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SUBMITTED VIA THE PLANNING PORTAL

Dear Sir or Madam

SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR THE TEMPORARY VARIATION OF CONDITION 1 OF PLANNING PERMISSION: H11-0013-14
MCDONALD'S RESTAURANT, VICARAGE LANE, LONG SUTTON, SPALDING, PE12 9AF
MCDONALD'S RESTAURANTS LTD

PLANNING PORTAL REF: PP-04383716

Introduction

We write on behalf of our client, McDonald's Restaurants Ltd, to apply for a temporary variation of Condition 1 of Planning Permission: H11-0013-14 which controls the operating hours at its restaurant at Vicarage Lane in Long Sutton.

In accordance with the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), we enclose the following documents which comprise the application:

- The completed application forms and certificates;
- Site Location Plan; and
- Planning Permission: H11-0013-14.

As the application has been submitted electronically via the Planning Portal website (PP-04383716) a cheque, made payable to 'South Holland District Council' for £195.00, has been submitted separately by post.

Relevant Planning History

On 31 July 2000, planning permission was granted for the erection of a McDonald's Restaurant (Ref: H11-0428-00) ("**2000 Permission**"). Condition 10 restricted the operating hours of the restaurant and stated:

> *"The restaurant shall only be open between the hours of 0700 and midnight".*

On 14 June 2011, planning permission was granted for variation of Condition 10 of Planning Permission: H11-04-0428-00 to allow the restaurant and associated takeaway to operate 24 hours a day, 7 days a week (Ref: H11-0202-11) ("**2011 Permission**"). Condition 1 restricted the extended hours to a 12 month temporary period to enable the acceptability of the extended hours to be tested.

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On 28 January 2013, planning permission was granted for variation of Condition 1 of Planning Permission: H11-0202-11 to allow the restaurant and associated takeaway to operate 24 hours a day, 7 days a week for a further 12 month period (Ref: H11-0943-12) ("**2013 Permission**"). Condition 1 of the 2013 Permission restricted the extended hours to a 12 month temporary basis as a formal premises licence for 24hr trading was not yet in place.

On 14 April 2014, planning permission was granted for the removal of Condition 10 of Planning Permission: H11-0428-00 to allow the restaurant and associated takeaway to trade 24 hours a day, seven days a week (Ref: H11-0013-14) ("**2014 Permission**"). Again the Permission was granted for a 12 month temporary basis as a formal premises licence for 24hr trading was not yet in place.

The Proposed Development

This application seeks temporary planning permission for the variation of Condition 1 of the 2014 Permission to enable the McDonald's Restaurant to trade 24 hours a day for a 12 month period.

The 2014 Permission was granted on a temporary basis for 12 months specifically to enable the extended hours to be assessed. However, as the restaurant has not yet secured the relevant premises licence it has still only been trading between the hours of 05:00 to 23:00 (with the drive thru only until 00:00) on Mondays - Thursdays and 24 hours on Fridays, Saturdays and Sundays (drive thru only).

This application seeks a further 12 month temporary permission for the restaurant to operate 24 hours a day, which will enable the effects of the extended hours to be fully assessed.

We request that the following wording is used for the replacement Condition to control the ongoing operation of the restaurant:

> *"For a period of 1 year from the date of this permission the opening hours of the fast food restaurant shall be 24 hours a day, 7 days a week. Thereafter, the opening hours shall be 0700 to midnight on each day".*

The Officers Report for 2014 Permission confirms that there was no evidence of complaints being received at the restaurant in terms of noise and disturbance. Critically the Environmental Health Officer and County Highways had no objection to the proposed development.

We are not aware of any changes in the circumstances at the application site and there have been no new disturbances since the previous application and Permission. It follows that there are no reasons why the extended hours (24 hours a day, seven days a week) cannot be approved for an additional 12 month temporary period.

We would stress that the application for the 24 hour premises licence is being finalised and is due to be submitted imminently.

Summary and Conclusion

This application seeks planning permission to vary Condition 1 of Planning Permission: H11-0013-14 to allow the restaurant to trade 24 hours a day, seven days a week for a 12 month temporary period.

We are not aware of any changes in the circumstances at the application site and there have been no new disturbances since the previous application and Permission. Accordingly we respectfully request that this application is approved and that temporary planning permission is granted for the variation of Condition 1 to Planning Permission: H11-0013-14.

We trust that the information provided above is sufficient for the Council to register and consider this application. We will endeavour to contact you within the next few days to establish your timetable for decision making.

In the meantime, should you require any clarification or additional information, please do not hesitate to contact Clara Blagden or Tim Price at these offices.

Yours faithfully



Savills (UK) Limited
Commercial Planning