

CHAPTER 1: INTRODUCTION

BACKGROUND

- 1.1 This Variation of Consent Environmental Statement (VoC ES) has been prepared by Ecotricity to accompany an application to vary a consent which has been granted under section 36 of the Electricity Act 1989 for the construction or extension, and operation, of electricity generating stations ("section 36 consents") and deemed permission under section 90 of the Town & Country Planning Act 1990.
- 1.2 Ecotricity submitted an application under section 36 of the Electricity Act 1989 on 15 December 2009. The application was acknowledged as valid by the Department of Energy and Climate Change on the 23 December 2009.
- 1.3 Under Regulation 6 of the Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2000, as amended, where an application is made under s36 of the Electricity Act 1989 the Secretary of State is required to determine if the development as submitted is EIA development. The outcome of that determination was contained in the letter from DECC to Ecotricity dated the 23 December 2009 which confirmed that, in the opinion of the Secretary of State, the proposal is EIA development.
- 1.4 Ecotricity submitted environmental information to the Secretary of State on 20 July 2011. Further environmental information was submitted on 9 December 2011.
- 1.5 Following an objection to the application by the relevant planning authority, North Kesteven District Council (NKDC), the Secretary of State was obliged to hold a public inquiry into the application, under Schedule 8 to the Electricity Act 1989. The public inquiry was held at Boston West Golf Club between 31 July 2012 and 9 August 2012. The Secretary of State appointed Mr. Philip Major to preside over the public inquiry. The Inspector submitted his report of the public inquiry to the Secretary of State on 1 November 2012. A copy of the Inspector's Report is provided at **Appendix 1.1: Inspector's Report**.
- 1.6 The Inspector concluded in 'The Overall Balance' (paragraph 334) of his Report:
- "The considerations which support the proposal, dealing with the imperative of addressing climate change and the need to achieve a secure and reliable supply of electricity are compelling. They clearly outweigh the moderate levels of harm to the landscape and visual amenity which I have identified. There are no other matters which have been raised by any party which would alter the balance of these conclusions."*

- 1.7 The Inspector recommended that:

"For the reasons given above I recommend that Consent be granted subject to the conditions in the attached annex, and that planning permission be deemed to be granted."

- 1.8 In a letter dated 8 February 2013, the Secretary of State accepted the full content of the Inspector's Report, including his findings on matters of fact, conclusions and recommendation (including the reasons given for that recommendation).

- 1.9 Consent was granted under section 36 of the Electricity Act 1989 and deemed permission under section 90 of the Town & Country Planning Act 1990 on the following basis:

1. Pursuant to section 36 of the Electricity Act 1989, the Secretary of State for Energy and Climate Change ("the Secretary of State") hereby consents to the construction, on the area of land delineated by a solid red line on the drawing number 4038_A0085_03, attached hereto, of a wind turbine generating station on land at Six Hundred Farm, Six Hundred Drove, East Heckington, Lincolnshire ("the Development") and to the operation of that generating station. This consent is granted to Ecotricity (Next Generation) Limited ("the Company"), its assigns and successors.

2. Subject to paragraph 3, the Development shall be over 50MW rated capacity and up to 66MW rated capacity and comprise:

(a) up to 22 wind turbine generators each with a height of no greater than 125 metres to the tip of the blades when the turbine is in the vertical position as measured from natural ground conditions immediately adjacent to the turbine base;

(b) access tracks;

(c) an electricity substation building and underground electrical cabling connections within the site;

(d) enabling works for the delivery of turbine components and for the erection of turbines, namely crane pads adjacent to each turbine position and a temporary construction compound to house machinery and materials;

(e) an amended vehicular access to the site from the A17.

- 1.10 A copy of the original consent and conditions is provided as **Appendix 1.2: Original Consent & Conditions**.

VARIATION OF CONSENT ENVIRONMENTAL STATEMENT

1.11 Following this Introduction chapter, the Variation of Consent Environmental Statement is set out as follows:

- **Chapter 2: Legislative & Policy Context:** this section provides an overview of the variation of consent under section 36C of the Electricity Act 1989 and reviews new National and Development Plan policy, as well as new energy policy, which has been published since the original application.
- **Chapter 3: Details of the Variation:** this section sets out the amendments sought to the section 36 Consents and deemed planning permission under section 90 of the Town & Country Planning Act. The chapter explains why these amendments are sought, explains the candidate turbines under consideration and provides an update to the amended technical details of the project where relevant.
- **Chapter 4: Consultation & Scope:** this Chapter provides a summary of the pre-application consultation and advice received, and how this is considered in the amended site layout. It also identifies the potential issues on specific technical assessments that may arise from the proposed amendments, and the assessments that have been scoped out from this ES. Finally, the EIA process used for the technical assessments is reviewed and set out.
- **Chapters 5 - 10: Technical Assessments:** the following assessments have been provided as part of the Variation of Consent Environmental Statement:
 - Landscape and Visual Impact
 - Cultural Heritage
 - Ecology
 - Ornithology
 - Noise
 - Miscellaneous: including hydrology, transport and access, aviation, and shadow flicker.
- **Chapter 11: Summary:** in accordance with regulations 7(6)(a) of the Electricity Generating Stations (Variation of Consents) (England and Wales) Regulations 2013, this chapter sets out the main respects in which the applicant considers the likely significant effects on the environment of the proposed development would differ from those described in the original Environmental Statement prepared in connection with the original section 36 consent.

NON-TECHNICAL SUMMARY

1.12 In accordance with regulations 7(6)(b) of the Electricity Generating Stations (Variation of Consents) (England and Wales) Regulations 2013, a non-technical summary of the differences referred to in Chapter 11 is also included as a separate document.