

South Kesteven District Council

Development Management

Council Offices, St Peter's Hill

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Dan Grierson,
Whirlwind Renewables
The Media Centre, 7, Northumbria Street
Huddersfield
HD1 1RL

SCOPING OPINION

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011

Part I – Particulars of application

Reference No:	S14/1491/EIASP
Date Received:	16-May-2014
Applicant:	Dan Grierson, Whirlwind Renewables
Proposal:	Scoping Opinion request for wind farm (6 x wind turbines)
Location:	Land off Sewstern Lane, Long Bennington

Part II – Particulars of decision

South Kesteven District Council hereby give notice, in pursuance of the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, that an Environmental Impact Assessment is required and the Environmental Statement should include the following information:

SCOPING OPINION - S14/1491/EASP

Wind farm - 6 x turbines

Land off Sewstern Lane, Long Bennington

South Kesteven District Council hereby gives notice, in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, that an Environmental Statement submitted with a planning application shall address the following matters:

GENERAL COMMENTS

It is considered that in general the approach indicated in the submitted scoping report is acceptable and covers the majority of the relevant topics to be included in the Environmental Statement (ES). The following comments relate to any extra information required, over and above that which is already covered in the scoping report as well as any areas which in the Council's opinion are incorrect, require clarification, or are not adequately addressed. Any parts of the submitted scoping report which are not specifically commented on in this scoping opinion are considered to be satisfactory.

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Whilst this scoping opinion provides a summary of information required on each topic, specific comments and general guidance made by consultees should be read as part of the scoping opinion and should inform the final scope and content of the ES. You are advised to liaise with them directly to ensure that all issues are adequately covered and avoid unnecessary delays at the planning application stage.

In addition the ES should cover all the topics which are set out in the South Kesteven Wind Energy Supplementary Planning Document (June 2013) and should include all information required by this SPD.

For the avoidance of doubt, it should be noted that this Scoping Opinion does not in any way give an indication of the acceptability or otherwise of the proposal. The planning merits of the proposal can only be considered following the submission of a planning application accompanied by an Environmental Statement (ES) based on the details outlined in this Scoping Opinion.

The issuing of this Scoping Opinion does not prevent the Local Planning Authority from requesting further information at a later stage under Regulation 22 of the above Regulations.

LANDSCAPE & VISUAL

The approach indicated in the scoping report is considered to be generally acceptable. In addition to the national and local Landscape Character Area identified (Trent and Belvoir Vale), adjacent local and parish level character areas within the area covered by the LVIA should inform the ES. Notts County Council note that the site is close to policy zones SN06 & VB01 in their area. The LVIA should also take account of the historic dimension of landscape character, including panoramic views from Belton House and Bellmount Tower. This is particularly relevant to the 'landmarks and setting' element of the methodology outlined in the scoping report.

The landscape viewing points shown in the report are a good starting point. However, further viewpoints for photomontages/wireframe diagrams should be agreed in advance with South Kesteven District Council officers. These will include views from within the boundaries of the nearest affected properties within at least a 2km radius, the edges of all affected villages within the 5km radius and from the higher ground within the 5km and 10km radii and possibly beyond. Visualisations from all agreed viewpoints should be included in the ES. All visualisations should be in accordance with the requirements of the South Kesteven Wind Energy SPD. Any photomontages should be taken from unobstructed viewpoints and be taken on a very clear day particularly with views from the escarpments and higher ground overlooking the Trent and Belvoir Vale* and vice versa.

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Additional suggested viewpoints (although this is not an exhaustive list) include:

- **Orston 477358 340946**
- **Public right of way adjacent Ashes farm 483516 341936**
- **Viking Way / Sewstern Lane towards Bottesford 484054 341183**
- **Public right of way towards Long Bennington 483028 340480**
- **Bridleway towards Allington gate East of Normanton 481303 340473**
- **Public right of way toward Staunton 480783 340390**
- **Three Shires farm 481011 340514**
- **Staunton Hall and Staunton Hall viewing platform 480558 343057**
- **St Mary's Church Staunton Tower 480533 343280**
- **Kilvington Rectory and Church 480093 342886**
- **Sutton crossroads (route to Belvoir Castle) 476422 337888**
- **Barkestone Lane 478949 335833**
- **Jubilee Way, approach to Belvoir Castle 481487 333169**
- **Cricket ground Bottesford 480547 338578**
- **Western entrance to Bottesford 479786 338966**
- **Trig point on hill above Hickling 468323 328249**
- **Sibthorpe 476453 345427**
- **Foston 485815 342290**

Notwithstanding the above, the final selection of viewpoints for all photomontages/wireframe diagrams should be agreed in advance with South Kesteven District Council officers. Consideration should be given to producing a 3D computerised model of the local area in order to create multiple viewpoints which can be easily understood and agreed with the Council. Visualisations based on photography with a 70/75mm lens shall be provided as part of the ES. However additional photography based on a 50mm lens or similar is acceptable where it is necessary to show the relationship between the windfarm and its wider landscape setting and relevant landscape features within it.

In respect of cumulative impacts, the Council considers that turbines over 20m in height should be included. The study radius for turbines of this scale should be agreed with Council officers as close as possible to the date of submission and will depend on what others schemes are built/proposed/under consideration at that time. The cumulative assessment, including visualisations should include all proposals at the scoping stage as well as those that are built/proposed/under consideration.

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Current schemes that the Council is aware of include:

Within South Kesteven:

- **5 x 125m turbines windfarm, Hough Grange Farm, Hough on the Hill (S13/2699)- planning application under consideration**
- **1 x 49m turbine, Bellevue Farm, Carlton Scroop (S14/1026) - planning application under consideration. This is relatively small and distant but may need to be included particularly re. cumulative heritage impact - e.g. view from Belmont Tower at Belton**
- **1 x 69m turbine, Frinkley Farm, Hougham (S10/1759) - operational**
- **1 x 74m turbine, Green Lane, Marston (S12/2411) - appeal allowed, construction not yet started**
- **1 x 86.5m turbine, Top Farm, Foston (S14/0539) - planning application under consideration**
- **1 x 39m turbine, Pasture Farm, Allington (S12/0580) - operational**

Within Newark and Sherwood district:

- **3 x 105-126m turbines, Cotham Road, Hawton (NSDC ref: 11/01588/FULM) - under appeal**
- **1 x 66.7m turbine, Newark Concrete Farm Works, Bowbridge Lane, Balderton (NSDC ref: 12/01355/FUL) - planning application under consideration**
- **1 x 90m turbine, Staple Quarry Landfill Site, Grange Lane, Cotham (NSDC ref: 12/SCO/00001) - scoping opinion issued**
- **1 x 102m turbine, Brecks lane, Elston (NSDC ref: 13/SCR/0001) - planning application under consideration.**
- **4 x 130m turbines, Cotham Rd, Hawton(13/00889/FULM) - planning application under consideration**

Within Melton Borough:

Unknown

NB. This is not an exhaustive list. Melton Borough Council have not responded to this scoping opinion request, so it will be necessary to consult them separately.

GEOLOGY, HYDROLOGY, HYDROGEOLOGY & FLOOD RISK

Part of the site appears to lie within EA Flood Zones 2 & 3, defined as having a high probability of flooding. This should be considered within this section and a flood risk assessment will be required as part of the ES.

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This section of the scoping report briefly covers flood risk and identifies the requirement for a watercourse crossing and the possible increase in surface water runoff from the site. As the proposal is mainly located within the Upper Witham Internal Drainage Board area the EA would look to set discharge rates from the site which the development will use when assessing surface water design. The Upper Witham Internal Drainage Board will also be the responsible authority for issuing consent for the watercourse crossing. The ES should clearly show how the Upper Witham IDB have been consulted and their requirements met.

The ES should include an appropriate Pollution Prevention Plan as part of the Construction Management Plan to ensure that any risks to the water environment are appropriately mitigated.

ORNITHOLOGY & ECOLOGY

The ES should include an ecological impact assessment (including any mitigation measures) based on up to date information/surveys in accordance with the IEEM guidelines and boxes 6 -10 of the South Kesteven Wind Energy SPD. The attached guidance from Natural England and the Bat Conservation Trust, whilst not site specific should also inform the ES.

Newark and Sherwood DC note that there are sites of nature conservation interest at Staunton Park Pastures, Folly Hill Grassland and Pond and Kilvington Lakes.

NOISE

In accordance with National Policy Statement for Renewable Energy Infrastructure (EN-3) in Part 2.7 - Onshore Windfarms, and box 23 of the South Kesteven Wind Energy SPD, the ES should include a noise impact assessment which demonstrates that the proposal is capable of operation within the noise limitations specified by ETSU-R-97 and its application through the IOA Good Practice Guidance. If a candidate turbine is used in the assessment, the ES should assess the maximum case scenario in terms of noise emissions, i.e. the scenario which would have the maximum adverse effects. The ES should also demonstrate that any noise from construction/decommissioning works can be kept within acceptable limits. Although South Kesteven are unable at this point to advise on specific locations for noise monitoring, you are advised to liaise with South Kesteven's Environmental Protection Team when carrying out baseline noise monitoring and producing the noise assessment. It will be necessary to outline the proposed methodology prior to undertaking the survey, i.e. what data is going to be measured, what meteorological data will be gained, where will background noise be measured etc.

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The following is a summary of comments made by the Council's noise consultant outlining the principles that should be applied:

Background Noise Survey

The data used for the Thacksons Well project is 7 years old and so is very much out of date. Furthermore, the integrity of the data is questionable.

As such a revised background noise survey is required to inform the ES. In this case it will be very important to ensure that sufficient wind directions are measured and that there is enough data to allow directional filtering. This can be ensured by regularly downloading the data or checking the meteorological data measured at the site. Directional filtering is important in this case because there are a number of properties that are located upwind of the wind farm whilst downwind of the A1 and vice versa. In a southerly wind direction these properties will be impacted by wind farm noise but not by A1 noise. As such the background noise levels for these properties should be filtered to only include wind directions when they are downwind of the wind farm. Directional filtering should also be considered at other locations where appropriate.

Operational noise from the proposed wind farm should be assessed using two methodologies: the IoA GPG standardised wind speed method and using 10m measured wind speeds to correlate background noise levels (and then adjusting the predicted wind turbine noise for wind shear). This will allow a comparison of both methods and a robust assessment of impact from the proposed development. NB. 10m wind speeds should be measured on site in addition to the measurement of wind speeds at higher heights as needed for the standardised method.

In respect of locations for measuring background noise a working farm should not be used as a proxy location for a non working farm / dwelling. A sufficient number of locations should be used, approximately 4-6 locations for this development, and they should be representative of locations around the site (i.e. both working farms and non working farms). Field locations should be avoided and equipment should be located free field but within close proximity of the dwelling in external amenity areas.

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Extraneous noise sources

Extraneous noise will need to be excluded and the method by which this is done should be clarified. Confirmation should be submitted of equipment specification to be used for the background noise survey including the parameters to be recorded. Ideally it is requested that 1/10th second (100ms) data is recorded, or at the very least 1s data as this allows atypical events to be established and verified. It is preferable that audio data is also recorded but this may not be possible with the equipment intended for deployment for the background noise survey and so it is acknowledged that its absence may be unavoidable.

Other general points.

Rain data should be collected locally during the background noise survey. Rain gauges should be at each background noise monitoring location.

The following data should be submitted

- All meteorological data for the duration of the background noise survey and also longer term, i.e. for the full duration that the met mast is in situ at the proposed wind farm site. This should include rainfall data, wind speed and wind direction at all heights measured (typically this will be at approximately 40m and 50m height and also 10m height**
- All raw noise data measured for the duration of the background noise survey.**

The ES should include an assessment of the impact of amplitude modulation (AM).

The ES should also consider cumulative impact from other operational, consented or proposed wind turbines in the area as well as noise from the A1 particularly on those dwellings to the north of the site.

SHADOW FLICKER

Notwithstanding the stated distance from the nearest property in the Scoping Report, the ES should clearly demonstrate any impact through a shadow flicker assessment carried out in accordance with Box 25 of the South Kesteven Wind Energy SPD. Commercial properties should also be considered.

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TRAFFIC & TRANSPORT

The Transportation section of the ES should take account of boxes 20-22 of the South Kesteven Wind Energy SPD.

You are advised to liaise directly with Sarah Heslam (LCC Highways Officer) on 01522 782070 to ensure that all highways and transportation issues are fully addressed in the ES

HISTORIC ENVIRONMENT

A thorough heritage impact assessment should be included in the ES in accordance with boxes 11-18 of the South Kesteven Wind Energy SPD.

Heritage Assets

The ES should consider the direct and indirect impacts on the historic environment. This includes the impact on the setting of heritage assets taking into account visual dominance, scale, intervisibility, vistas and sight lines, movement, sound and/or light effects. All heritage assets within a 5km radius of the nearest turbine should be considered. All high grade heritage assets (grade II* and above) including historic parks and gardens within a 10km radius of the nearest turbine should be considered. Beyond the 10km radius, specific heritage assets that should be included in the assessment include Belton House, including the registered park and gardens and Belmont Tower, and St Mary Magdalene's Church, Newark. The relevant Historic Environment Records should be consulted to ensure that all affected non designated heritage assets have been taken into account.

The ES should pay particular attention to appeal decisions for the previously dismissed proposal on the site previously known as Thackson's well windfarm - APP/E2530/A/08/2073384 and that at Palmers Hollow - APP/Y2430/A/09/2108595 as the heritage assets affected are largely the same ones. The commentary and analysis of English Heritage in relation to these proposals should also be studied and taken into account.

The assessment methodology in terms of the banding and definition of degrees of impact, asset importance and significance has been questioned by English Heritage and as such should be discussed and agreed with the Council and English Heritage in advance of a planning application. English Heritage's Wind Energy and Setting of Heritage Assets Guidance should also be used to inform the methodology.

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Setting impacts upon the significance of designated heritage assets are in this case both specific to individual assets and the relationships between multiple assets and vistas in and across the Vale of Belvoir, a tract of historic landscape with a clear cultural and historic identity in which cultural and historic space these designated heritage assets are experienced and valued. Appropriate approaches to the assessment of environmental impacts should engage both at a landscape and specific asset level avoiding approaches which reductively focus on single attributes or decontextualise assets from their landscape context.

The ES should include photomontages and wireframe diagrams of the heritage assets included in the scoping report where the heritage asset and the windfarm could be seen together within their immediate setting. A full justification should be provided in the case that visualisations are not considered necessary for any heritage assets within these zones.

Additional suggested locations for viewpoints (although this is not an exhaustive list) include:

- **Bennington Grange**
- **Staunton Manor**
- **Staunton Church**
- **Kilvington Church**
- **Allington conservation area**
- **Normanton conservation area**
- **Bottesford conservation area**
- **Long Bennington Priory/Grange (undesigned ancient monument adjacent to St Swithun's Church)**

Notwithstanding the above, the final selection of viewpoints for all photomontages/wireframe diagrams in relation to heritage assets should be agreed in advance with South Kesteven District Council officers, in consultation with English Heritage. All photomontages should be taken from unobstructed viewpoints and on a very clear day particularly with more distant views showing the windfarm in relation to church spires.

Visualisations based on photography with a 70/75mm lens shall be provided as part of the ES. However additional photography based on a 50mm lens or similar is acceptable where it is necessary to illustrate the relationship between the windfarm and the wider setting of any heritage assets or groups of heritage assets.

Continued

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In respect of Belton House and Registered Park and Gardens (and all heritage assets therein), further modelling should be undertaken to determine whether the turbines would be visible from the roof of Belton House. Visualisations are required from the roof of Belton House and from the base and viewing platform of Belmont Tower and other locations within the grounds. The ES should be informed by the Belton Park and Park Setting Study and policy SAP11 of the South Kesteven Site Allocations and Policies DPD

Whilst some of the LVIA visualisations may show the impact on the wider settings of some listed buildings, it is important that cultural heritage visualisations are presented separately from the LVIA. In some cases particularly where designed views are affected, it will be necessary to illustrate the cumulative impact of other wind turbines on the setting of heritage assets through visualisations - wireframe diagrams may be the most effective way. All such cases should be agreed in advance with South Kesteven District Council officers

Archaeology

Further archaeological evaluation works should be undertaken in line with the scoping report. You are advised to liaise with Jenny Young (Senior Historic Environment Officer - Heritage Trust of Lincolnshire) on 01529 461499 to ensure that the archaeological assessment adequately covers all issues in sufficient detail.

ELECTROMAGNETIC INTERFERENCE & AVIATION

In respect of telecoms and TV - No further comments other than that this part of the ES should be carried out in accordance with Box 27 of the South Kesteven Wind Energy SPD

In accordance with box 26 of the South Kesteven Wind Energy SPD you are advised to liaise with the CAA, NATS and MOD, to ensure that the impact on all aviation interests are fully assessed in the ES. The ES should demonstrate that all such consultations have taken place and that all reasonable efforts have been made to address any identified impacts. In addition to the impact on radar, the impact on aviation interests in general should be assessed in the ES including private landing strips in the local area.

AIR & CLIMATE EMISSIONS

The ES should state the potential generating capacity of the windfarm and demonstrate how this figure has been calculated.

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GRID CONNECTION

Although this may be the subject of a separate planning application or consent regime, the ES should include at least indicative details of how the turbines will be connected to the grid and an assessment of the likely impacts. This should include details of any proposed route (or routes if there are multiple options) for the connection, ancillary buildings, and specify whether it will be above or below ground.

SOCIO - ECONOMIC IMPACTS

An assessment should be included in the Society and Economy section in accordance with Box 24 of The South Kesteven Wind Energy SPD. It is acknowledged that the impact on tourism is difficult to quantify but it should not be automatically assumed that the impacts would be minor. There are a number of well used tourist and leisure attractions that do contribute significantly to the local economy including Belton House, Belvoir Castle, The Viking Way, as well as various golf courses, fishing lakes, equestrian centres and local public houses, hotels, restaurants and events venues. The impact on these and other local businesses where the character of the landscape and features within it is integral to their success or otherwise should be considered. The assessment could include the results of any relevant studies involving other major tourist facilities close to existing windfarms and any known impacts.

OTHER

Residential Visual Amenity Assessment (RVIA)

The Council considers that the Residential Visual Amenity Assessment (RVIA) within the ES should be clearly distinct from the LVIA which covers landscape and general visual impacts. The RVIA should assess the impact on local residents' living conditions through the potential for dominance of outlook or through the creation of a dominant and oppressive environment. It should cover a study area of at least 2km from the nearest turbine in accordance with the box 4 of the South Kesteven Wind Energy SPD and include visualisations from the nearest affected properties or groups of properties. Any nearby commercial properties likely to be affected should also be included. A full justification should be provided in the case that visualisations or discussion are not considered necessary in respect to any individual property.

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Rochdale Envelope

Although not specifically referred to in the Scoping Report, for the avoidance of doubt, the 'Rochdale Envelope' principle is considered to be an acceptable approach in this case, to allow a degree of flexibility, in accordance with the advice given by the National Policy Statement for Renewable Energy Infrastructure (EN-3) in Part 2.7 - Onshore Windfarms. However this should be restricted to micrositing and the adoption of a 'candidate turbine'.

In using this approach, the ES should assess the maximum case scenario - the candidate turbine should be of maximum tip height, rotor diameter, crane pad size, noise emissions, etc i.e. the scenario which would have the maximum adverse effects. In accordance with Part 4.2 - Environmental Statement, of the Overarching National Policy Statement for Energy (EN-1), the ES should fully explain and justify the reasons why this approach has been taken and why precise details of the final choice of turbine and exact siting cannot be submitted with the planning application. Whilst 30-50m is considered a typical tolerance for micrositing, and anything beyond this distance may not be acceptable, the ES should specify and justify the tolerance proposed. The red site outline on the site location plan should be drawn to allow for any micrositing.

Horses and Walkers

The ES should include an assessment on the likelihood of horses (ridden on bridleways and nearby roads) being frightened or 'spooked' by the proposal, and any safety implications, including reference to any relevant guidance and best practice. The amenity of recreational walkers should also be considered.

Site selection

The ES should clearly explain the methodology used in the site selection process, including reasons for discounting other sites, particularly in the light of the appeal decisions of Thackson's Well and Palmer's Hollow.

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STATEMENT OF COMMUNITY INVOLVEMENT

A Statement of Community Involvement should accompany any planning application explaining how the recently introduced statutory duty to consult has been carried out. This should be a separate document to the ES. The legislation requires that applicants must have regard to any good practice advice on consultation issued by the LPA. In the South Kesteven Wind Energy SPD, Box 28 states the Council's position on public consultation on wind farms. Additionally, Section 23 of the South Kesteven Statement of Community Involvement - <http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=1969&p=0> sets out ways in which community consultation can be carried out.

CONSULTEES

The following organisations were consulted or have made representations in relation to the above Scoping Opinion:

(A copy of all consultation replies is attached for your information)

**Bat Conservation Trust
Lincolnshire Bat Group*
Lincolnshire Bird Club*
Lincolnshire Wildlife Trust*
Natural England
RSPB*
Barn Owl trust*
Anglian Water*
Severn Trent Water*
Environment Agency
English Heritage
National Trust
SKDC Principal Conservation Officer
Heritage Lincolnshire (Archaeology)
CPRE*
Lincolnshire County Council - Highways and Traffic*
Lincolnshire County Council - Footpaths
Highways Agency
Lincolnshire County Council - Planning*
Notts County Council
Leics County Council
Newark and Sherwood District Council
Melton Borough Council*
Allington Parish Council
Long Bennington Parish Council***

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**Foston parish Council
Sedgebrook Parish Council
Bottesford Parish Council*
Staunton in the Vale Parish Council*
Belvoir Parish Council*
British Horse Society*
MOD*
NATS
CAA*
The Ramblers Association*
Lincolnshire Fieldpaths Association*
Ofcom*
SKDC Environmental Protection
SKDC Tree Officer*
Upper Witham IDB
SKDC Drainage Officer*
National Grid
Western Power Distribution*
BLOT**

***no comments received**

Although not formally consulted, relevant comments have also been received from the following organizations and individuals:

**Alverton & Kilvington Parish Council
3 x local residents**

PRESENTATION OF THE ES

The ES should be concise and clear in presentation. It should report on all the impact assessments detailed in the Scoping Report prepared by Whirlwind Renewables dated May 2014 and those highlighted in this Scoping Opinion.

Details of the processes and methodologies used for the collection of baseline data, predictions and assessment of impacts should be clearly set out.

It should include a list of references used and a glossary of technical terminology used. A list of consultees consulted should be provided with a summary of their representations.

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Key mitigation measures should be highlighted and their effectiveness explained.

A non technical summary of the ES should be provided including any relevant plans and diagrams.

It is recommended that relevant individuals, organisations and groups affected by the proposal be notified of the existence of the ES. In addition to the ES, you are advised to view the Planning Application Requirements section of the South Kesteven District Council website: <http://www.southkesteven.gov.uk/index.aspx?articleid=2492> This identifies the national and local list requirements for the planning applications.

Appendix 1: Responses received to Scoping Report produced by Whirlwind Renewables dated May 2014

SBrand

Principal Planning Officer

Date: 31 July 2014

