or details to be approved prior to the commencement of the development.

Where pre-commencement conditions are not complied with, the whole of the development could be unauthorised, and you may be liable to enforcement action. In some circumstances, the only way to rectify the situation may be through the submission of a new application. If any other type of condition is breached then you may be liable to a breach of condition notice.

3. The effectiveness of the development's design in ensuring that a nuisance is not created is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice.

In all cases, the Council retains its right under Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

4. The proposed works must have no effect on accessing footpath 532/025 a designated public right of way. No action should be undertaken to disturb the surface of the path, obstruct the path or in any way prevent or deter public use of the path without the necessary legal diversion or closure order having been made.
5. In relation to Conditions 3 and 4, where wind speed is measured at a height other than 10m, the wind speed shall be converted to 10m height and details of the conversion method used shall be provided to the Local Planning Authority.

Positive and Proactive Planning Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against the relevant policies in the National Planning Policy Framework and the Northumberland National Park Core Strategy and Development Policies Document. As a result, the Local Planning Authority has been able to grant permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Dated this: **20 February 2018**



National Park Officer

Please note that this is not approval of plans under the Building Regulations. Also, this Planning Permission does not convey any approvals required under any other legislation, or override property rights held by other parties. Your attention is drawn to the notes attached. Failure to discharge planning conditions may result in the development not being authorised and subject to legal challenge.



NOTES

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice (subject to the additional provisions below).
2. If this is a decision to refuse planning permission for a householder application or for a minor commercial application or to grant it subject to conditions, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice. This process does not apply to any decision in circumstances where an appeal against the refusal to grant listed building consent is submitted at the same time as an appeal against the refusal to grant planning permission.
3. If this is a decision to refuse advertisement consent or to grant it subject to conditions, if you want to appeal against your Local Planning Authority's decision then you must do so within 8 weeks of the date of this notice.
4. If this decision relates to the same or substantially the same land and development as is or subsequently becomes the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice whichever period expires sooner.
5. Notice of Appeal may be submitted to the Planning Inspectorate electronically via <https://acp.planninginspectorate.gov.uk> or on the Planning Appeal Form which may be obtained from The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000)
6. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not, however, required to entertain such an appeal if it appears to them that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.
7. Please note that only the applicant has the right to appeal. Third parties have no right to appeal against a planning decision.



8. If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he or she may serve on the Council within the boundaries of which the land is situated, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 and Sections 32-37 of the Planning (Listed Buildings and Conservation Areas) Act 1990).