

21 September 2026
L260921 SAV Cover Letter

The Savills logo consists of the word "savills" in a red, lowercase, sans-serif font, positioned on a yellow rectangular background.

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SUBMITTED VIA PLANNING PORTAL REF: PP-15195376

Dear Sir/ Madam,

**SECTION 192 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION TO CONFIRM THAT THE PROPOSED UNRESTRICTED OPERATION OF THE
RESTAURANT IS LAWFUL
MCDONALD'S RESTAURANT, BRIDGES RETAIL PARK, FLATT WALKS, WHITEHAVEN, CA28 7RQ
MCDONALD'S RESTAURANTS LIMITED**

Introduction

We write on behalf of our client, McDonald's Restaurants Limited, to apply for a Certificate, pursuant to Section 192 of the Act, to confirm the proposed unrestricted trading operation (i.e. 24 hours a day) of the McDonald's Restaurant at Bridges Retail Park, Flatt Walks, Whitehaven, is lawful.

In accordance with the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), we enclose the following documents which comprise the application:

- This cover letter;
- Decision Notice for Application Reference 4/98/0914/0;
- The completed application forms; and
- Site Location Plan.

As the application has been submitted electronically via the Planning Portal website (**PP-15195376**), an online payment for the planning application fee of £309 has been made via BACS.

Relevant Planning History

On April 19th 1988, planning permission was granted for "The use of 166/172 Lewisham High Street SE13 as a restaurant/take-away with ancillary office, storage and staff facilities" (Application Reference LE/152/166/TP). The decision notice does not provide any information detailing the permitted operating hours of the restaurant. As a result, this application is submitted to determine whether there is any existing restriction which limits the hours of operation for the McDonald's restaurant at Lewisham High Street.

The Proposed Use

Section 192 (a) of the Act states that an application for a Certificate of Lawfulness of Proposed Use or Development should be submitted if '*...any person wishes to ascertain whether...any proposed use of buildings or other land; or ...any operations proposed to be carried out in, on, over or under land is lawful*'.

This application seeks confirmation that the proposed unrestricted trading operation (i.e. 24 hours a day) of the Site, is lawful.

For there to be a valid planning restriction on operating hours, it must be imposed by condition. If there are no conditions of approval on any relevant permission which control the use or operation of the floorspace at the

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application site, and none of the later permissions relating to the McDonald's restaurant contain any restrictions on the opening hours.

Therefore this application has been submitted to certify that there are no planning restrictions on the hours of operation for the restaurant, which can therefore operate 24 hours a day¹.

Summary and Conclusion

In light of the above, we request that the application is approved and a Certificate is issued pursuant to Section 192 of the Act confirming that the proposed unrestricted trading operation of the restaurant (i.e. 24 hours a day) is lawful.

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 Monika Somogyi or Brad Wiseman at these offices.

Yours faithfully,

A solid black rectangular box used to redact the signature of the sender.

Savills (UK) Limited
Planning

¹ Subject to compliance with other legislation