

P19-2022/HT/IH

25<sup>th</sup> July 2024

Mr Jon Hawkins – Associate EIA Advisor,  
Environmental Services,  
Operations Group 3,  
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Bristol,  
BS1 6PN

*By email only.*

Dear Mr Jon Hawkins,

**Further Information pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (“the EIA Regulations”) in relation to Planning Inspectorate (PINS) application reference APP/Y2430/W/24/3340258.**

**Introduction**

- 1.1. A letter was received from the PINS to the Appellant on the 13<sup>th</sup> June 2024 with a request to supply further information in regard to the content of the ES pursuant to the appeal (APP/Y2430/W/24/3340258). The letter asked the Appellant to supply the following further information:
- “A statement providing commentary on considered potential cumulative effects from other (non-solar farm) proposed or constructed developments within a suitable radius of the appeal site or a justification as to why other developments have not been considered. Reason: the submitted ES only refers to proposed or constructed solar farm developments within a 5km radius of the site in terms of potential cumulative effects within a 5km radius of the site.
  - A revised non-technical summary (NTS) incorporating all of the elements referred to above, if appropriate.”
- 1.2. Pegasus Group, on behalf of the Appellant have prepared this Further Information Letter pursuant to Regulation 25 of the EIA Regulations.

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## Overview

- 1.3. JBM Solar Projects 10 Ltd (“the Appellant”) submitted a full planning application for the Construction of a Solar Farm together with all Associated Work, Equipment and Necessary Infrastructure on land within the Belvoir Estate, Grantham, NG32 1PE (“the Application Site”), validated for consideration by Melton Borough Council (“MBC”) on the 1<sup>st</sup> April 2022 (planning reference – 22/00537/FUL).
- 1.4. A request for an EIA Screening Opinion was submitted to MBC in January 2021 determining the proposal constituted an EIA development and would need to be accompanied by an Environmental Impact Assessment. A comprehensive Environmental Statement (“ES”) report coordinated by Pegasus Group and third-party consultants accompanied the submitted application, together with a number of further information submissions during determination.
- 1.5. The Planning Case Officer at MBC recommended approval subject to planning conditions for the scheme. The Officer’s recommendation to grant was overturned and refused at Committee. A Decision Notice refusing permission was issued on the 11<sup>th</sup> September 2023. Subsequently, an appeal has been lodged (PINS reference APP/Y2430/W/24/3340258), validated on the 10<sup>th</sup> April 2024 for the Appeal Site.
- 1.6. The Appellant has proposed minor amendments to the proposed Site Layout following the determination of the planning application (hereafter referred to as “the Amended Scheme”).
- 1.7. The Amended Scheme is shown on the drawing titled ‘Amended Scheme Site Layout and Landscape Strategy (P19-2022\_24 Revision C)’ (hereafter referred to as ‘the Amended Scheme Plan’) within the appeal documentation, which comprises the following proposed amendments:
  - Amendment A – The PRoW alignment has been corrected on the Amended Scheme Plan.
  - Amendment B – On the Amended Scheme Plan the hedgerow notation has been updated to reflect that this offsite hedgerow is no longer present.
  - Amendment C – This offsite PRoW has now been shown on the Amended Scheme Plan.
  - Amendment D – The existing offsite hedgerow to the north of the canal has now been shown on the Amended Scheme Plan.
  - Amendment 1 – To further reinforce hedgerows, regular hedgerow trees have now been added in Fields 6-9 on the Amended Scheme Plan.



- Amendment 2 – To further reinforce hedgerows, hedgerow trees have now been added in Fields 2, 6 and 8-10 on the Amended Scheme Plan.
- Amendment 3 – To reinforce hedgerows, hedgerows with regular hedgerow trees have now been proposed on the Amended Scheme Plan along the fence lines in Fields 8, 11, 12 and 13.
- Amendment 4 – The extent of solar panels has been reduced (by just over 2.2 hectares) in Field 13 on the Amended Scheme Plan to retain the view towards Belvoir Castle and to provide an extended area which will be suitable as a Skylark nesting area.
- Amendment 5 – On the Amended Scheme Plan the proposed orchard tree planting in Field 13 has now been moved eastward to open up views of Belvoir Castle for walkers and users of the recreational area.
- Amendment 6 – To provide additional context of the screening provided by nearby vegetation, this is now shown on the Amended Scheme Plan.
- Amendment 7 – An Information board has now been added to inform users of the PRoW of the view towards Belvoir Castle.

1.8. Applying the Holborn<sup>1</sup> Principles, the amendments proposed by the Appellant in the Amended Scheme are considered to be minor, so as not to substantively change the scheme proposed. In all, they consist of minor amendments comprising additional landscaping together with the removal of some elements of built development from one part the Proposed Development. The Amended Scheme would result in a reduced development envelope within the Appeal Site, minor amendments to the redline planning application boundary, and a benefit over the determined scheme. The amendments have also been consulted on.

1.9. Following a review of the Amended Scheme against the ES submitted to support the original planning application (22/00537/FUL), the Appellant considered that there was no need for further detailed revisions to the ES. The maximum (and where relevant minimum) extent of parameters to control the proposals in the original ES are complied with, and the minor revisions are bound within the parameters. A case management conference for the appeal held on the 24<sup>th</sup> June 2024 confirmed the Amended Scheme would be taken into account at the Inquiry (see paragraph 22 of 'Note of case management conference held on 24 June 2024 Venue – Teams' PINS, dated 26.06.2024).

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<sup>1</sup> R (Holborn Studios Ltd) v LB Hackney [2017] EWHC 2823 (Admin) following on from Wheatcroft v SS Environment (1982) 43 P. & C.R. 233.



- 1.10. A letter was received from PINS to the Appellant on the 13<sup>th</sup> June 2024 to supply further information in regard to the content of the ES pursuant to the appeal (APP/Y2430/W/24/3340258). Details of the further information request is set out at paragraph 1.1 of this Letter.
- 1.11. Pegasus Group, on behalf of the Appellant have prepared this Further Information Letter pursuant to Regulation 25 of the EIA Regulations to comply with Schedule 4 of those regulations (Information for inclusion in environmental statements). Within this Further Information Letter, an updated cumulative assessment is undertaken, and commentary is provided on the potential for inter-project cumulative effects for the Amended Scheme and other relevant sites. The Letter sets out the methodology used, potential cumulative site list and conclusions.
- 1.12. This Further Information Letter has been prepared by a Principal Environmental Planner BSc (Hons), MSc and member of the Institute of Environmental Management and Assessment (IEMA) and reviewed by a Director of Environment BSc (Hons) and Full member of IEMA. Pegasus Group is IEMA 'Quality Mark' Accredited and its ES's and the processes that it undertakes to create them are regularly subjected to external review via this accreditation to ensure that all EIA related work are legally compliant and apply best practice.

### Cumulative Effects

- 1.13. 'Cumulative impacts', according to European Commission (EC) guidelines<sup>2</sup> (May 1999), should mean **"impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project"**.
- 1.14. The cumulation of these effects can be characterised by two different types of relationships according to IEMA Guidance<sup>3</sup>:
- Intra-relationship (hereafter known as 'Intra-Project cumulative effects'): combined effect of individual development – for examples, noise, dust and visual on one particular receptor; and,
  - Inter-relationship (hereafter known as 'Inter-Project cumulative effects'): several developments with insignificant impacts individually but which together represent a significant cumulative effect.
- 1.15. With respect to inter-project cumulative effects, the EIA Regulations state that consideration should be given to ***"other existing and/or approved projects"***

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<sup>2</sup> Adapted from Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions (EC 1999).

<sup>3</sup> Demystifying Cumulative Effects–Thought pieces from UK practice. Impact Assessment Outlook Journal. Volume 7: July 2020 (IEMA, 2020).

(Schedule 4, paragraph 5(e)) in relation to cumulative effects, i.e. schemes built or under construction or with a planning permission. This is also re-iterated in Planning Practice Guidance on EIA which states ***“There are occasions.....when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development”*** (Para O24, Revised 28/07/2017).

- 1.16. The contents of this Further Information Letter addresses the inter-project cumulative effects to comply with PINS’s request to “consider potential cumulative effects from other (non-solar farm) proposed or constructed developments within a suitable radius of the appeal site”.

#### **EIA Review (Planning Reference – 22/OO537/FUL)**

- 1.17. The original ES submitted with the planning application (22/OO537/FUL) dated January 2022, and pursuant to the appeal (APP/Y2430/W/24/3340258) stated in ‘Section 1.10 Cumulative and Interactive Effects’ of ‘Chapter 1- Introduction’ that the following schemes considered in the cumulative assessment within the ES are:
- *10MW Solar Farm, Land South Of The Railway Line & East Of Station Road, Elton, Nottinghamshire (planning reference: 14/O1739/FUL Rushcliffe Borough Council). Constructed and operational. Approximately 4.5km north-west of Site.*
  - *12.4 MW Solar Farm, Lodge Farm, Longhedge Lane, Orston (planning reference: 13/O1609/FUL Rushcliffe Borough Council). Constructed and operational. Approximately 4.5km north-west from the Site.*
  - *49.9MW Solar Farm, land south of the A1 (Foston- By-Pass), Foston, Grantham (planning reference: S20/1433 South Kesteven Council). Granted permission subject to conditions 1st March 2021. Approximately 4.9km north-east from the Site. At the time of writing this Letter the site is currently under construction<sup>4</sup>.*
  - *49.9MW Solar Farm, land east of Jericho Covert, Jericho Lane, Barkestone Le Vale (planning reference: 20/O1182/FUL, Melton Borough Council). Validated 15th October 2020, still pending decision. Approximately 3.8km west of the Site. At the time of writing this Letter the site has been granted approval subject to conditions on the 19<sup>th</sup> August 2022 and is currently under construction<sup>5</sup>.*

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<sup>4</sup> <https://www.sserenewables.com/solar-and-battery/solar/bypass-solar/>

<sup>5</sup> <https://www.starkenergy.co.uk/en/projects/>



- 1.18. The four sites with potential for cumulative effects and to be considered in the ES were agreed with MBC through the Screening Opinion decision issued on the 11<sup>th</sup> May 2021.
- 1.19. The ES included technical chapters for: Landscape and Visual Impact, Cultural Heritage and Archaeology, Flood Risk and Hydrology, Ecology, Glint and Glare, Noise and Vibration and Agricultural Resources. All technical chapters determined no significant cumulative effects would arise if the Proposed Development was granted approval.
- 1.20. Subsequently, during determination of the planning application (22/00537/FUL) for the Proposed Development a consultation comment was received from Cornwall Environmental Consultants Ltd ("CEC") offering independent landscape advice acting on behalf of MBC (dated 21<sup>st</sup> September 2022). CEC requested the Applicant submit an addendum to the LVIA in the form of a Cumulative Landscape and Visual Impact Assessment ("CLVIA") to enable the issue of subsequent detailed landscape comments to MBC. A CLVIA (dated November 2022) on behalf of the Applicant was submitted for consideration confirming the appropriateness to consider only the four developments within a 5km radius of the Application Site, with no significant cumulative effects in regard to landscape character and visual amenity to arise.

## **EIA Re-Assessment of Potential Cumulative Effects**

### Methodology

- 1.21. The purpose of this Letter is to establish if there are any proposed or constructed other developments (i.e. non-solar farm) within a suitable radius of the Appeal Site to be considered for cumulative effects with the Amended Scheme. This section explains the methodology and setting out of the process to identify other developments for consideration in a cumulative effects assessment.
- 1.22. As stated at paragraph 1.15 of this Letter, the EIA regulations state consideration should be given to "**other existing and / or approved projects**". Regard will therefore be had to "**existing and / or approved projects**", which alongside the development of the proposals at the Appeal Site, could potentially result in cumulative significant effects.
- 1.23. It should be noted there are no legislative or policy requirements which set out how a cumulative impact assessment should be undertaken for inter-project and/or intra-project cumulative effects. Additionally, the extent to which any developments would need to be considered for each environmental discipline scoped into an ES will inevitably vary depending on the nature of the proposal, the proximity to the Site and the stage in the planning process. The level of assessment detail would also be dependent on the information available for each of these schemes and would be undertaken in a qualitative or quantitative manner as appropriate.
- 1.24. Spatial considerations and scale of development criteria has been developed based on professional judgement to determine whether cumulative schemes have the



potential for cumulative effects broadly when combined with the Amended Scheme's effects. The general criteria applied to the cumulative schemes is as follows:

- Development proposals for which planning permission has been granted (e.g., resolution to grant issued or signed legal agreement) or submitted, validated development proposals currently awaiting determination within the last 4 years (June 2020); and
- Located within 5km of the redline boundary of the Site; and
- 10,000 sqm Gross External Area ("GEA") in floor area of urban development or would give rise to >150 residential units or large-scale infrastructure projects.

1.25. The general criteria used has had due regard to the 'applicable thresholds and criteria' for 'Schedule 2 Developments' listed in the EIA Regulations.

1.26. A 5km reference zone is proposed reflecting the parameters for the Screened Zone of Theoretical Visibility ("SZTV") in the ES (Figure 2.1 Screened Zone of Theoretical Visibility, drawing number P19-2022\_01 Revision D, dated 03/12/2021). The SZTV identifies the zone within which there is the potential for receptors to experience impacts (landscape/ visual/ heritage impacts) from the development of the Site; those receptors could in turn experience cumulative effects if there are other developments in the same vicinity affecting the same receptor. Based on the height of the proposed solar panels, being the main element of the Proposed Development, the 5km study area is considered proportionate and appropriate for the purpose of this assessment.

1.27. The Amended Scheme is located entirely within Melton Borough Council administrative area. However, the 5km radius criteria applied encompasses neighbouring Newark & Sherwood District Council, South Kesteven District Council and Rushcliffe Borough Council administrative area. A review of potential cumulative sites within these administrative areas has been applied.

1.28. A review of the adopted Development Plans for the relevant Local Planning Authorities has also been undertaken to establish whether there are any allocated sites for future development within the 5km radius which could be considered to be "reasonably foreseeable" projects that could potentially result in cumulative impacts with the Amended Scheme. The following Development Plans have been reviewed:

- Melton Local Plan 2011-2036;
- Bottesford Parish Neighbourhood Plan 2020-2036;
- Newark & Sherwood Local Development Framework - Allocations & Development Management -Development Plan Document (adopted July 2013);
- South Kesteven District Council Local Plan 2011- 2036; and



- Rushcliffe Local Plan Part 1: Core Strategy (adopted December 2014).

### Cumulative Assessment

- 1.29. A review of any proposed or constructed other developments (i.e. non-solar farm, however for completeness solar was also included), was undertaken by the Appellant in July 2024 as per the methodology set out above in this Letter.
- 1.30. No qualifying cumulative schemes has been identified that has the potential to give rise to significant cumulative effects in combination with the Amended Scheme.
- 1.31. In reaching this judgement the following schemes were initially considered for cumulative assessment as the parameters of the schemes were either close to or exceeded the general criteria thresholds, and upon further assessment were excluded, based on determining parameters that emphasised the schemes in combination with the Amended Scheme would not cause significant cumulative effects.

### *21/O1883/FUL- Rushcliffe Borough Council*

- 1.32. This proposal is for the 'Proposed formation of earth embankments for rifle shooting. Existing buildings to be removed and replaced with new range building' at Orston Shooting Ground Ltd, Bottesford Lane, Orston, Nottinghamshire, NG13 9PB. The planning application was approved with conditions on the 16<sup>th</sup> March 2022, and according to Google Satellite Imagery<sup>6</sup>, construction has not yet started. The planning application was non-EIA.
- 1.33. The proposal is within the 5km radius at a distance of approximately 3.5km north-east of the Site, and the site area is 12.85 acres (5 hectares). The criteria of the proposal does not neatly fit into a proposal of "10,000 sqm Gross External Area (GEA) in floor area of urban development or would give rise to >150 residential units or large-scale infrastructure projects" and is therefore given further consideration.
- 1.34. The Planning Statement for the application will include the provision of 7 new rifle ranges at Orston Shooting Ground and will include 1 long rifle range (300m), 1 medium rifle range (200m) and 5 shorter rifle ranges (150m). The development will include the construction of new earth bunds (3m high) to help shield the surrounding area from bullet ricochets, whilst also providing some noise attenuation. The scheme also includes an enclosure running along the base of the range, where the operators will be located during the shoot. Some existing structures / buildings are to be removed from site and a new Rifle Range Building / Stand is proposed which would measure 74m in length with an eave height of 3.775m and a ridge of 4.575m.

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<sup>6</sup> Map data 2024.





- 1.35. The Rifle Range Building Elevation and Section Through Drawing shows the new Rifle Range Building / Stand will have an internal width of 6m and additional 2.95m for the overhang, and therefore an approximate 662.3sqm GEA. This building is well below the threshold of "10,000 sqm Gross External Area (GEA) in floor area of urban development".
- 1.36. The Landscape and Visual Appraisal for the proposal scoped a maximum of 3km distance from the site as it was determined through a site visit and initial desktop study that landscape and visual impacts would be considerably restricted by surrounding landforms combined with intervening vegetation. It was identified there was no potential for any significant landscape and/or visual effects to be incurred beyond that area. It is anticipated that there will not be an opportunity to see the Amended Scheme in shared view with this proposal, and therefore no LVIA cumulative effects.
- 1.37. The Flood Risk and Drainage Strategy for the proposals demonstrates that there will be no increase in flood risk at the Site or elsewhere while also providing a betterment in flood storage area on-site. No cumulative effects are expected with the Amended Scheme.
- 1.38. The Noise Survey identifies with mitigation in place (rifle range shelters & large earth bunds) positive measures will reduce the impact of noise generated from within the rifle range area of the site, and its effect on the residents of the neighbouring properties. No cumulative effects are expected with the Amended Scheme.
- 1.39. Therefore, on further assessment of the submitted planning application documentation, due to the scale and nature of the development, no significant likely cumulative effects are identified.

*S21/O459 – South Kesteven District Council*

- 1.40. This proposal is for the 'Use of Land for B8 Outside Storage' at Roseland Business Park, Roseland Way, Long Bennington, Newark, NG32 5FF. The planning application was approved with conditions on 7<sup>th</sup> October 2021, and according to Google Satellite Imagery construction has not yet started. The planning application was non-EIA.
- 1.41. The proposal is within the 5km radius at a distance of approximately 2.8km north- of the Site, and the site area is 9ha. The criteria of the proposal does not neatly fit into a proposal of "10,000 sqm Gross External Area (GEA) in floor area of urban development or would give rise to >150 residential units or large- scale infrastructure projects" and is therefore given further consideration.
- 1.42. The proposal will use the site for the parking of vehicles, products manufactured within the business park, or produce associated with existing business park users. The site is enclosed by existing vehicle storage and by existing business park buildings at Roseland Business Park. The proposed storage use will complement these adjoining



existing uses and give rise to no additional or materially greater impacts than the existing lawful uses. Due to significant intervening areas of woodland planting, there is no visibility into the airfield site from the Normanton – Long Bennington road (or elsewhere), and as a consequence there is no adverse visual impacts. It is anticipated that there will not be an opportunity to see the Amended Scheme in shared view with this proposal, and therefore no LVIA cumulative effects.

- 1.43. The Flood Risk Statement identifies the area will be surfaced with a permeable material with a sub-surface blanket drain. Therefore, there will be no increase run off from the land as a result of the proposed works and there will be no off-site drainage implications. No cumulative effects are expected with the Amended Scheme.
- 1.44. Therefore, on further assessment of the submitted planning application documentation, due to the scale and nature of the development, no significant likely cumulative effects are identified.

*S21/O458 – South Kesteven District Council*

- 1.45. This proposal is for the 'Use of Land for B8 Outside Storage' at Roseland Business Park, Roseland Way, Long Bennington, Newark, NG32 5FF. The planning application was approved with conditions on the 7<sup>th</sup> October 2021, and according to Google Satellite Imagery construction has not yet started. The planning application was non-EIA.
- 1.46. The proposal is within the 5km radius at a distance of approximately 3.3km north- of the Site, and the site area is 8.27ha. This site is immediately adjacent to the S21/O459 proposal set out in paragraph 1.40-1.44 of this Letter. It too proposes the site will be used for the parking of vehicles, products manufactured within the business park, or produce associated with existing business park users.
- 1.47. The same assessment conclusions are identified for this proposal as for S21/O459 proposal. Therefore, on further assessment of the submitted planning application documentation, due to the scale and nature of the development, no significant likely cumulative effects are identified.

*S21/1380 – South Kesteven District Council*

- 1.48. This proposal is for the 'Full (detailed) planning application for proposed vehicle call-off facility comprising vehicle preparation building (call-off building), office and welfare buildings, storage containers, spray booth building, fueling station, security gatehouse and associated works' at Roseland Business Park, Roseland Way, Long Bennington, Newark, NG32 5FF. The planning application was approved with conditions on 12<sup>th</sup> November 2021, and according to Google Satellite Imagery, construction has not yet started. The planning application was non-EIA.
- 1.49. The proposal is within the 5km radius at a distance of approximately 3.2km north- of the Site, and the site area is 2.4 hectares. The criteria of the proposals do not neatly



fit into a proposal of "10,000 sqm Gross External Area (GEA) in floor area of urban development or would give rise to >150 residential units or large-scale infrastructure projects" and is therefore given further consideration.

- 1.50. The site is presently used for vehicle storage and serves as the main reception and dispatch point for vehicles stored on other runway areas and processed through two of the hangar buildings. The proposals include for the erection of a call off-facility (85m x 25m) designed to prepare vehicles stored at Roseland Business Park for dispatch, a low-profile 84m x 24m portal frame building for the preparation of outgoing vehicles, the siting of 2(no.) portable office buildings, 2 (no.) storage containers, a spray booth building, fuel bunkers and a security cabin.
- 1.51. Due to significant intervening areas of woodland planting, there is no visibility into the airfield site from the Normanton – Long Bennington road (or elsewhere), and as a consequence there will be no adverse visual impacts. It is anticipated that there will not be an opportunity to see the Amended Scheme in shared view with this proposal, and therefore no LVIA cumulative effects.
- 1.52. The proposals will be sited on existing runway areas. An interceptor facility will be installed vastly improving the quality of the surface water discharging from the runway areas. Therefore, there will be no material increase in surface water discharges arising from the proposal. No cumulative effects are expected with the Amended Scheme.
- 1.53. Therefore, on further assessment of the submitted planning application documentation, due to the scale and nature of the development, no significant likely cumulative effects are identified.

*Melton Local Plan 2011-2036, Policy C1 (A) Housing Allocations, Rectory Farm at Bottesford (site reference BOT 3)*

- 1.54. This allocation is for 163 houses and is approximately 1.5km from the Amended Scheme.
- 1.55. A planning application for 'residential development of up to 215 dwellings, associated infrastructure and landscaping' (reference 20/00388/OUT) was validated on 27<sup>th</sup> March 2020. The planning application was non-EIA. The application remains undetermined and falls outside of the cumulative effects assessment general criteria of 'development proposals currently awaiting determination within the last 4 years (June 2020)'. However, it is considered to be "reasonably foreseeable" that this application may progress and there is potential for cumulative effects.
- 1.56. The site is located on 11.76ha of agricultural land on the north-western edge of the village of Bottesford. Outline planning permission is sought for residential development of up to 215 dwellings, associated infrastructure and landscaping.

- 1.57. The Built Heritage Report assesses the site forms part of the setting of Church of St Mary (Grade I Listed Building). The contribution that the site makes to its significance is limited as a result of the semi-urbanised character within which it is presently experienced. A minor impact on significance is assessed within a spectrum of less than substantial harm. Historic England provided pre-application advice advising there is scope for development at the site, however the southern area of the site should remain undeveloped, as is illustrated in the submitted layout. Historic England have not provided a consultation response on the site thus far, and the LPA County Archaeologist does not object.
- 1.58. The site is situated to the north-west of Bottesford and separated from the Amended Scheme by the built form at the village and the A52. It is anticipated that there will not be an opportunity to see the Amended Scheme in shared view with any heritage asset including the Grade I Listed Church of St Mary at Bottesford due to the intervening distances and existing screening.
- 1.59. The Noise Assessment for the site does not identify shared receptors with the Amended Scheme and therefore no cumulative effects are identified. In any case the Noise Assessment assesses no adverse impacts associated with noise egress from the neighbouring industrial site are predicted, and no adverse effects associated with noise egress of traffic flow from the road are predicted.
- 1.60. The Phase 1 (including Protected Species) Survey for the site sets out the site is of poor quality in ecology terms, although important habitats for invertebrates, nesting birds and roosting sites for bats were noted. These habitats are to be retained as much as possible. No assessment is undertaken in the Phase 1 Survey of effects of the development on ecological designations. Therefore, due to distance and intervening built form there is limited habitat linkage and cumulative effects are not anticipated with the Amended Scheme.
- 1.61. The Flood Risk Assessment & Drainage Strategy for the site assesses the proposals are not within significant flood risk and will not increase flood risk elsewhere, providing mitigation is implemented. The Lead Local Flood Authority had no objection and advised the LPA the proposals are considered acceptable. On the basis, this site has demonstrated flood risk has not increased, that the surface water drainage regime and surface water quality are not adversely affected and that groundwater aquifers are not affected, no cumulative effects are expected with the Amended Scheme.
- 1.62. An Agricultural Land Quality Report, although listed in the Planning Statement for the site as a supporting document, is not available on MBC planning portal. No available information is provided on the land grading of the site. However, due to the nature of the proposals it is inevitable there would be permanent loss of agricultural land. If worst-case scenario all of the site (11.76ha) is Best and Most Versatile Land, then this would be a low magnitude of change and low sensitivity, leading to a minor effect (Not Significant). Loss of less than 20ha of BMV land does not require Natural England to be consulted with. As the Amended Scheme is fully reversible, the cumulative effects with



this site remain Not Significant and the loss of agricultural land is therefore only linked to this site, even when considered as a standalone project.

- 1.63. No landscape appraisal has been submitted for this site. However, there would be no cumulative effects due to a combination of distance, intervening topography and vegetation.
- 1.64. Therefore, on further assessment of the submitted planning application documentation it is considered no significant likely cumulative effects are identified.

South Kesteven District Council Local Plan, Policy E2: Strategic Employment Sites, Roseland Business Park at Long Bennington (site reference RBP-E1)

- 1.65. This proposal is for 9.01 hectares and is 3.4km from the Amended Scheme. Policy E2 suggests applications on this area of land are to be supported for appropriate proposals for new B1, B2 and/or B8 uses and/or redevelopment of for B1, B2 and/or B8 uses. At present there are no planning applications on areas of land associated with Policy E2 and therefore it is not considered to be “reasonably foreseeable” project that could potentially result in cumulative impacts with the Amended Scheme.

**Conclusion**

- 1.66. In conclusion, the updated cumulative assessment undertaken in this Letter does not produce any qualifying cumulative schemes that have the potential to give rise to significant cumulative effects in combination with the Amended Scheme. As such, the cumulative assessment that was previously undertaken in the ES submitted under planning reference 22/00537/FUL reflects a worst case and therefore remains robust for the Amended Scheme.
- 1.67. The letter received from the PINS to the Appellant on the 13<sup>th</sup> June 2024 requested 'a revised non-technical summary (NTS) incorporating all of the elements referred to above, if appropriate' should be submitted. As the ES submitted under planning reference 22/00537/FUL does not require updating, the NTS has not been updated and the version submitted under planning reference 22/00537/FUL remains accurate.

Yours Sincerely,

*Hannah Tidd*

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