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L 160809 SAV Planning

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Dear Sir or Madam

SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR THE REMOVAL OF CONDITION 10 OF PLANNING PERMISSION: H11-0428-00
MCDONALD'S RESTAURANT, VICARAGE LANE, LONG SUTTON, SPALDING, PE12 9AF
MCDONALD'S RESTAURANTS LTD

PLANNING PORTAL REFERENCE: PP-05397438

Introduction

We write on behalf of our client, McDonald's Restaurants Ltd, to apply for the removal of Condition 10 of Planning Permission: H11-0428-00 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 2015 (as amended), we enclose the following documents which comprise the application:

- The completed application forms and certificates;
- Planning Permission: H11-0428-00; and
- Site Location Plan.

As the application has been submitted electronically via the Planning Portal website (PP-05397438) a cheque, made payable to 'South Holland District Council' for £195.00, has been submitted separately by post.

Relevant Planning History

On 01 August 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.

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

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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.

On 31 July 2015, planning permission was granted for the removal of Condition 10 of Planning Permission: H11-00428-00 to allow the restaurant and associated takeaway to trade 24 hours a day, seven days a week (Ref: H11-0714-15) ("**2015 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 relevant premises licence has now been granted and the restaurant has been operating 24 hours a day for 12 months.

The Proposed Development

This application seeks permission to remove Condition 10 of Planning Permission: H11-0428-00 to enable the McDonald's Restaurant to trade 24 hours a day, on a permanent basis.

The proposed hours of operation of the restaurant (24 hours) are now 'tried and tested' pursuant to the 12 month temporary period granted by the 2015 Permission.

We are not aware of any new disturbance or formal complaints that have been raised at the application site as a result of the extended hours of operation during the temporary period. It follows that there are no reasons why the extended hours (24 hour operation) cannot now be made permanent.

Summary and Conclusion

This application seeks planning permission to remove Condition 10 of Planning Permission: H11-0428-00 to allow the restaurant and associated takeaway to trade 24 hours a day, on a permanent basis.

As no disturbance, complaints or adverse impacts have been caused or reported within the temporary period, there are no reasons why the development cannot now be approved on a permanent basis. Accordingly we respectfully request that this application is approved and that planning permission is granted for the removal of Condition 10 to Planning Permission: H11-0428-00.

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

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