



# Construction will start on wind farm on Monday



Turbines being constructed by RES at a wind farm at Wadlow, Cambridgeshire, about three years ago.

Continued from page 1.

included many local residents, some who formed the Den Brook Judicial Review Group and a previous opposition group, Den Brook Valley Action Group.

In December 2005 Den Brook Valley Action Group presented West Devon Borough Council with 3,000 letters of objection to the plan.

Opponents have cited many reasons including "blight" on the landscape, noise, "flicker" effect, proximity of one turbine to a rail line (one turbine is to be built so close to a rail line that if it came down it could land across the rail line), damage to wildlife and particularly birds, "industrialisation of the

countryside", proximity to Dartmoor, sleep disturbance, stress and health issues, property sale losses and others.

Recently Den Brook Judicial Review Group said it would be monitoring the noise from the turbines when built and would make the noise available to listeners via the internet.

RES says that the countdown to greener energy and £2.25 million in direct community benefits begin on Monday with the start of the construction process.

It adds that updates about construction progress and associated traffic management will be posted on the project website: [www.den-brook](http://www.den-brook).

• Are you pleased that construction of the Den Brook Wind Farm is to go ahead? Will you be adversely affected or do you think it is a good idea? Share your thoughts with fellow *Courier* readers. Send a letter to the Editorial Manager or email: [editor@creditoncouriernews](mailto:editor@creditoncouriernews)

[paper.co.uk](http://paper.co.uk).

## Peace and tranquillity to end as wind farm works begin at Den Brook valley

AND so ends the peace and tranquillity much treasured and enjoyed in the neighbourhood of developer RES's prospective industrialisation of the Den Brook valley.

Not only has this corporate offspring of the Sir Robert McAlpine construction empire disrupted surrounding communities for the past decade, it has created a huge rift with the local planning authority of late.

Followers of *Crediton Courier's* first-rate reporting throughout the longstanding saga will no doubt recall how the Den Brook Judicial Review Group (DBJRG) won unprecedented noise conditions and controls deemed as "not only precautionary but necessary protection" for those living and working in the Den Brook neighbourhood.

Many tens of thousands of pounds had to be raised in order to engage professional acoustic and legal expertise for firstly putting forward the case for proper and adequate protection against potentially debilitating noise impacts from the nine industrial scale wind turbines, and then defending the hard-won noise conditions against deviously disguised and persistent manoeuvres from RES aimed clearly to eliminate or at least water down the noise controls.

Why, one might wonder, would RES with its Queen's awards act in such an unscrupulous and despicable manner? Presumably, RES's priorities lie unashamedly with its shareholders rather than the well-being of those impacted by what is likely to be a hugely, indeed

probably obscenely, profitable development in any event.

The greater the amount of electricity generated the greater the amount of public subsidy goes into the developer's coffers.

The predicament for the neighbourhood, of course, is that the amount of electricity generated directly correlates to noise levels inflicted on those in the vicinity of the turbines.

The noise controls, even though deemed an essential requirement by the Planning Inspector for granting planning permission, directly obstruct the pathway to providing serious amounts of corporate profit for the developer and its financial backers.

Two out of three attempts by the developer to subvert the noise conditions were scuppered in their infancy. RES hurriedly withdrew its second incursion following exposure by consultants working on behalf of the neighbourhood. The developer's highly complex proposal had included undisclosed software code which covertly reduced the amount of measured noise to be used for compliance testing by up to 50 per cent.

Subsequently, the developer somehow persuaded and co-opted West Devon Borough Council and its commissioned acoustics consultants, the Institute of Sound and Vibration, to develop and draft a "Scheme" for seemingly specifying precisely how any likely noise impacts from the wind turbines were to be measured and evaluated.

During meetings for developing the "Scheme" RES's Head of Specialist Services, Dr Jer-

emy Bass, advised that RES, in consort with its commissioned acoustics experts Hoare Lea and the Hayes McKenzie Partnership, had misled not only the surrounding communities but decision makers within the local planning authority and later the Planning Inspectorate throughout the longstanding planning process.

It is a matter of public record, and indeed great concern, that Dr Bass acknowledged that the industry wind turbine line (as adopted by RES for many years) that excess amplitude modulation (EAM) wind turbine noise is rare and therefore a noise condition is not necessary to protect amenity was no longer tenable: "...that idea has been completely exploded by the weight of evidence presented by Mike Stigwood [professional acoustics adviser to DBJRG] in particular."

Dr Bass went on to explain that he suspected in the future, developers at public inquiries will no longer try the argument that EAM noise is rare and shouldn't have a condition.

Nevertheless, once again the newly developed and carefully crafted "Scheme" incorporated complex mathematical processing procedures claimed to be necessary for automatically distinguishing between low frequency, amplitude modulated noise arising from the wind turbines and noises such as dogs barking and birds chirping.

And once again, the "Scheme" resulted in a significant reduction in the level of noise protection specified by the developer's planning permission.

However, for reasons which

remain unclear and still to be clarified, West Devon Borough Council saw fit to approve the significant reduction in neighbourhood noise control and protection.

Moreover, the Council's acceptance not only appears to place residents living and working around the nine 120 metre-high wind turbines at risk of unreasonable noise intrusion and the associated potential health impacts beyond that deemed appropriate by a senior Planning Inspector, but also flies directly in the face of a case law ruling by the Court of Appeal.

Furthermore, it is understood that the ruling can only be lawfully overturned by an equal or higher authority; most certainly not the developer Renewable Energy Systems Ltd or the West Devon Borough Council.

In the 2011 case law ruling Lord Justice Elias unequivocally stated and confirmed that for the Den Brook planning permission to have been granted, "there is an obligation on the developers to comply with the AM levels (noise levels) specified in condition 20 and that obligation will run for the duration of the planning permission."

Two months ago, in June, Central Devon MP, Mel Stride, requested further information and clarification of the matter from the Council. However, West Devon Borough Council has yet to respond.

*Courier* readers (*Crediton Courier*, page one, May 29, 2015) will be aware that DBJRG is to establish independent 24/7 noise monitoring in order

to facilitate and ensure full, accurate and proper assessment of the wind farm's noise impacts.

What's more, it is anticipated that the independent noise monitoring will highlight flaws already clearly identified within the West Devon Borough Council approved Scheme. The aim will be to provide clear and unequivocal evidence for compliance testing required in line with the case law noise conditions imposed for the granting of the Den Brook wind farm's planning permission.

DBJRG's legal advisors recommend all those households and workplaces neighbouring the Den Brook wind farm take out maximum legal insurance cover in the event that individual or indeed community nuisance actions become necessary to counter prejudicial, unreasonable and unwarranted noise intrusion from the wind farm development.

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