

FULL PLANNING PERMISSION GRANTED

To: Mrs EMINE YURDAKUL
86-90 Paul Street EC2A 4NE
BELMOR SOLUTIONS LIMITED
LONDON
EC2A 4NE

Application no: 20/02235/FUL
Applicant: Mr. ABIDIN CENGIZ
105 Sumatra Road
London
NW6 1PL

Milton Keynes Council, under their powers provided by the above legislation, **Permit** the

Change of use from sui generis use class (betting shop) to use class E Commercial, Business and Services (restaurant) with associated installation of extract flue.

At: 130 Queensway Bletchley Milton Keynes MK2 2RT

In accordance with your application, valid on 17th September 2020.

Approval is given subject to the condition(s) set out below. Some of the conditions may require further details to be provided **before the development commences**. The conditions need to be complied with for the permission to remain valid. If the conditions are not complied with, legal action can be taken against the developer and the land owner. The details required by the conditions, need to be submitted formally to the Council. Call the Planning Enquiries number at the bottom of the page or use the link www.milton-keynes.gov.uk/publicaccess for further details.

Conditions:

(1) The approved development shall be carried out in accordance with the following drawings/details:

Location Plan, date: 10th September 2020, received 14.09.2020

Block Plan, date: 10th September 2020, received 14.09.2020

Proposed Ground Floor Plan, 2/4, date: 05.09.2020, received 14.09.2020

Ventilation Plans, date: 05.09.2020, received 14.09.2020

Existing and Proposed Front Elevation Plans, date: 05.09.2020, received 14.09.2020

Reason: For the avoidance of doubt and in accordance with the requirements of The

Town and Country Planning (General Development Procedure) (England) Order 2015.

(2)The development hereby permitted shall begin before the expiration of three years from 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 comply with section 91 of the Town and Country Planning Act 1990.

(3)The use of the premises shall not be carried out outside the hours of 7.00 to 22.00 Monday to Sunday.

Reason: To prevent harm being caused to the amenity of the area and to safeguard the residential amenity of nearby occupiers in accordance with Policy D5 of Plan:MK (2019).

Working With the Applicant

In accordance with paragraph 38 of the National Planning Policy Framework Milton Keynes Council takes a positive and proactive approach to development proposals focused on solutions. Milton Keynes Council works with applicants/agents in a positive and proactive manner by: offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application; where possible suggesting solutions to secure a successful outcome; informing applicants/agents of any likely recommendation of refusal prior to a decision; and by adhering to the requirements of the Milton Keynes Council Corporate Plan and the Planning and Transport Service Plan.

In this instance the application was acceptable as submitted and no further assistance was required.

Informative(s)

(1)Therefore, when designing kitchen extraction systems for this use class, developers should give consideration impact of noise, odours and smoke on air quality and neighbours of the premises. As well as providing appropriate ventilation to the staff and customers compliance with food hygiene regulations and fire safety.

Please find below a brief set of recommendations for planners to give to developers to assist them in complying with planning policy and future complaints by fitting the most effective system in advance.

- a) As the nature of each business and location is unique the developer is advised to contact a specialist contractor who can carry out a ventilation survey and design an extraction system specific to your business and premises needs.
- b) We strongly recommend the designer of the system refers to the comprehensive document: EMAQ - Control of Odour and Noise from Commercial Kitchen Exhaust Systems, 2018 (1) , a best practice guide for the design and operation of commercial kitchen ventilation systems.
- c) In order to ensure the efficacy of the design, the specific odour and grease characteristics arising from the type of cooking and moisture and grease/smoke characteristics of the appliance (as listed in table 1 and Table 2 (1)), the number of meals served per day and operating hours should all be considered in the design and submitted with the application.
- d) Each stage and component of the ventilation and extraction design, including plans of the dimensions, route, exhaust characteristics of the ductwork in relation to the building and detailed product information, should be submitted with the application.
- e) Each stage of the extraction and ventilation should be considered as a potential noise source, from the air intake through to the extract duct work, fans and discharge point. The control system should meet the requirements stipulated in BS4142:2014 "method for rating and assessing industrial and commercial sound". The design should also anticipate areas of wear and tear that could create a noise source once the system is in use.
- f) In circumstances where the end user of the premises is unknown, or where the specific type of cooked food is unknown the installation should be designed to achieve the highest level of odour control in order to cater for the worst-case scenario.
- g) Proprietors of commercial kitchens have a duty to ensure that extraction systems are well maintained and operating effectively to reduce the impact to the amenity, comply with food hygiene regulations and minimise the risk of fire and noise. The system should be designed to allow for easy and effective cleaning and maintenance. The maintenance costs should also be considered when selecting an extraction system.

(2)Alterations to the advertisement to the front elevation of the building requires additional advertisement consent.

(3)The proposed seating as shown on the proposed plans is not included within the red line boundary and as such is not approved through this permission. A separate license application for installation of chairs and tables within the highway is required to be obtained from the streetworks team before the tables and chairs can be placed within the highway.

Building Regulations

Please note that this is a planning permission only and you may also require approval under the Building Regulations. If you are in any doubt about this you can get further information via <https://www.milton-keynes.gov.uk/planning-and-building/building-control> or the Building Control Helpline Tel. (01908) 252721.

Your attention is drawn to the attached notes



A handwritten signature in blue ink, appearing to read 'JP', with a horizontal line extending to the right.

11th November 2020

Jon Palmer MRTPI – Head of Planning
For and on behalf of the Council

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 (as amended).

If you want to appeal, then you must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

You can appeal using a form that you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Customer Support Unit, Tel: 0117 372 6372. Appeal forms and guidance can also be downloaded from the Planning Inspectorate's website www.planning-inspectorate.gov.uk.

Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – <https://www.planningportal.co.uk/info/200207/appeals>. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local planning authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State for the Environment

Development Management,
Civic, 1 Saxon Gate East, Central Milton Keynes MK9 3EJ
Planning Enquiries Direct Line (01908) 252358
MK Council Tel: (01908) 691691
www.milton-keynes.gov.uk

refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council, or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State appeal or reference of the application to him.

These circumstances are set out in section 114 and related provisions of the Town and Country Planning Act 1990 (as amended).

The Party Wall etc. Act 1996

Anyone intending to carry out work described in the Act MUST give adjoining owners at least 2 months notice in writing of their intentions.

The Act covers:- (i) work to be carried out directly to an existing party wall or structure
(ii) new building at or astride the boundary line between properties
(iii) excavation within 3 or 6 metres of a neighbouring building or structure, depending on

the depth of the hole or foundations

If you are not sure whether the Act applies to work that you are planning, you should seek professional advice. A free explanatory booklet is available from ODPM Free Literature, PO Box 236, Wetherby, West Yorkshire, LS23 7BN. Tel 0870 1226236 e-mail odpm@twoten.press.net