

Amber Hill Parish Council

(14)

The Rt Hon Greg Clark
Department of Business Energy & Industrial Strategy
3 Whitehall Place
LONDON
SW1A 2AW

29th January 2017.

DBEIS Contact Keith Welford
National Infrastructure Consents
email: keith.welford@dbeis.gov.uk

RE: Ecotricity Heckington Fen Wind Farm Variation of Consent ref: 4038P019901.
3rd Round of Consultation response by Amber Hill Parish Council – Maintain Full Objection

Dear Sir,

As previously stated in our letters to your predecessor Amber Rudd SoS at DECC dated 26th February 2016 & 11th July 2016, Amber Hill Parish Council represent the vulnerable local community which comprises of residents living in scattered properties in mainly the North East and East direction of the consented Heckington Fen wind farm. Both of these letters raised our significant concerns and one of the most important of these, with considerable frustration we find necessary to reiterate yet again:

'Despite being one of the closest parishes which will be subject to the propensity to receive the full spectrum of all wind turbine noise immissions, especially those with characteristics of Amplitude Modulation and low frequency and audible noise, downwind of all 22 turbines at 125m to blade tip, throughout the entire planning process, we have not been adequately consulted'.

'Amber Hill and the adjoining parish of Holland Fen are located within the Borough of Boston District Council and yet our Amber Hill Parish boundary along with the Boston Borough Council boundary, runs adjacent to the north east boundary of the wind farm'.

We have only been made aware of the opening of a 3rd round of consultation by contacts within our local communities, not because we have been advised directly by Ecotricity nor have any notices been published in our local press. We are aware that this was published in the Sleaford Standard, **but not in the neighbouring Boston Borough District press.**

The variation application will impact on our local residents and now we are aware of Ecotricity's intentions, we have continued to monitor progress via our contacts with the neighbouring Parish Councils, who have all found it absolutely essential to support our wider communities. This is localism in action and reflects the principles embraced by the Written Ministerial Statement (WMS), HCWS42 which was made by the Secretary of State for Communities and Local Government on 18th June 2015, regarding local planning and in particular wind farm applications.

In our previous letters we also advised DECC of our considerable concerns regarding wind turbine noise and these were clearly expressed in the light of the Noise Impact Appraisal

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undertaken by Dr J Yelland commissioned and funded by the local communities, including Amber Hill Parish Council.

For your reference we have attached our letter dated 11th July 2016 which sets out these concerns.

We are also aware that Ecotricity have submitted responses to your department in the form of a letter dated 18th October 2016, along with a response to Dr Yelland's Wind Turbine Noise Appraisal undertaken by Dr M Cand of Hoare Lea on behalf of Ecotricity.

We are also aware that these documents form part of this new round of consultations for consideration by the local communities and Statutory Consultees, in the main North Kesteven District Council and Lincolnshire County Council.

Amber Hill Parish Council, wish to make the following comments in respect of:

Ecotricity's letter dated 18 October 2016.

It is of concern that Ecotricity @ Para 26 state: '*they are unsure as to whether DBEIS have sent the applicant all the 3rd representations received after 19th January 2016*';

Appendix 7 lists the representations they say they have received up until 26th April 2016, which implies they have not been sent this Parish Council's letter dated 11th July 2016, which we consider contains really important and relevant information.

In addition, we are also aware that at least one of our Parishioners, Mr M Whytcross at the Old Church Maryland Bank Amber Hill, has sent several communications to both Hoare Lea and Ecotricity, regarding the Back Ground Noise Survey carried out at his property during March-April 2011. There is no mention of these communications by Ecotricity in this letter.

We raise this important matter, as we take seriously our duty of care to our Parishioners in matters relating to planning and any potential adverse impacts. We are also aware that the noise monitoring undertaken at The Old Church was also used as a proxy location for all of the local properties within our Parish and therefore this issue is of great concern to Amber Hill Parish Council.

Mr Whytcross, has recently informed us that both Hoare Lea and Ecotricity have been unresponsive to all of his legitimate requests for all of the noise data collected at the time of the monitoring in 2011. This causes us significant concern as it does not inspire any confidence that Ecotricity are acting in an open and transparent manner.

We also note that Ecotricity state in their letter @ Para 29,

*'Similar to the resident's template letter, responses from five surrounding Parish Councils have been received by Ecotricity from BEIS. Four of these responses appear to be based on a **template letter** with similar concerns raised in each.*

This Parish Council raises our concern to DBEIS, that Ecotricity now appear to be seeking to devalue and undermine the Parish Council's legitimate planning concerns. These concerns were discussed by our Councillors at a Parish Council meeting and were subject to a resolution to raise these as part of the consultation process, as we are entitled to do.

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Are Ecotricity suggesting that this Parish Council's response or any of the other Parish Councils concerns should be disregarded on the grounds that they suggest these appear to be in the form of a template letter?

In fact we are not reassured in any way that Ecotricity truly wish to engage meaningfully with any of the local communities, but continue as they have done throughout the whole planning process to disregard all of the local residents, particularly in our area.

This is made abundantly clear @ Para 30 c,

c. "Concerns regarding the consultation and publicity of the Variation Application. As above, Ecotricity complied with its statutory obligations regarding consultation and publicity. In addition, consultation was subsequently undertaken by North Kesteven District Council (including consulting parishes within its District e.g. Heckington Fen Parish Council, Great Hale Parish Council and South Kyme Parish Council)".

This statement by Ecotricity further reveals complacency and the disregard they have demonstrated towards our neighbouring district and all of our residents. It is simply not good enough to in effect, '*hide behind a arbitrary boundary line*', especially as we have clearly identified that the site boundary of the wind farm land is for a significant length, the same boundary line of our adjacent Parish of Holland Fen within Boston Borough Council District.

The impacts we have identified do not diminish just because we are located on the other side of a line drawn on a map, this notion is absolutely ridiculous.

We repeat:

'Amber Hill and the adjoining parish of Holland Fen are located within the Borough of Boston District Council and yet our Amber Hill Parish boundary along with the Boston Borough Council boundary, runs adjacent to the north east boundary of the wind farm'.

Ecotricity's Response to Dr Yelland's Noise Impact Appraisal.

Amber Hill Parish Council have also considered Dr Cand's response to Dr Yelland's Noise Impact Appraisal and take the view that in spite of Dr Cand's assertions, that Dr Yelland has '*limited or no experience of undertaking such survey's*' .

In response to this surprising claim, we have access to documentary evidence confirming that this is simply not true.

Indeed at a meeting hosted by Heck Off on behalf of all of our local communities, one of the guest speakers gave us a firsthand account of the detailed back ground noise impact assessment review Dr Yelland was commissioned to undertake by the local communities, in respect of the Asserby Wind Farm carried out by Hoare Lea in support of this planning application, which was subsequently found to be flawed and one of the grounds on which planning permission was refused.

We have no reason to question the legitimacy and professionalism of Dr Yelland's Appraisal.

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In fact we refer to our letter of the 11 July 2016, in which also we supported our local MP's letter dated 14 June 2016, in which they call for a truly independent noise impact assessment to be commissioned by the Secretary of State after they had considered Dr Yelland's Noise Impact Appraisal.

We are now aware of North Kesteven District Council's 3rd round of consultation response from both their Planning Officer's report and recommendation considered by District Councillor members at a Planning meeting held on the 17th December 2017.

We wish to draw your attention two aspect of this report;

1. That the report refers to the WMS & considers that:

"Subsequent to the consideration of the variation application previously on 2nd June 2015, a Written Ministerial Statement (HCWS42) was made by the Secretary of State for Communities and Local Government on 18th June 2015, regarding local planning and wind farm applications in particular. The Statement includes:

When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:

- the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and*
- following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing".*

the report then states:

*"The Ministerial Statement does have relevance to this application, although it should be noted that it falls within both the Electricity and Planning Acts. The development site, like the whole of the District, is not specifically identified within the Local Plan as an area suitable for wind energy development and therefore the second element that of demonstrating that the planning impacts identified by local communities have been fully addressed, and therefore the proposal has their backing, is applicable. **At present there are outstanding objections to the proposal from the local community in relation to matters including noise impact"**.*

After consideration of the Officer's report recommendation NKDC's planning committee by a unanimous decision resolved to make the following comment sent to DBEIS in a letter dated 24 January 2017:

*"Therefore, in light of the conflicting technical noise reports that exist, the District Council would strongly advise that the Secretary of State commission his own fully independent Noise Impact Assessment in order to have full regard to the likely noise impacts that the proposed revised development will have upon the residential amenity of nearby residents. The Council are of the view that the verifiable independence of whoever is commissioned to conduct the Noise Impact Assessment and that all raw data is made available to all interested parties is essential. The independent review and the availability of the raw data to be publicly available is particularly important. The Council would stress that the Secretary of State is the decision maker for the proposal has a duty to satisfy himself that full regard has been given to all the likely impacts that the development will result in, and then to carefully balance such considerations as part of the overall decision making process. **The existence of competing technical noise impact reports suggests***

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that that at this time, the Secretary of State is not in a position to make a robust planning decision on the merits of the revised proposal".

Amber Hill Parish Council fully support NKDC's position, particularly the requirement that it is essential that the commissioning of any new noise impact assessment can be verified to the satisfaction of all parties, including this Parish Council and all the neighbouring Parish Councils and likewise that all raw data is publically made available as there is now, justifiably a complete lack of confidence in both the original and variation noise impact assessment and therefore the local communities have reasonable grounds to consider that they will not be protected from harm arising from any potential adverse noise impacts.

We also totally agree with NKDC's statement that:

"The issue of the robustness of the noise assessment and associated mitigation becomes a critical factor for the District Council as part of its statutory responsibility to enforce planning conditions, should you be mindful to issue consent for the Variation. In this respect we believe it is imperative that as decision taker the Secretary of State satisfy himself that no ambiguity exists.

As a caring Parish Council and in support of our local residents, we need absolute confidence and reassurance, that if consent is given to Ecotricity's variation application the only course of action open to NKDC will be through the enforcement of planning conditions for either turbine blade configuration, to protect local residents in the event of potential noise complaints. However both the consented and variation turbine noise conditions are now seen to have been derived from data which is open to legitimate scrutiny. As a Parish Council we consider this present situation is untenable.

We are aware that Lincolnshire County Council have also called for independent noise impact assessment.

IN CONCLUSION:

We support both NKDC's and Lincolnshire County Council's along with our local MP's call for new independent noise survey's and the accompanying data to be supplied in an open and transparent manner.

The existing raw noise data has not been provided despite repeated requests.

There are reasonable grounds for Amber Hill Parish Council to have no confidence that our residents will be protected from adverse noise impacts.

We reiterate our position that Ecotricity have not consulted adequately with residents who will be affected if not more so, just because they happen to live in the adjacent Boston Borough Council District.

It is of considerable concern that our previous letter dated 11 July 2016 may have not been passed on to Ecotricity and if it has it has been disregarded.

On behalf of our residents we therefore consider all of our legitimate concerns have been not adequately addressed and we have no option but to not back this variation application

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and respectfully consider that there are substantial grounds for this application to be refused.

Yours sincerely

Chairman

Amber Hill Parish Council

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Contact Details: Clerk:

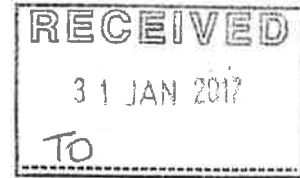
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Heckington Parish Council

For the Attention of:
The Rt Hon Greg Clark
Department Business Energy & Industrial Strategy
3 Whitehall Place
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SW1A 2AW

31st January 2017.



Contact: Keith Welford.
National Infrastructure Consents
email: keith.welford@beis.gov.uk

RE: Ecotricity Heckington Fen Wind Farm Variation of Consent ref: 4038P019901.

Dear Secretary of State,

**3rd Round of Consultation Representation by Heckington Parish Council-
maintain Full Objection.**

Heckington Parish Council represent the rural community which is identified by the developer Ecotricity, as being the closest to the site of the Heckington Fen wind farm, also located within our Parish boundary.

This letter along with our letter dated 22nd March 2016, (copy attached to avoid repetition), clearly states our ongoing concerns, which have not been resolved to the satisfaction of the Parish Council and our locally affected residents.

Furthermore, we wish to state at this juncture that Heckington Parish Council position, has not changed after consideration of Ecotricity's letter to your department dated 18th October 2016, along with their response statement by Dr Matthew Cand to the Appraisal report of Dr John Yelland, commissioned and funded by the local communities, which included Heckington Parish Council.

We would respectfully request that you do carefully consider these submissions, as they contain important information which will form the basis of any evidence the Parish Council may submit if a further Public Inquiry is deemed to be necessary, as one of the potential outcomes arising from this 3rd round of consultation.

Heckington Parish Council wish to make to following additional points:

Whilst we do not profess to have sufficient understanding of all the technical aspects and science under pinning wind farm noise, having considered and taken an overview of the response statement submitted by Dr Cand on behalf of Ecotricity, we do however consider his statement on page 5:

"In contrast, Dr Yelland expresses a range of concerns regarding these measurements, but he has to my knowledge limited or no experience of undertaking such surveys",...
does not reflect our knowledge and understanding of the professional expertise, experience, qualifications and credibility of Dr Yelland. We note that Dr Yelland given the seriousness of

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this unsubstantiated statement by Dr Cand, has issued an initial public statement prior to completion of his full response to Dr Cand, which sets out Dr Yelland's response as follows:

"Regrettably in Dr Cand's rebuttal, he attempts to portray Dr Yelland as inexperienced and incompetent, which one would not expect from anyone claiming to be an expert witness. The rebuttal suggests that Dr Yelland has "little or no experience"; Dr Cand should be aware that this is not true, as the present case is the fourth time Dr Yelland has challenged a Hoare Lea's NIA".

"The previous three cases were the Camp Hill Prison wind farm application (refused and not appealed), the Louth Canal Appeal (dismissed), and the Asserby wind farm application (refused and not appealed). Turbine noise was a serious concern in all three decisions. In the current decade Dr Yelland has assisted local residents in about 14 wind farm applications/appeals, all of which were subsequently refused/dismissed. "My 0% failure rate", he says, "is not due to clever advocacy, but to competence and integrity. I also decline cases where the developer's NIA honestly demonstrates compliance with planning regulations and guidance".

Heckington Parish Council are not persuaded that Dr Cand has in fact provided an adequate response to Dr Yelland's Appraisal and therefore the serious concerns raised by Dr Yelland remain, that the Variation Application to increase the rotor diameter of the consented wind turbines up to 103m, is based not only on an initially flawed Noise Impact Assessment relied upon to gain planning permission for the consented wind farm, but that even more concerning is that the variation application, by also essentially relying on this initial Noise Impact Assessment, is seeking consent to deploy even larger turbine blades.

Again we repeat our concerns previously stated that:

*"At each of the six background noise survey locations, Dr Yelland's appraisal of the applicant's noise impact assessment reports significant concerns and non compliances; this alone gives Heckington Parish Council absolutely **no** confidence that the wind farm would or could be operated within the operational noise limits set out within the planning consent for the already consented scheme, let alone for the variation configuration. The wind farm should not therefore be constructed, even as originally proposed".*

We reemphasise that we consider that these larger blades will increase the risk of harm being caused to affected local residents, including known health impacts caused by adverse wind turbine noise, which have consistently been denied by the wind industry's acousticians, against mounting legitimate evidence from within the UK and from many other countries.

We are also aware of, and submitted a statement at North Kesteven District Council's (NKDC) planning committee meeting held on the 17 January 2017, called to consider the District Council's position as Statutory Consultees in the light of their Planning Officer's Report and recommendation that stated:

Subsequent to the consideration of the variation application previously on 2nd June 2015, a Written Ministerial Statement (HCWS42) was made by the Secretary of State for

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Communities and Local Government on 18th June 2015, regarding local planning and wind farm applications in particular. The Statement includes:

· following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing. In applying these new considerations, suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan. Maps showing the wind resource as favourable to wind turbines, or similar, will not be sufficient. Whether a proposal has the backing of the affected local community is a planning judgement for the local planning authority.

Where a valid planning application for a wind energy development has already been submitted to a local planning authority and the development plan does not identify suitable sites, the following transitional provision applies. In such instances, local planning authorities can find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected local communities and therefore has their backing.

This approach has been adopted within Policy LP19 (renewable energy proposals) of the Submitted Draft Central Lincolnshire Local Plan.

*The Ministerial Statement does have relevance to this application, although it should be noted that it falls within both the Electricity and Planning Acts. The development site, like the whole of the District, is not specifically identified within the Local Plan as an area suitable for wind energy development and therefore the second element that of demonstrating that the planning impacts identified by local communities have been fully addressed, and therefore the proposal has their backing, is applicable. **At present there are outstanding objections to the proposal from the local community in relation to matters including noise impact.***

The recommendation concludes by stating that:

Recommendation:

"In light of the conflicting technical noise reports that exist, the District Council strongly advise that the Secretary of State commission his own fully independent Noise Impact Assessment in order to have full regard to the likely noise impacts that the proposed revised development will have upon the residential amenity of nearby residents. This is particularly important as the Secretary of State is the decision maker for the proposal and as such has a duty to satisfy himself that full regard has been given to all the likely impacts that the development will result in, and then to carefully balance such considerations as part of the overall decision making process. The existence of competing technical noise impact reports suggests that at this time, the Secretary of State is not in a position to make a robust planning decision on the merits of the revised proposal".

NKDC in their recent letter to DBEIS dated 24 January 2017, restate this position.

Heckington Parish Council as attendees at this meeting, are aware that the District Councillor as members of the committee unanimously endorsed the Recommendation before them and

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called for a *"truly independent noise impact assessment to be commissioned by the Secretary of State"*.

Furthermore, in order for all parties including this Parish Council, to have confidence in the *'independence'* of any new noise survey, as previously stated this needs to be both commissioned and undertaken in an open and transparent way, with full access to all data recorded, which in the case of the initial background noise survey has been withheld by Ecotricity, despite legitimate requests by those residents who hosted the monitors during the back ground noise surveys undertaken in March-April 2011.

It is clear to the Parish Council that there are no legitimate grounds for Ecotricity to withhold this data.

We are also now aware that the outcome from NKDC's Planning Committee meeting is confirmed in their letter dated 24 January 2017 stating that:

"The Council are of the view the verifiable independence of whoever is commissioned to conduct the Noise Impact Assessment and that all raw data is made available to all interested parties is essential".

"The independent review and the availability of the raw data to be publically available is particularly important".

Heckington Parish Council also maintain our stated position regarding any amendment to Condition 5, which concerns the MOD Radar Mitigation Scheme, (RMS) as set out in our letter dated 22 March 2016, that there is no justification to change this condition, especially given that Ecotricity were fully aware that there was a radar mitigation concern raised by MOD in their original 3 page planning application document submitted to NKDC back in December 2009. Ecotricity were also aware this has been an ongoing issue since 2005, now over a decade ago. **We state clearly that we resolutely object to any amendments to the radar mitigation condition.**

Again NKDC on this very matter in their letter dated 24th January 2017 raise concerns that Ecotricity are seeking the amendment merely to gain a planning condition advantage by...

'exceeding what is required', which "in effect to secures the consent and will potentially leave residents with years of uncertainty over the development pending the approval of the Radar Mitigation Scheme. Such uncertainty could act to blight the amenity that local residents might reasonably expect to enjoy from their properties".

We also having considered Ecotricity's comments in their letter 18 October 2016 @ Para 28 simply do not concur with the comments suggested by Ecotricity when they refer to notes made by Andrew Muir their Project Manager at the meeting held on the 7th September 2009, who is no longer employed by Ecotricity, that they have adequately consulted with the local communities and that we see nothing of note in this letter that indicates that they are in any way minded to to address our local communities concerns, these still remain.

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In fact we do note that Ecotricity did seemingly '*dismissively*' advise their acousticians Hoare Lea, when passing on information regarding the possible selection of noise monitoring locations along Side Bar Lane, as stated on Page 14 of Dr Cand's report:

Side Bar Lane (Derwent Cottage)

In relation to access being sought for locations on Side Bar Lane, letters were sent by Hoare Lea to Fen Farm and 3 The Bungalow on Side Bar Lane requesting access permission, however no response was received. Hoare Lea was also advised by Ecotricity that, prior to Hoare Lea's involvement in the project, several residents at the south end of Side Bar Lane had previously expressed to Ecotricity their unwillingness to engage with the assessment, hence why no requests for access were made to other residents.

We still stand by our statement above included in the Officers report in January 2012, that Ecotricity have broadly disregarded the local communities significant concerns and have pressed on regardless and these still remain. This has also been reflected in the recent submissions of our District Council and Lincolnshire County Council.

"The Parish Council continues to be concerned that given we were effectively 'sidelined' and essentially 'undermined' by the developer Ecotricity during the planning consultation stages.

In September 2009 representatives' of Ecotricity gave our Parish Council a presentation in which we were told that:

"a Parish Council can have no influence in the final decision which will be made by Central Government without consultation; the Parish Council's views would not even be considered" ..

It is still abundantly clear to the local communities, that Ecotricity's whole approach throughout this planning process, has been one of an attitude of '*superior neglect*' and '*apparent disregard*' towards the local communities.

We await your response to our legitimate, well founded and significant concerns and restate that we do not back the variation application.

Yours sincerely

Jan Palmer
Chairman
Heckington Parish Council

cc: Dr Caroline Johnson MP
email: emma.salisbury@parliament.uk

Contact Details: Clerk: Julie Hudson
Email: heckington@n-kesteven.gov.uk

Heckington Parish Council

For the URGENT attention of :
Keith Welford, Case Manager
National Infrastructure Consents
Department of Energy & Climate Change (DECC)
3 Whitehall Place
LONDON
SW1A 2AW

22nd March 2016

DECC Contact email: keith.welford@decc.gsi.gov.uk

RE: Ecotricity Heckington Fen Wind Farm Variation of Consent ref: 4038P019901.

Dear Sir,

Representation by Heckington Parish Council – Holding Objection

Heckington Parish Council represent the rural community which is identified by the developer Ecotricity, as being the closest to the Heckington Fen wind farm.

The Parish includes residents whose family homes are north of the A17 and south/south-west of the consented Heckington Fen wind farm site. There are also many residents who live a little further to the south, for whom the visual impacts of the wind farm would be significantly increased by the much larger blade configuration proposed were the variation application consented.

Some homes are less than 1 km from the turbines; many homes in other Parishes are directly downwind of the wind farm in the prevailing south westerly wind. For them, noise would be a major problem.

Our local Action Group have appointed a highly qualified wind turbine noise expert, John V Yelland MA DPhil(Oxon) MInstP FIET AMASA MIOA, to fully assess the submitted variation noise impact assessment, in view of the proposal to increase the rotor diameter of the turbine blades from 90m to 103m. His initial appraisal has advised DECC, in a letter sent on the 10 February that: *“I consider it very probable that the proposed variation, if consented, would cause neighbours of the wind farm to suffer intolerable levels of EAM.”*

The use of S73 variations to increase consented wind turbine rotor diameters, as an alternative to the submission of a revised applications complete with a full environmental impact assessments, is a recent but increasingly frequent phenomenon. It is also an abuse of the planning system, as such a variation significantly changes both the visual impact and the noise impact of a proposal. It also puts the wind farm design into the “stubby tower” class (page 68, *“Wind Turbine Amplitude Modulation: Research to Improve Understanding as to its Cause and Effect”* RenewableUK, December 2013), acknowledged by the wind industry to be more prone to excessive amplitude modulation (EAM), as recently aired in the Third Reading of the Energy Bill (Hansard, 14th March 2016, columns 670 et seq.).

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Despite being one of the closest Parishes to the wind farm, and highly probable victims of Excessive Amplitude Modulation both downwind and upwind of all 22 turbines we consider we have not been adequately consulted or been made aware of these concerns, which have now been recognised by Government.

In September 2009 representatives' of Ecotricity gave our Parish Council a presentation in which we were told that *"a Parish Council can have no influence in the final decision which will be made by Central Government without consultation; the Parish Council's views would not even be considered"*.

We are now pleased to be correctly informed that DECC is accepting representations from the local communities, as detailed in a letter sent from DECC dated 19 January 2016, informing North Kesteven District Council, that the Secretary of State was seeking the views of the local communities and residents which stated:

"This letter seeks views on how the concerns raised in the responses to the first consultation have been addressed. In particular, we invite the Developer to respond to the specific concerns raised by Lincolnshire County Council and local people. We also invite any further comments from those persons who responded to the first consultation on the Variation Application and anybody else who may wish to comment on it."

In view of this new opportunity to respond to the application, we have called an extraordinary meeting. We are concerned that there appears to have been a lack of publicity and consultation by Ecotricity. Affected communities were not told of the potential impacts of the variation, we therefore respectfully request that this essential round of consultations is extended, to enable all our local communities and their advisers and representatives to respond.

Heckington Parish Council also oppose any variation of the existing planning condition which forbids Ecotricity from commencing of any aspect of the wind farm development, prior to the radar mitigation scheme condition being satisfied in full. This condition specified that Ecotricity had a full five years available to meet it; this was more than adequate, given that Ecotricity was fully aware of the safeguarding requirements set by MoD in many other wind farm planning applications, prior to the submission of this one. The Inspector also considered this was sufficient time.

Heckington Parish Council now having had sight of the letter submitted by North Kesteven District Council dated 10 February 2016 to DECC, in response to your letter dated 19th January concur with their comment in support of all local residents, which stated:

"The Council would urge the Secretary of State to take on board all representations made by the local community and have regard to their strength of feeling and opposition to the scheme".

In view of this comment by North Kesteven District Council, Heckington Parish Council considers that at long last our residents will have an opportunity to have their views heard by

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the Secretary of State and respectfully request that this letter is forwarded to her as a matter of urgency.

Yours Faithfully

Jan Palmer
Chairman
Heckington Parish Council

Contact Details:

Clerk: Julie Hudson
Email: heckington@n-kesteven.gov.uk

cc: Stephen.Phillips.mp@parliament.uk

125m to rotor tips

90m diameter
blades (model)

100m to rotor tips

70m diameter
blades (model)

Heckington

103m dia.
blades

22m sweep
from ground



Heckington
Windmill
height to sails
top 30.5m
21.3m dia sails

**Bicker
Turbines**

80m dia.
blades
(20m sweep)

SOUTH KYME PARISH COUNCIL

Peter Ayre, DMA - Clerk to the Council.
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Rt Hon Greg Clark MP
Secretary of State for Business, Energy and Industrial Strategy
Energy Infrastructure Planning
3 Whitehall Place
LONDON
SW1A 2AW

Your Ref: 15/0416/S36 Land at Six Hundred Farm, Six Hundred Drive East Heckington

20 January 2017

Dear Secretary of State,

Ecotricity Heckington Fen Wind Farm Variation of Consent Reference 4038P019901.

South Kyme Parish Council continues to be strongly opposed to the development of this wind farm and has never been satisfied that the public enquiry in 2012 paid sufficient attention to residents' concerns - these remain. The Council welcomes your decision to open this 3rd round of consultation, but draws to your attention that yet again Ecotricity have merely issued a public notice and have not arranged any local exhibitions to engage with the local communities, or provided hard copies of at least their revised photomontages for the local communities to assess the increased visual impact on the countryside with the proposed increased rotor diameter.

In considering this application, we hope that you will take on board the Ministerial Statement you made in June 2015 regarding local planning and wind farm applications. We certainly think that your statement is relevant here and it quite clearly requires that:-

'planning impacts identified by local communities to be fully addressed to ensure that the proposal has their backing.'

At present this is not the case, as there are outstanding objections to the proposal from the local community.

My Council understands that following representations put to you by our communities and Heckington Fen Wind Farm Action Group (HECKOFF) as well as the submission of The Wind Turbine Noise Impact Assessment Appraisal undertaken by Dr John Yelland, which was commissioned and funded by both HECKOFF and the local parish councils, and which calls into question the original noise impact assessment carried out by the applicants, who have defended their original noise impact assessment and raised additional issues in response. Dr Yelland will be submitting a subsequent report to you, which will continue to substantiate his findings that Ecotricity's original and variation noise assessments are and remain fundamentally flawed, non compliant and will not protect local residents from adverse noise impacts.

In view of the obvious distance between the views of the applicants and the local communities' acousticians, we urge you to order a new **fully independent** Noise Impact Assessment survey to be undertaken. This view is fully supported by North Kesteven District Council (NKDC) as well as by Matt Warman MP and erstwhile MP Stephen Philips QC, in their letter of 14 June 2016 to your predecessor.

The new Noise Impact Assessment survey **must** be undertaken in such a way as to ensure that there is no doubt as to its transparency and accuracy. The three main interested parties:- NKDC, the applicant and the expert acoustician appointed by the local communities will need to agree the background survey locations before the equipment is sited. They would also access to the raw data from this survey for independent comparative analysis as the raw data from the original noise survey has been withheld by Ecotricity, when seeking to validate the basis on which the noise data sheets were provided in both the original application and the variation application.

This is an extremely important issue, particularly as the revised application totally ignores government guidelines for turbine spacings, and if allowed to go ahead in its current configuration, it has the potential to exacerbate the problems of noise associated with wind turbines. This is particularly important because you, as the decision maker for the proposal have a duty to satisfy yourself that full regard has been given to all the likely impacts that the development will result in, and then to carefully balance such considerations as part of the overall decision making process. My Council does not feel that you are at present in a position to make a robust planning decision on applicant's submitted revised planning application.

The Council fully appreciates that the MOD is only interested in things that may affect their operational capability and are unable to raise an objection on the basis of ground works being carried out, whether before or after planning has been granted. That MOD has not objected to this variation application is therefore not surprising and cannot be taken as implying support of this application. In any event, we are, several years down the line and there is still no sign of a radar mitigation scheme for MOD to consider. Will there be a suitable scheme in the foreseeable future? - this remains to be seen.

With respect to the applicant's wish to change the wording of condition 5 of the original planning consent, we urge you to reject a change in the wording. Our communities don't want to be subject to significant construction noise, traffic disruption and potential loss of good agricultural land on a continuing hope that a radar mitigation scheme might be approved at some time in the far off future.

Finally, the Council did not back the proposed wind farm from the beginning, and it does not back it now. It is the Council's considered view that there should either be a new public inquiry, or failing this, the proposed variation should be refused.

Yours faithfully

P D Ayre
Clerk to the Council

Chairman
Cllr. Eric Langley

Website:
parishes.lincolnshire.gov.uk/southkyme

Vice-Chairman
Cllr. Micky Clark