
WELSH STATUTORY INSTRUMENTS

2004 No. 3054

The Scarweather Sands Offshore Wind Farm Order 2004

PART II

WORKS

Protection of navigation and air traffic and control of noise

Construction and operational noise

15.—(1) Unless otherwise approved in writing by the National Assembly, the undertaker must—

- (a) comply with British Standard 5228 (Noise and Vibration Control on Construction and Open Sites) Parts 1 and 2: 1997 and Part 4: 1992 in respect of all relevant activities carried out during the construction, maintenance or decommissioning of the authorised works; and
- (b) ensure that the maximum levels of noise to be generated by such activities does not exceed at the facade of any noise sensitive receptor—
 - (i) between 23.00 hours and 07.00 hours: a level of 50 dB LAeq, 8 hour nor an LAFmax level of 60 dB; and
 - (ii) between 07.00 hours and 23.00 hours: a level of 75 dB LAeq, 1 hour.

(2) Unless otherwise approved in writing by the National Assembly, the undertaker must ensure that the rating level of noise emissions generated by the operation of the wind turbines does not exceed 35dB LA90, when measured in accordance with the guidance contained in “The Assessment and Rating of Noise from Wind Farms” (ETSU-R-1997), in free field conditions at a point 1.2 metres above ground level at any noise sensitive receptor, at wind speeds of up to 10 metres per second measured at a height of 10 metres above the level of high water within the wind farm site.

(3) In this article—

“relevant activities” (“*gweithgareddau perthnasol*”) means any activities carried out in an area outside the jurisdiction of a local authority under Part III of the Control of Pollution Act 1974(1);

“noise sensitive receptor” (“*derbynnnydd sy'n sensitif i sw n*”) means any existing habitable dwelling or any hospital, school or rest home.