

# BEL/SA/1: Summary Proof of evidence

PINS Ref: APP/Z2830/A/11/2165035

TOWN AND COUNTRY PLANNING ACT 1990

An appeal by Broadview Energy Developments Limited  
concerning Land at Spring Farm Ridge to the North of  
Welsh Lane, between Greatworth and Helmdon

PROOF OF STEPHEN ARNOTT BSc(Hons) MSc MIOA  
on behalf of Broadview Energy Developments Limited



## 1 Personal experience

- 1.1 I am Stephen Arnott, Principal Associate Consultant with TNEI Services Limited, a consultancy specialising in the planning and development of renewables, predominantly wind energy, for which I have worked on behalf of developers, Local Authorities and objectors. I am involved with the measurement, prediction and assessment of all types of occupational, community and environmental noise.
- 1.2 I hold the degree of Bachelor of Science in Environmental Sciences, a Diploma in Acoustics and Noise Control and a Diploma in Environmental Health, together with a Master of Science degree in Applied Acoustics. In the last 32 years I have acquired a broad experience of environmental noise prediction, measurement and assessment from a variety of industrial and commercial sources, initially in the public sector working as an Environmental Health Officer (EHO) and for the last 22 years working within the private sector. I have been a member of the UK Institute of Acoustics since 1987.
- 1.3 Working with TNEI Services Limited since July 2007, I have been involved with over 60 wind farm assessments, from the fairly common small 3-5 turbine schemes to several 15-20+ turbine schemes, together with numerous smaller wind turbine assessments across the UK. I am involved in each stage of the process, from initial selection of monitoring locations, preparation of the ETSU-R-97 assessments and environmental statement chapters, together with their associated planning applications and where appropriate, their appeals. To date I have provided evidence to 15 public inquiries and am currently preparing evidence for 9 more.
- 1.4 I have experience of drafting and review of suitable noise conditions related to the control of operational noise, including Other Amplitude Modulation (OAM). I will discuss the merit of such conditions within my proof.
- 1.5 My involvement with this project began in 2010, when TNEI Services Limited (TNEI) was appointed by Broadview Energy Developments Limited (the Appellant) to undertake the ETSU-R-97 assessment. After refusal of the application, TNEI were retained to assist with preparation of Further Environmental Information (FEI) and to provide assistance at the subsequent Public Inquiry in relation to noise, where I presented evidence. Inspector Fieldhouse granted permission<sup>1</sup> which was then quashed following judicial review<sup>2</sup> on 16/01/2013. TNEI have since had an on-going brief to provide support throughout the redetermination.

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<sup>1</sup> Decision Notice APP/Z2830/A/11/2165035, Spring Farm Ridge, land to the north of Welsh Lane between Greatworth and Helmdon, 12 July 2012

<sup>2</sup> [2013] EWHC 11 (ADMIN) Case No: CO/8849 AND 8922/2012

## 2 Purpose, Scope and Structure of Evidence

- 2.1 I have been responsible for approving all aspects of the noise assessment submitted in support of the application. My evidence will therefore describe, as required, the noise assessments, the relevant standards that apply and the outcomes of those assessments.
- 2.2 I will refer to:
- the ETSU-R-97 assessment prepared by TNEI;
  - the construction noise assessment prepared by TNEI;
  - the Further Environmental Information submitted in February 2012;
  - the recent guidance on the application of ETSU-R-97 issued by the Institute of Acoustics, and how that relates to these assessments;
  - the Appeal Decision APP/Z2830/A/11/2165035 insofar as it relates to noise.
- 2.3 In the absence of any further information submitted by Helmdon, Stuchbury and Greatworth Wind Action Group (HSGWAG), my evidence will briefly consider the original review undertaken by Robert Davis Associates and address the minor points raised.

### *Changes since the original Public Inquiry*

- 2.4 I will consider the implications of proposed developments in the vicinity of the proposed site, in particular the major HS2 high speed rail link.
- 2.5 The Council no longer consider noise to be a reason for refusal<sup>3</sup>, subject to the agreement of suitably worded noise conditions. I discuss the need for conditions in Section 6 and suggest that the imposition of a condition to address OAM would be unreasonable.
- 2.6 I will explain to the Inquiry why I consider that the noise assessment undertaken for the proposed Spring Farm Ridge wind farm reflects current good practice and agree with the Council that noise should not be considered a reason for refusal of planning permission.
- 2.7 Section 3 of my evidence provides a background to the proposal and discusses the role of ETSU-R-97 as the relevant assessment protocol, while Section 4 discusses the role of both local and national guidance, together with recent good practice guidance produced by the Institute of Acoustics. I include a review of the assessment in light of this guidance and provide detail in SA3/Appendix 1.
- 2.8 At Section 5 I discuss the evidence provided by HSGWAG, including the noise review prepared by Robert Davis Associates on their behalf.

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<sup>3</sup> Statement of Common Ground, Section 3, dated 19th July 2013  
Stephen Arnott

2.9 At Section 7 of my evidence I conclude that

- The assessment shows that the predicted wind turbine noise immission levels for Spring Farm Ridge wind farm, using a candidate turbine, meet the ETSU-R-97 derived noise limits, under all conditions and at all locations, for both quiet daytime and night-time periods.
- I consider that the assessment undertaken by TNEI applied the relevant guidance at the time of submission. Reviewing and updating that assessment to reflect the latest industry good practice does not alter the outcome of the assessment. In my view this is sufficient, subject to the imposition of suitable and legally enforceable conditions, to secure the amenity of local residents.
- I have seen no evidence presented that would suggest a higher than remote chance of OAM occurring at this site, or which would support the application of any condition on OAM beyond the provisions included within ETSU-R-97.
- I can find no reason why this appeal should be dismissed on noise grounds.

Stephen Arnott  
2<sup>nd</sup> September 2013