

Name and address of agent:

**Mr Neil Boughey
Acorn Planning Ltd
Firdous
16 Station Road
Hibaldstow
DN20 9EB**

Name and address of applicant:

**Mr Amit Patel
4 Pebble Lane
Wellingborough
NN8 1AS**

NOTICE OF APPROVAL

Town and Country Planning Act 1990 (as amended)

Part I – Particulars of application

**Date Valid:
9 January 2023**

**Application Number:
NW/23/00010/FUL**

**Location:
4 Pebble Lane, Wellingborough, NN8 1AS**

**Description:
Change of use from former office (Class E (g) (i)) to a Fireaway Pizza
Restaurant (Sui Generis Hot Food Takeaway). AMENDED PLANS.**

Part II – Particulars of decision

**North Northamptonshire Council having considered a valid application for the
above development, in pursuance of its powers under the above mentioned act**

GRANTS PERMISSION

**for the development as described in Part I above and in accordance with the
application and plans submitted, subject to the following condition/s:**

- 1. The development shall be begun not later than the expiration of three
years beginning with the date of this permission.**

**Reason: To prevent the accumulation of planning permissions; to
enable the local planning authority to review the suitability of the**

development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

- 2. The development hereby approved shall be carried out in accordance with the following drawings/details:
Drawing No. 03/07/2022 01 - Site Location Plan (registered 7 January 2023)
Drawing No. 03/07/2022 02 - Site Plan (registered 16 June 2023)
Drawing No. 03/07/2022 05 A - Proposed Floor and Roof Plan (registered 16 June 2023)
Drawing No. 03/07/2022 06 D - Proposed Elevations (registered 16 June 2023)
Noise Survey v3.1 by Compliance 4 Buildings Ltd (Report ref. 20222938M938C/1/3) dated 8 May 2023 (registered 16 June 2023)
Odour Assessment v2.1 by Compliance 4 Buildings Ltd (Report ref. 20222938M938C/2v2) dated 28 April 2023 (registered 16 June 2023)**

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

- 3. Notwithstanding the approved details in condition 2, prior to the commencement of the use hereby permitted, full details of the cooking extraction and odour control systems (in accordance with the submitted noise and odour reports by Compliance 4 Buildings report references. 20222938M938/1/3 and 20222938M938C/2v2 respectively) including the design/colour of the vent and flue shall be submitted to and approved in writing by the Local Planning Authority. The equipment be installed prior to the first use of the building and shall be maintained in accordance with the approved details at all times thereafter.**

Reason: To ensure that the development does not detract from the appearance of the locality and in the interest of residential amenity with regards to noise and odour in accordance with policies 2 (a) and (b); 8 (d) (i) and (ii) and 8 (e) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

- 4. The premises shall not be open outside the hours of 11:00 to 23.00 Monday to Sunday and on Bank Holidays.**

Reason: As requested by the applicant and to prevent harm being caused to the amenity of the area and to safeguard the amenity of nearby occupiers in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

- 5. Prior to the commencement of the use hereby permitted, full details of the arrangements for waste/recycling bins within the site shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the commencement of the use and shall thereafter be retained and maintained.**

Reason: In order that proper arrangements are made for the disposal of waste, and to ensure the creation of a satisfactory environment free from intrusive levels of odour/flies/vermin/litter in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy and advice contained within paragraph 127 of the National Planning Policy Framework.

INFORMATIVE/S:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.

2. The North Northamptonshire Council encourages all contractors to be 'considerate contractors' when working in our district by being aware of the needs of neighbours and the environment. Prior to the commencement of any site works, it is good practice to notify neighbouring occupiers of the nature and duration of works to be undertaken. To limit the potential detriment of construction works on residential amenity, it is recommended that all works and ancillary operations which are audible at the site boundary during construction should be carried out only between the following hours: 0800 hours and 1800 hours on Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.

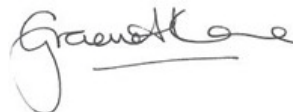
3. Any external signage/advertisements proposed for the unit will need to be part of a separate advertisement application if not deemed.

4. The design of the kitchen ventilation system shall have regard to the EMAQ Update to the 2011-2031 report on Control of Odour and Noise from Commercial Kitchen Exhaust Systems prepared by NETCEN for the Department for Environment Food and Rural Affairs, and BS 4142:2011-2031 +A1:2019 Method for Rating and Assessing Commercial Sound

Decision Date

24 July 2023

Signed:



Graeme Kane
Interim Executive Director Place and Economy

Officer Ref: CL

Notes:

1. In reaching this decision the Council has implemented the requirement in the National Planning Policy Framework to deliver sustainable development in a proactive and positive way in accordance with paragraph 38.
2. A full report is available at <https://www.wellingborough.gov.uk/viewplanningapplications>
3. Please note that a formal application is required to approve details reserved by conditions (where applicable). Approval of condition applications made under Article 27 of the Town & Country Planning (Development Management Procedure) (England) Order 2015 have a target determination period of 8 weeks and require a fee. Please programme in adequate time to avoid delay to your development. Details of how to apply can be obtained from the Council's website at https://www.wellingborough.gov.uk/info/200128/planning_permission/826/how_to_make_a_planning_application
4. Planning approvals may be monitored to ensure compliance. If development is found not to be in full accordance with the permission, the Council may stop the work, invite a fresh application and/or take enforcement action against the developer/owner.
5. This notice relates only to planning permission and does not include or imply consent under the Building Regulations or any other legislation for which a separate application may be required.
6. For advice and guidance about the Building Regulations, including the need for consent, please contact the Council's Building Control helpline on 01933 231908. Further information can also be obtained from the Council's website at https://www.wellingborough.gov.uk/info/200011/building_control

PURCHASE NOTICES:

If permission is refused, whether by the local planning authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

RIGHT OF APPEAL:

If you are aggrieved by the decision of the local planning authority to grant permission subject to the above conditions, then you can appeal to the Secretary of State under s.78 of the Town and Country Planning Act 1990.

The rules for lodging an appeal are set out in Article 37 of Town & Country Planning (Development Management Procedure) (England) Order 2015. The following is a summary of the rules:

1. If you wish to appeal against this decision you must do so on the relevant appeal form. Appeals may be made online for householder applications at <https://www.gov.uk/appeal-householder-planning-decision> and for full planning applications at <https://www.gov.uk/appeal-planning-decision>. If you are unable to use the online service, please contact the Planning Inspectorate's Customer Services Team on 0303 444 5000.
2. Completed appeals (forms and supporting documents set out in the appeal form) must be received by the Planning Inspectorate within the relevant time scale set out in the table below. The Secretary of State has the power to allow a longer period for you to give notice of an appeal but will not normally exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeal Type	Time Period
*Householder/minor commercial appeal with no enforcement action taken or pending	12 weeks from date of this decision notice
Full planning appeal against decision where no enforcement action taken or pending	Six months from date of this decision notice
Appeal against decision where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none">• within two years before the date of the planning application, or• before the date of this planning decision and still in force.	28 days from date of this decision notice
Appeal against decision where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none">• on or after the date of this planning decision, and• is still in force.	The earlier of the following dates: <ul style="list-style-type: none">• 28 days from date enforcement notice is served, or• Six months from date of this decision notice (12 weeks from date of this decision notice for *householder/minor commercial)

* Please note appeals against householder/minor commercial decisions only have 12 weeks from date of the decision notice. The definition of minor commercial may be found at [Article 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#).

These time scales are in relation to the appeal against the planning decision.
The time scales for appeals against the enforcement notice (as set out in the enforcement notice) are not affected by this decision.

3. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
4. If you intend to submit an appeal that you would like examined by inquiry then you must notify the local planning authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

For details of how we treat your data, please see our Privacy Statement:
www.northnorthants.gov.uk/privacynotices