

Matthew Griffiths

Subject: FW: P2022/0517 Foel Trawsnant
Attachments: Appendix-9-C-Wind-Turbine-Acoustic-Spec.pdf; E0004522346_1_CC01_EN_Octave-sound-power-level N133.pdf; Foel Trawsnant Bat Monitoring Report_Final.pdf

From: Meryl Lewis <MerylLewis@walters-group.co.uk>
Sent: 28 October 2022 14:38
To: Matthew Griffiths <m.griffiths5@npt.gov.uk>
Subject: RE: P2022/0517 Foel Trawsnant

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Afternoon Matthew,

Thanks for the update, this is very helpful. I'll wait to hear from you once you've discussed with your highways team.

In the meantime, please find attached a technical note setting out the results of the updated bat survey work for the site. Also attached and below is a response to Dick's request for information that was not covered in our previous response on noise.

- . Details of the SODAR system.
 - From the report 'Foel Trawsnant Wind Farm, Review of the Noise Section of the Application' from Dick Bowdler, dated 29/08/2022, I understand that the queries on the SODAR system are "*Location of SODAR and its type of power source*".
 - From the SODAR installation report 'Installation report, AMEC – Foel Trawsnant' from Dulas, dated 8th November 2012, details are as follows:
 -  Installed at: SS 83811 94207 (taken from field engineers GPS ± 3m accuracy)
 -  Power source: 4* charged 105 Ah batteries, with PV array with 2 panels, confirmed to be charging batteries.
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- . Manufacturer's sound power level data sheets.
 - Data for Nordex N117, linked in email chain below, also attached.
 - Data for Nordex N133 attached.
- . Separate assessment of significance.
 - Comments note that ETSU-R-97 does not provide a measure of significance, and that;
 - Description of significance of impact not in accordance with IEMA.
 -  We consider that the assessment provided suitably addresses the likelihood of significant effects and that there are no additional aspects in the IEMA guidelines which should be addressed within the assessment. We, therefore, do not intend to provide an additional assessment of significance. The basis for this approach, with reference to ETSU-R-97 and the IEMA guidelines, is set out below.
 -  ETSU-R-97.
 - . The guidance on assessment of wind farm noise contained in ETSU-R-97 is based on review of research from multiple sources and the Executive Summary states that "*3. The Noise Working Group has sought to protect both the internal and external amenity of the wind farm neighbour*". On this basis, compliance with ETSU-R-97 derived noise limits is considered to be a suitable and appropriate indicator that internal and external amenity would be protected. On this basis, and In EIA terms,



compliance with ETSU-R-97 derived noise limits is considered to indicate that the likely effects associated with turbine noise would be not significant.

The IEMA guidelines note that:

- . (para 1.5) *"...Compliance with these guidelines does not necessarily confer statutory immunity or provide a defence against legal action, or confirm compliance with legal duties. Conversely, variation from these guidelines does not confirm non-compliance with legal duties. It remains the responsibility of developers to make their own arrangements in compliance with their legal duties; and they are strongly advised to seek technical noise and vibration advice from suitably qualified specialists within the context of the circumstances of any individual development proposal."*

As noted above, it is not mandatory to strictly follow the methods and guidance provided in the IEMA guidelines. Nonetheless, we consider that most aspects detailed within the guidelines which constitute best practice are addressed within the noise assessment, either directly (e.g. undertaking assessments for different times of day at the nearest receptors likely to be affected), or indirectly through following the assessment methods detailed in ETSU-R-97 and the IOA GPG (e.g. no specific discussion is provided on the appropriateness of averaging periods or noise indicators, as these matters are discussed, and appropriately determined, in ETSU-R-97).

- . (para 7.1) *"... In the context of EIA, it is the 'likely significant effects' that must be identified and reported, Where the scheme may affect the health of people, then the health effects of the scheme will need to be included within the scope of the assessment."* (para 7.2) *"For some particular situations, guidance does exist that can assist with the assessment process, but generally there is no precise guidance that is available regarding determining the overall significance of the noise impact. ..."*

In line with the above, and on the basis of the considerations provided regarding ETSU-R-97 as a suitable and appropriate indicator of the likely significant effects due to noise from the proposed turbines, we consider that the likely significant effects have been assessed and identified appropriately, using the methods provided in ETSU-R-97 and the IOA GPG, which are based on review of research from multiple sources on the assessment of potential impacts arising from wind turbine noise.

- . (para 7.93, emphasis added with underlines) *"This chapter has sought to define an approach to noise assessment which ensures that all of the relevant issues are addressed. The subjective nature of noise, together with the many gaps that exist in the detailed understanding of the effects of noise, mean that it is not possible to set out a detailed structure and precise methodology. Inevitably, therefore, the assessment will have to include a degree of professional judgement based on the relevant factors. As such, while the approaches used could be fully justified and have certain merits, it is not suggested within this guidance that the methodologies can be slavishly followed. The most important point is that any assessment must adequately justify the approach that has been carried out, and is not just done because the particular approach was used on recent or previous schemes of a similar nature."*

We consider that the approach taken is suitably justified and appropriate and that, therefore, there is no requirement to alter, or add, to the assessment method or provide any additional assessments of significance.

I'd be very grateful if this additional information on bats and noise could be passed on to the relevant consultees to review. If at all possible, I would be very grateful if the information could please be sent on in advance of you being on leave for the start of next week. Could this now mark the start of the 30 days further consultation, please?

We will be passing ships next week – I am taking leave on Thursday and Friday but please feel free to drop me an email if there is a further update or if you need any more information on the application. I'll be able to pick up and action while on leave to avoid any delays.

Many thanks for your continued assistance on this application.

Meryl