


11 May 2018

Our Ref: 4038_P0249_02


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

Dear Sirs,

**S. 36C of the Electricity Act 1989 and S. 90(2ZA) of the Town and Country Planning Act 1990.
EIA Additional Information to support an Application to vary S. 36 consent and deemed permission for
the Heckington Fen Wind Park, Heckington Fen, near East Heckington.**

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 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**).

An application for a variation of consent was made on 1 February 2018. In response, by way of letter dated 23 February 2018, the Department of Business, Energy & Industrial Strategy (DBEIS) concluded that the variation application did not currently meet the requirements of regulation 4 [of the Electricity Generating Stations (Variation of Consents)(England and Wales) Regulations 2013].

Following consultation with the DBEIS and a further letter dated 3 April 2018 from the DBEIS, a review has been undertaken of the original 2011 Environmental Statement assessments that formed part of the application for the original consent, to determine if any updates or new assessments are required for this Variation of Consent Application. In doing so, reference is made to the more recent requirements established by the Electricity Works (EIA)(England and Wales) Regulations 2017, and in particular Regulation 17 and Schedule 4, as cited in your letter of 3 April 2018.

The additional information includes the following:

- Variation of Consent (2018) Environmental Statement (ES) including the following updated and/or additional assessments as appendices:
 - Landscape & Visual Impact
 - Cultural Heritage
 - Ecology
 - Ornithology

- Noise
- Hydrology
- Transport & Access
- Miscellaneous, including Climate Change, Population & Health and Accidents & Disasters.

A CD copy of the 2018 ES is attached along with the original 2011 ES (and Further Environmental Information Landscape Clarification) and 2015 Variation of Consent ES which are both referenced in parts within the 2018 ES.

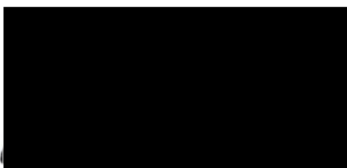
Both the 2011 and 2015 ES can be accessed online at www.ecotricity.co.uk/heckington-fen. Should the 2018 Variation Application be accepted for publication, the Applicant will make the 2018 ES available online.

With reference to the submission of additional information the following points are made:

- Please note that Figure 6 of Appendix 3: Ecology is a Confidential Figure and should not be publically available. The figure may be passed on to statutory nature conservation bodies.
- In 2017, a number of acousticians published a proposed noise condition wording which included a penalty rating procedure for AM [Amplified Modulation] based on research recommendations published by DBEIS (para 3.8, Appendix 5: Noise). The Applicant is not proposing a variation to the current wording of Condition 24 (Noise) on the basis that there are no specific additional effects associated with the Development which can be predicted at this stage (para 5.2, Appendix 5: Noise). However, if considered appropriate by DBEIS, wording is provided at Appendix 5 of the 2018 ES to revise condition 24 of the consent to be in line with the recommended condition wording published in 2017.
- Since 2011, a number of changes have been made to planning policy – these are set out in more detail in Chapter 2 of the 2018 ES. As this application is made under the Electricity Act 1989, the most relevant policy documentation for consideration remain Overarching National Policy Statement for Energy (EN-1) and National Policy Statement for Renewable Energy Infrastructure (EN-3)

We trust this letter and attachments provides the necessary information to enable a decision to be taken on the suitability for publication of the 2018 Variation Application for the Heckington Fen Wind Park project. Should you require any additional information please contact the undersigned.

Yours sincerely,



Senior Project Manager