TONBRIDGE & MALLING BOROUGH COUNCIL

Planning, Housing & Environmental Health

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c/o Savills (UK) Limited
Miss Clara Blagden
33 Margaret Street
London
W1G 0JD

Your ref McDonald's Tonbridge - LDC
Our ref TM/16/02185/LDP
Contact Matthew Broome
Direct line 01732 876233
email matthew.broome@tmbc.gov.uk
Date 7 September 2016

APPLICATION: TM/16/02185/LDP

VALIDATED: 15 July 2016 PARISH: Tonbridge

This was approved in accordance with the following submitted details: Letter received 15.07.2016, Historic Decision Notice TMBC received 15.07.2016, Historic Decision Notice Birmingham CC received 15.07.2016, Historic Decision Notice Gedling BC received 15.07.2016, Historic Decision Notice Weymouth _ Portland BC received 15.07.2016, other high court transcript received 15.07.2016, Location Plan received 15.07.2016 and Historic Decision Notice Barking and Dagenham received 15.07.2016.

APPLICANT: c/o Savills (UK) Limited Miss Clara Blagden 33 Margaret Street London W1G 0JD

PROPOSAL: Lawful Development Certificate Proposed: hours of operation

LOCATION: McDonald's Restaurant 12A - 14 High Street Tonbridge Kent TN9 1EJ

Town and Country Planning Act 1990: Section 192
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The Tonbridge and Malling Borough Council hereby **CERTIFIES** that on 15 July 2016 the use /operations /matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged /hatched /coloured black on the plan attached to this certificate, was lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s)

1. Planning permission TM/06/00119/FL granted on 28th February 2006 did not impose any formal planning condition with respect to the opening hours of the restaurant although the description of the development referred to the intended opening hours. As there is no formal condition to enforce and with regard to matters of fact and law, the proposed unrestricted trading operation (i.e. 24 hours a day) of the restaurant is lawful.

MS Signed (Council's authorised officer).

Steve Humphrey
Director of Planning, Housing & Environmental Health

On behalf of Tonbridge and Malling Borough Council

Date 7 September 2016

First Schedule

Lawful Development Certificate Proposed: hours of operation

Second Schedule

McDonald's Restaurant 12A - 14 High Street Tonbridge Kent TN9 1EJ

NOTES:

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).

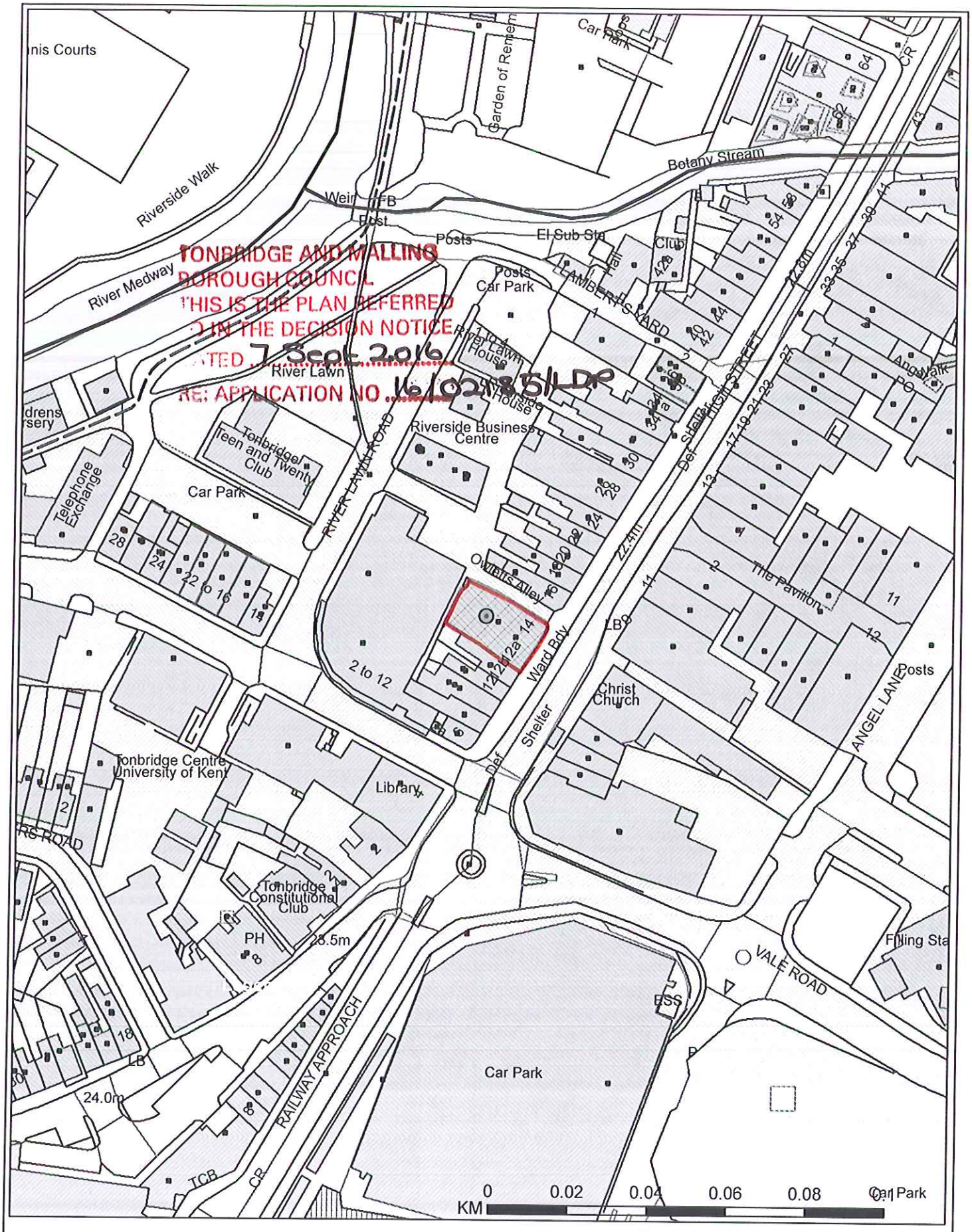
2. It certifies that the use /operations /matter specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under Section 192 of the 1990 Act on that date.

3. This certificate applies only to the extent of the use /operations /matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use /operations /matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

5. THIS IS NOT A BUILDING REGULATION APPROVAL

   It is the responsibility of the developer to ensure, before the development hereby approved is commenced, that approval under the Building Regulations, where required, and any other necessary approval, have been obtained, and that the details shown on the plans hereby approved agree in every respect with those approved under such legislation.



ADDRESS: McDonald's Restaurant, 12A-14 High Street, Tonbridge

CASENO: 16/102185/LDP

SCALE: 1:1,250

DATE: 07/09/2016

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