

Appendix 11 – LDC neighbour comments

Comment on a planning application

Application Details

Application: 21/3108/ES191

Address: Petersham Nurseries Petersham Road Petersham Richmond TW10 7AB

Proposal: A lawful development certificate is sought for the following operations/use that were subject to conditions on LPA ref: 08/4312/FUL and have taken place continuously over a period in excess of the last 10 years in the following manner: 1. The cafe/restaurant have been in operation selling food and beverages to visiting customers between 10am-11pm Tuesday to Sundays excluding Mondays (but including Bank Holidays). The operation has exceeded the hours specified in condition NS04 of LPA ref: 08/4312/FUL; 2. The areas used for the preparation, sale and consumption of food and beverages have operated within the hatched area shown on drawing reference 292-03-AOU 01. The operation has exceeded the areas specified in condition NS05 of LPA ref: 08/4312/FUL; 3. The business has been carried out by Petersham Nurseries Ltd contrary to condition NS08 of LPA reference 08/4312/FUL.

Comments Made By

Name: Mr. Graham Ball

Address: Rosebank River Lane Petersham Richmond TW10 7AG

Comments

Type of comment: Object to the proposal

Comment: To whom it may concern

18/0025/EN/BCN Petersham Nurseries.

I live at Rosebank, off River Lane Petersham.

The boundary of our land is contiguous on two sides to that of Petersham Nurseries (PN). Our house overlooks the Nurseries. We are the most impacted by the overdevelopment of this site contrary to the planning conditions in their original permission. Throughout the period of contraventions, we have been vociferous in our objections. Sadly, our complaints were ignored which has made possible this application.

We are also of course best positioned to adjudge the veracity or otherwise of the claims made by the applicant.

PN in their application make two assertions.

They maintain that for a period in excess of 10 years continuously

1. The café/restaurant have been in operation selling food & beverages (f & b) to visiting customers between 10am & 11pm Tuesday to Sundays.
2. that they have been serving f & b in the area outlined in AOU 01.

Both of these assertions are incorrect.

In respect of 1.

PN prior to this year used to abide by the restriction not to open at night with the exception of their permitted TENS allowance. I have emails from the manager of the nurseries notifying us of the dates when they would be open. These go back to 2014. (available on request) At a planning meeting on 6th January 2018 their application to open at night for three nights a week was refused. They then reverted back to adherence to the TENS regulations. If PN were correct it would

mean that immediately after their planning refusal they chose to ignore it. However since the relaxing of the pandemic rules this year they have been opening three nights a week and advertising this as such on their website – Thursday through Saturday. In addition, and conversely it is only this year that they have been closed on Mondays. In the light of the above and especially their planning refusal on 6th January 2018. it is fanciful to suggest that they have been open continuously for ten years from 10.00am to 11.00pm.

In respect of 2.

The expansion of the area that is used for f & b purposes has increased gradually to meet the demand. A new internal area was added this year for f & b purposes – and the seating area against the boundary wall with Rutland Drive has been in place for no more than 5 years and has also been expanded closer towards our boundary this year. The external seating along the wall of Petersham House was added in or around 2014.

I have submitted to Planning enforcement a hatched map showing the areas that have been incrementally used for f & b purposes indicating the years that they have become so used. In addition, my wife and I have each submitted a Statement of Truth (dated 0921). Please confirm that both these submissions have been received by you and that they will be taken into account in your deliberations.

The original restrictions placed on PN were extremely sensible as they had the effect of naturally restricting the number of customers in a very contained site. Now the scale of the enterprise is wholly unsuitable for the infrastructure. The impact on the neighbourhood is overt. Traffic mayhem and resultant altercations – it can sometimes take 15 minutes to exit from PN onto the main road. The noise levels are excessive in a residential area and metropolitan open land. In summer we are unable to enjoy quiet enjoyment of our garden and home forcing us to close our windows. Light pollution caused by their unauthorised use of lighting on the lane, deliveries made in contradiction of their permitted times, parking their vans in unauthorised places all point to a total disregard for planning regulations.

All of these issues are directly caused by the inappropriate scale of enterprise caused by their lack of adherence to their planning conditions that would otherwise restrict numbers.

The most concerning issue is however one of safety. The access road is both a footpath and a road. I have witnessed innumerable near misses –

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Comments Made By

Name: Mrs. Gaby Ball

Address: Rosebank River Lane Petersham Richmond TW10 7AG

Comments

Type of comment: Object to the proposal

Comment: I object to the application of a proposed certificate of lawfulness on the grounds that Petersham Nurseries/Cafe have not been operating the selling and preparation of food for the past ten years between 10am and 11pm Tuesday to Sundays, and that they have been serving F&B in the area outlined in AOU0, as this assertion is not correct.

They have operated at night, until recently, under the restricted conditions permitted by their TENS applications which allows for no more than 21 days per year. Their planning application in January 2018 to open for three nights per week was refused, for reasons which still remain valid. So they continued using TENS for evening opening. Since April 2020, they began operating three nights per week. Clearly this shows no consistency in opening on a regular basis, as PN maintains. The erection of two large plastic covers in 2021 increased the f&b area considerably, with one of these new areas being used at the western wall area abutting our and our neighbour's garden walls. This area has only very recently been taken over and expanded for F&B usage, I would guess for no more than 5 years. In addition to this area, there was further seating added in circa 2014 along the northern wall abutting Petersham House. It is simply not the case that Petersham Nurseries have been operating as they maintain in their application.

My family live next door to the Nurseries so have seen at very close range these changes. We have unfortunately had to make previous objections to planning applications made by the Nurseries to extend their f&b services. I cannot understand, (when they already operate two beautiful restaurants in the centre of Covent Garden - a thriving, bustling destination for visitors which has the appropriate infrastructure in place for operating a busy commercial business), why the owners persist in trying to turn this quiet, rural part of Richmond into a frantic, mass-market restaurant and cafe. The increased number of visitors has a serious negative impact on the surrounding areas of Church Lane, Petersham meadows and River Lane. I would be entirely happy if the Nurseries abided by their original planning permission, which allows for visitor numbers to be more easily managed. This is essential for car access from the main road into Church Lane which has become increasingly dangerous not only to drivers, but also to pedestrians trying to navigate the vast amount of cars attempting to park and pass in a one track, potholed, dead-end lane. The local infrastructure cannot support this level of commercial operation. The immediate environment is also adversely impacted by the high levels of noise, exhaust and light pollution, which surely must contravene the Nurseries' much stated green policies.

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Comments Made By

Name: Ms. Lynsey Evans

Address: 1 Rutland Drive Petersham Richmond TW10 7AQ

Comments

Type of comment: Object to the proposal

Comment: I have lived very close to the Petersham Nurseries for over 10 years and can confirm that the 2 allegations they are making in their application are simply untrue. I am the mother of 2 young children and have had first-hand experience of the lack of consideration the PN show the local community when they host their evening events. During the past year when they expanded their eating area towards our border (in breach of the terms of their license), we experienced a noticeable increase in noise. Church Lane, a route I regularly use when walking to Richmond, is chaos and occasionally dangerous when the PN is open. It is at least quiet and safe for families in the evenings when PN is closed. We appreciate we cannot reduce the amount of time the PN is open but we certainly do not want its' opening hours extended.

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Comments Made By

Name: Mr. Tom Ball

Address: Rosebank River Lane Petersham Richmond TW10 7AG

Comments

Type of comment: Object to the proposal

Comment: I am writing to object to the application on the grounds that the assertions made by the applicant are untrue. Equally, my objection is made on the basis that were the application to be granted, it would create a lasting harmful effect on both the local community and environment.

As other commenters have pointed out, the applicant's first assertion is both undermined and refuted by a planning refusal from January 2018 for an application to open three nights a week.

To the second assertion, I can bring some of my own experience to bear. My bedroom in Rosebank abuts the PN north west boundary wall, which comes under the hatched area of the map indicating where F&B are consumed. While it is true that the area is currently used for F&B consumption, this has not been the case for the last ten years, as the applicant suggests. Having directly overlooked this area of the PN for more than 20 years, I can corroborate the information supplied by Matthew Rees, another commenter, whose blog asserts that the tables and chairs used for dining were only set up in around the summer of 2013.

It is of just as much importance to note that the reasons as to why previous applications to extend PN's opening hours and serving capacity were rejected remain unchanged. The infrastructure of the locality is not able to serve such an expansion, which additionally would pose an unacceptable level of impingement on residents' right to privacy and enjoyment of their own homes. Moreover, the area comprises the habitats of wildlife including cattle and badgers, who would also be severely impacted by expansion.

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Comments Made By

Name: Mrs. Anne Mason-Powell

Address: Sandpits Cottage Sandpits Road Petersham Richmond TW10 7DT

Comments

Type of comment: Object to the proposal

Comment: The applicant seeks to obtain a lawful development certificate for operations that he claims have been happening informally over the past 10 years. This is incorrect. The provision of food and beverages has always been ancillary to the main operation of the business, which is a garden nursery. The applicant has sought and been granted Tens, and run events in line with this permission. As a local resident, we have objected consistently over the years to applications to extend this provision as the site, in MOL, located at the end of a single track road, is not suitable from an infrastructure perspective, nor from a sustainability of wildlife perspective. Petersham Road gets dangerously blocked when traffic which turns right into the single track road to access the nursery, creates a tailback. The area is also not suitable for running loud events with intrusive lighting at nighttime; these events when they have been held on a minimal basis as allowed by Tens, have limited the threat to wildlife and in doing this have conserved the environmental significance of this area. These limitations on use protect the area as a vital and unique source of enjoyment to both residents and visitors to the area; this would be lost if a LDC were granted and would result in prioritising the needs of a very limited group of clients of the restaurants who typically travel long distances to access the facility above those of residents and nature lovers

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Comments Made By

Name: Ms. Miriam Klinke

Address: The House River Lane Petersham Richmond TW10 7AG

Comments

Type of comment: Object to the proposal

Comment: We live next to PN and it is not true that PN has been open in the evenings for the last ten years. They have been open only occasionally in the evenings and -unfortunately - these events have often caused high noise levels for the neighbourhood.

It is also not true that the marked area has been used for food preparation, seating etc. PN has slowly increased the area they use over the years and have used the area next to 1 Rutland drive only in the recent years.

That means that both statements of PN are wrong.

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Comments Made By

Name: Mrs. Tamara Benjamin

Address: 2 Rutland Drive Petersham Richmond TW10 7AQ

Comments

Type of comment: Object to the proposal

Comment: Firstly, we would like to state that we are customers and supporters of the Nurseries and we enjoy supporting local businesses. When we moved to Petersham in 2017, we purchased many plants and pots from them and enjoyed eating in their fine-dining space. Sadly, our loyalty has eroded as the Nurseries have gradually alienated us by not showing the local community any respect and by blatantly breaking their planning permissions.

Secondly, we are clear that the claim that they have served food and drinks in all of their stated areas for over 10 years is fundamentally untrue, some of this is evident by reviewing Richmond Council's own website and the dates of their previous planning applications.

The reduction of plant and associated retail space in favour of F&B has been gradual, but aggressively expanded since April 2020. This recently culminated in marquees being erected (one of which was butting the westerly wall with a large food station) at the end of lockdown and the westerly greenhouses being used primarily for F&B for the very first time. As recorded on the Council's own planning documents, PN have only ever been permitted to open in the evenings by using their TENS permissions. Since April 2020, they have flagrantly ignored their permissions and opened 3 evenings per week for dinner. We have raised this numerous times with the enforcement team at Richmond Council and are yet to hear the outcome of their investigations.

The result of the increased space being given to F&B and the increased volume of visitors is not only causing a traffic problem, but also one of safety. The single-track lane needs to be considered with great care. The volume of vehicles continually causes issues in all of the few streets that are in Petersham. The Nurseries' location really needs to be taken into account as not only is it an area of outstanding natural beauty, but it is home to many who should be able to enjoy themselves in the tranquillity of their own homes without all the noise pollution that the extra seating causes.

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Comments Made By

Name: Mr. Michael Nigro

Address: 1 Rutland Drive Petersham Richmond TW10 7AQ

Comments

Type of comment: Object to the proposal

Comment: The statements made by the Petersham Nurseries in the proposal for this application are simply untrue. Over the years since their licence was granted, they have abided by the hours stipulated. They were occasionally open for approved evening events. When they did open in the evening they unfortunately showed a lack of respect towards the local community on many occasions, exceeding acceptable noise levels and staying open beyond their allotted time, proving that being open at night on a regular basis would be intolerable to the local community. There is evidence on record to prove this. This year however, they did increase their opening hours in breach of their licence and the authorities were immediately notified. They have gradually increased the area used for f and b, but this has not been for the entire 10-year period. This year for the first time a 'marquee' type structure appeared on the western border which was in breach of their licence and once again authorities were immediately notified.

The conditions and reasons why previous applications to extend their opening hours and serving capacity were rejected (they are on record), have not changed. The local area simply cannot cope with an expansion of this type. Public safety would be compromised and the local residents' rights and entitlement to the enjoyment of their homes would be breached.

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Comments Made By

Name: Mrs. Julia Bailey

Address: 163 Petersham Road Petersham Richmond TW10 7AH

Comments

Type of comment: Object to the proposal

Comment: This application continues the ongoing challenges Petersham community and LBRUT face - that of Petersham Nurseries trying every tactic to disregard due process and any approvals and constraints placed upon them.

I disagree with their points that for a period in excess of 10 years continuously

1. The café/restaurant have been in operation selling food & beverages (f & b) to visiting customers between 10am & 11pm Tuesday to Sundays.
2. that they have been serving f & b in the area outlined in AOU 01.

Re 1.

I attended the planning meeting in 2018 when Petersham Nurseries applied to extend their opening hours beyond their permitted TENS allowance. At this time they were not able/nor opening beyond their allowance. The application was refused. I am a regular walker though this area and did not see evidence that they broke these rules. That said, recently since 2020 I notice that they have started to extend their evening opening hours and this is not/should not be acceptable. It causes serious light pollution to a very sensitive area (seen from Richmond Hill) as well as traffic and noise pollution to the local area and neighbourhood.

Re 2.

The area used for food & beverage continues to extend beyond the permitted area and this is most noticeable in the last 5 years. Why does LBRUT allow this to happen when it has been raised by local residents and at the planning meeting in 2018? This should be rejected and constraints placed upon the acceptable and allowable number of covers. It is as if LBRUT are complicit with Petersham Nurseries flouting the planning regulations allowing traffic, light, noise pollution into this sensitive area. This is a business that can survive on a more appropriate footfall/number of covers.

It is ridiculous that we find ourselves having to defend against the indefensible - and that is considered acceptable for planning consideration.

Please, LBRUT, manage this abuse appropriately - the planning conditions provide for something that is scaled for the area and sensitive to the environment and locals - as well as providing the basis for a good business.

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Comments Made By

Name: Mr. Charles Lesser

Address: 24 DOVER PARK DRIVE LONDON SW15 5BG

Comments

Type of comment: Object to the proposal

Comment: I lived in River Lane until 2019 and I can say that the Cafe was mostly not open at nights during the time I lived there. The access is limited and I can remember many times the church walls being damaged. I think an increase in their use of the Nurseries at night would add traffic which is already too great there at the moment

From: [REDACTED]
Sent: 23 December 2021 11:03
To: RMC
Subject: FW: Application: 21/3108/ES191

Official

Dear RMC

Please can you upload below email to above application as Objection.

Thank you.

Kind regards

[REDACTED]
Principal Planning Officer
Development Management
London Borough of Richmond upon Thames

[REDACTED]
www.richmond.gov.uk / www.wandsworth.gov.uk

The views expressed in this email are informal only and do not prejudice any decision the Council may make on any future application which may be submitted in respect of the above property.

From: [REDACTED]
Sent: 23/December/2021 10:32 (GMT)
To: envprotection@richmond.gov.uk
Subject: Application: 21/3108/ES191

Applicant details: Petersham Nurseries, Petersham Road, Richmond TW10 7AB

Objection to the Proposal of the above application.

From: Ms Sarah Hout

Address: 15 Kings Road, London, SW14 8PF

The applicant would like to receive a lawful development certificate for a caf?/restaurant business that he claims have been operating for the last 10 years between 10am-11pm, Tuesday?s to Sundays. This is not true.

Petersham Nurseries has always been primarily a nursery selling plants and garden accessories. The site initially opened a caf? and then a ?supper club? restaurant which up until the Covid Pandemic was only allowed to open in the evenings for very limited periods of time. Friends of mine have enquired about the venue for private parties and were unable to hire the place as they were not allowed, and did not, open in the evenings, for more than a handful of times during each year.

Petersham Nurseries have been angling to open as a proper restaurant for years, and have been denied this because in sits in a residential area and the operation of it, would be far outweigh by the fact that not only is it in a residential area, (residents would be subjected to noise and light pollution in the evenings), but very importantly, its access, which is up a road/footpath (double use) which has a tiny, hidden and very dangerous blind entry/exit onto the Petersham Road. Anyone who lives locally knows that this is already a very dangerous junction and causes untold traffic problems in an already very narrow, congested road. If the restaurant were allowed to open at night, the danger would be increased substantially.

I cannot understand why this is a suitable area for an exclusive restaurant, when most of the diners travel from outside the area to get there. It is a destination restaurant which would be at the wrong destination. An area of historic and natural beauty, used by ramblers, walkers and residents. Not extra cars and light pollution, noise and commercial vehicles.

Sent from [Mail](#) for Windows

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Comments Made By

Name: Mr. Peter Chambers

Address: Elm Lodge 230 Petersham Road Petersham Richmond TW10 7AL

Comments

Type of comment: Object to the proposal

Comment: I have lived in Petersham for over 20 years and seen at first hand the development of Petersham Nurseries. Since the application was granted for there to be cafe and small restaurant at the Nursery, there have been numerous applications to increase both the capacity of the site and the operating hours, most of which have been rejected. I have objected to all of these as neither the site nor its surrounding area are fit for this purpose. The conditions and reasons why previous applications to extend their opening hours and serving capacity were rejected have not changed. What is the point of having planning laws if applicants such as this can routinely and consistently ignore the planning decisions and then retrospectively claim lawful development?

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Comments Made By

Name: Dr. Jonathan Wheeldon

Address: 7 Meadow Close Richmond TW107AJ

Comments

Type of comment: Object to the proposal

Comment: I object on two grounds:

Firstly, I question the accuracy of assertions in the application, namely that for a period in excess of 10 years continuously the café/restaurant have been in operation selling food & beverages to visiting customers between 10am & 11pm Tuesday to Sundays, and serving within the area outlined in AOU 01. This implies a degree of consistency which I don't believe represents actual practice, and may be somewhat disingenuous.

Secondly, whilst Petersham Nurseries is undoubtedly a valued and successful local business, the constraints of its location (a single-track, no-through road) must be considered with great care (including rigorous public consultation) in any further planning decisions. The original restrictions made sense as they had the effect of naturally restricting the number of visitors. There is now a significant risk that the business may become (if it has not already) inappropriate for its location. The impact on the neighbourhood is widely known and talked about. This includes regular congestion and disruption both to traffic on the Petersham Road and to pedestrians on an important and very well used route, often resulting in bad-tempered exchanges. It also increases air and light pollution and is harmful to wildlife sustainability. Petersham's reputation as a semi-rural haven for walkers and lovers of the natural world will be seriously eroded by such increased congestion and pollution.

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Proposal: A lawful development certificate is sought for the following operations/use that were subject to conditions on LPA ref: 08/4312/FUL and have taken place continuously over a period in excess of the last 10 years in the following manner: 1. The cafe/restaurant have been in operation selling food and beverages to visiting customers between 10am-11pm Tuesday to Sundays excluding Mondays (but including Bank Holidays). The operation has exceeded the hours specified in condition NS04 of LPA ref: 08/4312/FUL; 2. The areas used for the preparation, sale and consumption of food and beverages have operated within the hatched area shown on drawing reference 292-03-AOU 01. The operation has exceeded the areas specified in condition NS05 of LPA ref: 08/4312/FUL; 3. The business has been carried out by Petersham Nurseries Ltd contrary to condition NS08 of LPA reference 08/4312/FUL.

Comments Made By

Name: Dr. Bernard Cullen

Address: 227 BANSTEAD ROAD BANSTEAD SM7 1RB

Comments

Type of comment: Object to the proposal

Comment: Sir/Madam. I object to the proposed planning permission by Petersham Nurseries to extend their working hours. This is a peaceful residential area and it is my opinion that there has been a huge increase in activity from Petersham Nurseries over the last 4/5 years, causing considerable nuisance to local residents. Since the last lockdown was terminated, there has also been a markedly increased amount of activity in the evenings, when prior to this, the area was extremely quiet.

Comment on a planning application

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Comments Made By

Name: Mr. Douglas Brewster

Address: 24 RODWAY ROAD LONDON SW15 5DS

Comments

Type of comment: Object to the proposal

Comment: As a regular visitor to the Petersham Nurseries, I have noticed that the area selling food & beverages has expanded hugely over the last 5 years or so. In addition, the restaurant has only been open in the evening for special permitted events as I understand a claim has been made that they are already open most nights in the summer which is untrue. Also as a regular visitor to a residence next door to the Nurseries, the poor access, the unmade up track and lack of parking is totally inadequate not to mention unacceptable increases in noise. I cannot support any development or more evening openings.

Comment on a planning application

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Comments Made By

Name: Mr. Laurence Hill

Address: Petersham Lodge River Lane Petersham Richmond TW10 7AG

Comments

Type of comment: Object to the proposal

Comment: I have lived at Petersham Lodge on River Lane for 26 years. I am not the owner and have no financial interests in properties the Petersham area. My accommodation overlooks River Lane with a view of the alley way that connects to Church Lane.

Petersham Nurseries seems to have entered the post-truth era by making false claims about their trading over the past 10 years. In doing so they have placed the obligation on local residents to provide evidence against this invention. Where is Petersham Nurseries' evidence that they've been trading openly in the way they assert over the past 10 years?

Following their last planning application, which was rejected (2018), the Planning Committee requested planning officers check that Petersham Nurseries was trading within their current permitted number of covers, area, and times of trading. In the weeks following I kept a close eye on evening activity. On just one occasion the nursery appeared to be busy with the entrance firmly locked and no indication that this was an open event, just the owner entertaining his friends within the nursery space. Are we now to understand that entertaining your friends within your business premises is called opening to the public?

During the various lockdown restrictions of the COVID-19 pandemic Petersham Nurseries has remained firmly locked day after day and night after night, no trading was taking place.

Over the years the nursery has had ad hoc evening events with a security guard by a secondary smaller entrance, with the main entrance locked. I always enquire and the reply, 'it's a private event, not open to the public'. Petersham Nurseries has for many years tried to give the impression they are open for evening trading by illuminating Church Lane with a series of 50 lights even when the entrance is locked. These destroy the night-time environment for the wildlife on the border of Metropolitan Open Land but don't constitute evening trade, just a sign that they do not care for the local environment.

Since Petersham Nurseries' self-declared right to open in the evenings last year, I have noticed a marked increase in movement on River Lane like slamming of car doors, people coming and going and waiting taxis. This is a new trend and not one that has been evident for 10 years.

The bogus trading claims of Petersham Nurseries needs to be rejected and a line drawn under the antagonistic expansion of this business.

Comment on a planning application

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Comments Made By

Name: Mr. Daniel Simon

Address: The Old Stables River Lane Petersham Richmond TW10 7AG

Comments

Type of comment: Object to the proposal

Comment: Once more local residents must write to object to expanded use and opening hours in contravention of clearly stated previous planning permission so as to keep our semi-rural heritage as peaceful as possible.

As a near neighbour and someone who has visited the Nurseries regularly throughout its current ownership, I can state from personal experience that they have not been operating their café from all of the area shown in drawing reference 292-03-AOU 01 for the past 10 years, nor have they been doing so for 10 years on any part of the area in the evening, save with occasional TENS, mostly in the summer months.

I urge the Council to reject this application for a lawful development certificate & to enforce its own conditions established in Planning Decision 08/4312/FUL, U27544NS04 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 ... REASON: To safeguard the MOL, conservation area, amenities of nearby residential properties and the area generally." This was reiterated in the Planning Committee's decision of 29 March 2012 (12/0067/VRC) when the extension of hours was also rejected for similar reasons.

Grounds for objection to the principle of extended hours or area of operation:

1. Nature conservation

The access road to the Nurseries, Church Lane, runs alongside the Water Meadow, which is one of our few remaining "dark places" close to urban Richmond. The Meadow & the Lane are a habitat for bats & badgers, both nocturnal animals. Their habitat will be severely threatened by the car headlights if regular evening opening is permitted.

Further there will be pressure on the Council or the Nurseries to install permanent street lighting. This is in direct contradiction to a previous Planning Decision 07/4068/FUL, U24001 Lighting condition: "No new lighting shall be installed anywhere on the site. REASON: To prevent light pollution on the Conservation Area and Metropolitan Open Land, and to prevent any potential impact on bats/wildlife."

2. Visual amenity, conservation area & Metropolitan Open Land – the view from Richmond Hill

Visitors to the Nurseries park their cars along Church Lane so that it is full most weekends. They have turned this part of the conservation area & the protected view into a car park.

3. Traffic generation

The Restaurant has, as noted above, made Church Lane & surrounding roads vastly more congested, particularly at weekends. These areas are currently peaceful at night. Strict adherence to the permitted area of operation would reduce the traffic during the day as well.

4. Highway safety

Church Lane has been made unsafe during the day for pedestrians & cyclists by current traffic levels. When I walk along Church Lane at weekends I must run the gamut of car drivers. These dangers will reduce during the day if the permitted area of operation is enforced but would increase if evening opening were permitted

5. Noise & disturbance

As a near neighbour I have witnessed first hand the noise generated by traffic in particular during the day, & by patrons, music & traffic at the occasional evening openings to date.

Fortunately such evening openings have been rare & the peace of the neighbourhood is restored by about 5pm after the Restaurant closes. This will vanish if evening openings are permitted & will blight the neighbourhood for walkers, cyclists & residents sitting in their gardens or trying to get to sleep at night to the noise of leaving patrons & the roar of their car/taxi engines.

None of these reasons has been diminished by the passage of a several years since the Applicant's last application & the Council's clear decision, which should now be rigorously enforced.

Comment on a planning application

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Comments Made By

Name: Mr. Michael Hole

Address: SECOND FLOOR FRONT 25 IVES STREET LONDON SW3 2ND

Comments

Type of comment: Object to the proposal

Comment: In my experience from my many visits to the nurseries, area F & B sales have expanded considerably over the last 5 years and Petersham Nurseries have not been open at night except for special permitted events.

Comment on a planning application

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Comments Made By

Name: Mr. Matthew Rees

Address: 1 NORTHWEALD LANE KINGSTON UPON THAMES KT2 5GL

Comments

Type of comment: Object to the proposal

Comment: The applicant seeks to obtain a lawful development certificate for operations that he claims have been happening informally over the past 10 years. This is incorrect and so I object to the application.

I have been chronicling changes across Ham and Petersham in my Ham Photos blog, <https://hamphotos.blogspot.com>, since 2007 and this has noted some of the changes at Petersham Nurseries, see https://hamphotos.blogspot.com/search/label/petersham_nurseries.

A posting in July 2013, <https://hamphotos.blogspot.com/2013/07/petersham-nurseries.html>, includes a picture of the inside of one of the greenhouses and this is clearly still being used for plants at that time.

A later post in December 2013, <https://hamphotos.blogspot.com/2013/12/the-cafe-spreads-at-petersham-nurseries.html>, remarks that the seating area had recently extended to the fire end of the site. This was not the case in July 2013 otherwise I would have reported it then.

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Comments Made By

Name: Mr. Christopher Holt

Address: 1 Dynevor Road Richmond TW106PF

Comments

Type of comment: Object to the proposal

Comment: I have lived in Richmond nearly 30 years . My wife and I are frequent visitors to the excellent Petersham Nurseries and have seen first hand the significant increase in their dining offering over the years . We support what the enterprise has done to grow the business but to expand the offering to include regular night time dining is inappropriate in such an enclosed area . The local infrastructure does not support the inevitable increase in traffic and customer noise , both from within the Nuseries and on exiting , in such a secluded area . The gradual expansion of the offering to include regular night time dining , in contravention of any lawful permission , should not be approved

Comment on a planning application

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Comments Made By

Name: Mr. James Wendlinger

Address: C Rialto Building 2 Landale Street Hong Kong 00000

Comments

Type of comment: Object to the proposal

Comment: I have been living in Rosebank, off River Lane periodically in the past 30 years, coming back and forth many times a year. As opposed to those who stay in the neighbourhood where small changes might go unnoticed, any developments are obvious and recognisable to me. That is why I would like to take this opportunity to point out that the legal basis of Petersham Nurseries' application for a lawful development certificate is ungrounded and what they have been claiming is not true.

As their next door neighbour who lives only 10 metres away from PN with my bedroom overlooking the establishment, I can confirm that (a) the café/restaurant of PN has been operating at night time since five to six years ago and prior to that, the closing time for the establishment was before 6pm. In terms of the extended space in question, while the area is currently used for F&B purposes (against the views of the majority of Petersham residents), this has not been the case in the past ten years.

I would like to point out that a rural neighbourhood like Petersham does not serve for the expansion of PN and if this application is granted the damage to this area would be permanent and irreversible. For the past few years, the increased capacity of PN has resulted in traffic mayhem – I constantly struggle to get in and out of Petersham because of an excessive number of cars parked outside PN on such a narrow path. As absurd as it might sound, it is not unusual to take more than 20 minutes – as opposed to two to three minutes in a normal situation – to enter/exit the neighbour from/to the main road.

Last December, I filed a complaint to local MP because of the increasing noise levels after PN decided to host a party with live band until 2am. Sadly, this is only one of the many noisy nights in the past few years because of PN's nighttime economy.

What puzzled me the most out of all these is why I, as a next-door neighbour was not informed of PN's application, of which approval would cause permanent disturbance to myself, my family and my neighbours. PN had in the past notified us the dates they would open. So, my question is: what is so different this time that none of the PN managers or local authorities let us know of such a major potential change?

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Comments Made By

Name: Mr. Richard Hoult

Address: Cecil Cottage Sandpits Road Petersham Richmond TW10 7DT

Comments

Type of comment: Object to the proposal

Comment: As residents of Petersham for over 10 years, we have been aware of Petersham Nurseries' continued attempts to build in size and increase the times for their cafe & restaurant at the nurseries. We enjoy the Nurseries very much but have always objected to the use of the restaurant in the evenings, as it is antisocial in a small community to receive so many diners from outside in their cars and taxis, with limited parking and access. The dining areas are only glass houses and the diners use the outside spaces, therefore the noise is unreasonable with little sound proofing and further our concern of additional light pollution, effecting the nature in a conservation area. This 'certificate of lawfulness' is fundamentally incorrect we believe. On all counts: their opening hours till 11pm!!; their questionable claim as to the number of past evening events over the past 10 yrs; the questionable physical space they used /more recently use, to hold these events / evenings. The nursery opening times are early/mid morning, but always closing around 4/5pm within our knowledge. We are aware that the nursery has been open after this time for their private use, extra evening community events or the TENS scheme. Any use more than this.. is against many in the communities' wishes and certainly existing planning permission. How can such an organisation be respected, trusted or welcomed in our community. Our neighbours nearer to the nursery would be more than aware of the extent of this disruption and for how long this has been going on. How can a continued abuse of planning permission over years (which the community have fought against) suddenly after 10yrs be lawful!!!!? In the last few years it has been noticeable that the cafe tables in the outside spaces, to the far right of the Nurseries as one enters, have been increased, and now we understand that since the Covid disruption & closures, covered with more awnings and permanent structures. As I remember only a few years ago their dining spaces were contained within the first 2 large green houses and the open inbetween space... and then a small area in the 3rd green house was cleared for dining events more recently. This increased 'covered' seating around the 3rd greenhouse, running beside homes in Petersham, is surely unacceptable. Please, does Petersham need more traffic, light and noise pollution?

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Comments Made By

Name: Dr. Patrick Cullen

Address: 6 Sudbrook Gardens Ham Richmond TW10 7DD

Comments

Type of comment: Object to the proposal

Comment:

I have lived nearby since 1995 and the level of commercial activity was limited to that of a nursery. Morning or afternoon coffees were welcome. Petersham Nursery (PN) has massively escalated its business since then. PN was a very quiet oasis where one could purchase quality plants, sensitive to its position in a residential area and opened 9 to 5.00.

I would encourage an independent report on the history of commercial activity at PN along with a report specifically on the safety issues related to pedestrian access to PN from bus stops and school car park (used by PN). I have witnessed many near misses as well as children and adults getting into difficulty on some of the very narrow footpaths nearby. PN access road is a bottleneck near to "Tommy Steele's" corner, also a danger.

In my opinion, the infrastructure is totally inadequate for anything more than a nursery, albeit with a coffee.

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Comments Made By

Name: Petersham Environment Trust Ms. Judy Gibbons

Address: The Glass House River Lane Petersham Richmond TW10 7AG

Comments

Type of comment: Object to the proposal

Comment: The Petersham Environment Trust objects to this application for a certificate of lawfulness. We have known the enterprise for a long time. They have not been serving food in the area shown for 10 years. Rather they have year by year, expanded the space given over to dining both indoors and out without applying for the necessary planning permission as each stage.

For example, ten years ago plants were being grown in the greenhouses as this picture shows:

<https://southboundbride.com/a-day-at-the-nursery-engagement-shoot/008-anneli-marinovich-petersham-nurseries-engagement-shoot/>. This has gradually be converted to dining and retail.

Petersham Nurseries have applied for and been granted and increasing number of TENS licenses over the years and the noise and disruption has caused a great deal of difficulty for local residents. But in no way can these TENS extensions be regarded as their normal opening huse.

Petersham Nurseries need to apply for planning permission for the hours and area that they wish to use so it can be properly consulted upon and reviewed. It is not appropriate to apply for this significant permission by applying via a certificate of lawfulness.

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Comments Made By

Name: Mr. Hugh Roberts

Address: 38 HUNTLEYS PARK ROYAL TUNBRIDGE WELLS TN4 9TD

Comments

Type of comment: Object to the proposal

Comment: We have been visitors to the Petersham Nurseries for over 10 years while resident in London (Fulham) until late 2021. We enjoyed buying their garden produce but became disillusioned as the emphasis shifted from a nursery business to F&B. The access off Petersham Road was invariably a constraint in terms of poor road condition, parking and the narrow hazardous turn in/ turn out from/to Petersham Road.

We understand that a planning application of January 2018 for increased F&B uses was refused on various grounds amounting to intensification beyond the capacity of the site and its surroundings to sustain such activity.

Among several reasons for leaving London a few months ago was the constant drive towards over development of land. Some justification of this might exist on suitable sites for housing, but not so for commercial premises. There comes a point when the demands to support an enterprise exceed the capacity of the its site and surrounding infrastructure needed to support it. Over development is a valid concept in planning increasingly common across London Boroughs. It imposes significant loss of amenity to neighbouring businesses and residents, traffic and road safety being the principal examples in this case.

PN should not cite restraint of trade as a rebuttal to objections to their proposals. They should focus on their successful horticultural business and limit F&B as a complement to this rather than allowing it to become a dominant use of the site.

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Comments Made By

Name: Mr. DAVID BOWMAN

Address: 1 Little Green Richmond TW9 1QH

Comments

Type of comment: Object to the proposal

Comment: very surprised and disappointed that the nursery is looking to exploit this space. The lane is ridiculously congested all the time and this will only further contribute to spoil the area.

Comment on a planning application

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Comments Made By

Name: Ham and Petersham Association and Amenities Group Mr. Geoff Bond

Address: 25 Martingales Close Ham Richmond TW10 7JJ

Comments

Type of comment: Object to the proposal

Comment: We support Petersham Nurseries operated in line with their existing permissions. We do not believe the business have been serving food in the area shown for 10 years. They have gradually increased the area that they serve in but for most of this period it has been smaller than this area. PN has used their allowed number of TENS licences for a number of years to open later than their normal licence permits but this is not the regular opening hours. We would ask the applicant to apply for planning permission for the hours and area that they wish to use so it can be properly consulted upon and reviewed rather than do so via a certificate of lawfulness.

Comment on a planning application

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Comments Made By

Name: Mr. Nigel Hopkinson

Address: 23 Leyborne Park Kew Richmond TW9 3HB

Comments

Type of comment: Make a general observation

Comment: On visits to the Nurseries I noted that the eating / drinking area has expanded considerably over the last 5 years and to the best of my knowledge have not been generally open at night up to 2021

Comment on a planning application

Application Details

Application: 21/3108/ES191

Address: Petersham Nurseries Petersham Road Petersham Richmond TW10 7AB

Proposal: A lawful development certificate is sought for the following operations/use that were subject to conditions on LPA ref: 08/4312/FUL and have taken place continuously over a period in excess of the last 10 years in the following manner: 1. The cafe/restaurant have been in operation selling food and beverages to visiting customers between 10am-11pm Tuesday to Sundays excluding Mondays (but including Bank Holidays). The operation has exceeded the hours specified in condition NS04 of LPA ref: 08/4312/FUL; 2. The areas used for the preparation, sale and consumption of food and beverages have operated within the hatched area shown on drawing reference 292-03-AOU 01. The operation has exceeded the areas specified in condition NS05 of LPA ref: 08/4312/FUL; 3. The business has been carried out by Petersham Nurseries Ltd contrary to condition NS08 of LPA reference 08/4312/FUL.

Comments Made By

Name: Mrs. Bee Waldegrave

Address: Harrington Lodge Sudbrook Lane Petersham Richmond TW10 7AT

Comments

Type of comment: Object to the proposal

Comment: Whilst the Nursery is a welcome addition to the local area, it does not have sufficient infrastructure to support the current use. Specifically customers driving to and fro create huge jams along the Petersham Road, which has been ongoing for years and gets increasingly worse (especially in days when the park is shut).

Problems are as follows:

- the single track access to the parking means people turning in right have to wait for a gap in the traffic- and also wait for any cars or taxis leaving. Both creating a jam on Petersham Road. The latter creating a stand off situation and a huge traffic back log.
- taxis stopping on the road outside the access road or along Petersham Road causes huge jams while passengers get in or out.
- people trying to enter when the car park is full often stop on the road and argue with the attendant. If they haven't booked parking in Russel School they then park on local roads often blocking access to those roads.
- traffic coming and going up the road along the church makes it very difficult to use the footpaths and access to Petersham Meadow. The road is often closed for events.

This situation has got slowly worse over time.

Comment on a planning application

Application Details

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Comments Made By

Name: Mr. Brian Miller

Address: 18 Breakwater Gardens Ham Richmond TW10 7SQ

Comments

Type of comment: Object to the proposal

Comment: The application should be refused as it mirrors refused application 12/0067/vrc . The grounds for refusal given then hold good for the new application . In fact, the opening hours alleged to be in use are in breach of planning. Also, I have seen any notices on site advising extended opening hours .

Comment on a planning application

Application Details

Application: 21/3108/ES191

Address: Petersham Nurseries Petersham Road Petersham Richmond TW10 7AB

Proposal: A lawful development certificate is sought for the following operations/use that were subject to conditions on LPA ref: 08/4312/FUL and have taken place continuously over a period in excess of the last 10 years in the following manner: 1. The cafe/restaurant have been in operation selling food and beverages to visiting customers between 10am-11pm Tuesday to Sundays excluding Mondays (but including Bank Holidays). The operation has exceeded the hours specified in condition NS04 of LPA ref: 08/4312/FUL; 2. The areas used for the preparation, sale and consumption of food and beverages have operated within the hatched area shown on drawing reference 292-03-AOU 01. The operation has exceeded the areas specified in condition NS05 of LPA ref: 08/4312/FUL; 3. The business has been carried out by Petersham Nurseries Ltd contrary to condition NS08 of LPA reference 08/4312/FUL.

Comments Made By

Name: Mr. Borel Setten

Address: Garden Flat 30 Grosvenor Place 30 Grosvenor Place Bath BA1 6BA

Comments

Type of comment: Object to the proposal

Comment: Dear London Borough of Richmond,

Re: Proposed planning development of Petersham Nurseries

I have been visiting Petersham Nurseries (PN) for around 10 years as London destination visit. My observation is that the premises and access routes has become significantly more congested due to, I believe, expansion of food and beverage sales as well as the related activity.

The service road at the rear of the premises is usually now very congested and potentially dangerous for pedestrians as well as vehicle user, even with current levels of business. The service road is barely fit for purpose. Expanded use of it due to increased Food & Beverage Sales would seriously increase this risk to user safety both for pedestrians and vehicles.

I recall that PN have historically applied to increase night time business and this has not been allowed. I believe they do not open at night other than with special permits. If this situation was reversed, I think the concomitant risks of safety and congestion would be significant exacerbated. Night time operations would inevitably be materially more dangerous due to poorer visibility and (understandably) potentially intoxicated users.

Given the above, I object to the proposed applications.

Comment on a planning application

Application Details

Application: 21/3108/ES191

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Comments Made By

Name: Mr. simon strong

Address: FLAT 14 RIVERSIDE MILL HOUSE 20 CHURCH STREET ISLEWORTH TW7 6XB

Comments

Type of comment: Object to the proposal

Comment: I am objecting as over the last five years a place that was once a garden centre with a small food and beverage area has expanded its f and b area to now become more of a full time restaurant which furthermore has never been allowed to operate at night

Also access to the nursery is at best totally inadequate with limited parking, badly surfaced, no turning area and more importantly no lighting making it hazardous to public safety

Comment on a planning application

Application Details

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Comments Made By

Name: Mrs. Jane Love

Address: THE OLD PRESS MILLEY ROAD WALTHAM ST LAWRENCE READING RG10 0JR

Comments

Type of comment: Object to the proposal

Comment: Comments Made by

Name: Mrs Jane Love

Address: The Old Press, Milley Road, Waltham St Lawrence RG10 0JR

Comments

Type of comment : Object to the proposal

Comment : I am writing to object to this application. I have been visiting this area of Petersham for over 20 years and have been into PN on several occasions. During recent years I have seen the premises and access from Petersham Road become more congested and dangerous for drivers and particularly hazardous for pedestrians – of which there are many as this area is which attracts many families, walkers and wildlife observers. As a driver I have had many a problem getting into and out of the site during the day.

In my experience there has undoubtedly been an increase in PN's use of f&b to attract more customers - moving away from its original nursery business. However at no time have I seen activity at night. In fact I see that a planning application in 2018 to increase such use was refused on the grounds that the site was unsuitable for the very reasons I have stated above.

Given the limitations of access, parking facilities and the fact that the area is residential and provides access for residents' parking, I cannot imagine that this site could support increased activity of any kind.

Comment on a planning application

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Comments Made By

Name: Mr. John Buckley

Address: 12A KINGS ROAD SHERBORNE DT9 4HU

Comments

Type of comment: Object to the proposal

Comment: I have been a regular visitor to a neighbouring property to Petersham Nurseries over many years. In my experience of the Nurseries during those visits the area of f&b has expanded considerably over the last 5 years or so and and they have not been open at night (except for special permitted events.) until as recently as 2021. the access lane to the Nurseries is unable to cope safely with increased traffic at night and is already pretty hazardous during the day

Comment on a planning application

Application Details

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Comments Made By

Name: Mr. Tony Prior

Address: 67 Christchurch Road East Sheen London SW14 7AN

Comments

Type of comment: Make a general observation

Comment: To the best of my knowledge, as I have seen from our family visits to Petersham Nurseries, although the area for food and beverage sales has expanded considerably over the last 5 years, Petersham Nurseries has not been open at night until 11pm as stated, except for special permitted events, before 2021, so I do not believe the claim that operations and use have taken place continuously over a period in excess of 10 years, and I am interested to know how Petersham Nurseries are attempting to substantiate what I believe to be a false claim.