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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H14-0455-26 **Date of Decision:** 6th August 2026
Applicant: Brylaine Travel Ltd
C/O J B Architectural Design Services
44 Northorpe Road
Donington
Spalding
PE11 4XU
Location: Brylaine Travel Ltd. Glenside South West Pinchbeck Spalding
Description: Change of Use from General Industrial (Class B2) to Storage and Distribution (Class B8) - Retrospective

South Holland District Council, in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended), hereby give notice that permission has been GRANTED (or equivalent) for the development referred to above, subject to the following condition(s):

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:
 - 210-01-LBP01 - Site Location & Block Plans
 - Ref: SS.210-01 revA - Planning Statement including FRA
 - BNG Exemption Statement - May 2026
 - Vehicle Operator License - BMR Transport Ltd
 - Vehicle Operator License - Brylaine Travel Ltd
 - Vehicle Operator License - C G Godfrey Ltd
 - Groundsure Screening Details

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

- 2 The uses and development hereby permitted shall be operated solely within the following hours, as specified:

- Brylaine Travel Ltd - 05:30am - 20:30pm - Monday - Sunday.
- BMR Transport Ltd - 00:00am - 00:00am - Monday - Sunday.

Reason: In the interests of the amenity of local residents.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 3 This permission shall operate solely for the benefit of Brylaine Travel and BMR Transport Ltd, and the use hereby permitted shall be terminated at such time as both Brylaine Travel or BMR Transport Ltd ceases to occupy the site, as outlined in red within drawing number '210-01-LBP01 - Site Location & Block Plans'.

Reason: In the interests of the amenity of local residents.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 4 No more than the following number of vehicles shall be stored on site at any one time:

- 20 Public Service Buses
- 12 HGV Lorry Fronts/Cabs
- 25 HGV Trailers
- 5 Vans

Reason: In the interests of the amenity of local residents.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 5 The uses and development hereby permitted shall operate solely as that listed within the key on drawing number '210-01-LBP01 - Site Location & Block Plans', and for no other purpose.

Reason: In the interests of the amenity of local residents.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, as amended (or any Order or Statutory Instrument revoking and re-enacting that Order), the premises shall be used and operated solely for the purposes as listed within the key on drawing number '210-01-LBP01 - Site Location & Block Plans', and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any Order or Statutory Instrument revoking and re-enacting that Order).

Reason: In the interests of the amenity of local residents and to ensure that the Local Planning Authority retains control over the future use of the premises/site in the interests of residential amenity.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East

- 7 With the exception of those already in situ at the date of decision, no floodlights or other forms of external lighting shall be installed to serve the use/development, without the approval in writing from the Local Planning Authority.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 8 Within three months from the date of this permission, details of the installation of fire hydrants shall be submitted and approved in writing by the Local Planning Authority.

The details shall include the number, location, capacity and timeframe, for implementation of fire hydrants, and shall be prepared in consultation with Lincs Fire and Rescue.

The development shall be carried out in accordance with the details so approved, and thereafter maintained.

Reason: In the interests of the amenity and safety of local residents.

This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan 2019.

- 9 The development hereby permitted shall be undertaken in accordance with the 'Access Arrangements' as outlined within 'Ref: SS.210-01 revA', in particular the points raised below:

- No Brylaine vehicle access to the site via Glenside South from B1180 to Money Bridge (the road is narrow and unsuitable for PSV movements in this direction). Drivers are required to use Glenside North to Money Bridge.
- All Brylaine AM departures are routed via Glenside South to the A151 to Spalding, or via Money Bridge to Gosberton Risegate, to avoid the narrow section of Glenside South.
- BMR vehicle routing follows similar principles, with access managed to minimise disturbance to the narrow residential lanes.

Reason: In the interests of the safety and free passage of those using the adjacent public highway the permitted development after the implementation of the change of use.

This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

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>

Biodiversity Net Gain

The applicant's attention is drawn to the following Biodiversity Net Gain requirement.

The effect of Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

For guidance on the contents, in respect of the details that must be submitted and agreed by the Local Planning Authority, prior to the commencement of the consented development, please see the GOV.uk website and Planning Practice Guidance.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Based on the information available and submitted in support of this application, the Local Planning Authority considers that the development hereby permitted is exempt and therefore will not require the approval of a biodiversity gain plan, prior to the commencement of development; with the development comprising a statutory exemption as listed below: -

The site is set entirely on hardstanding and buildings, it would not impact an area of on-site habitat larger than 25 square metres

As such, the development hereby permitted will not be subject to the biodiversity gain condition.

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.

For clarity the LPA do not consider that irreplaceable habitats are present at this site.

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.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where

(a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and

(b) the conditions subject to which the planning 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 within the meaning of regulations made under paragraph 18 of Schedule 7A, 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.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
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 team for further information on 01775 764557 or bcadmin@sholland.gov.uk

BUILDING REGULATIONS 2010:

The plans given approval as part of this application, may require the provision of additional

information or amendment to show compliance the relevant requirements of the Building Regulations 2010. Typical circumstances include, highly glazed extensions achieving compliance with requirement L1 (Conservation of fuel and power) which may influence the areas of glazed elements/ building elevations, or requirement B1 (Means of warning and escape) which may influence an internal layout for fire safety purposes. Please contact the Building Control team 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://appeal-planning-decision.service.gov.uk/before-you-start>. 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.