Planning Ref: WP/14/00848/CLE
Legal Ref: 14-0544

WEYMOUTH AND PORTLAND BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 Sects. 191 and 192 (as amended)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The Weymouth and Portland Borough Council HEREBY certifies that on the 29th September 2014 the development described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended) for the following reason[s]:

The development described in the First Schedule is lawful under the grant of planning permission reference 11/00663/RELAX as no conditions were attached to that permission limiting the opening hours of the premises therefore no enforcement action can be taken (notwithstanding the fact that the application was not for 24 hour use). Section 191 confirms that uses for which enforcement action cannot be taken are lawful.

FIRST SCHEDULE
Unrestricted opening hours of the premises.

SECOND SCHEDULE
McDonald's restaurant 72-73 St Mary's Street, Weymouth Dorset DT4 8PJ shown for identification purposes only edged with a thick black line on the attached plan.

Signed: L. Att .....
Head of Planning & Environmental Law
on behalf of Weymouth and Portland Borough Council

Date: 26 November 2014

NOTES:

1. This Certificate is issued solely for the purpose of Section 191of the Town and Country Planning Act 1990 (as amended).

2. It certifies that the use 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] [would not have been] liable to enforcement action under Section 172 of the 1990 Act on that date.

3. This Certificate applies only to the extent of the use 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.

RIGHTS OF APPEAL

If you are aggrieved by this decision then you can appeal to the Secretary of State for the Department of Communities and Local Government under Section 195 of the Town and Country Planning Act 1990 (as amended).

If you do wish to appeal this notice you can obtain the required forms from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively you can lodge an appeal via the internet by going to www.planningportal.gov.uk/pcs.



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Promap

SAVHD01 - Site Location Plan
McDonalds Restaurant, St. Mary's Street, Weymouth