

Windfarm blows house value away

A FURNESS couple have won a legal ruling proving that the value of their home has been "significantly diminished" by the construction of a windfarm nearby, reports Justin Hawkins. Barry Moon and his partner Gill Haythornthwaite live in the shadow of the wind turbines at the controversial Ireleth windfarm near Askam. When they bought Poaka Beck House in 1997, the couple were unaware the arrival of the windfarm was imminent. Previous owners David and Diane Holding failed to tell the prospective buyers in spite of the fact they had vigorously opposed the initial application for the windfarm in 1995 and objected at the subsequent public inquiry in March 1997. District Judge Buckley decided that this amounted to "material misrepresentation" and ordered the Holdings to pay compensation of 20 per cent of the market value of the house in 1997, £12,500, plus interest, because of damage to visual amenity, noise pollution and the "irritating flickering" caused by the sun going down behind the moving blades of the turbines 550 metres from the house. In so doing, he made what is believed to be the first ruling of its kind relating to windfarms. He also made the Holdings pay legal costs and a further £2,500 as compensation for "nuisance and distress". News of the ruling comes as debate rages about West Coast Energy Ltd's application to build Whinash windfarm on fells between the A6 at Shap summit and Tebay. If it goes ahead, Whinash will be England's biggest windfarm with 27 turbines, each 115 metres tall. Mr Moon and Miss Haythornthwaite are still fighting a battle with windfarm operators PowerGen Renewables over noise problems at their home, but Mr Moon said they decided to go public with details of their case because Whinash and other developments were now looming on the horizon. They said their experience, and the judge's ruling, gave the lie to claims of the windfarm industry that turbines did not damage property values.

Miss Haythornthwaite said: "If this can prevent one windfarm being built in an inappropriate place it will be worth it."

Mr Moon said: "The windfarm industry is about one thing only and that is profit. People should know the facts for themselves rather than listen to the industry's claims that there is no impact on property values."

Steve Molloy, of West Coast Energy Ltd., said it was the first case of its kind to his knowledge. "I have no doubt it is going to be quoted by lots of people opposing windfarms once it becomes widely known," he said. But he added that loss of value of a property, although unfortunate, was not a material planning consideration and did not undermine the industry's argument that the benefits of sustainable energy outweighed the objections.

West Coast Energy has complained to the Advertising Standards Authority about claims in No Whinash campaign literature that property prices would be affected.

Mr Molloy said the company had just heard about the judge's ruling and would like to study it in detail, but he admitted it may now have to reconsider its approach to the ASA in light of it.

Kyle Blue from the No Whinash Windfarm group said he knew of two properties near the Whinash site where values were already being affected and said the judge's ruling would help the fight against the windfarm. He also said the industry's claims that tourism would be unaffected were as spurious as its claims about property prices.

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By Justin Hawkins