

## Welford Keith (Energy Development)

---

**From:** ALLEN, Sarah J <Sarah.ALLEN@nats.co.uk> on behalf of NATS Safeguarding <gmb-bdn-000913@nats.co.uk>  
**Sent:** 20 January 2016 08:41  
**To:** Welford Keith (Energy Development)  
**Subject:** RE: Heckington Fen Onshore Wind Farm - Request for Variation of Electricity Act Consent (Our Ref: SG09846)

Good Morning,  
I can confirm that we have no issues with the proposed changes.  
Kind Regards  
NATS Safeguarding

---

**From:** Welford Keith (Energy Development) [<mailto:Keith.Welford@decc.gsi.gov.uk>]  
**Sent:** 19 January 2016 17:04  
**To:** ALLEN, Sarah J  
**Subject:** Heckington Fen Onshore Wind Farm - Request for Variation of Electricity Act Consent

Dear Sarah,

Please find attached, a letter seeking further comments on the request by Ecotricity for the existing section 36 consent for the Heckington Fen onshore wind farm to be varied. Grateful for any comments by close of play on 10 February 2016. Thanks.

Regards,

Keith



Keith Welford  
Case Manager, National Infrastructure Consents  
E: [keith.welford@decc.gsi.gov.uk](mailto:keith.welford@decc.gsi.gov.uk) T: 0300 068 5686  
Follow us on [Twitter.com/DECCgovuk](https://twitter.com/DECCgovuk)

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

---

If you are not the intended recipient, please notify our Help Desk at Email [Information.Solutions@nats.co.uk](mailto:Information.Solutions@nats.co.uk) immediately. You should not copy or use this email or attachment(s) for any purpose nor disclose their contents to any other person.

NATS computer systems may be monitored and communications carried on them recorded, to secure the effective operation of the system.

Please note that neither NATS nor the sender accepts any responsibility for viruses or any losses caused as a result of viruses and it is your responsibility to scan or otherwise check this email and any attachments.

NATS means NATS (En Route) plc (company number: 4129273), NATS (Services) Ltd (company number 4129270), NATSNAV Ltd (company number: 4164590) or NATS Ltd (company number 3155567) or NATS Holdings Ltd (company number 4138218). All companies are registered in England and their registered office is at 4000 Parkway, Whiteley, Fareham, Hampshire, PO15 7FL.

---

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

## Welford Keith (Energy Development)

---

**From:** Windfarms <Windfarms.Windfarms@caa.co.uk>  
**Sent:** 25 January 2016 15:06  
**To:** Welford Keith (Energy Development)  
**Subject:** 20150125REHeckingtonFenOnshoreWindFarmRequestForVariationOfElectricityActConsent

Good Afternoon Keith,

In terms of the effect upon radar, it is the responsibility for individual Air Navigation Service Providers to assess the impact of the proposed changes on their operations and make representations accordingly.

I note that both the MoD and NATS have previously responded concerning the variation. I therefore have no further comments at this time.

I would, however, reiterate that if consent is granted there is an international civil aviation requirement for all structures of 300 feet (91.4 metres) or more to be charted on aeronautical charts. Accordingly such structures should be reported to the Defence Geographic Centre (DGC) which maintains the UK's database of tall structures (the Digital Vertical Obstruction File) at least 10 weeks prior to the start of turbine/mast construction. The point of contact is Nigel Whittle (0208 818 2702, [mail to dvof@mod.uk](mailto:dvof@mod.uk)). The DGC will require the accurate location of the turbines/meteorological masts, accurate maximum heights, the lighting status of the turbines and / or meteorological masts and the estimated start / end dates for construction together with the estimate of when the turbines are scheduled to be removed. In addition, the developer should also provide the maximum height of any construction equipment required to build the turbines.

In order to ensure that aviation stakeholders are aware of the turbines and / or meteorological masts while aviation charts are in the process of being updated, developments should be notified through the means of a **Notice to Airmen (NOTAM)**. To arrange an associated NOTAM, a developer should contact CAA Airspace Regulation ([AROps@caa.co.uk](mailto:AROps@caa.co.uk) / 0207 453 6599); providing the same information as required by the DGC at least 14 days prior to the start of construction.

Kind Regards,

**Mark Deakin**

Surveillance Policy  
Airspace, ATM & Aerodromes  
Civil Aviation Authority



Tel: 020 7453 6534

Follow us on Twitter: @UK\_CAA

Please consider the environment. Think before printing this email.

---

**From:** Welford Keith (Energy Development) [<mailto:Keith.Welford@decc.gsi.gov.uk>]  
**Sent:** 19 January 2016 17:04  
**To:** Windfarms; Deakin Mark  
**Subject:** Heckington Fen Onshore Wind Farm - Request for Variation of Electricity Act Consent

Dear Mark,

Please find attached, a letter seeking further comments on the request by Ecotricity for the existing section 36 consent for the Heckington Fen onshore wind farm to be varied. Grateful for any comments by close of play on 10 February 2016. Thanks.

Regards,

Keith



Department  
of Energy &  
Climate Change

Keith Welford  
Case Manager, National Infrastructure Consents  
E: [keith.welford@decc.gsi.gov.uk](mailto:keith.welford@decc.gsi.gov.uk) T: 0300 068 5686  
Follow us on [Twitter.com/DECCgovuk](https://twitter.com/DECCgovuk)

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

\*\*\*\*\*

Before Printing consider the environment.

This e-mail and any attachment(s) are for authorised use by the intended recipient(s) only. It may contain proprietary material, confidential information and/or be subject to legal privilege. If you are not an intended recipient then please promptly delete this e-mail, as well as any associated attachment(s) and inform the sender. It should not be copied, disclosed to, retained or used by, any other party. Thank you.

We cannot accept any liability for any loss or damage sustained as a result of software viruses. You must carry out such virus checking as is necessary before opening any attachment to this message.

Please note that all e-mail messages sent to the Civil Aviation Authority are subject to monitoring / interception for lawful business.

\*\*\*\*\*

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

## **Welford Keith (Energy Development)**

---

**From:** Deeming, Roslyn (NE) <Roslyn.Deeming@naturalengland.org.uk>  
**Sent:** 02 February 2016 10:58  
**To:** Welford Keith (Energy Development)  
**Subject:** Heckington Fen Onshore Wind Farm - Request for Variation of Electricity Act Consent. existing section 36 consent  
**Attachments:** 149230-DECC Variation of S36 consent for Heckington Fen Wind Farm Lincolnshire (3).pdf

(Our ref: 176681)

Dear Keith

Thank you for seeking Natural England's views on the response to the previous consultation on the variation to the section 36 consent for the above development ("the Variation Application"). I can advise you that we have no additional comments further to our response to the variation application made on 7<sup>th</sup> April 2015 (attached below). If you need to discuss this matter further please do not hesitate to contact me.

Regards

Roslyn Deeming

Roslyn Deeming  
Lead Adviser  
Sustainable Development Team  
East Midlands Area  
Ceres House  
2, Searby Road  
Lincoln  
LN2 4DT  
0300 060 1524  
[roslyn.deeming@naturalengland.org.uk](mailto:roslyn.deeming@naturalengland.org.uk)  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england).

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

**Natural England offers two chargeable services – The Discretionary Advice Service (DAS) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service (PSS) provides advice for protected species mitigation licence applications.**

**These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.**

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Natural England is accredited to the Cabinet Office Customer Service Excellence Standard

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk.  
Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Date: 07 April 2015  
Our ref: 149230  
Your ref:



Keith Welford  
Department of Energy and Climate Change

**BY EMAIL ONLY**

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

T 0300 060 3900

Dear Mr Welford

**Planning consultation:** Variation to consent under Electricity Act 1989 (as amended) ("the Act") and Town and Country Planning Act 1990 Section 90 (as amended) ("the section 90 direction")  
**Location:** Heckington Fen Wind Farm, Lincolnshire

Thank you for your consultation on the above dated 26 March 2015 which was received by Natural England on 26 March 2015.

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.

***Conservation of Habitats and Species Regulations (as amended) 2010***  
***Wildlife and Countryside Act (as amended) 1981***  
***National Parks and Access to the Countryside Act 1949***  
***Countryside and Rights of Way Act 2000***  
***Natural Environment and Rural Communities Act 2006***

#### **Internationally and nationally designated sites**

The application site is within sufficient proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its mobile interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is within 17km of The Wash Special Protection Area (SPA) which is a European site. The site is also listed as The Wash Ramsar site<sup>1</sup> and also notified at a national level as The Wash Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have<sup>2</sup>. The Conservation objectives for each European site

<sup>1</sup> Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the National Planning Policy Framework applies the same protection measures as those in place for European sites.

<sup>2</sup> Requirements are set out within Regulations 61 and 62 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 61 and 62 are commonly referred to as the 'Habitats Regulations Assessment' process.



explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

### **The Wash SPA, Ramsar - No objection**

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment (HRA).

In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:

- the proposal is not necessary for the management of the European site
- that the proposal is **unlikely to have a significant effect on any European site**, and can therefore be screened out from any requirement for further assessment

When recording your HRA we recommend you refer to the following information to justify your conclusions regarding the likelihood of significant effects:

### **Natural England HRA advice**

Although the proposal site is c. 17km from The Wash SPA and Ramsar, mobile notified species such as golden plover and lapwing can forage on farmland up to 20km from roosts sites within and surrounding The Wash SPA, Ramsar. However, given the reduced sensitivity of these species greater than 10km from the site, the availability of similar farmland in Lincolnshire and the updated assessment that has been provided in Chapter 8 (of the *Variation of consent Environment Statement*), Natural England is satisfied there will not be a likely significant effect on the bird species notified under The Wash SPA, Ramsar.

We welcome the applicant's intention to agree to the programme of works detailed under proposed conditions 16, 17 and 18 which relate to nature conservation. This includes an 'ecological enhancement plan' (as written in condition 18) which should include measures for mitigating the impacts upon golden plover and marsh harrier. These species were recorded as using the site in most significant number and as such would be impacted upon greatest.

The RSPB may be able to provide further advice on the mitigation and enhancement for marsh harrier and we recommend that they should be consulted accordingly.

### **The Wash SSSI - No objection**

This application is within c.17km of the The Wash Site of Special Scientific Interest (SSSI) and therefore has the potential to affect its mobile interest features. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

### **Protected species**

Natural England has published [Standing Advice](#) (archived) on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a

---

The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>



'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including a flow chart for each species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application.

As Standing Advice it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. If you have any specific questions not covered by our Standing Advice or have difficulty in applying it to this application please contact us at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Natural England welcomes proposed conditions 16, 17 and 18 (which relate to nature conservation) and the biodiversity enhancement measures proposed in paragraphs 7.76 and 7.77 of the *Variation of Consent Environmental Statement*. This will ensure that the identified impacts upon species (such as bats and breeding birds) are mitigated during construction and operation of the wind farm. Your authority should ensure that these measures are secured (via the conditions) as part of any revised consent for the proposal.

We also refer your authority to our previous response (our ref 30091, dated 18<sup>th</sup> January 2012) which includes advice on mitigating impacts on bats.

#### **Lincolnshire Wolds Area of Outstanding Natural Beauty – no objection**

Having assessed this application Natural England does not believe that this proposed development would impact significantly on the purposes of designation of the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB).

#### **Soils and Land Quality**

From the documents accompanying the consultation we consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20 ha 'best and most versatile' agricultural land (paragraph 112 of the National Planning Policy Framework).

For this reason we do not propose to make any detailed comments in relation to agricultural land quality and soils, although more general guidance is available in Defra *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites*, and we recommend that this is followed. If, however, 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.

#### **Other advice**

We would expect your authority to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the Lincolnshire Wildlife Trust and Greater Lincolnshire Nature Partnership) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Ryan Hildred on 0300 060 2772. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Ryan Hildred  
Lead Adviser – Sustainable Development  
East Midlands Area Team

## Welford Keith (Energy Development)

---

**From:** Marc Willis <Marc.Willis@lincolnshire.gov.uk>  
**Sent:** 04 February 2016 14:17  
**To:** Welford Keith (Energy Development)  
**Subject:** FW: Heckington Fen Onshore Wind Farm - Request for Variation of Electricity Act Consent  
**Attachments:** Heckington Fen Wind Farm Letter re Local Concerns to Lincolnshire CC of 19 January 2016.pdf

Dear Mr Welford

I have been forwarded your email and letter dated 19 January 2016 (attached) in connection with the above.

I can confirm that the County Council's views on the proposed variation remains unchanged and therefore our response and comments as contained in the email from the County Council's Strategic Planning Manager dated 23 April 2015 remain. For ease of reference this was as follows:

LCC objects to the proposed variation as the increase in blade length implies a 30% increase in swept area, which would:

- a) cause a greater landscape and visual impact;
- b) invalidate any previous noise assessment; and,
- c) cause a significant increase in risk to radar.

This is in effect a new proposal, and should not be subject to an attempt to vary conditions. The SoS should refuse this application, on the grounds that it would not be appropriate to approve without a full and proper assessment of the substantial increase in environmental impacts and other impacts (i.e. radar), for which a new application would be required, with full re-consultation with all relevant parties.

We would request that the SoS has regard to the views of the County Council and any other representations received, including those from the local community, in their consideration of the application.

Yours sincerely

Marc Willis  
Applications Team Leader  
Planning Services  
Tel: 01522 782070

**Lincolnshire**  
COUNTY COUNCIL  
*Working for a better future*

 Please consider the environment before printing this email.

This e-mail may include legally privileged information and may contain confidential information intended only for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination of information contained herein, together with the distribution or copying of this e-mail, is strictly prohibited. If you have received

this e-mail in error, please notify me by return e-mail. If your e-mail is a request under the Freedom of Information Act then please send this to [foi@lincolnshire.gov.uk](mailto:foi@lincolnshire.gov.uk). This is the e-mail account that is used to process Freedom of Information Act requests.

---

**From:** Phil Hughes  
**Sent:** 20 January 2016 10:51  
**To:** Marc Willis  
**Subject:** FW: Heckington Fen Onshore Wind Farm - Request for Variation of Electricity Act Consent

Marc,

Over to you. I attach LCC's original response.

Phil

---

**From:** Welford Keith (Energy Development) [<mailto:Keith.Welford@decc.gsi.gov.uk>]  
**Sent:** 19 January 2016 17:02  
**To:** Phil Hughes  
**Subject:** Heckington Fen Onshore Wind Farm - Request for Variation of Electricity Act Consent

Dear Mr Hughes

Please find attached, a letter seeking further comments on the request by Ecotricity for the existing section 36 consent for the Heckington Fen onshore wind farm to be varied. Grateful for any comments by close of play on 10 February 2016. Thanks.

Regards,

Keith Welford



Department  
of Energy &  
Climate Change

Keith Welford  
Case Manager, National Infrastructure Consents  
E: [keith.welford@decc.gsi.gov.uk](mailto:keith.welford@decc.gsi.gov.uk) T: 0300 068 5686  
Follow us on [Twitter.com/DECCgovuk](https://twitter.com/DECCgovuk)

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

---

----- Note: We are a Microsoft Office site. Our base version is 2010. Please make sure that files you send can be read in this format. Any form of reproduction, dissemination, copying, disclosure, modification, distribution and/or publication of this e-mail is strictly prohibited save unless expressly authorised by the sender. The information contained in this message is intended for the named recipients only. It may contain privileged and confidential information and if you are not the addressee or the person responsible for delivering this to the addressee, you may not copy, distribute or take action in reliance on it. If you have received this message in error, please notify the sender(s) immediately by telephone. Please also destroy and delete as soon as possible the message from your computer.

\*\*\*\*\*  
\*\*\*\*\*