

Great Hale Parish Council

Email: pc.greathale@btinternet.com



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

22nd April 2016

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

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

Representation by Great Parish Council - Holding Objection

Dear Sir

Gt Hale Parish Council represent , a small vulnerable local rural community which comprises of residents living in scattered properties both adjacent to the Heckington Fen wind farm boundary to the north of the A17 and also predominately in the South of the wind farm at a distance up to within 1km - 4km.

We would like to inform you that Great Hale Parish also borders on to Swineshead Parish to the east, and Heckington Parish to the west of our Parish boundary. We are aware that both of these adjoining Parish Councils have opposed the developer Ecotricity's variation application. You are no doubt aware that of the wind farm site is located within the Heckington Parish Council area boundary. Swineshead and Greatt Hale Parish Council are neighbouring Parish Councils, and also abut onto the wind farm site boundary in the southern area of the wind farm.

As is the case for Swineshead Parish Council, our Parish Council also acknowledge that whilst the **centre** of Great Hale is outside the 3 km separation distance from the nearest turbine, there are legitimate concerns for those residents of our community living close to the wind farm who will be subject to potential harm from the wind turbine noise impacts, along with the visual impacts which would be significantly increased by the much larger blade configuration proposed, were the variation application to be consented.

Great Hale Parish Council

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

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

Despite being one of the closest Parishes to the wind farm, and highly probable victims of Excessive Amplitude Modulation both downwind and upwind of all 22 turbines we consider we have not been adequately consulted throughout the planning application process or been made aware of the potential for EAM to cause harm to residents living within the proximity of any wind farm. This matter has now been recognised by Government and is subject to ongoing research.

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

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

We are concerned that there appears to have been a lack of publicity and consultation by Ecotricity. Even our Parish Council was not fully informed, along with our local residents of the potential impacts of the variation; we therefore respectfully request that this essential round of consultations is extended, to enable all of our local communities and their advisers and representatives to respond.

Great Hale Parish Council also oppose any variation of the planning condition to permit Ecotricity to commence of any aspect of the wind farm development including ground works, prior to the radar mitigation scheme condition being satisfied in full. The planning condition agreed by the Inspector, the developer and ratified by the Secretary of State, specified a five year period for the development to be constructed and operational from February 2013, we consider that this is adequate time, given that Ecotricity was also fully aware of the safeguarding requirements and concerns raised by MOD well before December 2009, when they submitted their initial planning application.

Great Hale Parish Council

Great Hale Parish Council now having had sight of the letter submitted by NKDC dated 10 February 2016 to DECC, in response to your letter dated 19th January, agree with the statement made by our District Council NKDC in support of local residents, which stated:

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

In view of this comment by North Kesteven District Council, we are pleased that at long last our residents concerns will be made known to the Secretary of State and respectfully request that this letter is forwarded as a matter of urgency, to the SoS, in the meantime we will now fully back our residents to ensure their views are properly heard with regards to this serious matter.

Yours faithfully

A large black rectangular redaction box covering the signature of the Chairman.

Mrs VR Kemmett (Chairman)
On behalf of Great Hale Parish Council

cc: stephen.phillips.mp@parliament.uk

SWINESHEAD PARISH COUNCIL

PARISH OFFICE
Swineshead Pre-School Centre
North End
Swineshead
PE20 3LZ

PHONE: [REDACTED]

EMAIL: swinesheadpc@gmail.com

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

CHAIRMAN: Councillor D Hutson
CLERK: Mrs Ann Fletcher

For the URGENT attention of:
Keith Welford Case Manager
National Infrastructure Consents
Department of Energy & Climate Change (DECC)
3 Whitehall Place
LONDON
SW1A 2AW
DECC Contact email: keith.welford@decc.gsi.gov.uk

6th April 2016

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

Representation by Swineshead Parish Council - Holding Objection

Dear Sir,

Swineshead Parish Council represent Swineshead Bridge, a small vulnerable local rural community which comprises of residents living in scattered properties both adjacent to the Heckington Fen wind farm boundary to the north of the A17 and also in the South/South East distance up to within 1km - 3km.

Swineshead Parish Council acknowledge that whilst the centre of Swineshead village is outside the 3 km separation distance from the nearest turbine, there are legitimate concerns for those residents of our community living so close to the wind farm who will be subject to potential harm from the wind turbine noise impacts, along with the visual impacts which would be significantly increased by the much larger blade configuration proposed, were the variation application to be consented. Our local Action Group have appointed a highly qualified wind turbine noise expert, John V Yelland MA DPhil(Oxon) Minst P FIET AMASA MIOA, to fully assess the submitted variation noise impact assessment, in view of the proposal to increase the rotor diameter of the turbine blades from 90m to 103m. His initial appraisal has advised DECC, in a letter sent on the 10 February that: *"I consider it very probable that the proposed variation, if consented, would cause neighbours of the wind farm to suffer intolerable levels of EAM."*

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

Despite being one of the closest Parishes to the wind farm, and highly probable victims of Excessive Amplitude Modulation both downwind and upwind of all 22 turbines we consider we

have not been adequately consulted throughout the planning application process or been made aware of the potential for EAM to cause harm to residents living within the proximity of any wind farm. This matter has now been recognised by Government and is subject to ongoing research. We are now pleased to be correctly informed that DECC is accepting representations from the local communities, as detailed in a letter sent from DECC dated 19 January 2016, informing North Kesteven District Council, that the Secretary of State was seeking the views of the local communities and residents which stated:

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

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

Swineshead Parish Council also oppose any variation of the planning condition to permit Ecotricity to commence of any aspect of the wind farm development, prior to the radar mitigation scheme condition being satisfied in full. The planning condition specifies that Ecotricity have a full five years available to meet this condition, we consider that this is adequate time, given that the developer was fully aware of the safeguarding requirements set by MoD in many other wind farm planning applications, prior to the submission of this planning application. The Inspector also considered this was sufficient time.

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

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

In view of this comment by North Kesteven District Council, Swineshead Parish Council (The Borough of Boston) will now ensure that at long last our residents views will be made known to the Secretary of State and respectfully request that our letter is forwarded as a matter of urgency, to the SoS, in the meantime we will now fully back our residents to ensure their views are properly heard with regards to this serious matter.

Yours Faithfully

on behalf of Swineshead Parish Council

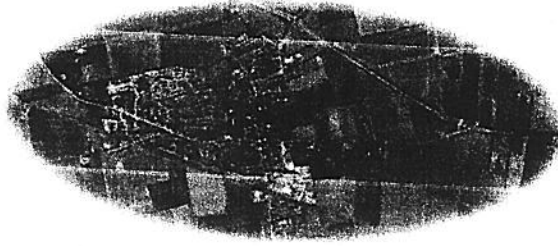
Ann Fletcher
Clerk

Contact Details:

Clerk: [REDACTED]
Email: swinesheadpc@gmail.com

cc: matt.warman.mp@parliament.uk cllrm.brookes@lincolnshire.gov.uk
cllre.ransome@lincolnshire.gov.uk cllrt.keywood-wainwright@lincolnshire.gov.uk

Heckington Parish Council



Council Chambers, St Andrew's Street, HECKINGTON, NG34 9RE

☎: 01529 [REDACTED] ✉: heckington@n-kesteven.gov.uk

<http://parishes.lincolnshire.gov.uk/Heckington>

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

30th March 2016

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

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

Dear Sir,

Representation by Heckington Parish Council – Holding Objection

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

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

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

Our local Action Group have appointed a highly qualified wind turbine noise expert, John V Yelland MA DPhil(Oxon) MinstP FIET AMASA MIOA, to fully assess the submitted variation noise impact assessment, in view of the proposal to increase the rotor diameter of the turbine blades from 90m to 103m. His initial appraisal has advised DECC, in a letter sent

Heckington Parish Council

on the 10 February that: *“I consider it very probable that the proposed variation, if consented, would cause neighbours of the wind farm to suffer intolerable levels of EAM.”*

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

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

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

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

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

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

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

Heckington Parish Council

wind farm planning applications, prior to the submission of this one. The Inspector also considered this was sufficient time.

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

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

In view of this comment by North Kesteven District Council, Heckington Parish Council considers that at long last our residents will have an opportunity to have their views heard by the Secretary of State and respectfully request that this letter is forwarded to her as a matter of urgency.

Yours Faithfully



Jan Palmer
Chairman
Heckington Parish Council

Contact Details:

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

cc: Stephen.Phillips.mp@parliament.uk

Amber Hill Parish Council

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

26th February 2016

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

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

Representation by Amber Hill Parish Council.

Dear Sir,

Amber Hill Parish Council represent this tranquil small vulnerable local rural community which comprises of residents living in scattered properties in mainly the North East and East direction of the consented Heckington Fen wind farm.

The wind farm separation distance from the nearest residence in our community is between 1km - 3km, which lies directly in the path of the prevailing south westerly wind direction.

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

Amber Hill and the adjoining Parish of Holland Fen, are located within the Boston Borough District Council and yet our Amber Hill Parish boundary along with the Boston Borough Council boundary, runs adjacent to the blue line on the north east boundary of the wind farm. See the attached Figure Appendix 5.10b of Ecotricity's Residential Housing map.

Amber Hill Parish Council had no knowledge of the letter sent from DECC dated 19 January 2016, informing North Kesteven District Council, that the Secretary of State was seeking the views of the local communities and residents which stated:

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

Amber Hill Parish Council

Therefore we were **unaware** that there was a further consultation inviting responses by the 10th February 2016 and so have called an extraordinary meeting today to discuss this matter.

In view of this serious failure to publicise this consultation to all the affected communities we respectfully request that this essential round of consultations is extended forthwith, to enable our local community to full engage and to be finally informed.

We do however wish to submit a holding objection to ALL aspects of this variation of consent application and are now liaising with a recently formed local Action Group, who have appointed a highly qualified wind turbine noise expert (John V Yelland MA Dphil(Oxon) MinstP FIET AMASA MIOA) to fully assess the submitted variation noise impact assessment, in view of the proposal to increase the rotor diameter of the turbine blades from 90m to 103m.

We are aware that his initial appraisal has advised DECC in a letter sent on the 10 February that: *I consider it very probable that the proposed variation, if consented, would cause neighbours of the wind farm to suffer intolerable levels of EAM.*

Amber Hill Parish Council are extremely concerned given the location of all of the residents in our Parish, will be downwind of the prevailing wind and subject to these impacts.

Amber Hill Parish Council also oppose any variation of the planning condition to permit Ecotricity to commence of any aspect of the wind farm development, prior to the radar mitigation scheme condition being satisfied in full. The planning condition specifies that Ecotricity have a full five years available to meet this condition, we consider that this is adequate time, given that the developer was fully aware of the safeguarding requirements set by MoD in many other wind farm planning applications, prior to the submission of this planning application. The Inspector also considered this was sufficient time.

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

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

In view of this comment by North Kesteven District Council, Amber Hill Parish Council (The Borough of Boston) will now ensure that at long last our residents views will be made known to the Secretary of State and respectfully request that our letter is forwarded as a matter of urgency, to the SoS, in the meantime we will now fully back our residents to ensure their views are properly heard with regards to this serious matter.

Amber Hill Parish Council

Yours Faithfully on behalf of Amber Hill Parish Council

Chris Stephenson (Chair)

Contact Details:

Clerk: Joan Barnes

[REDACTED]
Email: [REDACTED]

cc: matt.warman.mp@parliament.uk cllrm.brookes@lincolnshire.gov.uk
cllre.ransome@lincolnshire.gov.uk cllrt.keywood-wainwright@lincolnshire.gov.uk
joanbarnes.pc@btinternet.com

SOUTH KYME PARISH COUNCIL

Peter Ayre, DMA, MILGA - Clerk to the Council.

[REDACTED]

[REDACTED]

Mr Keith Welford
Department of Energy and Climate Change
3 Whitehall Place
LONDON
SW1 2AW

31 January 2016

Dear Mr Welford

HECKINGTON FEN ONSHORE WIND FARM

Thank you for your letter of 19 January in reply to mine of 24 November 2015.

My Council has now had the opportunity to consider the points raised and feels that it must re-iterate its objection to any variation of the existing planning consent which has the effect of changing the wording so as to allow for development of the site prior to an approved radar mitigation scheme being in place. Despite 3 years having passed since the Public Enquiry the developer has yet to address the requirement for radar mitigation and my Council is concerned that, if granted, the application will allow development to begin without it.

The proposed change is not necessary for development and erection of the turbines once the radar condition has been met and the local community will have suffered unnecessary disturbance and disruption for no good reason.

Consequences for the locality will be:-

Construction and vibration noise affecting local properties.

Significant disruption on the section of the A17 already covered by traffic calming measures which were installed following several serious accidents.

Additional heavy construction traffic through local villages.

Of further concern is the effect of the proposed increase in blade diameter and its effect upon:-

Increased noise and vibration resulting from cavitation.

Migrating birds which use this area as a corridor.

Further adverse visual impact on the landscape.

Changes to the radar profile.

The proposed change in turbine design should require new technical and environmental impact statements to assess additional adverse effects.

(cont...)

The significance of approval of this application is that it would negate the findings of the original Public Enquiry and, having regard for local opinion, create serious implications for the Government's commitment to Localism.

My Council therefore urges that the Secretary of State reject the application, which will allow development on the site, having regard for the conditions imposed by the original consent properly considered at a Public Enquiry.

Yours sincerely

Peter Ayre
Clerk to the Council.

Chairman:
Cllr Eric Langley

Vice Chairman:
Cllr Peter Goode

Amber Hill Parish Council

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

15th July, 2016.

DECC Contact Keith Welford
National Infrastructure Consents
email: keith.welford@decc.gsi.gov.uk

RECEIVED
20 JUL 2016

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

Dear Secretary of State,

Further Representation by Amber Hill Parish Council – Full Objection

As previously stated in our letter to your department on 26th February 2016, Amber Hill Parish Council represent the vulnerable local community which comprises of residents living in scattered properties in mainly the North East and East direction of the consented Heckington wind farm. This letter was in the form of a Holding Objection in which we also advised you that:

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

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

Furthermore we stated that:

Our local Action Group have appointed a highly qualified wind turbine noise expert, John V Yelland MA DPhil(Oxon) MInstP FIET AMASA MIOA, to fully assess the submitted variation noise impact assessment, in view of the proposal to increase the rotor diameter of the turbine blades variation noise from 90m to 103m. His initial appraisal has advised DECC, in a letter sent on the 10 February 2016 that: *"I consider it very probable that the proposed variation, if consented, would cause neighbours of the wind farm to suffer intolerable levels of EAM."*

The Parish Council now wish to inform you, that given the significant concerns arising from Dr Yelland's initial appraisal and the substantial evidence that has since emerged whilst conducting his forensic assessment in preparation of his full report, the Parish Council resolved and agreed to provide collaborative funding in support of the commissioning of this report on behalf of affected residents within our Parish and the local communities.

Amber Hill Parish Council

the monitoring equipment on or near their residences, it now appears that these differ from the data records submitted by the applicant Ecotricity, within their submitted noise impact assessment.

In addition to this it is now apparent that at each of these six background noise survey locations, Dr Yelland's appraisal of the noise impact assessment identifies significant concerns and non compliances which taken in the round, causes Amber Hill Parish Council serious concerns and to legitimately raise the question, as to whether the wind farm would or could be safely operated within the operational noise conditions, as set out within the planning consent for the consented wind farm, let alone the proposed variation turbine configuration, with the increased length of the turbine blades.

It is the Parish Council's carefully considered view, that in order to protect our local residents from **excessive non-compliant intrusive noise impacts, that the wind farm should therefore not be constructed, even as currently consented.**

As the report confirms that the wind farm's operational noise levels would be non-compliant, this by its very nature would potentially harm the health of our local residents who live closer to the site, by subjecting them to excessive intrusive noise, particularly noise identified as Excessive Amplitude Modulation and Low Frequency Noise, which would assuredly lead not only to numerous noise complaints from the affected residents, but also to legal challenges as to the legitimacy of its original consent. The report at Para 4.3.2, cites existing cause of concern at Cotton Farm, Fullabrook and Kessingland wind farms, where there have already been numerous complaints.

The Parish Council is also aware that our Constituency MP Matt Warman, and the neighbouring MP Stephen Phillips QC, have sent a joint letter to you expressing their joint concerns having considered Dr Yelland's report, calling for compliant background noise monitoring to be undertaken jointly by an independent acoustician, (as set out in their letter) and Dr Yelland.

Amber Hill Parish Council likewise support this course of action.

We await your response to our legitimate, well founded and significant concerns.

Yours sincerely

Chris Stephenson

Chairman, Amber Hill Parish Council

cc: matt.warman.mp@parliament.uk

michael.brookes@boston.gov.uk

elizabeth.ransome@boston.gov.uk

Contact Details: Clerk:

Joan Barnes,

Email :

SOUTH KYME PARISH COUNCIL

Peter Ayre, DMA, MILGA - Clerk to the Council.

@tesco.net

The Rt Hon Greg Clark MP
Secretary of State
Department of Business, Energy & Industrial Strategy
3 Whitehall Place
LONDON
SW1 2AW

RECEIVED
27 JUL 2016

21st July 2016.

Contact: Mr Keith Welford@decc.gsi.gov.uk
Case Manager, National Infrastructure Consents.

Dear Secretary of State,

Re: HECKINGTON FEN ONSHORE WIND FARM - ECOTRICITY VARIATION APPLICATION.

My council wishes to refer you to my letter of 31 January 2016 which confirmed its objection 'to any variation of the existing planning consent', regarding the radar mitigation scheme condition in place and matters relating to the construction of the wind farm. The Council also expressed its concerns about the proposed increase in the blade rotor diameter, which it considered will cause increased noise and vibration, along with unacceptable landscape, and ornithological impacts. (For ease of reference please see the attached copy of the letter).

The Council is also mindful of 'The Government's commitment to Localism', and that consenting the variation would undermine the planning conditions considered at the Public Inquiry held in 2012, as specified within the consent granted by The Secretary of State in February 2013, in accordance with the appointed Inspector's recommendation.

The Parish Council is now aware that the second round of consultation initiated by DECC as outlined in a letter from Keith Welford dated 19 January 2016 to North Kesteven District Council, (NKDC) was in response to concerns that the local communities had not had sufficient or adequate opportunity to be informed or consider the variation application, particularly in view of the Written Ministerial Statement by the Secretary of State Department of Communities & Local Government dated 18 June 2016, as stated:

"In determining the Variation Application, the Secretary of State will have regard to any relevant representations received including those from the local community. The Department of Communities and Local Government Written Statement of 18 June 2015 regarding onshore wind highlights the need to consider and address relevant planning concerns raised by local people as it provides that "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."

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

Of note is the NKDC response in its letter of 10 February 2016 :-

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

My Council is pleased that its legitimate concerns will now be considered and urges you to take full account of these, especially as during the planning consultation period the local communities were advised by representatives of Ecotricity; recorded in the Officer's Report to NKDC Planning Committee dated 30 January 2012 that:

"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".

"At the Annual Parish Meeting the majority of South Kyme residents were not in favour of the Wind Farm. A subsequent meeting with Ecotricity did nothing to ease residents concerns, indeed, many felt that their tone was patronising and condescending. When a resident at Amber Hill questioned the company regarding the effects of the development on their autistic son, a less than helpful reply was received...'build a mound'! This implies that the company is merely carrying out a token consultation and the opinions' of the residents carries no weight at all".

Since my previous letter, the local communities in response to this second round of consultations formed an Action Group who appointed and commissioned a highly qualified wind turbine noise expert, John V Yelland MA DPhil(Oxon) MinstP FIET AMASA MIOA, to fully assess the submitted variation noise impact assessment, in view of the proposal to substantially increase the rotor diameter of the turbine blades from the 82m originally specified by Ecotricity to 103m.

An initial appraisal of the wind turbine Noise Impact Assessment (NIA) submitted by Ecotricity in support of their variation planning application, caused Dr Yelland to write to DECC, on the 10 February 2016 in which he stated that:

"I consider it very probable that the proposed variation, if consented, would cause neighbours of the wind farm to suffer intolerable levels of EAM."

My Council wishes to inform you, that given the significant concerns arising from Dr Yelland's initial appraisal and the substantial evidence that has since emerged whilst conducting his forensic assessment in preparation of his full report, it resolved and agreed to provide collaborative funding alongside the neighbouring Parish Councils of Heckington and Amber Hill in support of the commissioning of this report, on behalf of affected residents within the Parish and the wider local communities.

South Kyme Parish Council has now had the opportunity to carefully consider the full report's findings, along with Dr Yelland's final conclusions which are deeply concerning.

We now note that Dr Yelland concludes in Paras 8.1.7 - 8.1.9 below:

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.*

This reveals that even the original wind farm consented, now appears to have been non-compliant from the outset of the submission of the planning application to North Kesteven and DECC in July 2011. The Inspector in his decision letter also stated at Para 288 that:

"The predictions of noise immission 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."

It is clear from this, that the Inspector accepted and relied upon the Noise Impact Assessment, (NIA) as did the Secretary of State in giving consent for the wind farm, although it has now been revealed that this was based on information and data the report considers to be significantly flawed, on closer examination by Dr Yelland. There was no other appraisal of this important assessment by any other parties during the planning process or at the inquiry, as this was accepted on face value to be correct.

The local communities at that time simply did not have the resources to initiate an appraisal independently of both the applicant Ecotricity or North Kesteven District Council. Indeed a Councillor representing my Parish Council raised concerns at the inquiry regarding adverse noise impacts, @ Para 179-181 in the Inspector's report and recommendation, but these were not given any weight in preference for the NIA submitted by the applicant.

Dr Yelland's conclusions also state:

8.1.8 *The applicant, by proposing a wind farm with an installed power greater than 50 MW, was able to circumvent local opposition by removing the decision from local to central government, at a time when the relevant government department, DECC, had great enthusiasm for wind farms but little understanding of their potential impacts on wind farm neighbours. Having been assured by the developer on the one hand that there would be no adverse impacts from the proposal and on the other hand that objection was futile as the decision was a predetermined formality, in particular Heckington Parish Council, South Kyme Parish Council and Amber Hill Parish Council felt that their concerns would carry little weight in the decision making process. Local residents likewise also registered their concerns.*

8.1.9 *The chosen site is simply too small for a 50 MW, let alone 66 MW, wind farm. 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. If the variation application were to be consented the noise excess would be even greater.*

We also note that Dr Yelland states:

9.1.3 *There appears to me to be a conflict of interests when standards and guidance intended to protect wind farm neighbours against unacceptable noise levels are authored by those who then use them to assist wind energy developers seeking planning consents.*

9.1.4 *It is also quite extraordinary that in the present case the authors have failed to comply with what is largely their own guidance.*

The report also highlights that the methodology used throughout the background noise surveys was not compliant with planning guidance and that local residents hosting noise monitoring equipment have

submitted written statements to your department, giving their accounts of the placing of monitoring equipment on or near their residences, which substantially differ from the data records submitted by the applicant Ecotricity within their July 2011 NIA.

In addition to this it is now apparent that at each of these six background noise survey locations, Dr Yelland's appraisal of the noise impact assessment identifies significant concerns and non-compliances which taken in the round, causes South Kyme Parish Council serious concerns and a real lack of confidence that the wind farm would or could be safely operated within the operational noise conditions, set out within the planning consent for the consented wind farm, let alone the proposed variation turbine configuration, with the increased length of the turbine blades.

We stress that the protection of our residents is of paramount importance to us and will seek to ensure that every effort is made by NKDC to enforce any breaches of these noise conditions, even if the variation is refused and Ecotricity are able to operate the wind farm as consented, despite the existing noise conditions being set on the basis of what has now been revealed as flawed and based on non-compliant data.

Furthermore as the report confirms that the wind farm's operational noise levels would be non-compliant, this by its very nature would potentially harm the health of our local residents who live closer to the site, by subjecting them to excessive intrusive noise, particularly noise identified as Excessive Amplitude Modulation and Low Frequency Noise, which would assuredly lead not only to numerous noise complaints from the affected residents, but also to legal challenges as to the legitimacy of its original consent. The report at Para 4.3.2, cites existing cause of concern at Cotton Farm, Fullabrook and Kessingland wind farms, where there have already been numerous complaints.

The Parish Council is also aware that our Constituency MP Stephen Phillips QC, and the neighbouring MP Matt Warman, have sent a joint letter to the previous Secretary of State Amber Rudd expressing their joint concerns and having considered Dr Yelland's report, are calling for compliant background noise monitoring to be undertaken jointly by an independent acoustician, (as set out in their letter attached) and Dr Yelland.

South Kyme Parish Council likewise supports this call by the local MP's.

My Council would be grateful if you would carefully consider this submission in the light of these additional legitimate concerns and confirm that it therefore cannot back the variation application for these substantive reasons.

Yours sincerely,

Peter Ayre

Clerk to the Council.

attached: South Kyme PC letter to DECC dated 31-01-16. Joint MP's letter to SoS Amber Rudd dated 14-06-16.

cc: Stephen.Phillips.mp@parliament.uk

cc: cllr_julia_harrison@n-kesteven.gov.uk

cc: mark_williets@n-kesteven.gov.uk

Chairman:
Cllr Eric Langley

website:
parishes @lincolnshire.gov.uk/southkyme

Vice Chairman:
Cllr Micky Clark

SWINESHEAD PARISH COUNCIL

PARISH OFFICE
Swineshead Pre-School Centre
North End
Swineshead
PE20 3LZ

RECEIVED
12 AUG 2016

PHONE: 07899 740375

EMAIL: swinesheadpc@gmail.com

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

CHAIRMAN: Councillor D Hutson

CLERK: Mrs Ann Fletcher

8.8.16

For the URGENT attention of:
The Rt Hon Greg Clark,
Secretary of State for Business, Energy and Industrial Strategy,
Department of Energy and Climate Change,
3 Whitehall Place,
LONDON
SW1A 2AW

DECC Contact Keith Welford
National Infrastructure Consents
keith.welford@decc.gsi.gov.uk

Dear Secretary of State,

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

I have been asked to write to you on behalf of Swineshead Parish Council. The Parish Council have passed a resolution today to support the request for a compliant, fully independent noise monitoring assessment and report. The flaws in the original noise impact assessment report pointed out by Dr Yelland cause the Parish Council great concern.

Our constituency MP, Matt Warman, and the neighbouring MP, Stephen Phillips QC, have sent a joint letter expressing their concern and also calling for a compliant background noise report by an independent acoustician.

The Parish Council fully support this course of action and look forward to your response in due course.

Yours sincerely,

Ann Fletcher,
Clerk to Swineshead Parish Council

