

To:

Department for Business, Energy  
and Industrial Strategy  
1 Victoria Street  
London, SW1H 0ET

Environment and Economy  
Lincolnshire County Council  
Lancaster House  
Lincoln  
LN1 1XX

Officer Dealing: .....  
Telephone: .....  
Email: \_\_\_\_\_

26 October 2018

Dear !

**HECKINGTON FEN ONSHORE WIND FARM, LINCOLNSHIRE - PROPOSED  
VARIATION OF S.36 CONSENT UNDER THE ELECTRICITY ACT 1989 (AS  
AMENDED)**

I write in connection with the above and further to your letter dated 5 October 2018 inviting this Authority's views on the latest application.

Pursuant to section 36C of the Electricity Act 1989 (the 1989 Act) and section 90(2ZA) of the Town and Country Planning Act 1990 (the 1990 Act), Ecotricity (Next Generation) Ltd (the applicant), is seeking a variation of the consent granted under section 36 of the 1989 Act (the existing consent), and a variation of the accompanying section 90 direction for deemed planning permission (the existing deemed permission) so as to extend the date before which the development shall be commenced from 5 years to 10 years.

As you are aware the existing consent (DECC ref: 12.04.09.04/31C) was granted on 8 February 2013. Clause 4 of that consent required that the development be commenced before the expiration of 5 years from the date of the consent, or such longer period as the Secretary of State may thereafter direct in writing. The existing deemed permission forming part of the consent, again granted on 8 February 2013, also sets out at condition 2 that the development should commence before the expiration of five years from the date of that permission. The date by which the development was therefore required to have been implemented was 8 February 2018. On 23 February 2018 I wrote to the Secretary of State advising him that this Authority was not aware that the development authorised by these consents had lawfully commenced before the expiration of this date and so accordingly expressed our view that in light of this the consent(s) had expired.

The variation process was introduced by the Growth and Infrastructure Act 2013 (the 2013 Act) and paragraph 15 of the DEC guidance<sup>1</sup> states that "*the main aim of*

<sup>1</sup> "Varying consents granted under section 36 of the Electricity Act 1989 for generating stations in England and Wales" July 2013

*section 20 of the 2013 Act, which inserts new section 36C into the 1989 Act, is to make it possible for the designs of generating stations, already consented but not constructed, to be modified in ways which the relevant section 36 consents would not otherwise permit...". Paragraph 22 of the guidance goes on to state that "...there are two broad categories of case in which it is likely that the Secretary of State or the MMO may consider it appropriate to exercise the power in section 36C – namely, to enable:*

- (a) The construction or extension of a generating station (whose construction or extension has either not yet commenced or has not yet been completed) along different lines from those set out in the existing consent;*
- (b) the operation of a generating station (whether or not it is already operational) in a way that is different from that specified in the existing consent (this may sometimes involve making limited physical alterations to a generating station, but should not involve work that could be characterised as an "extension" of an existing generating station which has been granted section 36 consent).*

The variation application is seeking to extend the time limit imposed to implement the development and is not seeking changes to the design or any other physical alteration or difference in the operations of the generating station. The 2013 Act provisions were purposefully introduced to allow amendments to the physical characteristics or elements of a development and so should not, in our view, be used to simply allow more time to commence a development. It is not possible to vary and extend a time limit to implement a development subject of a normal planning permission by way of Section 73 of the 1990 Act and it is our view that the same should be true for variations to S.36 consents. Time limits are imposed when granting permission for any development so as to ensure that projects are delivered in a timely manner and also give certainty about what development communities can expect in their area. If a longer period of time had therefore been considered necessary then this could and should have been granted when the original S.36 consent was issued.

Notwithstanding the above, having reviewed the current application, it is noted that the applicant submitted this variation application to BEIS on 1 February 2018 - just one week before the original time limit for commencement expired. BEIS wrote to the applicant on 23 February 2018 informing them that the application did not meet the necessary requirements and therefore could not be published until further updated information had been submitted. This further information was not submitted to BEIS until 11 May 2018.

It is this Authority's opinion that as BEIS had deemed the further information as necessary to complete the Environmental Statement and therefore allow the publication and proper consideration of the application, then without this information the application should have been deemed invalid when first received. Although the further information requested was later submitted, this was after the original time limit for commencement date had passed. As such those consents had already expired and were no longer capable of being amended or varied.

Finally, since consent for the development was first granted Pilgrim School (a Community Special School) has opened a base at Amber Hill Village which is approximately 2km from the wind farm development. The school provides education for pupils who are in need of a special school placement due to medical need. The existence and proximity of this sensitive site appears to have been ignored by the applicant and the school has expressed concerns that the noise arising from the development both during its construction (e.g. piling) and its operation (e.g. infrasound) could have a negative impact due to the vulnerability of the children. It is also my understanding that despite being close to the administrative boundary of Boston Borough Council, the applicant has not consulted this Authority on the proposed variation. It is therefore requested that the applicant be asked to consider any impacts of the development on the Pilgrim School and that the comments of Boston Borough Council be sought.

Given the above, it is County Council's opinion that the current application is invalid and not capable of being progressed as the consents to which the application is seeking to vary have expired. Furthermore, the 2013 Act provisions were purposefully introduced to allow amendments to the physical characteristics or elements of a development and should not, in our view, be used to simply allow more time to commence a development. This Authority therefore **OBJECTS** to the application and believe that the development cannot proceed unless a wholly new application for the development is made.

Given the public interest around this development I would welcome written confirmation and clarification from you regarding this matter so we can inform local communities and local councillors.

I look forward to your reply.

Yours sincerely,

Lincolnshire County Council



## Welford, Keith (Energy Development & Resilience)

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**From:**  
**Sent:** 26 October 2018 21:48  
**To:** planning@n-kesteven.gov.uk; Energy Infrastructure Planning  
**Subject:** Application Reference: 18/1384/S36

From:

FAO:

Mr / , North Kesteven District Council

And

Secretary of State for Business, energy and Industrial Strategy, /

**Re Application Reference:** 18/1384/S36

**Proposal:** S.36C of the Electricity Act 1989 and S. 90(2ZA) of the Town and Country Planning Act 1990. Application to vary S. 36 consent and deemed planning permission for the Heckington Fen Wind Park, Heckington Fen, near East Heckington to allow for the date by which development must be commenced from 5 years to 10 years.

**Location:** Land At Six Hundred Farm Six Hundred Drove East Heckington

Dear Sirs

With reference to the letter sent to me dated 9 October 2018, I wish to raise strong objection to any 'extension' of planning permission.

Permission has already expired (in February of this year) I quote the Inspector Philip Major, who noted in his report following the six-day enquiry:

*297. Whilst I note that some residents are concerned that the 'in principle' agreements appear to give a long period for the matter to be resolved, this period reflects the usual time available for starting a project of this nature. There would be no extension of the time set aside for resolving this matter.*

Given that the permission has already expired, and that there has been a failure to meet the requirements to start building before that agreed deadline, then a re-granting of new 'permission' after that deadline has passed in the guise of an 'extension' would be a clear betrayal of statement 297. There was a strong level of objection at the time received from representatives across the whole region - from Parish and District Councils, as well as MPs and homeowners.

Please do not grant this permission.

Yours sincerely



## **Welford, Keith (Energy Development & Resilience)**

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**From:**  
**Sent:** 28 October 2018 18:16  
**To:** Energy Infrastructure Planning

Secretary of State for Business, Energy and Industrial Strategy

Energy Infrastructure Planning  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street  
London SW1H 0ET

29/10/18

Re: Ecotricity Heckington Fen Wind Farm Variation of Consent (2018) 4038P0242.  
NKDC Application Reference 18/1384/S36. Application to vary S. 36 consent and deemed planning permission to allow for the date by which development **must be commenced from 5 years to 10 years, i.e., extended up to 8th February 2023. The previous variation application submitted to the Secretary of State in February 2015 is not being progressed at this time.**  
Please see my e-mail of 21/1/2017 which sets out my interest.

Dear Sir,

It is with frustration and absolute dismay, that despite well over 700 letters objecting to Ecotricity's 2015 Variation Application from within our local communities, (on the grounds of legitimate and well founded Environmental concerns, especially in respect to **adverse Wind Turbine noise impacts, which have been completely ignored**); Ecotricity now seeks to subject our affected communities to yet another 5 years of unacceptable uncertainty and planning blight extending to **8th February 2023.**

It is also with extreme concern that DBEIS appears to be "collaborating" with this developer, by even considering this 2nd variation application, given that the Heckington Fen Wind Farm Development Consent **expired on 8th February 2018.**

Ecotricity state in this latest application they need another 5 years to sort out a "*Radar Mitigation Scheme*":

*"To date, despite best endeavours, **the Applicant has not yet been able to agree an RMS with the MOD and therefore has been unable to commence the development.** However, progress is being made with a view to agreeing an ongoing mitigation strategy which is aiming to deliver a solution within a 3-5 year timeframe."*

It is clear Ecotricity have completely failed to deal with this issue and sought to get round this in their 2015 Variation Application, by trying to gain permission to commence construction before MOD could agree a scheme, to which I and our local communities **strongly objected, and these remain.**

It is absolutely shocking that Ecotricity has submitted this latest application deliberately to override the **specific assurance** given in the Planning Inspector's report of 12th November 2012, to our local communities, that:

*297. Whilst I note that some residents are concerned that the 'in principle' agreements appear to give a long period for the matter to be resolved, this period reflects the usual time available for starting a project of this nature. **There would be no extension of the time set aside for resolving this matter.***

The simple fact is that Ecotricity were well aware of the ongoing technical problem with wind turbines affecting operations of all RAF stations since this was first reported by MOD back in 2002, and confirmed in 2005. Ecotricity's application dated 15th December 2009, Para 2, advised of MOD's operational objection. At that time Ecotricity took a commercial decision to proceed, in the vain hope this could be dealt with by conditions. It is totally unacceptable to shift Ecotricity's failure to comply with the RMS conditions onto myself and our long suffering communities, bearing in mind that the length of time which will have passed from 2002 to 2023 is a period of 21 years and even then a resolution is not guaranteed.

It is also of significant annoyance that Ecotricity have totally ignored the forensic evidence presented in the Wind Turbine Noise Appraisal dated 6th June 2016, commissioned by our Parish Councils and Heck Off in support of our local communities, undertaken by Dr Yelland MA DPhil (Oxon) MinstP FIET MIOA AMASA. Dr Yelland is an eminent expert in all aspects of wind turbine noise impacts.

Following the publication of the findings of non compliance contained in Dr Yelland's report, our sitting local consistency MP's, Stephen Phillips QC & Matt Warman, along with North Kesteven District Council, Lincolnshire Country Council and all of our Parish Councils, called for a new noise impact assessment to be carried out. Dr Yelland's findings state:

*8.1.7 Given that the wind farm design had, by the applicant's own calculations, little or no "headroom" at any surveyed receptors **the inevitable consequence of rectifying the errors I have found inevitably demonstrates that the applicant's wind farm design is not compliant with ETSU or the IOAGPG.***

*8.1.9 **It is now apparent that the original consent was gained in spite of a defective noise impact assessment; if constructed the wind farm would have produced noise well in excess of government limits.***

Dr Yelland in response to Ecotricity's rebuttal dated 5th February 2017 at Para 24 confirms:

*24 **On closer examination the background noise surveys of ANIA1 are seen to be far from compliant with ETSU as well as non-compliant with the IOAGPG. The fact that the original application was consented with a non-compliant NIA does nothing to change the status of that NIA; it remains, to a clearly demonstrable extent, non-compliant.***

Ecotricity's latest turbine noise submission totally relies on their original Noise Impact Assessment, without addressing any of the evidence presented by Dr Yelland. I therefore legitimately, can have **no confidence** Ecotricity are a responsible developer and are concerned at all in seeking to protect our local environment from adverse operational wind turbine noise impacts, and the known associated health impacts finally acknowledged in the World Health Organisation Guidance published on 10th October 2018.

Given that the Ministerial Statement on wind energy development has now been adopted within National Planning Policy Framework, details of which are that:

*On 18 June 2015 the Secretary of State for Communities and Local Government issued a Ministerial Statement which related to wind energy development. The National Planning Practice Guidance (NPPG) on wind energy development was amended as a result of the statement.*

*The NPPF now advises that local planning authorities can only approve proposals for wind energy development 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***

I reiterate my previous objection, and even more so, I **strongly object** to this latest attempt by Ecotricity to subject my family and local communities to even more uncertainty for another 5 years and possibly even longer, as, if this unprecedented and totally unacceptable variation is consented, this opens the door to Ecotricity reapplying in perpetuity.

I will not forget Ecotricity's documented position at the outset of this sorry saga;

*"When the wind farm was first proposed in 2009 we were contacted by 'Ecotricity' Limited. We arranged a public meeting and two of their senior management gave a presentation the 7th September 2009 at Heckington Village Hall. At this meeting a large number of parishioners attended and expressed their concerns. The representatives of*



***'Ecotricity' were very candid in the responses and the general opinion was that most were against the proposal. At this meeting we were told that a Parish Council could have no influence in the final decision which would be made by Central Government without consultation. The Parish Council's views would not even be considered".***

The audited accounts of the wind turbine development company give cause for some concern. Firstly, without approval of the MOD being in place the assets of the company are valueless. Secondly, it is stated that the development has commenced, but it appears that no development has taken place, and cannot start until MOD approval is in place.

Local residents have suffered enough, and the application to extend should be refused.

Yours faithfully



Department for Business,  
Energy & Industrial Strategy  
1 Victoria Street  
London  
SW1H 0ET

Highways England  
The Cube  
199 Wharfside Street  
Birmingham  
B1 1RN

Direct Line:

29 October 2018

Dear

### **Heckington Fen Onshore Wind Farm - Request for Variation of Consent**

Thank you for inviting Highways England to provide comments regarding the proposal to vary the consent issued by the Secretary of State on 8 February 2013 under Section 36 of the Electricity Act in respect of the Heckington Fen Wind Farm Park located in Heckington Fen, Lincolnshire.

We note that the site lies approximately 40 Km away from the nearest strategic route managed by Highways England, i.e. the A1 Trunk Road in Newark-on-Trent.

It is our understanding that the variation application seeks to amend the wording of Condition 4 and 8 (2) to extend the date before which the development shall be commenced from 5 to 10 years.

Given that the proposal only consists of a change in timescale rather than the physical characteristics of the consented development and due to the site's distance to the Strategic Road Network (SRN), we have no comments to make.

Yours sincerely,



# SOUTH KYME PARISH COUNCIL

skymepcclerk@outlook.com

Rt Hon Greg Clark MP  
Secretary of State for Business, Energy and Industrial Strategy  
C/O  
Energy Infrastructure Planning  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street  
London SW1H 0ET

31 October 2018

Dear Secretary of State,

Re: Ecotricity Heckington Fen Wind Farm Variation of Consent (2018) 4038P0242.  
NKDC Application Reference 18/1384/S36. Application to vary S. 36 consent and deemed planning permission to allow for the date by which development **must be commenced from 5 years to 10 years, i.e., extended up to 8th February 2023.**

I refer to previous representations made by my Council and reiterate its continuing opposition to the development of this wind farm. The Council has never been satisfied that the public enquiry in 2012 paid sufficient attention to residents' concerns, in particular the issues of radar, noise and infrasound generated by wind turbines now finally acknowledged by the World Health Organisation Noise Guidance published on 10th October 2018.

Might I remind you of your Ministerial Statement of 18th June 2015, included as an amendment into the National Planning Policy Framework, (NPPF) which requires that:-

***"and following consultation, it can be demonstrated that the **planning impacts identified by local communities have been fully addressed to ensure that the proposal has their backing.**"***

The Parish Council is also of the opinion that you should consider the spirit of the 2011 Localism Act in reaching your conclusions.

The time limit for the implementation of the original consent expired on 8<sup>th</sup> February 2018, and my Council is extremely surprised that you have allowed Ecotricity to submit a variation application to extend the consent until 8th February 2023. I would refer you to the Inspector's report to the SoS DECC Para's 296 & 297 page 51 dated 1st November 2012:

Para 296 *The impact of the proposed development on air traffic control radar systems at RAF Coningsby and other neighbouring RAF radar sites and the impact of the proposed development on air traffic control radar systems at Claxby and other neighbouring civil aviation radar sites (SoS matters 'h' and 'i') [102, 103, 182, 213]*

296. *The presence of 22 wind turbines would affect both military and civilian radar by 'painting' on the radar returns and causing the potential for confusion and reduction in safety.*

*However, the Applicant has been in negotiation with the respective safety bodies and has reached agreement on suitable mitigation for radar. This has been confirmed in writing by the bodies concerned. I am therefore satisfied that these matters do not form an impediment to the grant of consent.*

**> 297. *Whilst I note that some residents are concerned that the 'in principle' agreements appear to give a long period for the matter to be resolved, this period reflects the usual time available for starting a project of this nature. There would be no extension of the time set aside for resolving this matter.***

\*

Clearly, there is still no radar mitigation scheme in place, contrary to the assurances that Ecotricity gave the inspector at the public enquiry in 2012, that a scheme had been agreed. Your current reconsideration of this new variation application takes no account of the Inspector's recommendations that there would be **no extension of time set aside for resolving the radar issue** and seriously undermines the Parish Council's confidence in the processes and trust in your department.

Furthermore, may I refer you to the article of 22nd June 2017 published by the trade journal 'reNews' covering "Ecotricity's Boss Dale Vince" titled "The Subsidy Free Sceptic". In this Dale Vince stated that: "Ecotricity could find a way to build the consented 22 turbine Heckington Fen on a post subsidy basis but that could be several years away due to a radar issue affecting RAF Coningsby". This fact is acknowledged in the latest ES. The failure to meet the deadline accepted and conditioned by your predecessor, should not be passed on and cause further uncertainty, distress and costs onto our affected community.

In addition to the above, there is still the outstanding issue of the disputed noise assessment survey submitted by Ecotricity at the 2012 public enquiry. The Inspector at the enquiry commented at para 288 of his report that: **The predictions of noise emission to the receptors around the site are such that it is expected that the noise limits recommended in ETSU-R-97 would be comfortably met. I have no reason to doubt that.**

When considering the first variation application, North Kesteven District Council raised doubt about the original noise impact assessment in their letter to you on 21 July 2016:

**You will no doubt be aware that as part of their submissions the local Parish Council and communities, under the name "Heckoff", have funded a noise report that calls in to question the original Noise Impact Assessment within the Environmental Statement submitted in July 2010. This means that you now have two conflicting noise reports before you; one for the applicant, Ecotricity Group Ltd, and one for the opposition group, Heckoff.**

The Parish Council is most concerned that the wind turbine noise impact assessment commissioned by the local community demonstrated the original assessment to be significantly flawed, and yet this has been relied upon as the cornerstone of this latest variation application without any apparent comments or questions from you.

Finally, my Council questions the legality of allowing any extension to the now expired consent and require incontrovertible evidence that the current variation should even be under consideration. After all, there is nothing to prevent Ecotricity submitting a completely new planning application at any time in the future.

I should be obliged if you can confirm that my Council can be assured that no further action will be taken on the expired original application nor the variation application and look forward to hearing from you shortly.

Yours faithfully

Clerk to the Council

# AMBER HILL PARISH COUNCIL

## PARISH ADDRESS

PHONE: 1

EMAIL: amberhillpc@gmail.com

WEBSITE: www.parishes.lincolnshire.gov.uk/amberhill

CHAIRMAN: Councillor Mr C Stephenson

CLERK: Nicky Bush

Secretary of State for Business, Energy and Industrial Strategy  
C/O  
Energy Infrastructure Planning  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street  
London SW1H 0ET

31<sup>st</sup> October, 2018

Dear Sir,

RE: Ecotricity Heckington Fen Wind Farm Variation of Consent (2018) 4038P0242

NKDC Application Reference 18/1384/S36. Application to vary S. 36 consent and deemed planning permission to allow for the date by which development MUST BE COMMENCED from 5 to 10 years. The previous variation application submitted to the Secretary of State in February 2015 is not being progressed at this time.

Amber Hill Parish Council write to you on behalf of our local community to express deep concerns about the application by Ecotricity to extend a temporary planning consent. We would like to raise the following points with you:

1. Ecotricity was granted a temporary development consent for 5 years to 8th February 2018, which has now expired. The Planning Inspector in his report and recommendation to the Secretary of State at DECC dated 1st November 2012, Para 297 stated, "**There would be no extension of the time set aside for resolving this matter**", (referring to the radar mitigation condition agreed by the MOD). Is there a legal precedent to extend a temporary development consent? We seek urgent clarification on this matter.
2. It was brought to your attention by Dr John Yelland MA DPhil (Oxon) MinstP FIET MIOS AMASA, an eminent expert in all aspects of wind turbine noise impacts, that the original Noise Impact Assessment (NIA) and subsequent 2015 Variation Wind Turbine NIA presented by Ecotricity were not compliant with either ETSU or the IOAGPG. There are also the associated adverse wind turbine noise health impacts, finally acknowledged in the World Health Organisation Guidance, published on 10<sup>th</sup> October 2018. However, to date, Ecotricity have continued to ignore this information.
3. We have read Ecotricity's latest Variation of Consent May 2018. This wind turbine development, if granted, would be one of the largest in England and we would like to point out the following serious omissions to the latest variation and ask whether this was due to lack of due diligence for such a huge project?
  - i) **Chapter 3: Details of the Variation - The Surrounding Area.**  
**3.9 The village of East Heckington is located 1km south from the nearest proposed wind turbine while the town of Swineshead is 5km to the south east, Heckington 5.2km to the west and South Kyme 4km to the north.**

There is **no** mention anywhere of our communities at **Amber Hill** (lying 1-3 km predominantly to the north east & east of the proposed site) or **Swineshead Bridge** (between 1 and 2km south).

- ii) **Chapter 5: Noise**  
**5.9 Given traffic levels on the roads neighbouring the development are likely to have increased since 2011, the previous measurements are likely to represent a conservative representation of the noise environment at these locations".**

Amber Hill is located nowhere near the A17 and is an extremely quiet and tranquil village, with very little traffic movement and therefore this is not in any way representative.

4. In July 2018, the **Pilgrim Hospital School** was relocated from their original Boston and Sleaford sites to the old primary school building at Amber Hill, as a permanent new home.  
This school is for children, who cannot attend main stream or special schools in this area of Lincolnshire for a variety of serious health reasons. They cannot choose to attend the school and can only be referred by a doctor. The school was placed here by the Local Education Authority (Lincolnshire CC) because of its quiet and tranquil location.  
This information has been available on our Parish Council Website since September 2017 and is also published on the Pilgrim School website, (<http://www.pilgrim.lincs.sch.uk/AmberHill-SiteDevelopment> ) therefore, we have significant concerns that Ecotricity in their Variation ES, have neither mentioned Amber Hill village, (occupying much of the east side of the site) nor identified such a significant material change of a specialist hospital school now sited unacceptably close to this wind turbine development.  
The school would be exactly **2km** from the Heckington Fen wind turbines, and having had discussion with the Business Manager, **would not** be able to function with construction noise from piling or from operational wind turbine noise.
5. Currently, we have five children living approximately 1 to 1.5 km from the site (on the Claydyke and Maryland Bank) with various health issues that would be adversely affected by wind turbine noise. They are relatively new to the area and chose to live here because of the peace and quiet. The children suffer from the following: A little girl with *15Q11.2 Micro Deletion Syndrome with Hyposensitivity*. Another young girl has *severe autism with restricted sleep disorder*. One little boy has *chiari malformation, syringomyelia, hydrocephalus, epilepsy and currently has had 18 brain surgeries*. Another boy has *Autism with hypersensitivity*. One little girl has *Down Syndrome, waiting for a diagnosis of sensory processing disorder for sound*.  
The parents of these five children are living in fear as their houses run along the road adjacent to the east side of the proposed windfarm.
6. The NPPF now advises that local planning authorities can only approve proposals for wind energy development 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*. In the case of Amber Hill, Ecotricity has given us no reassurances or answers to any of our genuine concerns and they have not even included the village of Amber Hill in their latest variation submission!

Local people have been exposed to so much stress and anxiety due to this proposed project. They have had their genuine concerns completely ignored. We strongly object to this latest attempt by Ecotricity to subject our local community to even more uncertainty. We ask the Secretary of State to protect us by putting an end to this variation request in order to end anxiety, costs and time that our local people have been subjected to for far too long.

Yours faithfully

Clerk to Amber Hill Parish Council

Cc: [matt.warman.mp@parliament.uk](mailto:matt.warman.mp@parliament.uk)  
[Caroline.johnson@parliament.uk](mailto:Caroline.johnson@parliament.uk)  
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## SWINESHEAD PARISH COUNCIL

PARISH OFFICE

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**CHAIRMAN:** Councillor K Cartwright

**CLERK:** Nicky BUsh

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Mr K Welford  
Energy Infrastructure Planning  
Department for Business, Energy & Industrial Strategy  
1 Victoria Street  
London  
SW1H 0ET

31<sup>st</sup> October 2018

Dear Sir,

RE: Ecotricity Heckington Fen Wind Farm Variation of Consent (2018) 4038P0242  
NKDC Application Reference 18/1384/S36. Application to vary S. 36 consent and deemed planning permission  
to allow for the date by which development MUST BE COMMENCED from 5 to 10 years. The previous variation  
application submitted to the Secretary of State in February 2015 is not being progressed at this time.

Swineshead Parish Council writes to you to raise their objections to the application by Ecotricity to extend its planning permission from 5 years to 10 years on the following grounds:

The date that the application was received in its complete form was May 2018, after the existing consent had expired in February 2018 and therefore Ecotricity should not be able to extend the permission as the original consent had lapsed.

Since the original Planning application received consent there have been changes to the National Planning Policy Framework and material changes locally. Wind farms should now have the support of the local community through consultation and be part of the Local or Neighbourhood Plan. Our residents who live nearby do not currently support this development as has been previously documented.

The original 5 year timescale at least gave local people some indication of when they might expect this development to proceed. This extension if granted will leave the local community with another 5 years of uncertainty when to all intents and purposes it appeared the original permission had lapsed.

Since the expiration date Lincolnshire County Council has set up a permanent Community Special School for children with health needs in Amber Hill which would only be 2km away from the site. The operation of this School will now be threatened by this development because of the susceptibility to noise of the pupils with special needs during both construction and operation.

We believe these are good reasons to insist that a new planning application be submitted for this site to continue so all current guidelines and material matters can be considered.

We therefore ask that this application for an extension is refused.

Yours sincerely,

Nicky Bush  
Clerk to Swineshead Parish Council.



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**From:**  
**Sent:** 02 November 2018 22:04  
**To:** Energy Infrastructure Planning  
**Subject:** 18/1384/S36 - Land at Six Hundred Farm Six Hundred Drove East Heckington

I wish to object to the proposed extension for the commencement of development from 5 to 10 years on the following grounds:-

The 5 years has already expired in February 2018, and therefore cannot be extended subsequently.

After the initial enquiry the inspector categorically stated that there should be no time extension, as a condition for granting the original consent.

A major project that will cause local residents a deterioration in the environment in which they live, thereby causing them distress and anxiety, should not be extended without a further full enquiry.





# Defence Infrastructure Organisation

DIO Ref. DE/C/SUT/43/10/1/5457

Ministry of Defence  
Safeguarding  
Kingston Road  
Sutton Coldfield  
West Midlands B75 7RL  
United Kingdom

Telephone [MOD]:

Facsimile [MOD]:

E-mail:

Energy Infrastructure Planning,  
Department for Business, Energy and  
Industrial Strategy.

5 Nov 2018

Dear

**HECKINGTON FEN ONSHORE WIND FARM, LINCOLNSHIRE**  
**ELECTRICITY ACT 1989 SECTION 36 (as amended) ("the Act")**  
**THE ELECTRICITY GENERATING STATIONS (VARIATIONS OF CONSENTS) (ENGLAND AND WALES) REGULATIONS 2013**  
**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2017**

Thank you for consulting the Ministry of Defence (MOD) with regard to the above development and the proposed amendments to Conditions 4 and 8(2) of the consent granted on 8<sup>th</sup> February 2013.

The MOD has been consulted by the applicant, Ecotricity, on the proposed amendments to the wording of Conditions 4 and 8(2), and in particular to the contents of the 'Heckington Fen Wind Park Military Air Traffic Control Radar Position Statement' dated October 2018. This document has been reviewed by colleagues in Defence Equipment and Support (DE&S) who are satisfied with the content presented.

I can confirm that the MOD raises no objection to the amendment to Conditions 4 and 8(2) which seek to extend the date before which the development shall commence from 5 years to 10 years.

Please do not hesitate to contact me should you require any further information.

Yours sincerely



Date: 05 November 2018  
Our ref: 260132  
Your ref:



Secretary of State for Business, Energy & Industrial Strategy

Energy Infrastructure Planning  
Department for Business, Energy & Industrial Strategy  
1 Victoria Street  
London  
SW1H 0ET

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear

**Planning consultation: Heckington Fen Wind Park Variation Consent -Application to vary condition 4 & 8 to extend development date from 5 to 10 years.  
Location: Six Hundred Farm, Six Hundred Drove, East Heckington, Lincolnshire**

Thank you for your consultation on the above dated 05 October 2018 which was received by Natural England on 05 October 2018

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

##### **NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Natural England's advice on other natural environment issues is set out below.

#### **European sites – The Wash and North Norfolk Coast Special Area of Conservation The Wash Special Protection Area The Wash Ramsar**

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the above European designated sites and has no objection to the proposed development.

To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out. The following may provide a suitable justification for that decision:

- The distance from the development site to The Wash SPA, Ramsar - mobile notified species

such as Golden Plover and Lapwing can forage on farmland up to 20km from roost sites within and surrounding the Wash SPA, Ramsar. However, these species have reduced sensitivity further than 10km away from roost sites; the development site is approximately 17km away from The Wash SPA, Ramsar.

Competent authorities undertaking HRAs should be aware of a recent ruling made by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17). The case relates to the treatment of mitigation measures at the screening stage of a HRA when deciding whether an appropriate assessment of a plan/project is required. The Court's Ruling goes against established practice in the UK that mitigation measures can, to a certain degree, be taken into account at the screening stage.

As a result, Natural England advises that any "embedded" mitigation relating to protected sites under the Habitat Regulations 2017 Regulation 63 (1) should no longer be considered at the screening stage, but taken forward and considered at the appropriate assessment stage to inform a decision as whether no adverse effect on site integrity can be ascertained. In light of the recent case law, any reliance on measures intended to avoid or reduce harmful effects at the likely significant stage is vulnerable to legal challenge. You may also want to seek your own legal advice on any implications of this recent ruling for your decisions.

### **The Wash Site of Special Scientific Interest**

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me on 0208 026 8695.

Yours sincerely

East Midlands Area Delivery



## Annex A:

Natural England offers the following additional advice:

### **Landscape**

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

### **Best and most versatile agricultural land and soils**

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites*, and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

### **Protected Species**

Natural England has produced standing advice<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

### **Local sites and priority habitats and species**

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found here<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

### **Ancient woodland, ancient and veteran trees**

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

### **Environmental enhancement**

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

### **Access and Recreation**

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

### **Rights of Way, Access land, Coastal access and National Trails**

Paragraphs 91 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

**Biodiversity duty**

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).





# B O S T O N

## B O R O U G H C O U N C I L

Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

Your Ref:

Tel:

Our Ref:

Fax:

E-mail:

Energy Infrastructure Planning  
Department for Business, Energy  
and Industrial Strategy  
1 Victoria Street  
London, SW1H 0ET  
7<sup>th</sup> November 2018

Dear

**HECKINGTON FEN ONSHORE WIND FARM, LINCOLNSHIRE.**

**PROPOSED VARIATION OF S36 CONSENT UNDER THE ELECTRICITY ACT 1989 (AS AMENDED)**

**THE ELECTRICITY GENERATING STATIONS (VARIATION OF CONSENTS) (ENGLAND AND WALES) REGULATIONS 2013**

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2017**

I write with regard to your letter dated 5<sup>th</sup> October 2018 relating to the above project. You have requested this Authority's views on the application made by Ecotricity to vary the consent issued by the Secretary of State in respect of the Heckington Wind Farm.

I understand that Ecotricity is seeking a variation of the consent granted under section 36 of the 1989 Act (the existing consent) and a variation of the accompanying section 90 direction for deemed planning permission (the existing deemed planning permission) in order to extend the date before which the development shall be commenced from 5 years to 10 years. The date by which development should have commenced was 8<sup>th</sup> February 2018 and I understand that the application to vary these consent were submitted on the 1<sup>st</sup> February 2018. It would appear that the proposed variation does not include any operational changes or further physical alterations to the design, character and layout of the approved wind farm. I also understand that the application for the first variation of condition submitted by Ecotricity in 2015 to change the proportions of the turbines has not yet been determined.

You may recall that at the time the original application was determined, this Council resolved that it was not minded to support the application and expressed reservations about the quality of the information supplied to determine whether the submitted background noise assessments were typical of the area and the resultant impact on residential amenity.

Following the submission of your current letter, this Council consulted the Amber Hill Parish Council and the Swineshead Parish Council. I understand that both Parish Councils have now written to you direct and both Parish Councils raise various concerns and valid points regarding this application. I attach copies of the comments received from both Parish Council's for your records.

It is this Council's view that there are a number of issues that are relevant to this application which need further clarification, these are:

- The question of whether a valid application can be made to vary condition(s) one week before the original time limit for commencement expired.
- The changes in planning circumstance since the original consent was issued and the implications these changes would have both at a local and regional level should this application be successful
- Whether there are flaws or omissions in the original noise assessment and whether a fresh assessment should be undertaken given these changes.

Government guidance with regard to the varying such consents is contained within 'Varying consents granted under section 36 of the Electricity Act 1989 for generating stations in England and Wales'. It indicates that the variation process is designed to apply to projects that have been consented under section 36, where the operator wishes to carry out development that is inconsistent with the existing section 36 consent.

Paragraph 22 of this document indicates that:

*'.....there are two broad categories of case in which it is likely that the Secretary of State or the MMO may consider it appropriate to exercise the power in section 36C – namely, to enable:*

- (a) The construction or extension of a generating station (whose construction or extension has either not yet commenced or has not yet been completed) along different lines from those set out in the existing consent;*
- (b) the operation of a generating station (whether or not it is already operational) in a way that is different from that specified in the existing consent (this may sometimes involve making limited physical alterations to a generating station, but should not involve work that could be characterised as an "extension" of an existing generating station which has been granted section 36 consent'*

This application only relates to change to the time- period for commencement from 5 years to 10 years and does not include any changes to the design of operation of the wind farm. This Council considers that the term '*... along different lines from those set out in the existing consent'* (i.e. para (a)) above would not relate to applications to vary a time limit of the consent. Nor, is it argued that this application meets the requirements set out in (b) above. On this basis, it is this Council's view that this application is not valid.

In addition, paragraph 23 indicates that:

*'Determining that any given proposed variation is "appropriate" to be made under section 36C (4) potentially requires the Secretary of State or the MMO to exercise judgment on two distinct questions:*

- (a) Whether the change proposed to the generating station (or proposed generating station) concerned is of a kind that it would be reasonable to authorise by means of the variation procedure (regardless of its merits in planning / energy policy terms);*
- (b) if the answer to question(a) is positive, whether (from a planning / energy policy point of view) the variation should in fact be made, thereby authorising whatever development the making of the variation will permit to be carried out.'*

This Council is of the view that although the application was made before the deadline for commencement, insufficient information was submitted in order for it to be valid. Thus since the deadline had expired, the consents had also expired and there is therefore no ability for the consents to be varied. Furthermore, should it be held that the applications to vary the consent are considered legally valid, this Council would suggest that the application would fail (a) because the proposed change would be 'unreasonable' given the timescales involved, the uncertainty which has occurred as a result of this application and the resultant, longer term impact on the well-being of surrounding residents.

As both Parish Council's point out, there have been changes to planning circumstances since the original decision that was made by the Secretary of State in 2013 notably the NPPF (2018) which updates the 2012 version as well as changes at a more local level. At the time the application was originally submitted, the former primary school at Amber Hill was vacant. This school closed in Summer 2010. These premises are about 2km from the Wind Farm site. The premises are now used as a Community Special School ( Pilgrim School) that provides education for pupils who are in need of special school placement due to medical need and cannot attend main stream schools. It may be the case therefore that the noise generated by the turbines may have a negative adverse impact on wellbeing of the children of this school. Such issues were not a consideration at the time the original application was considered and now constitutes a material consideration of significant weight. As indicated above, at the time the original application was considered, this Council had reservations about the submitted noise assessment and this remains the case especially now that the school is in use.

In addition, this Council would wish to point out that it is anticipated that the South East Lincolnshire Local Plan 2011-2036 (SELLP) will likely be adopted by the end of this year. Although the site of the proposed wind farm lies outside of Boston District, it does lie adjacent to the boundary shared with North Kesteven District Council. Thus, it is considered that relevant policies contained within the emerging South East Lincolnshire Local Plan now have increasing weight and are now material. This Council would wish to point out that paragraph 48 of the NPPF states:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The most relevant policy in the emerging SELLP is policy 31 ( Climate change and renewable and low carbon energy). A copy of this policy is attached to this letter as Appendix 1. Although there are outstanding objections to this policy, it does still constitute a material consideration. This policy supports renewable energy facilities provided, inter alia, that there will be no significant harm to residential amenity in terms of noise, vibration, shadow flicker, sunlight reflection etc.

Thus, it is this Council's view that the original application is out of date and therefore, a fresh application needs to be submitted which includes:

- A revised and up to date noise assessment including the impact that the proposed turbines may have upon the Pilgrim School and surrounding residents
- Revised environmental assessment of the scheme which takes into account the objectives of the revised NPPF (2018) and relevant policies contained within the emerging SELLP.

Given the above, it is this Council's opinion that the current application is not valid. It is also unreasonable, lacks sufficient information and is out of date. It does not take into account changes in planning circumstances since the original application was determined which, this Council considers are material considerations of significant weight.

On this basis, this Council OBJECTS to this application and it is recommended that a fresh application is submitted which addresses the points raised in this letter and the concerns raised by both Parish Councils. I would be grateful if you could acknowledge this letter and advise me of the outcome in this matter.

Yours sincerely,



## Appendix 1

### Policy 27 (now 31) : Climate Change and Renewable and Low Carbon Energy

#### A. Climate Change

All development proposals will be required to demonstrate that the consequences of current climate change has been addressed, minimised and mitigated by:

1. employing a high-quality design;
2. the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding;
3. the protection of the quality, quantity and availability of water resources;
4. reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses;
5. incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity as required by Policy 24 to improve the resilience of ecosystems within and beyond the site;

#### B. Renewable Energy

The development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures will be permitted provided, individually, or cumulatively, there would be no significant harm to:

1. visual amenity;
2. residential amenity in respect of: noise, fumes, odour, vibration, shadow flicker, sunlight reflection, broadcast interference, traffic;
3. highway safety (including public rights of way);
4. agricultural land take, landscape character or quality, or skyline considerations;
5. aviation and radar safety;
6. heritage assets; and
7. the natural environment.

Provision should be made for post-construction monitoring and the removal of the facility and reinstatement of the site if the development ceases to be operational.

Proposals by a local community for the development of renewable and low-carbon sources of energy, in scale with their community's requirements, including supporting infrastructure for renewable energy projects, will be supported and considered in the context of contributing to the achievement of sustainable development and meeting the challenge of climate change and against criteria B1-7.



*C.P. Response*

Secretary of State for Business, Energy & Industrial Strategy

Energy Infrastructure Planning  
Department for Business, Energy & Industrial Strategy  
1 Victoria Street  
London SW1H 0ET

31<sup>st</sup> October 2018

Dear Sir,

Re: Ecotricity Heckington Wind Farm Variation of Consent (2018) 4038P0242  
NKDC Application Reference 18/1384/S36

I am concerned for the serious harm from noise that my wife and I will be subjected to. My wife works from home and is a light sleeper, waking at the slightest noise. Noise from the wind turbines will affect her sleep and her future health would be at risk.

The Noise Impact Assessment from No 2 The Council Houses is not representative of our area as our area is much quieter.

Do not allow the extension for another 5 years as we must not set a precedent for Wind Farm proposals to hang over people's lives and blight them. As a private individual we would not be allowed to do this so why should Ecotricity?

I strongly object to subjecting my family and neighbours to another 5 years of further uncertainty. Please do not allow this application.

Kind regards



Secretary of State for Business, Energy & Industrial Strategy

Energy Infrastructure Planning  
Department for Business, Energy & Industrial Strategy  
1 Victoria Street  
London SW1H 0ET

Dear Sir,

Re: Ecotricity Heckington Wind Farm Variation of Consent (2018) 4038P0242  
NKDC Application Reference 18/1384/S36

Ecotricity should be forced to do more Noise Impact Assessments. The previous ones were found by Dr Yelland to be erroneous and misleading. I am not happy that the original ones be used.

I am concerned for the serious harm from noise that my husband will be subjected to. My husband would work even closer to some of the turbines being subject to noise and flicker and then to return home to still be subject to noise from the turbines and therefore not sleeping. His future health would be at risk.

The Noise Impact Assessment from No 2 The Council Houses is not representative of our area as our area is much quieter.

Do not allow the extension for another 5 years as we must not set a precedent for Wind Farm proposals to hang over people's lives and blight them. As a private individual we would not be allowed to do this so why should Ecotricity?

I strongly object to subjecting my family and neighbours to another 5 years of further uncertainty. Please do not allow this application.

Kind regards



---

**From:**  
**Sent:** 18 October 2018 09:25  
**To:** Energy Infrastructure Planning  
**Subject:** Heckington Fen Wind Farm

Ref: Heckington Fen Wind Farm – Six Hundred Farm East Heckington.

I am opposed to allowing Ecotricity to be granted to what is in effect a new planning permission to develop Six Hundred Farm. They have not been able to fulfil the requirements of the planning permission granted and therefore a new plan, not a variation, should be submitted.

I have been advised by a local estate agent that the time to sell is not when there is such a project in the pipeline as the effects on the area are unknown. I was told it would be better to wait until the turbines are up and running (should that be the case) to put my property up for sale as then it is clear what the effects are and potential buyers know what they are purchasing. Consequently I have been in limbo for five years and it is unreasonable to be in such a position for another five years.

When the original planning permission was granted the wind farm at Bicker was the only one in the immediate area. Since then development of the substation has begun. Should the Six Hundred Farm project go ahead it will mean that there will be a string of three obtrusive projects in close proximity to each other. With the flat nature of the area the three structures will be visible for MILES around.

This area is colloquially known as the 'breadbasket of England'. Should all three projects go ahead a considerable area of prime agricultural land will be lost. I understand that 50% of UK food is imported, including 30% from the EU the future of which is uncertain at the moment. Land that is not useful for food production should be chosen.

I ask you to refuse permission for the new plan.





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**From:** NATS Safeguarding <NATSSafeguarding@nats.co.uk>  
**Sent:** 08 October 2018 15:22  
**To:** Welford, Keith (Energy Development & Resilience)  
**Cc:** Energy Infrastructure Planning  
**Subject:** RE: Heckington Fen Onshore Wind Farm - Request for Variation of Consent (COMMENTS REQUESTED) [Our Ref: SG09846]

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours Faithfully

**NATS**

**NATS Safeguarding**

D: i  
E: [NATSSafeguarding@nats.co.uk](mailto:NATSSafeguarding@nats.co.uk)

4000 Parkway, Whiteley,  
Fareham, Hants PO15 7FL  
[www.nats.co.uk](http://www.nats.co.uk)



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**From:** '  
**Sent:** 05 October 2018 16:20  
**To:** NATS Safeguarding  
**Cc:** Energy Infrastructure Planning  
**Subject:** Heckington Fen Onshore Wind Farm - Request for Variation of Consent (COMMENTS REQUESTED).

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Dear NATS Colleagues

Please find attached, a letter seeking comments (by 8 November 2018) on an application submitted to the Secretary of State for Business, Energy and Industrial Strategy (in February 2018) to vary the section 36 consent granted in February 2013 for the Heckington Fen wind farm in Lincolnshire. Grateful if your response could be copied to the generic mailbox for the Energy Infrastructure Planning team here in BEIS – copied in to this e-mail. Thank you.

Kind regards,



**Department for  
Business, Energy  
& Industrial Strategy**

Tel: 0300 068

E:

1 Victoria Street  
London SW1H 0ET

[www.gov.uk/beis](http://www.gov.uk/beis) <https://twitter.com/beisgovuk>

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**From:** @aol.com>  
**Sent:** 12 October 2018 09:31  
**To:** Energy Infrastructure Planning; planning@n-kesteven.gov.uk  
**Subject:** East Heckington Wind development by Ecotricity

ref 18/1384/S36

To the Secretary of State for Business, Energy, and Ind. Strategy

I would like to object most strongly to the proposed amendment to the application by Ecotricity for a wind array on East Heckington Fen. I've objected to it from the beginning, as has many local people, and it no longer has planning permission, having failed to meet the building requirements in the 5 years it was awarded by the Government. This is additional to the three years that it was hanging over the community before that, and other additional time spent waiting for Government approval against the wishes of the Council and local Parish Councils. This concern was brought to the attention of mr Philip Major, Government Inspector at the public inquiry while I was present, who, in his report, said...

*297. Whilst I note that some residents are concerned that the 'in principle' agreements appear to give a long period for the matter to be resolved, this period reflects the usual time available for starting a project of this nature. There would be no extension of the time set aside for resolving this matter.*

***'There would be no extension of the time set aside for resolving this matter.'***

To do so then, would be a betrayal of the Government Inspectors judgement, and the wishes of the Councils and local people.

Regards



Secretary of State for Business, Energy and Industrial Strategy

Date 17.10.18

Energy Infrastructure Planning  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street  
London SW1H 0ET

Contact email: [beiseip@beis.gov.uk](mailto:beiseip@beis.gov.uk)

for info

Re: Ecotricity Heckington Fen Wind Farm Variation of Consent (2018) 4038P0242.  
NKDC Application Reference 18/1384/S36. Application to vary S. 36 consent and deemed planning permission to allow for the date by which development **must be commenced from 5 years to 10 years, i.e., extended up to 8th February 2023. The previous variation application submitted to the Secretary of State in February 2015 is not being progressed at this time.**

My name is .....

and my address is .....

..... LINCOLN ..... Post Code .....

Email address: .....

Dear Sir,

It is with frustration and absolute dismay, that despite well over 700 letters objecting to Ecotricity's 2015 Variation Application from our local communities, (on the grounds of legitimate and well founded Environmental concerns, especially in respect to **adverse Wind Turbine noise impacts, which have been completely ignored**), Ecotricity is now seeking to subject our affected communities to further uncertainty and planning blight for another 5 years to **8th February 2023**.

It is also with extreme concern that DBEIS appears to be 'collaborating' with this developer, by even considering this 2nd variation application, given that the Heckington Fen Wind Farm Development Consent expired on 8th February 2018.

Ecotricity state in this latest application they need another 5 years to sort out a "Radar Mitigation Scheme":

*"To date, despite best endeavours, the Applicant has not yet been able to agree an RMS with the MOD and therefore has been unable to commence the development. However, progress is being made with a view to agreeing an ongoing mitigation strategy which is aiming to deliver a solution within a 3-5 year timeframe".*

It is clear Ecotricity have completely failed to deal with this issue and sought to get round this in their 2015 Variation Application, by trying to gain permission to commence construction before MOD could agree a scheme, to which I and our local communities **strongly objected, and these remain**.

It is absolutely shocking that Ecotricity has submitted this latest application attempting to override the **specific assurance** given in the Planning Inspector's report of 12th November 2012, to our local communities, that:

297. Whilst I note that some residents are concerned that the 'in principle' agreements appear to give a long period for the matter to be resolved, this period reflects the usual time available for starting a project of this nature. **There would be no extension of the time set aside for resolving this matter.**

The simple fact is that Ecotricity was well aware of the ongoing technical problem with wind turbines affecting operations of all RAF stations since this was first reported by MOD back in 2002, and confirmed in 2005. Ecotricity's application dated 15th December 2009, Para 2, advised of MOD's operational objection. At that time Ecotricity took a commercial decision to proceed, in the vain hope this could be dealt with by conditions. It is totally unacceptable to shift Ecotricity's failure to comply with the RMS conditions onto myself and our long suffering communities, bearing in mind that the length of time which will have passed from 2002 to 2023 is a period of 21 years and even then a resolution is not guaranteed.

It is also of significant annoyance that Ecotricity have totally ignored the forensic evidence presented in the Wind Turbine Noise Appraisal dated 6th June 2016, commissioned by our Parish Councils and Heck Off in support of our local communities, undertaken by Dr Yelland MA DPhil (Oxon) MinstP FIET MIOA AMASA. Dr Yelland is an eminent expert in all aspects of wind turbine noise impacts.

Following the publication of the findings of non-compliance contained in Dr Yelland's report, our sitting local consistency MP's, Stephen Phillips QC & Matt Warman, along with North Kesteven District Council, Lincolnshire Country Council and all of our Parish Councils, called for a new noise impact assessment to be carried out. Dr Yelland's findings state:

8.1.7 *Given that the wind farm design had, by the applicant's own calculations, little or no "headroom" at any surveyed receptors **the inevitable consequence of rectifying the errors I have found inevitably demonstrates that the applicant's wind farm design is not compliant with ETSU or the IOAGPG.***

8.1.9 *It is now apparent that the original consent was gained in spite of a defective noise impact assessment; if constructed the wind farm would have produced noise well in excess of government limits.*

Dr Yelland in response to Ecotricity's rebuttal dated 5th February 2017 at Para 24 confirms:

24 *On closer examination the background noise surveys of ANIA1 are seen to be far from compliant with ETSU as well as non-compliant with the IOAGPG. The fact that the original application was consented with a non-compliant NIA does nothing to change the status of that NIA; it remains, to a clearly demonstrable extent, non-compliant.*

Ecotricity's latest turbine noise submission totally relies on their original Noise Impact Assessment, without addressing any of the evidence presented by Dr Yelland. I therefore legitimately, can have **no confidence** Ecotricity is a responsible developer and is at all concerned in seeking to protect our local environment from adverse operational wind turbine noise impacts, and the known associated health impacts finally acknowledged in the World Health Organisation Guidance published on 10th October 2018.

Given that the Ministerial Statement on wind energy development has now been adopted within National Planning Policy Framework, details of which are that:

*On 18 June 2015 the Secretary of State for Communities and Local Government issued a Ministerial Statement which related to wind energy development. The National Planning Practice Guidance (NPPG) on wind energy development was amended as a result of the statement.*

*The NPPF now advises that local planning authorities can only approve proposals for wind energy development 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***

I reiterate my previous objection, and even more so, I **strongly object** to this latest attempt by Ecotricity to subject my family and local communities to even more uncertainty for another 5 years and possibly even longer, as, if this unprecedented and totally unacceptable variation is consented, this opens the door to Ecotricity reapplying in perpetuity.

I will not forget Ecotricity's documented position at the outset of this sorry saga;

*"When the wind farm was first proposed in 2009 we were contacted by 'Ecotricity' Limited. We arranged a public meeting and two of their senior management gave a presentation the 7th September 2009 at Heckington Village Hall. At this meeting a large number of parishioners attended and expressed their concerns. The representatives of 'Ecotricity' were very candid in the responses and the general opinion was that most were against the proposal. **At this meeting we were told that a Parish Council could have no influence in the final decision which would be made by Central Government without consultation. The Parish Council's views would not even be considered**".*

Yours faithfully

cc. caroline.johnson.mp@parliament.uk

matt.warman.mp@parliament.uk

**The deadline for comments is 2<sup>nd</sup> November 2018**

---

**From:**  
**Sent:** 15 October 2018 10:11  
**To:** Energy Infrastructure Planning  
**Subject:** FW: Objections to application reference 18/1384/S36  
**Attachments:** Wind\_farms\_28Jan2009.pdf  
  
**Importance:** High

**From:**  
**Sent:** 15 October 2018 09:59  
**To:** planning@n-kesteven.gov.uk; beisei@beis.gov.uk  
**Subject:** Objections to application reference 18/1384/S36  
**Importance:** High

Dear Sir/Madam,

I wish to object to the above scheme and the proposal to change the development commencement date from 5 years to 10 years. My specific concerns are as follows:

- a) visual impact on the immediate area with turbines located within a short distance of residential properties
- b) cumulative visual impact with many turbines
- c) impact on local cultural heritage
- d) safety issues around driver distraction with the turbines being so close to the roads
- e) simply not enough wind inland for such schemes to be viable.

I wish to object to the Planning Application to build five turbines of 126.5m height on the following grounds :

- They would be ugly gross monstrosities in an area of outstanding natural beauty, particularly due to their vast height and will dominate the scenery. They are out of proportion with the landscape.
- If approved, it would lead to a never-ending profusion of such schemes in the Lincolnshire area and could be built close to my property which would be disastrous.
- The noise from the wind turbines would be human torture, particularly as the frequency from the wind turbines is just above the frequency of the human heart and thus the body is constantly trying to catch up. No sleep is possible at night.
- Such wind turbines are better positioned off-shore and should not be allowed on land.
- The company behind the scheme would claim that 70-80 per cent of the British public support such wind farms but I dispute this statistic and we are totally against such schemes. I think the vast majority of the public are against such schemes e.g. see this web site, <http://www.bwag.co.uk/>.
- I believe that wind turbines are totally impractical and ridiculous in terms of providing the required future power of the UK. They are a current fad or gimmick, in response to lunatic environmentalists. The power output of each unit is very small in relation to a modern power station (thousands of Megawatts), requiring a vast number and hence damage to the countryside and scenery. Clearly when there is no wind then no power is produced!

I dispute that wind turbines are practically viable for the UK. The UK requires around 50 GWatt of power (50,000 MW). Just 1000 MW of power would require around 300 wind turbines! One has to consider the total life cycle effect of wind turbines upon the environment i.e. the manufacture of the turbine and ancillary equipment + infrastructure requirements (access roads, underground cables, safety and trip systems etc). I am convinced that wind turbines actually produce a net damaging effect to the environment and they can be rejected based on technical grounds. In effect, the so-called (however well intentioned) environmentalists have "shot themselves in the foot"! At present they are only going ahead due to the large

subsidies paid and not based on sound economic or environmental analyses. This is a recipe for disaster for the UK. The Companies involved in such proposals should make their calculations visible. Why is the technical side hidden away and what do these Companies fear? For each unit of wind power you need two units of conventional power to back it up. However these new conventional machines have to be designed with high operational flexibility to cover for the vagaries of the renewables – this makes them less efficient (in turbomachinery design there is a direct conflict between fast operational response and efficiency). The net effect has been calculated to actually damage the environment!

The large number of required wind turbines (thousands) will severely damage the British landscape and scenery. They are out of proportion and a completely different “beast” compared to the quaint historic wind turbines of previous Centuries (125 metre high, high noise etc). They are a ridiculous passing fad and any Engineer worth his salt could soon shoot them down based on the business cases. We must be careful and strongly question/challenge the environmentalists and Companies concerned.

What is the life of these wind turbines (highly stressed blades etc)? I imagine it is not that high, hence an even greater damage to the environment as they are frequently replaced.

Wind turbines damage the health of nearby residents due to low frequency noise (which is like a whale and carries large distances), vibration and light flicker. They should have a large exclusion radius for properties. Any house close to these turbines will become **VALUELESS AND UNSALEABLE** overnight. There should be a large exclusion range close to residential properties by law.

These proposed turbines, due to their number and height, would pose real dangers due to aircraft and I am sure the RAF and Air Traffic Control would have strong objections.

It has been proved technically that wind turbines do **NOTHING** to benefit the environment (see separate presentation). This is particularly the case inland and in the site proposed since the wind speeds and availability are low compared to offshore. For each MW of wind turbine power around 2 MW back-up power from conventional plant would be required! i.e. it will not lead to a reduction in conventional power stations but an increase! It is purely driven by politicians who meddle in subjects they do not understand technically, lunatic environmentalists, ridiculous subsidies, speculators and financial greed. It is not good for the future of GB plc. They have not worked in Denmark or numerous other countries (see web sites).

A large number of plans for wind turbines are being proposed around West Haddon. The Secretary of State must ban all these applications until an overall assessment has been made. They should not be dealt with individually.

- I believe that all of Daventry District Council Planning department should have been sacked as a result of allowing the previous wind turbine applications
- due to these wind turbines, there has been a huge cost in electricity in the UK which means people freeze to death and makes our industry totally uncompetitive. As an Engineer I review such proposals technically – typically there is 1 unit of revenue for electricity generation but 5 units of revenue obtained from the subsidies!
- I have noted that you have deleted previous objection letters for wind turbines without reading them, which I wish to complain about (my computer gives me this feedback evidence)
- I shall vote for UKIP as they are the only party opposed to wind turbines and I want to get rid of the so-called ‘career politicians’ in Westminster
- I thought that all on-shore wind turbines were dead as the subsidies are being withdrawn. They will soon all be scrap and can be recycled!
- I note that Cameron is now against ‘green energy’ due to the huge costs and refuses to be photographed anywhere near a wind turbine. He spends all day pacing round 10 Downing Street mumbling ‘we have got to get rid of this green c\*\*p’.
- what the UK needs is 10 new nuclear-fuelled power stations and I am pleased this is happening (albeit too slowly)

I would strongly urge you to reject this Planning Application.



Yours sincerely,



Market Rasen  
Lincolnshire  
16 October 2018

Mobile

To : Secretary of State for Business, Energy & Industrial Strategy  
c/o  
Energy Infrastructure Planning  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street  
London SW1H 0ET  
Email: beiseip@beis.gov.uk  
c: planning@n-kesteven.gov.uk

Application Reference: 18/1384/S36

SUBJECT: Objections to Heckington Fen Wind Park

Dear

I have studied this scheme on the 'ecotricity' web site and it is total nonsense, like all the other inland wind turbine schemes (see the attachments for proofs). I am a Chartered Engineer and I know what I am talking about. There is simply not enough wind in the UK for these inland schemes to work (10% load factor at best). These speculator opportunists are reaping the subsidies and not the wind and the taxpayer is paying for it. Soon these schemes will be shown to be 'white elephants' and ripped out. The load factor is much higher for offshore turbines so stick them there.

I wish to object to the above application. My specific concerns are as follows:

- a) visual impact on the immediate area with turbines located within a short distance of residential properties
- b) cumulative visual impact with many such turbines
- c) impact on local cultural heritage
- d) safety issues around driver distraction with the turbines being so close to roads.

I wish to object to the Planning Application to build a huge number of turbines turbines of 125m height at Heckington Fen at on the following grounds :

- They would be ugly gross monstrosities in an area of outstanding natural beauty, particularly due to their vast height and will dominate the scenery. They are out of proportion with the landscape.
- If approved, it would lead to a never-ending profusion of such schemes in the Lincolnshire area and could be built close to my property which would be disastrous.
- The noise from the wind turbines would be human torture, particularly as the frequency from the wind turbines is just above the frequency of the human heart and thus the body is constantly trying to catch up. No sleep is possible at night.
- Such wind turbines are better positioned off-shore and should not be allowed on land.

- The company behind the scheme would claim that 70-80 per cent of the British public support such wind farms but I dispute this statistic and we are totally against such schemes. I think the vast majority of the public are against such schemes e.g. see this web site, <http://www.bwag.co.uk/>.

- I believe that wind turbines are totally impractical and ridiculous in terms of providing the required future power of the UK. They are a current fad or gimmick, in response to lunatic environmentalists. The power output of each unit is very small in relation to a modern power station (thousands of Megawatts), requiring a vast number and hence damage to the countryside and scenery. Clearly when there is no wind then no power is produced!

I dispute that wind turbines are practically viable for the UK. The UK requires around 50 GWatt of power (50,000 MW). Just 1000 MW of power would require around 300 wind turbines! One has to consider the total life cycle effect of wind turbines upon the environment i.e. the manufacture of the turbine and ancillary equipment + infrastructure requirements (access roads, underground cables, safety and trip systems etc). I am convinced that wind turbines actually produce a net damaging effect to the environment and they can be rejected based on technical grounds. In effect, the so-called (however well intentioned) environmentalists have "shot themselves in the foot"! At present they are only going ahead due to the large subsidies paid and not based on sound economic or environmental analyses. This is a recipe for disaster for the UK. The Companies involved in such proposals should make their calculations visible. Why is the technical side hidden away and what do these Companies fear? For each unit of wind power you need two units of conventional power to back it up. However these new conventional machines have to be designed with high operational flexibility to cover for the vagaries of the renewables – this makes them less efficient (in turbomachinery design there is a direct conflict between fast operational response and efficiency). The net effect has been calculated to actually damage the environment!

The large number of required wind turbines (thousands) will severely damage the British landscape and scenery. They are out of proportion and a completely different "beast" compared to the quaint historic wind turbines of previous Centuries (125 metre high, high noise etc). They are a ridiculous passing fad and any Engineer worth his salt could soon shoot them down based on the business cases. We must be careful and strongly question/challenge the environmentalists and Companies concerned.

What is the life of these wind turbines (highly stressed blades etc)? I imagine it is not that high, hence an even greater damage to the environment as they are frequently replaced.

Wind turbines damage the health of nearby residents due to low frequency noise (which is like a whale and carries large distances), vibration and light flicker. They should have a large exclusion radius for properties. Any house close to these turbines will become **VALUELESS AND UNSALEABLE** overnight. There should be a large exclusion range close to residential properties by law.

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A large number of plans for wind turbines are being proposed around the UK. The Secretary of State must ban all these applications until an overall assessment has been made. They should not be dealt with individually.

-I believe that all of the Planning Departments should have been sacked as a result of allowing the previous wind turbine applications

-due to these wind turbines, there has been a huge cost in electricity in the UK which means people freeze to death and makes our industry totally uncompetitive. As an Engineer I review such proposals technically – typically there is 1 unit of revenue for electricity generation but 5 units of revenue obtained from the subsidies!

-I have noted that you have deleted previous objection letters for wind turbines without reading them, which I wish to complain about (my computer gives me this feedback evidence)

-I shall vote for UKIP as they are the only party opposed to wind turbines and I want to get rid of the so-called ‘career politicians’ in Westminster

-I thought that all on-shore wind turbines were dead as the subsidies are being withdrawn. They will soon all be scrap and can be recycled!

-I note that Cameron is now against ‘green energy’ due to the huge costs and refuses to be photographed anywhere near a wind turbine. He spends all day pacing round 10 Downing Street mumbling ‘we have got to get rid of this green c\*\*p’.

-what the UK needs is 10 new nuclear-fuelled power stations and I am pleased this is happening (albeit too slowly)

I would strongly urge you to reject this Planning Application or to extend the time period.

Yours sincerely,



### WIND FARMS ... WHAT FOR ?

1

- The purpose of this note is to provide simple & basic information to those who wish to understand the subject.
- The authorities discourage this approach and may consider it 'inadmissible' in local planning.
- But for those wishing to have a clear conscience when deciding who to support, read on ....

Take the moral high-ground.

### INCREASES IN CO2 EMISSIONS

2

- We are told, rightly or wrongly, that the planet is faced with global warming, due largely to rapidly rising man-made CO2 emissions.
- World-wide this is generally accepted to be 25,000 MT-CO2/YR.
- This very large quantity, left unchecked, could have a serious effect on our world.

LARGE INCREASES IN CO2 EMISSIONS

### GREENHOUSE EFFECT

3

- The consequent 'greenhouse' effect of CO2 may cause all manner of global climate-change disasters such as droughts, storms, etc.
- El Nino and Ocean currents.
- Effect on agriculture
- Sea level rise

INCREASE IN 'NATURAL' DISASTERS

### SEA LEVEL RISE

4

- We are often informed by the media that, due to melting ice-caps, the sea level may rise by up to 2 metres in the next century.
- This characteristic quantity may be a one-stop way of grasping and visualizing the complex effects of 'global warming'.
- Difficult to calculate in absolute terms but a good and reasonable way of assessing the order of small 'changes & effects'.

Visualizing global warming

## SEA LEVEL TO RISE BY 2 METRES

5

- The 2 metre rise in sea level may, or may not, be absolutely true in magnitude.
- But even so, it indicates a big worry ... and perhaps had better be catered-for in a 'safe rather than sorry' approach.

MAJOR CAUSE FOR CONCERN

## WHAT CAN BE DONE?

6

- So how to reduce CO2 emissions?
- One way is to find a powerful method of generating electricity which doesn't involve burning non-renewable carbon based fuels (ie. by applying renewable generation).
- Wind power may be a possible way.

Generate electricity with renewable energy

## WHAT ARE WIND FARMS?

7

- Wind turbines capture the 'free' kinetic energy blowing in the wind and convert it into electricity.
- Several wind turbines are concentrated in groups to form a wind farm.

Wind turbines grouped together

## WIND FARMS

8

- The electrical power is fed from the wind farm into the full ~~electrical~~ grid-network. *detached gas*
- Here it joins other-source power (plentiful supply of coal, gas, nuclear, etc).
- The grid then supplies all customers. *see 1*
- Overall 'in=out' load-demand is matched.
- The PRIMARY AIM of wind farms, in matching, is to displace coal/gas plant from the grid so as to reduce overall CO2 emissions.

Electricity, the grid and the aim of wind farms



## WIND FARMS – A DROP IN THE OCEAN?

- Wind seems such a good and obvious solution to global warming.
- Why has it not been done before ? Is wind-generated electricity extremely feeble or unreliable?
- Someone then mentions the idea as ... 'being akin to emptying the Atlantic Ocean with teaspoons' ?!
- Perhaps we should CALCULATE, rather than rely on intuition, in order TO CHECK?

**Rely on reason rather than intuition**

## WIND FARMS REAL REDUCTION IN CO2 <sup>10</sup>

- UK authorities 'target' reduction of CO2 emissions using renewables by 9.2MT-CO2/YR (Gov't fig., by 2010)
- About 1/2 comes from wind (Gov't) & is reduced by 1/2 for England compared with all UK.
- & is further reduced by 1/2 for Inland compared with Total (coastal & inland).

$$\begin{aligned} \text{Inland England} &= 9.2 \times 3/4 \times 1/2 \times 1/2 \\ &= 1.7 \text{ MT-CO2/YR} \end{aligned}$$

Calculations show a reduction of only 1.7MT-CO2/YR

*offshore vs onshore*

## OUR CO2 SAVING FROM WIND FARMS <sup>11</sup>

- Annual CO2 saving of all inland wind farms planned for England, involving thousands of wind turbines, is a reduction of only : 1.7/25,000. An order of magnitude of the very, very small proportion of 1 part in 15,000.
- To visualize this means a reduction of about 1/10mm in a sea level rise of 2000mm.
- Compared with a tall man's height, only the thickness of one hair on his head !

**The CO2 saving is minute**

## YELVERTOFT <sup>12</sup>

- The wind farm proposed for Yelvertoft is about 1/100 of all planned inland England wind turbines. So gives a saving of 1 part in 1,500,000 of CO2 emissions.
- 'Minuscule' amounts of this nature are widely referred to in the industry as 'NOTHING' (ie effectively zero).
- Ask the question ... this should be the answer !

**The CO2 saving here is minuscule**

**BUT IT'S EVEN WORSE**

13

- Wind turbines are probably very efficient at extracting power from through-flow wind 'kinetic energy' ; when its blowing (90%+ ... so can't get much better).
- They rotate for about 3/4 of the time - ok.
- BUT the wind rarely blows with much strength. 'Load Factor' indicates how much of the year it can produce full power... and this is typically only 20%. The 80% left is equivalent to zero power!

The wind with load factor 20% only blows for 20% of the time

**..... AND WORSE.**

14

- For the 80% time that the wind turbine is at equivalent zero power, the electricity has to come from back-up fossil-fired plant to prevent power-cuts.
- During this time, the CO2 emissions run free.
- The overall effect is to tend to negate the already minuscule saving of CO2.

Effectively requires back-up for 80% of time

**CONCLUSION ON BASIC QUESTION**

15

- Measured against the basic climate-saving aim of wind farms, the benefit of our sacrifice in all proposed sites in Inland England is effectively ...  
**NOTHING!**
- There is no way round this .... It should be  
**THE SHOW STOPPER!**

Inland England wind power saves no CO2

**AND THERE ARE MANY OTHER DISADVANTAGES**

16

- Having lost the fundamental aim ... there remains only a long list of detrimental effects.

..... to be addressed later.

#### Notes

- 1) The answer 'NOTHING' has been independently verified by leading experts in the field of wind power.
- 2) After a planning meeting in 2007 at a local DC (in which the committee, having incorrect information before them and not being primed with questions to ask from the public ... proceeded to approve plans for a local wind turbine) ... the writer, as a member of the public, then left the assembly, only to be followed by the Vendors Engineer. On being asked the the question ' by how much would all the planned wind farms in inland England reduce climate change?' he, with a wry smile, immediately answered 'NOTHING'. A pity this did not come out at the meeting !
- 3) Hand-outs can be printed as 'print set-up ... handout landscape'... 'print ... handout 4 per page'

#### Postscript

- ***After reflection, a question sometimes asked is '... why do the authorities then insist on pressing ahead ?'***
- ***One can't answer for them, except to observe that they seem to have unwisely committed us to a 'totally impractical stance' to make an example of how much better we can be than the rest of the international community (ref. DTI...' on course to overtake Denmark as the world leader ... & review strategy to take us even further.').***
- ***This is achieved by praying on our collective conscience to do something to 'save the planet' ... but we see from the figures above this cannot in practice be done !***



Energy Infrastructure Planning  
1 Victoria Street  
London  
SW1H 0ET

**Our ref:** AN/2018/128063/01-L01  
**Your ref:** 4038\_P0252\_02  
**Date:** 16 October 2018

Dear

**Variation of Section 36 Electricity Act 1989 consent to amend Condition 4 and Condition 8(2) to extend the date before which the development shall commence from 5 years to 10 years  
Heckington Fen Wind Farm Park, Heckington Fen, Nr East Heckington**

Thank you for referring the above application on 5 October 2018.

I have reviewed the application and can advise you that the Environment Agency has no objection to the proposed variation of Conditions 4 and 8(2) to extend the date before which the development shall commence.

The supporting Variation of Consent Environmental Statement includes appropriate coverage of issues within our remit, namely hydrology (water environment and flood risk). I can also advise that the conditions attached to the original Section 36 permission in respect of these issues are still relevant.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Direct dial  
Direct e-mail



---

**From:** :@metoffice.gov.uk>  
**Sent:** 16 October 2018 16:26  
**To:** (Energy Development & Resilience)  
**Subject:** Heckington Fen wind farm

Dear

This is not in any of our consultation zones, so we have no objections to the application. Met Office consultation zones are available at <https://www.metoffice.gov.uk/learning/library/publications/safeguarding>

Kind regards

**Met Office.** FitzRoy Road, Exeter, Devon, EX1 3PB, United Kingdom  
Tel: } E-mail: [metofficesafeguarding@metoffice.gov.uk](mailto:metofficesafeguarding@metoffice.gov.uk)

-----  
Dear Met Office Colleagues

Please find attached, a letter seeking comments (by 8 November 2018) on an application submitted to the Secretary of State for Business, Energy and Industrial Strategy (in February 2018) to vary the section 36 consent granted in February 2013 for the Heckington Fen wind farm in Lincolnshire. Grateful if your response could be copied to the generic mailbox for the Energy Infrastructure Planning team here in BEIS - copied in to this e-mail. Thank you.

Kind regards,

[[cid:image003.png@01D3D8C8.10C54960](#)]

Tel:  
E:  
1 Victoria Street  
London SW1H 0ET  
[www.gov.uk/beis](http://www.gov.uk/beis)<<http://www.gov.uk/beis>> <https://twitter.com/beisgovuk>

Ref:MSG0897599\_P9nYiumoOc8zACupri1p







Tedder Hall, Manby Park, Louth, Lincolnshire. LN11 8UP  
T: 01507 601111  
[www.e-lindsey.gov.uk](http://www.e-lindsey.gov.uk)

**Your Reference:** 4038\_P0252\_02

**Our Reference:** //01933/18/IC

**Contact:**

**Ext:**

**Email:**

**Date:** 18 October 2018

SENT BY E-MAIL ONLY

**BEIS**  
1 Victoria Street  
London  
SW1H 0ET

Dear

**APPLICANT:** Ecotricity,  
**PROPOSAL:** Consultation on Heckington Fen Wind Farm.  
**LOCATION:** HECKINGTON FEN WIND PARK GRID CONNECTION, HECKINGTON  
FEN, SLEAFORD, LINCOLNSHIRE.

Thank you for consulting East Lindsey District Council on the proposed variation of consent application in respect of the Heckington Fen Wind Farm.

Having considered the information provided by Ecotricity I can confirm that this authority does not wish to raise any objections to the proposed variation.

Yours sincerely

If you would like this information in a different format, please contact us on 01507 601111



20 October 2018

**BY POST & BY EMAIL**

Secretary of State for Business, Energy and Industrial Strategy

Department for Business, Energy and Industrial Strategy  
1 Victoria Street  
London SW1H 0ET

Dear Sir,

**Re: Ecotricity Heckington Fen Wind Farm Variation of Consent (2018) 4038P0242.  
NKDC Application Reference 18/1384/S36.**

It is with frustration and absolute dismay, that despite well over 700 letters objecting to Ecotricity's 2015 Variation Application from our local communities, (on the grounds of legitimate and well founded Environmental concerns, especially in respect to adverse Wind Turbine noise impacts, which have been completely ignored), Ecotricity is now seeking to subject our affected communities to further uncertainty and planning blight for another 5 years to 8th February 2023.

It is also with extreme concern that DBEIS appears to be collaborating with this developer by even considering this 2nd variation application, given that the Heckington Fen Wind Farm Development Consent **expired on 8th February 2018.**

Ecotricity state in this latest application they need another 5 years to sort out a "*Radar Mitigation Scheme*":

*"To date, despite best endeavours, **the Applicant has not yet been able to agree an RMS with the MOD and therefore has been unable to commence the development.** However, progress is being made with a view to agreeing an ongoing mitigation strategy which is aiming to deliver a solution within a 3-5 year timeframe".*

It is clear Ecotricity have completely failed to deal with this issue and sought to get round this in their 2015 Variation Application, by trying to gain permission to commence construction before MOD could agree a scheme, to which I and our local communities **strongly objected, and these remain.**

It is absolutely shocking that Ecotricity has submitted this latest application attempting to override the **specific assurance** given in the Planning Inspector's report of 12th November 2012, to our local communities, that:

297. Whilst I note that some residents are concerned that the 'in principle' agreements appear to give a long period for the matter to be resolved, this period reflects the usual time available for starting a project of this nature.

**There would be no extension of the time set aside for resolving this matter.**

The simple fact is that Ecotricity was well aware of the ongoing technical problem with wind turbines affecting operations of all RAF stations since this was first reported by MOD back in 2002, and confirmed in 2005. Ecotricity's application dated 15th December 2009, Para 2, advised of MOD's operational objection. At that time Ecotricity took a commercial decision to proceed, in the vain hope this could be dealt with by conditions. It is totally unacceptable to shift Ecotricity's failure to comply with the RMS conditions onto myself and our long suffering communities, bearing in mind that the length of time which will have passed from 2002 to 2023 is a period of 21 years and even then a resolution is not guaranteed.

It is also of significant annoyance that Ecotricity have totally ignored the forensic evidence presented in the Wind Turbine Noise Appraisal dated 6th June 2016, commissioned by our Parish Councils and Heck Off in support of our local communities, undertaken by Dr Yelland MA DPhil (Oxon) MinstP FIET MIOA AMASA. Dr Yelland is an eminent expert in all aspects of wind turbine noise impacts.

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**8.1.9 It is now apparent that the original consent was gained in spite of a defective noise impact assessment; if constructed the wind farm would have produced noise well in excess of government limits.**

Dr Yelland in response to Ecotricity's rebuttal dated 5th February 2017 at Para 24 confirms:

**24 On closer examination the background noise surveys of ANIA1 are seen to be far from compliant with ETSU as well as non-compliant with the IOAGPG. The fact that the original application was consented with a non-compliant NIA does nothing to change the status of that NIA; it remains, to a clearly demonstrable extent, non-compliant.**

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Given that the Ministerial Statement on wind energy development has now been adopted within National Planning Policy Framework, details of which are that:

*On 18 June 2015 the Secretary of State for Communities and Local Government issued a Ministerial Statement which related to wind energy development. The National Planning Practice Guidance (NPPG) on wind energy development was amended as a result of the statement.*

*The NPPF now advises that local planning authorities can only approve proposals for wind energy development 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***

I reiterate my previous objection, and even more so, I **strongly object** to this latest attempt by Ecotricity to subject my family and local communities to even more uncertainty for another 5 years and possibly even longer, as, if this unprecedented and totally unacceptable variation is consented, this opens the door to Ecotricity reapplying in perpetuity.

I will not forget Ecotricity's documented position at the outset of this sorry saga:

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Yours faithfully

cc by email:



TEL:

20 October 2018

**BY POST & BY EMAIL**

Secretary of State for Business, Energy and Industrial Strategy  
c/o  
Energy Infrastructure Planning  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street  
London SW1H 0ET

Dear Sir,

**Re: Ecotricity Heckington Fen Wind Farm Variation of Consent (2018) 4038P0242.  
NKDC Application Reference 18/1384/S36.**

It is with frustration and absolute dismay, that despite well over 700 letters objecting to Ecotricity's 2015 Variation Application from our local communities, (on the grounds of legitimate and well founded Environmental concerns, especially in respect to adverse Wind Turbine noise impacts, which have been completely ignored), Ecotricity is now seeking to subject our affected communities to further uncertainty and planning blight for another 5 years to 8th February 2023.

It is also with extreme concern that DBEIS appears to be collaborating with this developer by even considering this 2nd variation application, given that the Heckington Fen Wind Farm Development Consent **expired on 8th February 2018**.

Ecotricity state in this latest application they need another 5 years to sort out a "*Radar Mitigation Scheme*".

*"To date, despite best endeavours, **the Applicant has not yet been able to agree an RMS with the MOD and therefore has been unable to commence the development.** However, progress is being made with a view to agreeing an ongoing mitigation strategy which is aiming to deliver a solution within a 3-5 year timeframe".*

It is clear Ecotricity have completely failed to deal with this issue and sought to get round this in their 2015 Variation Application, by trying to gain permission to commence construction before MOD could agree a scheme, to which I and our local communities **strongly objected, and these remain.**

It is absolutely shocking that Ecotricity has submitted this latest application attempting to override the **specific assurance** given in the Planning Inspector's report of 12th November 2012, to our local communities, that:

297. *Whilst I note that some residents are concerned that the 'in principle' agreements appear to give a long period for the matter to be resolved, this period reflects the usual time available for starting a project of this nature.*

***There would be no extension of the time set aside for resolving this matter.***

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Yours faithfully

cc by email:	Mr Keith Welford	beiseip@beis.gov.uk
	Dr Caroline Johnson	caroline.johnson.mp@parliament.uk
	Mr Matt Warman	matt.warman.mp@parliament.uk
	Cllr Mervyn Head	mervynhead@outlook.com
	Mr Alan Oliver	planning@n-kesteven.gov.uk



Secretary of State for Business, Energy and Industrial Strategy

Date 17.10.18

Energy Infrastructure Planning  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street  
London SW1H 0ET

Contact email: [beiseip@beis.gov.uk](mailto:beiseip@beis.gov.uk)

for info

Re: Ecotricity Heckington Fen Wind Farm Variation of Consent (2018) 4038P0242.  
NKDC Application Reference 18/1384/S36. Application to vary S. 36 consent and deemed planning permission to allow for the date by which development **must be commenced from 5 years to 10 years, i.e., extended up to 8th February 2023.** The previous variation application submitted to the Secretary of State in February 2015 is not being progressed at this time.

My name is .....

and my address is .....

..... LINCOLN ..... Post Code .

Email address: .....

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cc. caroline.johnson.mp@parliament.uk

matt.warman.mp@parliament.uk

**The deadline for comments is 2<sup>nd</sup> November 2018**