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Lord Hunt of Kings Heath
Minister of State
DECC
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9 March 2010

Dear Lord Hunt

Wind Turbine Noise Guidance - Planning Inspector Rejection

We are writing to express our disappointment that you have not, as yet, found time to reply to our letter of 26th November, stating the increasing irrefutable case for the revision of ETSU – R-97. We make this request as we believe that the Government's renewable energy targets can only be reached if the best information currently available both on potential generating capacity and on potential impacts on health and local environmental quality is taken into account in the consideration of all applications.

In particular, we draw your attention to the recent case in Bradford¹, where the planning inspector upheld the decision of the Bradford MBC to refuse permission for a 120m turbine, considering the evidence of noise impact gathered by the local authority to be a more honest assessment of impact than that carried out by consultants using ETSU. The case demonstrates that inappropriate guidance is misleading and costly for applicants, and that the issue needs to be urgently taken in hand. Therefore we urge you again to fully consider and answer points raised in our letters of 21st August and 26th November.

We repeat that we believe that local opposition to wind turbines can only grow if people feel that potential impacts are being inadequately represented, or even misrepresented. If disagreements over the extent and nature of potential impacts can be reduced, decision-making can properly focus on the balance between local and wider interests. Given the history to date, this will only happen if a methodology for assessing impacts is used that is agreed and accepted by consultants, local authority planners and noise specialists and developers.

As a reminder, our factual basis for seeking a review of ETSU-R-97 is as follows:

- ETSU-R-97 was drafted with input from specialists in acoustics in the light of 'best available guidance at the time' and in itself anticipated that it would need to be revised within two years.

- ETSU-R-97 has now been ‘adapted’ in an ad hoc way² by practising acousticians (some of whom were involved in drafting the original guidance) to enable its continued use - we believe this alone demonstrates that in its original form it is no longer fit for purpose and requires revision.
- The existence of what is in effect an alternative version of ETSU-R-97 – the so called common ground guidance drawn up by noise specialists working in the field, supports this view. Use of this in practice, diverging as it does from the original guidance accepted by government, could potentially lead to further confusion and delay, particularly in any planning inquiries.
- The draft National Policy Statement for Renewables³ states that “*The applicant’s assessment of noise from the operation of the wind turbines should use ETSU-R-97 in accordance with latest industry good practice which should reflect any updated guidance issued in relation to ETSU-R-97 and accepted by Government.*” We contend that updated guidance should be issued and accepted by Government as soon as is practically possible.
- We do not agree that there is no evidence that Amplitude Modulation is a result of turbine size.^{4,5}
- Currently there are limited, if any, provisions in place for remedy for any impacts on neighbours of wind farms (foreseen or unforeseen). We accept that some impacts may be unavoidable as an industrial infrastructure is developed to meet future energy needs within climate change constraints – and where this undesirable situation arises, a compensatory mechanism should be in place for neighbours who suffer significant adverse effects. This expresses the ‘polluter pays’ principle, which we understand is Government policy.
- Finally, we quote Peter Luff MP, who in presenting his Private Members’ Bill in the Commons on 3rd November⁶ stated
“There are different concerns about wind farms. Noise, especially low-frequency noise, the flicker effect and the resulting health implications are just some of those concerns. I have been impressed by the personal accounts of such concerns in many of the hundreds of e-mails that I have received. However, although the science may not yet be settled on those matters, the visual intrusion of wind turbines is a matter of objective fact.”

In summary, in view of the obvious concerns about noise impacts, would you not agree that a further effort to bring the science to a more settled position, to the best of our current ability, and subject to review as further knowledge is developed, would enable the potential impacts of wind turbines to be more properly and effectively considered?

Until such time as this is the case, the controversy and delay will continue to be a costly hindrance development.

We look forward to your comments

With kind regards



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 Environmental Protection UK

Cc Rt hon Hilary Benn, Secretary of State for Environment, Food and Rural Affairs

Cc Rt hon John Denham MP, Secretary of State for Communities and Local Government

1. Bradford case refused on appeal -
http://www.thetelegraphandargus.co.uk/news/5006245.Appeal_over___2m_turbine_in_Bradford_dismissed/
2. Prediction and Assessment of Wind Turbine Noise, Bowdler et al, Acoustics Bulletin, March/April
3. Draft National Policy Statement for Renewable Energy Infrastructure (EN-3)
4. Wind Shear, Andrew Bullmore, IOA Wind Turbine Noise Conference, Jan 2008
5. Large Wind Turbines – Are they too big for ETSU – R – 97 – Mike Stigwood, IOA Wind Turbine Noise Conference, Jan 2008
6. Onshore Wind Turbines (Proximity of Habitation)
<http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm091103/debtext/91103-0009.htm#091103125000001>