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Wind farm consent quashed over noise condition technicality

Consent for a small wind farm development in Norfolk has been quashed by the High Court and sent back to Communities Secretary Ruth Kelly for reconsideration after a judge agreed that a planning condition about noise was "unenforceable and imprecise".

The two-turbine Ecotricity scheme at the village of Shipdham was granted permission on appeal last summer after being turned down by Breckland District Council.

Two villagers who live next to the proposed wind farm site took legal action to challenge that permission. After a brief hearing, the judge, Mr Justice Lloyd Jones, approved an order - agreed between the Secretary of State, the developer and the local planning authority - quashing the permission.

Now a planning inspector must decide whether to hold a third inquiry into the project, accept a redrafted noise condition or reject the proposal.

Ecotricity chief executive Dale Vince insisted the glitch over the condition was a technicality, in a planning saga stretching back to December 2001 when an application for the scheme was originally lodged.

He said: "We have just been through a process no less arduous or expensive than if we had applied to build a nuclear power station - and all for two turbines, it's crazy".

Meanwhile, the British Wind Energy Association has expressed concern that approval rates for wind schemes have fallen significantly.

The association is about to publish new data which shows that of the 18 planning decisions made on onshore wind project proposals since October 2006, 12 were refusals.

[Read the Ecotricity press release here.](#)

[Visit the British Wind Energy Association website here.](#)

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1 March 2007

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