
From: Dev_PlanningSupport <Dev_PlanningSupport@lincolnshire.gov.uk>
Sent: 29 September 2026 11:31
To: _planningadvice
Subject: Planning Application Decision Notification H02-0689-26
Attachments: H02-0689-26 Decision Notice.pdf

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Dear Sir/Madam

PLANNING APPLICATION NUMBER: H02-0689-26

LCC REFERENCE NUMBER: PL/0035/26

DEVELOPMENT: FOR INSTALLATION OF PLANT AND MACHINERY FOR THE PRODUCTION OF AMMONIUM SULPHATE TO BE USED AS LIQUID FERTILISER AS PART OF THE EXISTING ANAEROBIC DIGESTION PROCESS

LOCATION: DECOY FARM, SPALDING ROAD, CROWLAND

Lincolnshire County Council has granted permission for the development referred to above. A copy of the Decision Notice is attached which should be placed on your statutory planning register.

Yours faithfully

Technical Support Team

Planning Services

Lincolnshire County Council

County Offices, Newland, Lincoln LN1 1YL

Tel: 01522 782070

Website: www.lincolnshire.gov.uk



Planning Permission

Name and address of applicant

Decoy Farm Power Ltd
C/O Robert Doughty Consultancy Limited
32 High Street
Helpringham
Sleaford
NG34 0RA

Name and address of agent (if any)

Robert Doughty Consultancy Limited
32 High Street
Helpringham
Sleaford
NG34 0RA

Part I - Particulars of application

Date of application:
7 May 2026

Application No.
H02-0689-26
LCC Ref. No.
PL/0035/26

Particulars and location of development:

For installation of plant and machinery for the production of ammonium sulphate to be used as liquid fertiliser as part of the existing anaerobic digestion process at Decoy Farm, Spalding Road, Crowland

Part II - Particulars of decision

The Lincolnshire County Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following Biodiversity Net Gain Condition and Schedule of Conditions.

- A. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for this development is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:
- (a) a Biodiversity Gain Plan has been submitted to the planning authority; and
 - (b) the planning authority has approved the plan.

Date: 29 September 2026

N McBride

County Offices, Newland,
Lincoln LN1 1YL

Head of Planning
Lincolnshire County Council

1. There may be pre-development conditions attached to this notice and if these are not complied with before development commences then you may not have been deemed to have been granted planning consent.
2. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.

Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within seven days of such commencement.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall only be carried out in accordance with the following documents and plans, unless otherwise agreed in writing with the Waste Planning Authority or where modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions:

Documents

- Application Form (date stamped received 07 July 2026)
- Covering Letter (date stamped received 07 July 2026)
- Flood Risk Assessment (date stamped received 09 June 2026)
- BNG Metric (date stamped received 09 June 2026)
- BNG Condition Assessment (date stamped received 09 June 2026)

Drawings

- Site Location Plan – Drawing No. 28028/990 rev. G (received 09 June 2026)
- Baseline BNG Plan – Drawing No. 1126-5_FP_SP01 (received 09 June 2026)
- Post Development BNG Plan – Drawing No. 1126-5_FP_SP02 (received 09 June 2026)
- Proposed Site Layout - Drawing No. 28028/910 rev. G (received 09 June 2026)
- Proposed Equipment Elevations (sheet 1 of 2) – Drawing No. 28028/930 rev. B (received 11 May June 2026)
- Proposed Equipment Elevations (sheet 1 of 2) – Drawing No. 28028/931 rev.0 (received 11 May June 2026)

Reason: To define the permission and to ensure the development is implemented in all respects in accordance with the approved details.

3. Prior to the commencement of development, the means of delivering at least 10% Biodiversity Net Gain shall be submitted to, and agreed in writing by, the local planning authority in one of the following ways:
 - a. onsite; or
 - b. offsite and therefore prior to the commencement of development a s.106 legal agreement or conservation covenant shall be entered into to secure the delivery, management, monitoring and reporting of the BNG, including any fees associated with the monitoring arrangements; or
 - c. through the provision of proof of the purchase of Habitat Bank Biodiversity Units (evidence to be submitted for approval); or

- d. through the provision of proof of the purchase of Statutory Biodiversity Credits (evidence to be submitted for approval); or
- e. a combination of the above, secured by the appropriate mechanism.

The delivery of biodiversity net gain shall thereafter be carried out in accordance with the approved method.

- 4. The Biodiversity Gain Plan approved pursuant to the deemed Biodiversity Gain Condition shall be implemented in full.
- 5. Where the required Biodiversity Net Gain (BNG) of at least 10% is to be delivered onsite (whether in full or in part), prior to the commencement of development, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and approved in writing by, the local planning authority. The HMMP shall include:
 - a) details of how the required BNG will be:
 - i) enhanced,
 - ii) created,
 - iii) retained (including making good any losses and replacement due to damage and / or failure),
 - iv) managed and maintained for a period of 30 years after the completion of development, and
 - v) monitored and reported to the local planning authority;
 - b) a timetable for the delivery of the required BNG and a definition of the completion of development that shall be the trigger point for the commencement of the management and monitoring arrangements;
 - c) details of when the BNG will be monitored and the arrangements for such monitoring to be reported to the local planning authority, including the mechanism for agreeing any fees related to the monitoring arrangements, as appropriate; and
 - d) provision for the review of the management and maintenance should the findings of the monitoring indicate that the approved approach requires amendment.

The management and monitoring of the BNG shall be implemented in full in accordance with the approved HMMP

Reasons for conditions 3 to 5: To meet the requirements of the Biodiversity Gain Objective set out in paragraph 2 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) and to meet the requirements of the deemed Biodiversity Gain Condition imposed by paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 6. All external site operations and activities authorised or required in association with this development (including vehicular traffic associated with the delivery of waste materials or export of products and materials) shall only be carried out between the following hours:

07:30 to 18:00 hours – Monday to Friday;

07:30 to 16:00 hours – Saturdays;
07:30 to 12:00 hours – Sundays, Public and Bank Holidays.

Reason: In the interests of limiting the effects of the development on local amenity and to define the permitted hours of operation.

7. The odour mitigation measures, monitoring, reporting and review mechanisms contained within 'The Odour Assessment and Management Plan' (document Ref: 3378-CAU-XX-XX-RP-V-0305-A0-C1 dated May 2018 contained within Appendix I of Volume 2 of the Environmental Statement) (approved under planning permission reference: H02-0913-19) shall be implemented in full and maintained for the duration of the development. All monitoring records shall be retained for a 12 month period at the site and shall be made available for inspection by the Waste Planning Authority within five working days of a request.

Reason: To minimise the potential nuisances and impacts of noise and odours arising from the development on the surrounding area.

8. No soil stripping or vegetation clearance works shall be undertaken between March and September inclusive unless otherwise agreed in writing with the WPA. If these works cannot be undertaken outside this time, the land affected should be evaluated and checked for breeding birds by an appropriately qualified ecologist and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependent young have vacated the area.

Reason: To protect breeding birds during the nesting season.

9. The development hereby permitted shall be carried out in accordance with the flood mitigation and flood resilience measures set out in the approved Flood Risk Assessment (received 09 June 2026). The approved measures shall be fully implemented prior to the first operation of the development and shall thereafter be retained and maintained for the lifetime of the development.

Reason: To ensure the development remains safe for its lifetime without increasing flood risk on the site or elsewhere.

Informative

Attention is drawn to:

(i) Biodiversity Gain Information

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Lincolnshire County Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and:
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development, which is exempt, being:
 - 4.1 Development which is not "major development" (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - (i) the application for planning permission was made before 2 April 2024;
 - (ii) planning permission is granted which has effect before 2 April 2024; or
 - (iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:

- (i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- (ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development on sites of 0.2 hectares or less, meaning development which:

- (i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- (ii) the area within the application site's red line boundary does not exceed 0.2 hectares.

This exemption applies only to planning applications made on or after 6 August 2026.

4.4 Development which is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, which is not an application for change of use or an application to change the number of dwellings in a building.

4.5 Development of a biodiversity gain site meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain condition which applies in relation to another development. No account is to be taken of any facility for the public to access or use the site for educational or recreational purposes, if that access or use is permitted without payment of a fee.

4.6 Temporary development, meaning development which:

- (i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- (ii) is granted planning permission for a period of five years or less; and
- (iii) will be removed and the land reinstated at the end of that period.

This exemption applies only to planning applications made on or after 6 August 2026.

- 4.7 Development forming part of, or ancillary to, the high-speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73(2D) of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- (i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
 - (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.
- (ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by processing the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way

to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of receipt of this notice. (Appeals must be made either electronically via the Planning Portal at www.gov.uk/government/organisations/planning-inspectorate or by using a form which can be obtained by contacting the Customer Support Team on 0303 444 00 00). The Secretary of State has a power to allow a longer period for the giving notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving of a notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by them. Please note, only the applicant possesses the right of appeal.
2. Applicants that want a planning appeal to follow the Inquiry procedure should notify the local planning authority and the Planning Inspectorate at least 10 working days before submitting their planning appeal. Further information and a copy of the template notification form can be found here: <https://www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal>

The form should be emailed to Lincolnshire County Council at dev_planningenquiries@lincolnshire.gov.uk and the Planning Inspectorate at inquiryappeals@planninginspectorate.gov.uk
3. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, they may serve on the council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
4. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.