

## APPENDIX 1.1: DECC LETTER ACCEPTING APPLICATION



Department of Energy  
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Development Consents and Planning  
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23 December 2009

Andrew Muir  
Senior Project Manager  
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Axiom House  
Station Road  
Stroud  
Gloucestershire GL5 3AP

Dear Andrew

**RE: ELECTRICITY ACT 1989 – SECTION 36 APPLICATION FOR A 64.4 MW ONSHORE WIND FARM, ON LAND AT SIX HUNDRED FARM, SIX HUNDRED DROVE, EAST HECKINGTON, LINCOLNSHIRE**

1. I refer to your application of 15 December 2009 on behalf of Ecotricity (the Company) for the Secretary of State's consent under section 36 of the Electricity Act 1989 (the Act), for the construction and operation of an onshore wind farm generating station on land at Six Hundred farm, Six Hundred Drove, East Heckington, Lincolnshire, to be known as East Heckington. Please accept this letter as confirmation that your application has been formally lodged with this Department. We note that you are not applying for planning permission for the development be deemed to be granted.

2. I confirm receipt of a cheque for £5000 for the requisite fee.

3. I note that you have formally served notice of the section 36 application on North Kesteven District Council and Lincolnshire County Council the relevant planning authorities, in accordance with paragraph 2(1) of Schedule 8 to the Act.

4. I note from the copy of the Form B enclosed with your letter that it is your intention to submit an Environmental Impact Assessment and in line with the Electricity Works (Environmental Impact Assessment)(England and Wales) Regulations 2000 schedule 8(4)(b) I am informing you that I shall be writing to the consultative bodies listed at [Annex A] to invite their comment on the application. Once you have completed your Environmental Statement, you should forward copies to these consultees (N.B it has proved useful to consultees in the past if relevant



sections of the E.S are flagged for their attention), as well as sending me 3 hard copies and 3 CD-RoM copies of the E.S and the Non-technical summary.

5. The Environmental Statement for the proposed wind farm should cover the information detailed in Schedule 4 to The Electricity Works (Environmental Impact Assessment)(England and Wales) Regulations 2000. It is recommended that all aspects of the development are covered by a single E.S. which should include any ancillary works and an indicative route of the proposed grid connection. A thorough cumulative assessment will be required for all relevant receptors.

6. Criteria used to establish impact magnitude and significance should be clearly defined within the E.S. Tabular presentation should be used to summarise key direct and indirect impacts. Within an E.S. it is important that all mitigating measures are:

- Clearly Stated;
- Fully described with accuracy;
- Assessed for their environmental effects;
- Assessed for their effectiveness;
- Their implementation should be fully described, (including maintenance);
- How commitments will be monitored and by whom; and
- If necessary, how mitigation measures relate to any consents or conditions.

Please note: 'monitoring', 'mitigation' and 'compensation' are distinct processes.

- Monitoring measures significant environmental effects;
- Mitigation avoids or reduces a significant effect; and
- Compensation is recompense for the loss or reduction of a resource. Compensation should be provided *before* the loss or reduction of a resource.

7. I note from your letter that you have already undertaken advertisement of the application, however given that it is the Secretary of State's opinion that the proposed development should be an E.I.A. development it will be necessary to re-advertise the application stating when and where the Environmental Statement and a non-technical summary can be inspected. The Company's attention is drawn to the requirements of regulations 4,6 and 7 of the Electricity (Applications for Consent) Regulations 1990 (SI 1990 No 455) concerning publicity to be given to the application and notices to be served. The Company's attention is also drawn to the requirements of the Electricity Works (Environmental Impact Assessment)(England & Wales) Regulations 2000 (SI 2000 No 1927). By regulation Part IV (9), any notice of the application and environmental statement may, where appropriate, be combined with a notice referred to in paragraph 7 of this letter. I would be happy to look through the content of any draft notice in advance of publication.

8. The Secretary of State also requests the Company to post the public notice at prominent positions (e.g. sub-post offices, post and telephone boxes, bus stops etc) within a radius of one mile of the application site or further afield if such sites are not available within a one mile radius.

9. In due course, the Company should submit to the Department a letter of compliance with the above requirements, together with actual newsprint copies (not photo-copies) of the relevant whole pages of the London Gazette and newspapers containing the public notice and a plan (if possible with photographs) of where the notice was posted in accordance with paragraph 8 of this letter.

10. I would also be grateful if you could supply a list of those additional consultees to whom you have issued/will be issuing the Environmental Statement, along with relevant contact details.

11. If you wish to discuss the contents of this letter, please contact me.

