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TOWN AND COUNTRY PLANNING ACT 1990 FULL

Reference: H06-1108-22 **Date of Decision:** 28th March 2023

Applicant: Jepco
Norfolk House Farm
Gedney Marsh
Spalding
PE12 9PB

Location: Land North & South Of Main Road And East Of Dawsmere Road Gedney Drove
End Spalding

Description: Proposed temporary met mast up to 140m high to gather a range of meteorological data during c. 18 month period as part of overall feasibility assessment for the electrolysis, wind and PV at Jepco including the repowering of Red House Wind Farm

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

- 1 Once the temporary mast hereby permitted is no longer required, the temporary mast shall be removed from the site and the site restored to its former condition within six months of the date of cessation of use.

Reason: In order to prevent a proliferation of the mast and the potential for its fabric to become dilapidated.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:

NEO01012_004I_A Figure 1 Rev A
NEO01012_005I_A Figure 1 Rev A

NEO01012_006I_A Figure 3 Rev A
NEO01012_003I_A Figure 4 Rev A
NEO01012_007I_A Figure 5 Rev A
Figure 6a-6h

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Reflectors or similar shall be attached to the guy wires to ensure visibility to birds in flight.

Reason: In the interests of biodiversity and to safeguard against collision by birds.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

- 4 Development shall not commence until details of aviation warning lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details before the mast first becomes operational and thereafter shall be retained.

Note: As a minimum the MOD would require that the Meteorological Mast is fitted with 25candela (cd) omni-directional red lighting or infra-red (IR) lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practical point.

Reason: To maintain the safety of military aircraft operating in the area.

- 5 Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the details of cranes and other tall construction equipment (including the details of obstacle lighting fitted to construction equipment).

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

Thereafter, the applicant must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- a. Precise location of development.
- b. Date of commencement of construction.
- c. Date of completion of construction.
- d. The height above ground level of the tallest structure.
- e. The maximum extension height of any construction equipment.
- f. Details of aviation warning lighting fitted to the structure(s).

Reason: To ensure that construction work and construction equipment on the site and adjoining land does not obstruct military air traffic movements or have an impact on flight safety.

To ensure the mast structure is identified in relevant aviation chart information.

The MOD recognises that a meteorological monitoring mast is frequently deployed prior to the development of a windfarm. The erection and operation of wind turbines in this area may affect military aviation and radar. DIO Safeguarding would therefore wish to be consulted on any associated applications for wind turbines 11 metres or greater in height.

Notes:

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>



Phil Norman
Head of Planning
South Holland District Council

BUILDING REGULATIONS:

This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

RIGHTS OF APPEAL

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

12 Weeks	6 Months	8 Weeks
Householder Applications	Planning Permission	Consent to Display Adverts
Minor Commercial Development	Listed Building Consent	
Agricultural Determinations	Other Prior Approval Applications	
Householder Prior Approval Applications		

<https://www.gov.uk/appeal-householder-planning-decision>

<https://www.gov.uk/appeal-planning-decision>

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning-inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**.

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice** OR the **timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in

giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant it subject to conditions the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.