

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H16-1235-25	Applicant:	Naylor Farms
Proposal:	Proposed Anaerobic Digester Plant & Associated Buildings		
Location:	Land Adj To Existing Plant Based Protein Extraction Facility Between A16 & Rangell Gate Spalding		
Terminal Date:	5th January 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
RESIDENTS	21	0	0	0

CASE OFFICER ASSESSMENT

South Holland District Council (SHDC) wishes to make the following comments regarding application Lincolnshire County Council (LCC) Reference PL/0066/24.

Development Plan

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland.

The Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (adopted June 2016) (CSDMP) is an adopted document and the policies contained therein

should be given great weight in the determination of planning applications.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

Application Status

SHDC has an application pending determination within the site under reference H16-1097-23 (Proposed Anaerobic Digester Plant). The Protein Extraction Facility, research Facility and AD plant were first submitted to SHDC; however, LCC subsequently notified SHDC that as the AD plant was for a waste processing facility, this needed to be determined as a county application. Application PL/0066/24 was subsequently submitted.

Various amendments have been received by SHDC for application H16-1097-23 and the application remains pending determination whilst LCC's application (PL/0066/24) is also pending determination.

Conclusion

SHDC has no comments to make regarding the proposed development at this stage.

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.