

**ADVANCE SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**18<sup>th</sup> November 2014**

**Agenda item 8**

**Application ref. 14/00636/FUL**

**Land South of Fields Farm, Church Lane, Betley**

Since the preparation of the agenda report the **Environmental Health Division** has provided further comments on noise matters.

The Division have now confirmed that they have taken into account the most up to date guidance of the institute of acoustics, and your officer can confirm that the most up to date planning guidance has been taken into account.

An additional condition is also now advised by the Division to ensure tighter controls are placed on the developer should a noise complaint be received which would enable the Local Planning Authority to seek appropriate mitigation measures as advised by the guidance of the IOA.

The **Applicant** has also provided a further submission to discuss issues of shadow flicker and protected species.

They detail that shadow flicker occurs within 10 times rotor diameter, 130 degrees either side of north. It is also a phenomenon that only occurs within small openings of structures i.e. windows. In this instance no properties are located within this radius and within 130 degrees either side of north. In this respect, no shadow flicker impact will occur because of the distances and orientation between dwellings and the turbine in this case.

The applicant's ecologist has responded to comments made by Staffordshire Badger Conservation Group. The ecologist has confirmed that a more comprehensive survey of the fields is necessary but that this can be carried out during the pre-construction survey, which will enable an accurate picture immediately prior to development. This would also allow minor adjustments to the grid connection (if necessary) and appropriate protection and mitigation measures put in place during works in order to minimise impacts on protected species.

**Your officer's comments**

The qualification in the original recommendation can now be withdrawn.

The applicant's submission regarding the potential for shadow flicker is considered to address officers concerns and meets the accepted guidance and methodology identified within PS22 and the Department of Energy and Climate Change prepared an 'Update of UK Shadow Flicker Evidence Base'. Therefore the likely impact on residential properties would be limited enough to no longer require the condition (14) advised in the main agenda report.

The impacts on protected species can be covered by the recommended condition (8) in the main agenda report.

**The RECOMMENDATION is to permit the application with the addition of a further noise condition – compliance of noise emissions, and the deletion of the condition regarding shadow flicker.**

