Official

Appendix 25 – Completed PCN



Mr C Neelands
Planning Department
London Borough of Richmond upon Thames
Civic Centre
44 York Street
Twickenham
TW1 3BZ

Your Ref: 18/0025/EN/BCN

Our Ref: PN.PCN

3 June 2021

Dear Mr Neelands,

On behalf of our client, Petersham Nurseries Ltd, and following your email received on 13 May 2021, please find attached the completed Planning Contravention Notices (PCN) and associated evidence for Francesco Boglione and Paula Foulser.

Please note that the characterisation of the uses by the Council in the PCN as taking place at the site are mistaken. There has been one planning unit which spans the entirety of the site (as outlined in Schedule 1 of the PCN) incorporating a mixed use comprising nursery and café/restaurant. Customers enter the site at a fixed point whether they are visiting the nursery and/or restaurant/café. The circulation space is such that there is no differentiation and there has never been. Furthermore, the area reserved for the kitchen outlined on drawing DP7/2857, is incorrect. The kitchen has never operated solely from that particular area and similarly the area defined on the drawing as 'café seating'. Café seating has always been at tables and chairs dispersed across the site. This is shown in the photos provided and aerial imagery. The Council will be aware that Petersham Nurseries has been granted licences pursuant to TENs and we assume that this information is readily available to you. A breakdown of evening openings is included as part of the information pursuant to Question 6. This table also includes a number of charitable events for which TENs were not sought.

The Council will also be aware that transport surveys have been provided annually, following the granting of LPA reference: 08/4312/FUL. These surveys included monitoring of evening events. Again, we assume you will have access to this information.



We trust the above and attached is clear, but should you have any questions please do not hesitate to contact me.

Yours sincerely

Philip Villars

Enclosures:

Planning Contravention Notice, completed by Francesco Boglione Planning Contravention Notice, completed by Paula Foulser Evidence for Question 6 of the Planning Contravention Notice Evidence for Question 10 of the Planning Contravention Notice

Environment & Community Services



Civic Centre, 44 York Street, Twickenham TW1 3BZ email: envprotection@richmond.gov.uk

website: www.richmond.gov.uk

Our ref: 18/0025/EN/BCN Contact: Christopher Neelands

Mobile: 07929756708

Email: Christopher.Neelands@richmondandwandsworth.gov.uk

Important communication from Richmond Council

Francesco Boglione Petersham Nurseries Petersham Road Petersham Richmond TW10 7AB

13th May 2021

Dear Francesco Boglione,

Town and Country Planning Act 1990 (as amended) Re: Petersham Nurseries Petersham Road Petersham Richmond

I write following my email to the General Manager of Petersham Nurseries dated 9th April 2021. In order to assist the Council in its investigation, I have enclosed a Planning Contravention Notice containing several questions which you are required to answer to the best of your knowledge.

The purpose of the Notice is to set out what the matters the Council believes may be in breach of planning control and to ascertain more detailed information of how the property is currently being used. It is a criminal offence not to respond to this Planning Contravention Notice within **21 days** of the date you receive it, it is also an offence to provide false or misleading information within your response.

You are welcome to submit any additional evidence that you may have to support your responses. Upon receipt of the completed Planning Contravention Notice, I will review the responses provided and write to you again to update you on how this investigation is likely to be progressed.

Please send the completed Planning Contravention Notice by email to: <u>Christopher.Neelands@richmondandwandsworth.gov.uk</u>

Should you require any further information please do not hesitate to contact me.

Yours sincerely,

Christopher Neelands Planning Enforcement Officer

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

SERVED BY: LONDON BOROUGH OF RICHMOND UPON THAMES COUNCIL

It appears to the London Borough of Richmond upon Thames Council ("the Council"), being the Local Planning Authority for the purposes of Section 171C of the Town and Country Planning Act 1990, ("the Act"), that there may have been a breach of planning control in respect of the land described in Schedule 1 below ("the land"), shown in red on the attached plan.

The breach of planning control which may have occurred is specific in Schedule 2 below.

This Notice is served on you as a person who: -

- is the owner or occupier of the land or has any other interest in it;

 Or
- (2) is carrying out operations in, on, over or under the land or is using it for any purpose.

In exercise of their powers under Section 171C (2) and (3) of the Act the Council require you, so far as you are able, to give them the following information in writing within **twenty-one days**, beginning with the day on which this notice is served on you.

1. Please state your name and permanent address?



| 2. | Please state the nature of your interest in the property described in Sch. 1: |
|--------|--|
| a. Fre | eeholder since |
| 3. | When did you first have a legal interest in the property? |
| 3. | As above. |
| | Please give the name(s) and address(es) of any other person/company known to you to have an interest in the property described in Sch. 1 or any part of it, including any Bank or Building Society which has granted a mortgage (if a company, please state it's registered name, address and the company secretary). |
| 4. | Gael Boglione, |
| | Please state the hours of use for the café/restaurant at the property mentioned in Sch 1. The hours of use of the cafe and restaurant are set out in the table below. All members of the public leave the site by 11pm. Preparation of food and cleaning up by staff take place before and after the hours outlined below. |

| 5. | <u>Cafe</u> | Restaurant |
|-----------|-------------|-------------|
| Monday | Closed | Closed |
| Tuesday | 10am - 5pm | 12pm - 5pm |
| Wednesday | 10am - 5pm | 12pm - 5pm |
| Thursday | 10am - 5pm | 12pm - 11pm |
| Friday | 10am - 5pm | 12pm - 11pm |
| Saturday | 10am - 5pm | 12pm - 11pm |
| Sunday | 10am - 5pm | 10am - 5pm |

6. Please provide the date of when the current hours of use for the café/restaurant were implemented. Please enclose evidence with your response in support of your claims (for example, these may include dated copies of booking forms or receipts; dated advertisements or campaign material for the use showing opening times; dated business correspondence regarding the hours of work; dated staffing schedules; customer receipts showing dates and times).

13 April 2021

6.

Evidence provided with returned PCN Yes [X]No[]

7. Have the hours of use for the café/restaurant changed over time?

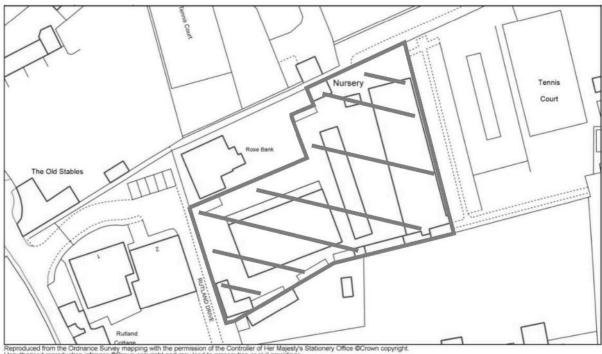
[X] Yes [] No

8. If the answer to Q7 is 'Yes', please provide details of these changes includingll relevant dates and any supporting evidence or documents.

8.

Since before 2009, the site has consistently had evening openings until 11pm each year. If no evening events/opening then the closing time was 5pm. Since reopening post-Covid lockdown in April 2021, the 11pm finish on Thursday - Saturday has been a regular occurrence each week.

9. Please clearly delineate (with a hatched area) on the map below, the extent of the premises used for café/restaurant use (including cooking, food-prep, ancillary storage, customer tables and chairs).



N/A

| Cidiffis. |
|---|
| 10. Since before 29/07/2009. |
| Evidence provided Yes [X] No [] |
| |
| 11. Has the extent of the café/restaurant use changed over time? |
| [] Yes [X] No |
| |
| 12. If the answer to Q11 is 'Yes', please provide details of these changes including all relevant dates and any supporting documents. |
| 12. |
| N/A |
| |
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| |
| 13. If the area of café/restaurant use has increased over time, please indicate on the map below and provide a key of the dates. |

10. Please provide the date of when the current area of café/restaurant use was implemented. Please enclose evidence with your response in support of your

| Key | | | |
|-----|--|--|--|
| | | | |
| | | | |
| | | | |
| | | | |

14. Please state the current number of covers (seats available for eating and/or drinking) at the premises referred to in Schedule 1.

14.

Restaurant (inside) - 103 covers* Cafe (outside) - 126 covers*

*No more than 85 covers are used in the restaurant and 125 covers in the cafe at any one time. Our covers within the restaurant and cafe are largely restricted by weather and kitchen capacity. When it is cold/wet we seat people inside the greenhouses and when it is hot we seat them outside. In temperate conditions it may be a mixture of the two. The indoor and outdoor capacity is purposely mirrored so that service can be switched and not affected by adverse weather.

- 15. What percentage of Petersham Nurseries' total number of customers purchase food or drink for consumption on the premises?
- 15. Question 16 contains a breakdown of food/drink/plant sales for May 2021; the percentages fluctuate with the seasons so an average month has been provided. For example, plant sales are higher in the spring and summer compared to the winter months fluctuate.
 - 16. Please complete the following table to show the nature of your business. Please note that each column should total 100%.

| CATEGORY OF SALE | As a percentage of total number of sales | As a percentage of gross turnover |
|--|--|---|
| Hot drinks consumed on the premises | 2.43% | 3.43% |
| Hot drinks taken away for consumption elsewhere | 0% | 0% |
| Hot food consumed on the premises | 30.41% | 42.89% |
| Hot food taken away for consumption elsewhere | 0% | 0% |
| Cold drinks consumed on the premises | 10.75% | 15.16% |
| Cold drinks taken away for consumption elsewhere | 0% | 0% |
| Cold food consumed on the premises | 5.97% | 8.41% |

| Cold food taken away for consumption elsewhere | 0% | 0% |
|---|--------|--------|
| Retail sales of plants, flowers, gardening, decorative items or other retail items. | 49.32% | 28.51% |
| Other-(charity cover charge and book sales made through restaurant tills) | 1.13% | 1.59% |
| TOTAL | 100% | 100% |

17. Please describe the food preparation facilities that are available at the premises mentioned in Schedule 1 including all equipment used for the cooking and heating of food, stating what the equipment is used for, and whether the food is being cooked by the equipment or merely re-heated.

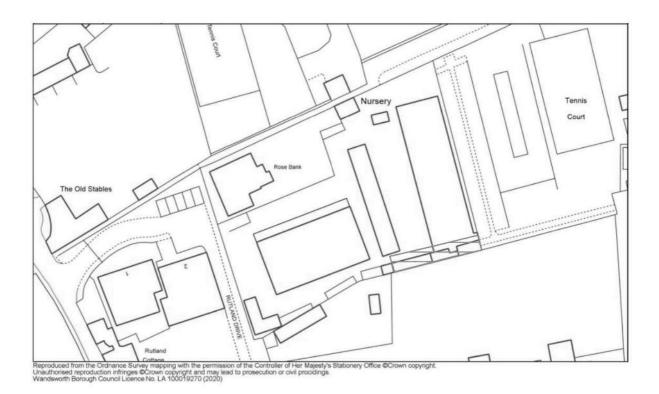
17.
All food is prepared on site in the commercial kitchen and is a mixture of cooking and re-heating. The cafe has a Falcon oven and a combination rational oven.
The restaurant has two Falcon ovens, a griddle, grill, fryer and comination rational oven.

18. Please explain what ventilation / extraction equipment is being used to disperse cooking fumes and odours at the premises. Please confirm the location of the equipment and its specifications.

18.

The kitchen's extraction system was subject to a discharge of condition application (LPA reference: 08/4312/DD01) and was permitted. This same system is in place and is regularly serviced and upgraded as required. The system is serviced by Hydro-X. The extraction for the cafe fully covers the falcon oven. The extraction for the restaurant fully covers the two ovens, griddle and grill.

19. What part of the property mentioned in Schedule 1 are the food preparation facilities located in? Please hatch on map below.



20.Planning permission was granted on 29th July 2009 for the use of the premises to continue as a garden centre (Class A1) and café/restaurant (Class A3), planning ref. 08/4312/FUL. This permission includes restrictive planning conditions relevant to the use of the premises which are as follows:

U27543 NS04 Hours of Use - Café/Restaurant

There shall be no sale of food for consumption on or off the premises during the following times: Tuesday to Sunday – before 1000hrs and after 1630hrs and on Sundays – before 1100hrs and after 1630hrs. The A3 premises shall not be open on Mondays. A notice to this effect shall be displayed at all times on the premises so as to be visible from outside. REASON: To safeguard the MOL, conservation area, amenities of nearby residential properties and the area generally.

U27544NS05 Café/Restaurant Areas

The café/restaurant areas shall be confined solely to the areas identified for these purposes on Approved Drawing Number DP7/2857 for Permission 07/1235/FUL.

REASON: To safeguard the MOL, conservation area, amenities of nearby residential properties and the area generally.

Are you aware of this planning permission and these restrictive conditions?

Yes [X] No []

| | Yes[] No[X] |
|--------|--|
| | If the answer is 'No' please explain why in the box below? |
| i r | Prom the outset the areas marked on Drawing ref DP7/2857 were unworkable commercially. The viability of the business was dependent on extending the seating areas and hours to include protection from the weather for seating, without which no planning preparation can be made. |
| | 22. If the answer to Q. 21 was 'No', please confirm the name of the person who, in relation to the operation of Petersham Nurseries, authorised or instructed the café/restaurant use to operate outside of the requirements of conditions NS04 and NS05. |
| | 2. The owners. |
| | 23. Planning permission at Petersham Nurseries was <u>refused</u> on 29 th March 2012 for the café/restaurant use to operate between the hours of 1900-2300 Saturday each week (planning ref. 12/0067/VRC). Are you aware of this decision to refuse consent for extended hours of operation? Yes [X] No [] |
| | 24. Planning permission at Petersham Nurseries was <u>refused</u> on 18 th January 2018 for the café-restaurant use to operate between the hours 0900-1800 Mondays, Tuesdays and Wednesdays, 0900-2300 on Thursdays, Fridays and Saturdays and 1100-1800 on Sundays (planning ref. 14/0345/VRC). |

21. Has the café/restaurant use been operating within the stipulated hours and

within the designated locations required by conditions 4 and 5?

| Are you aware | of this | decision | to refu | use | consent | for | extended | hours | of |
|---------------|---------|----------|---------|-----|---------|-----|----------|-------|----|
| operation? | | | | | | | | | |

Yes [X] No []

25. Has an application for planning permission been submitted to Richmond Council, as local planning authority, to use the property as it is currently being used?

Yes [] No [X]

26. If the answer to Q25 is 'No', please state why an application for planning permission has not been submitted? If the answer to Q25 is 'Yes', please continue to Q27.

26.

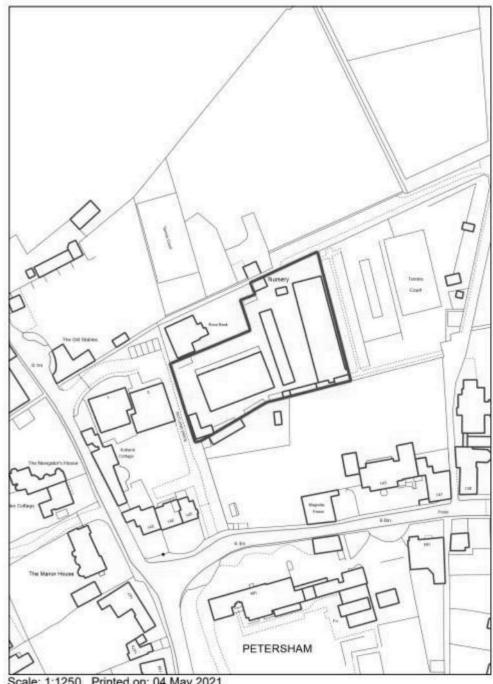
The way in which Petersham Nurseries operates is lawful as it has operated as such in excess of ten years. A Certificate of Lawfulness for Existing Use or development (CLEUD) will be submitted to confirm this.

27. Has planning permission been granted for the use of the property as it is currently being used?

27.

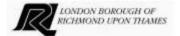
Please see the answer to Question 26.

SCHEDULE 1 Petersham Nurseries Petersham Road Petersham Richmond TW10 7AB



Scale: 1:1250 Printed on: 04 May 2021
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London Borough of Richmond upon Thames, Civic Centre, 44 York Street, Twickenham,
TW1 3BZ Telephone 020 8891 1411 www.richmond.gov.uk





SCHEDULE 2

Breach of conditions NS04 (Hours of Use – Café/Restaurant) and NS05 (Café/Restaurant Areas) of planning permission dated 29th July 2009 (ref. 08/4312/FUL).

WARNING:

- (1) It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice within twenty-one days beginning with the day on which it was served to you.
 - The maximum penalty on conviction of this offence is a fine of £5,000. Continuing failure to comply following a conviction will constitute a further offence.
- (2) It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

ADDITIONAL INFORMATION

- (3) If you fail to respond to this notice and in any event, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an Enforcement Notice under Section 172 of the Act, requiring the breach, or any injury to amenity caused by it, to be remedied.
- (4) If the Council serve a stop notice, under Section 183 of the 1990 Act, Section 186(5)(b) of the Act provides that should otherwise become entitled (under Section 186) to compensation for loss or damage attributed to that notice, no such compensation will be payable in respect of any loss or damage which would have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.

Dated: 13th May 2021

Signed: (Authorised Officer)

C D Raybould

On Behalf of: London Borough of Richmond upon Thames

Civic Centre 44 York Street Twickenham TW1 3BZ

Environment & Community Services



Civic Centre, 44 York Street, Twickenham TW1 3BZ email: envprotection@richmond.gov.uk

website: www.richmond.gov.uk

Contact: Christopher Neelands

Mobile: 07929756708

Email: <u>Christopher.Neelands@richmondandwandsworth.gov.uk</u>

Important communication from Richmond Council

Our ref: 18/0025/EN/BCN

Paula Foulser Petersham Nurseries Petersham Road Petersham Richmond TW10 7AB

13th May 2021

Dear Paula Foulser,

Town and Country Planning Act 1990 (as amended) Re: Petersham Nurseries Petersham Road Petersham Richmond

I write following my email to you dated 9th April 2021. In order to assist the Council in its in vestigation, I have enclosed a Planning Contravention Notice containing several questions which you are required to answer to the best of your knowledge.

The purpose of the Notice is to set out what the matters the Council believes may be in breach of planning control and to ascertain more detailed information of how the property is currently being used. It is a criminal offence not to respond to this Planning Contravention Notice within **21 days** of the date you receive it, it is also an offence to provide false or misleading information within your response.

You are welcome to submit any additional evidence that you may have to support your responses. Upon receipt of the completed Planning Contravention Notice, I will review the responses provided and write to you again to update you on how this investigation is likely to be progressed.

Please send the completed Planning Contravention Notice by email to: <u>Christopher.Neelands@richmondandwandsworth.gov.uk</u>

Should you require any further information please do not hesitate to contact me.

Yours sincerely,

Christopher Neelands Planning Enforcement Officer

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

SERVED BY: LONDON BOROUGH OF RICHMOND UPON THAMES COUNCIL

It appears to the London Borough of Richmond upon Thames Council ("the Council"), being the Local Planning Authority for the purposes of Section 171C of the Town and Country Planning Act 1990, ("the Act"), that there may have been a breach of planning control in respect of the land described in Schedule 1 below ("the land"), shown in red on the attached plan.

The breach of planning control which may have occurred is specific in Schedule 2 below.

This Notice is served on you as a person who: -

1. Please state your name and permanent address?

- is the owner or occupier of the land or has any other interest in it;

 Or
- (2) is carrying out operations in, on, over or under the land or is using it for any purpose.

In exercise of their powers under Section 171C (2) and (3) of the Act the Council require you, so far as you are able, to give them the following information in writing within **twenty-one days**, beginning with the day on which this notice is served on you.

| 1. | Paula Foulser, | | | | |
|----|----------------|--|--|--|--|
| | | | | | |
| | | | | | |

| 2. | Please state the nature of your interest in the property described in Sch. 1: |
|----|--|
| | other eneral Manager since October 2019. |
| 3. | When did you first have a legal interest in the property? |
| 3. | Not applicable. |
| 4. | Please give the name(s) and address(es) of any other person/company known to you to have an interest in the property described in Sch. 1 or any part of it, including any Bank or Building Society which has granted a mortgage (if a company, please state it's registered name, address and the company secretary). |
| 4. | Francesco Boglione and Gael Boglione, |
| 5. | Please state the hours of use for the café/restaurant at the property mentioned in Sch 1. The hours of use of the cafe and restaurant are set out in the table below. All members of the public leave the site by 11pm. Preparation of food and cleaning up by staff take place before and after the hours outlined below. |

| 5. | <u>Cafe</u> | Restaurant |
|-----------|-------------|-------------|
| Monday | Closed | Closed |
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6. Please provide the date of when the current hours of use for the café/restaurant were implemented. Please enclose evidence with your response in support of your claims (for example, these may include dated copies of booking forms or receipts; dated advertisements or campaign material for the use showing opening times; dated business correspondence regarding the hours of work; dated staffing schedules; customer receipts showing dates and times).

13 April 2021

6.

Evidence provided with returned PCN Yes [X]No[]

7. Have the hours of use for the café/restaurant changed over time?

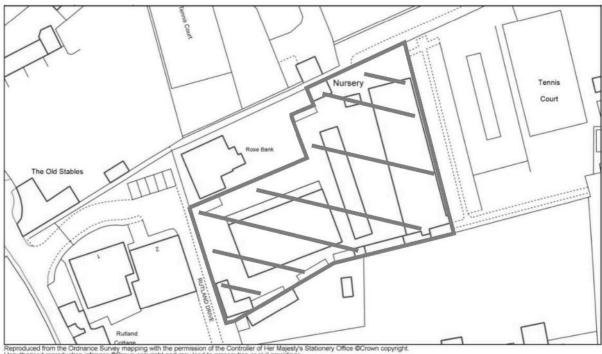
[X] Yes [] No

8. If the answer to Q7 is 'Yes', please provide details of these changes includingll relevant dates and any supporting evidence or documents.

8.

Since before 2009, the site has consistently had evening openings until 11pm each year. If no evening events/opening then the closing time was 5pm. Since reopening post-Covid lockdown in April 2021, the 11pm finish on Thursday - Saturday has been a regular occurrence each week.

9. Please clearly delineate (with a hatched area) on the map below, the extent of the premises used for café/restaurant use (including cooking, food-prep, ancillary storage, customer tables and chairs).



N/A

| Cidiffis. |
|---|
| 10. Since before 29/07/2009. |
| Evidence provided Yes [X] No [] |
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| 11. Has the extent of the café/restaurant use changed over time? |
| [] Yes [X] No |
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| 12. If the answer to Q11 is 'Yes', please provide details of these changes including all relevant dates and any supporting documents. |
| 12. |
| N/A |
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| 13. If the area of café/restaurant use has increased over time, please indicate on the map below and provide a key of the dates. |

10. Please provide the date of when the current area of café/restaurant use was implemented. Please enclose evidence with your response in support of your

| Key | | | |
|-----|--|--|--|
| | | | |
| | | | |
| | | | |
| | | | |

14. Please state the current number of covers (seats available for eating and/or drinking) at the premises referred to in Schedule 1.

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Restaurant (inside) - 103 covers* Cafe (outside) - 126 covers*

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| Cold drinks consumed on the premises | 10.75% | 15.16% |
| Cold drinks taken away for consumption elsewhere | 0% | 0% |
| Cold food consumed on the premises | 5.97% | 8.41% |

| 0% | 0% |
|--------|-----------------|
| 49.32% | 28.51% |
| 1.13% | 1.59% |
| 100% | 100% |
| | 49.32% 1.13% |

17. Please describe the food preparation facilities that are available at the premises mentioned in Schedule 1 including all equipment used for the cooking and heating of food, stating what the equipment is used for, and whether the food is being cooked by the equipment or merely re-heated.

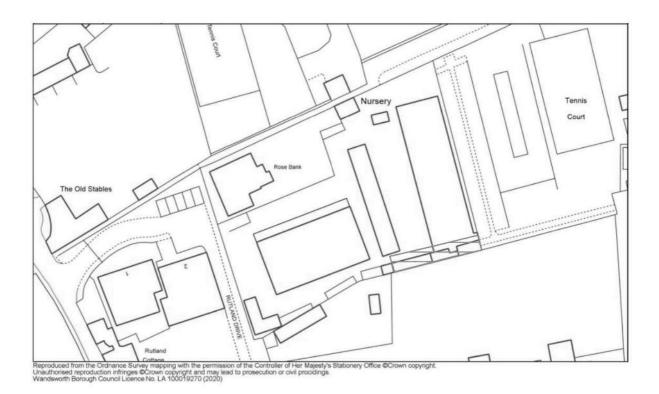
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The restaurant has two Falcon ovens, a griddle, grill, fryer and comination rational oven.

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19. What part of the property mentioned in Schedule 1 are the food preparation facilities located in? Please hatch on map below.



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U27543 NS04 Hours of Use - Café/Restaurant

There shall be no sale of food for consumption on or off the premises during the following times: Tuesday to Sunday – before 1000hrs and after 1630hrs and on Sundays – before 1100hrs and after 1630hrs. The A3 premises shall not be open on Mondays. A notice to this effect shall be displayed at all times on the premises so as to be visible from outside. REASON: To safeguard the MOL, conservation area, amenities of nearby residential properties and the area generally.

U27544NS05 Café/Restaurant Areas

The café/restaurant areas shall be confined solely to the areas identified for these purposes on Approved Drawing Number DP7/2857 for Permission 07/1235/FUL.

REASON: To safeguard the MOL, conservation area, amenities of nearby residential properties and the area generally.

Are you aware of this planning permission and these restrictive conditions?

Yes [X] No []

| Yes[] No[X] |
|--|
| If the answer is 'No' please explain why in the box below? |
| 21. From the outset the areas marked on Drawing ref DP7/2857 were unworkable commer -cially. The viability of the business was dependent on extending the seating areas and hours to include protection from the weather for seating, without which no planning preparation can be made. |
| 22. If the answer to Q. 21 was 'No', please confirm the name of the person who, in relation to the operation of Petersham Nurseries, authorised or instructed the café/restaurant use to operate outside of the requirements of conditions NS04 and NS05. |
| The owners. |
| 23. Planning permission at Petersham Nurseries was <u>refused</u> on 29 th March 2012 for the café/restaurant use to operate between the hours of 1900-2300 Saturday each week (planning ref. 12/0067/VRC). Are you aware of this decision to refuse consent for extended hours of operation? Yes [X] No [] |
| 24. Planning permission at Petersham Nurseries was <u>refused</u> on 18 th January 2018 for the café-restaurant use to operate between the hours 0900-1800 Mondays, Tuesdays and Wednesdays, 0900-2300 on Thursdays, Fridays and Saturdays and 1100-1800 on Sundays (planning ref. 14/0345/VRC). |

21. Has the café/restaurant use been operating within the stipulated hours and

within the designated locations required by conditions 4 and 5?

| Are you aware | of this | decision | to refus | e consen | t for | extended | hours of |
|---------------|---------|----------|----------|----------|-------|----------|----------|
| operation? | | | | | | | |

Yes [X] No []

25. Has an application for planning permission been submitted to Richmond Council, as local planning authority, to use the property as it is currently being used?

Yes [] No [X]

26. If the answer to Q25 is 'No', please state why an application for planning permission has not been submitted? If the answer to Q25 is 'Yes', please continue to Q27.

26.

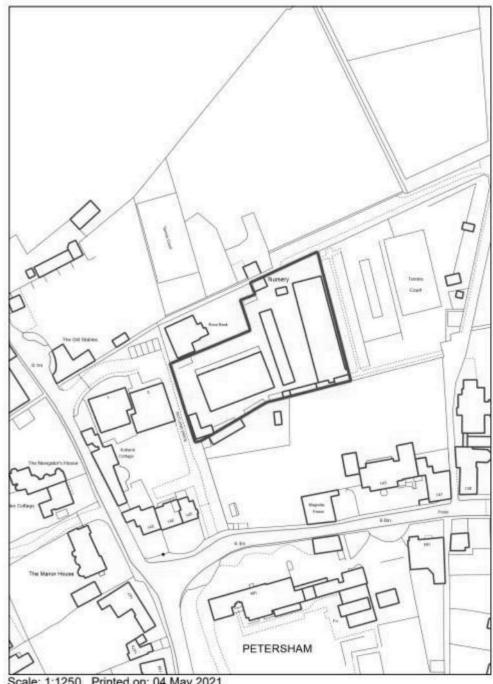
The way in which Petersham Nurseries operates is lawful as it has operated as such in excess of ten years. A Certificate of Lawfulness for Existing Use or development (CLEUD) will be submitted to confirm this.

27. Has planning permission been granted for the use of the property as it is currently being used?

27.

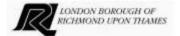
Please see the answer to Question 26.

SCHEDULE 1 Petersham Nurseries Petersham Road Petersham Richmond TW10 7AB



Scale: 1:1250 Printed on: 04 May 2021
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London Borough of Richmond upon Thames, Civic Centre, 44 York Street, Twickenham,
TW1 3BZ Telephone 020 8891 1411 www.richmond.gov.uk





SCHEDULE 2

Breach of conditions NS04 (Hours of Use – Café/Restaurant) and NS05 (Café/Restaurant Areas) of planning permission dated 29th July 2009 (ref. 08/4312/FUL).

WARNING:

- (1) It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice within twenty-one days beginning with the day on which it was served to you.
 - The maximum penalty on conviction of this offence is a fine of £5,000. Continuing failure to comply following a conviction will constitute a further offence.
- (2) It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

ADDITIONAL INFORMATION

- (3) If you fail to respond to this notice and in any event, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an Enforcement Notice under Section 172 of the Act, requiring the breach, or any injury to amenity caused by it, to be remedied.
- (4) If the Council serve a stop notice, under Section 183 of the 1990 Act, Section 186(5)(b) of the Act provides that should otherwise become entitled (under Section 186) to compensation for loss or damage attributed to that notice, no such compensation will be payable in respect of any loss or damage which would have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.

Dated: 13th May 2021

Signed: (Authorised Officer)

C D Raybould

On Behalf of: London Borough of Richmond upon Thames

Civic Centre 44 York Street Twickenham TW1 3BZ