DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H06-1108-22**	**Applicant:**	**Jepco**
Proposal:	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		
Location:	Land North & South Of Main Road And East Of Dawsmere Road Gedney Drove End		
Terminal Date:	14th April 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
05	Meeting Physical Infrastructure and Service Needs
07	Improving South East Lincolnshire's Employment Land Portfolio
28	The Natural Environment
32	Community, Health and Well-being

National Guidance

National Planning Policy Framework 2021

National Planning Policy Framework, 2021

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	3
RESIDENTS	0	1	0	0

CASE OFFICER ASSESSMENT

Proposal

The erection of a 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. The purpose of the mast is to gather the data associated with the existing Red House Wind Farm.

Site Description

The site is currently an open field, situated approx. 807m north west from Gable End Farm. The Red House Wind Farm is situated 1.2km to the south west of the site.

History

No relevant planning history.

Consultation Responses

Public comments (1)

- Fully Support.

Gedney Parish Council

No objections.

NATS Safeguarding

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our
safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

DIO/MOD Safeguarding

No objections following conditions.

Highway and Lead Local Flood Authority

No Objections.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Lincolnshire Bat Group

No comments.

Natural England

Natural England has no specific comments to make on this proposal or issue. Please refer to our general advice in

the Annex below.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the proposals are not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not the proposals are consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of sites and the impacts of development proposals to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend that local planning authorities use Natural England's Site of Special Scientific Interest Impact Risk
Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at:

https://www.gov.uk/guidance/local-planning-authorities-get-environmental advice
https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning proposals
https://www.gov.uk/guidance/consulting-on-neighbourhood-plans-and-development-orders

RSPB

RSPB have previously commented (in 2009) on proposals for a similar mast. We would advocate reflectors or similar to be attached to the guy wires to make them more visible to birds in flight, especially when light or weather conditions are poor.

Significant numbers of birds (principally pink footed geese and waders such as golden plover use the Wash and surrounding farmland and chance of strikes increase when cropping is predominated by sugar beet and or open ground. We recommend walk over surveys are conducted to search for presence or absence of bird corpses. These data would help inform future planning applications and give greater levels of confidence the proposals would impact on protected species

Planning Considerations

The main issues in this case are:

Principle of Development
Impact upon Character of the Area
Highway safety and parking
Impact of neighbouring Residents/land users
Landscape Impact

Principle of Development

The principle of the development is considered by the policies set out above, that relate to existing wind farm facilities supported by the NPPF 2021 and the SELLP 2019.

Impact upon Character of the Area

The temporary mast would not be considered out of place, given the wider infrastructure in the area and that there are other nearby structures such as wind turbines in the area.

Due to the proposal being for a temporary mast, on balance we are supportive of the project.

Highway safety and parking

It is not considered that the proposed temporary mast would have an unduly impact upon the public highway, given that it is approx. 867m away from the closest main road to the south.

As can be seen above, LCC as Local Highway and Lead Local Flood Authority raise no objections.

Impact of neighbouring Residents/land users

The site is situated at least 660m away from residential properties and SHDC Environmental Protection colleagues have no objection.

The mast would be viewed in the context of the wider infrastructure installations in the locale.

It is therefore considered acceptable on residential amenity grounds.

Landscape Impact

The temporary mast would be viewed in the context of the wider infrastructure installations in the locale. Given the wide and open landscape of this area, the temporary mast is not considered to impact greatly up the landscape.

It is therefore considered acceptable in terms of impact upon the landscape, and wider views.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed temporary mast would not materially harm the character or appearance of the locality, or amenity of nearby resident, and would support local businesses. Taking into consideration these factors, the proposal is considered to comply with Policies 1, 2, 3, 5, 7, 28 and 32 of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPFF), 2021.

The are no significant factors in this case that indicate against the proposal and outweigh factors in favour of the proposal and the policies referred to above.

Conclusion

Based on the reasons outlined above, this is recommended for a delegated approval.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that

may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.