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TOWN AND COUNTRY PLANNING ACT 1990: DECISION NOTICE

Direct Planning Limited
95-97 Riverbank House
High Street
Orpington
Kent
BR5 3NH

APPLICATION GRANTED

Please contact: Planning Support

Please telephone: 0845 612 2660

Your ref:

Our ref:
DC/RON/08/4312/FUL/FUL

Letter Printed: 29 July 2009

FOR DECISION DATED
29.07.2009

Dear Sir/Madam

Applicant:

Agent: Direct Planning Limited

WHEREAS in accordance with the provisions of the Town and Country Planning Act 1990 and the orders made thereunder, you have made an application received on **27 November 2008** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

Petersham Nursery, Petersham Road, Richmond, Surrey.

for

Continuation of Planning Permission granted 11 December 2007 (07/1235/FUL), to allow permanent mixed use as garden centre (Class A1) and café/restaurant (Class A3).

NOW THEREFORE WE THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough, the Local Planning Authority HEREBY GIVE YOU NOTICE pursuant to the said Act and the Orders made thereunder that permission to develop the said land in accordance with the said application is hereby **GRANTED** subject to the conditions and informatives summarised and listed on the attached schedule:-

Yours faithfully



Robert Angus
Development Control Manager

APPLICANT NAME	AGENT NAME Direct Planning Limited 95-97 Riverbank House High Street Orpington Kent BR5 3NH
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SITE:
Petersham Nursery, Petersham Road, Richmond, Surrey.

PROPOSAL:
Continuation of Planning Permission granted 11 December 2007 (07/1235/FUL), to allow permanent mixed use as garden centre (Class A1) and café/restaurant (Class A3).

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS:

U27539NS01 Green Travel Plan & Review U27540NS02 Cycle Parking U27541NS03 Servicing and Deliveries U27543NS04 Hours of Use - Café/Restaurant U27544NS05 Café/Restaurant Areas	U27545NS06 Extraction Equipment U27546NS07 - Air Conditioning Equipment U27547NS08 Personal Permission
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INFORMATIVES:

U41497 Reason for Granting: U41496 Decision Drawings:	U41498 Principal Policies:
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DETAILED CONDITIONS

U27539NS01 Green Travel Plan & Review

Within 3 months of the date of this permission a full travel plan which accords with Transport for London's "Guidance for Workplace Travel Planning for Development (2008)" shall be developed and submitted to and approved by the local planning authority in writing ("first approval date") and shall be implemented on the first approval date and shall be reviewed and revised annually by each anniversary of the first approval date and in accordance with the requirements set out in i) to i v) below:

i) by a date no later than 10 months after the first approval date a survey methodology shall be submitted for the travel plan which shall be iTrace compliant to the local planning authority for its approval in writing

ii) by a date no later than 12 months after the first approval date a revised travel plan incorporating the results arising from the approved survey methodology shall be submitted to the local planning authority for its approval and the approved revised travel plan including any revisions or suggestions made by the local planning authority shall be implemented upon receipt of such approval

iii) by a date no later than 2 months prior to the submission of a revised travel plan each year in accordance with iv) below, a survey methodology for the travel plan which is iTrace compliant shall be submitted to and approved by the local planning authority

iv) a revised travel plan shall be submitted to the local planning authority for its approval annually by each anniversary of the first approval date for a period of 10 years from the first approval date and on each occasion the approved revised travel plan including any revisions or suggestions made by the local planning authority shall be implemented upon receipt of such approval

Reason: In order to comply with the objectives of national and local planning policies within the UDP which promote sustainable development with particular regard to transport.

U27540NS02 Cycle Parking

Additional cycle parking facilities shall be provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof. REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

U27541NS03 Servicing and Deliveries

Within 6 weeks of the permission hereby granted the applicant is required to submit a servicing and delivery schedule to be submitted to and approved in writing by the Local Planning Authority, and should include measures to prevent servicing and delivery taking place during the peak hours of 11.30 to 15.00 hours Monday- Saturday and at any time on Sunday and restrictions on the weights of vehicles allowed to visit the site.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic and the conditions of safety along the neighbouring highway, with particular regard to the junction of Church Lane with Petersham Road.

U27543NS04 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.

U27545NS06 Extraction Equipment

Any equipment required to effectively suppress the emission of fumes or smell and obviate any other nuisance from cooking processes carried out in the premises to be installed shall be submitted to and approved in writing by the Local Planning Authority. REASON: To ensure that the proposed business is carried out in such a way that no undue nuisance is caused through smell or from any other source to the detriment of the occupiers of adjoining properties and the area generally.

U27546 NS07 - Air Conditioning Equipment

No air conditioning apparatus, equipment or ducting shall be erected, placed or fixed to any part of the roof or external faces of the building(s), otherwise than as submitted to and agreed in writing by the Local Planning Authority. REASON: To safeguard the amenities of neighbouring properties and the area in general.

U27547 NS08 Personal Permission

The A1/A3 mixed use hereby permitted shall only be carried out by Mr Francesco Boglione for the period during which the premises are owned by Mr Francesco Boglione. REASON: To safeguard the amenities of the adjoining residents and the area generally.

DETAILED INFORMATIVES

U41497 Reason for Granting:

The proposal has been considered in the light of the Development Plan, comments from statutory consultees and third parties (where relevant) and compliance with Supplementary Planning Guidance as appropriate. It has been concluded that there is not a demonstrable harm to interests of acknowledged importance caused by the development that justifies withholding planning permission. The proposed development has previously been subject to a temporary permission and the monitoring and review of the submitted Green Travel Plan shows that the continued use would not result in undue harm to neighbouring residential amenities and highway and parking conditions in the area. Furthermore, subject to the imposed conditions, it would not detract from the open nature and character and appearance of the Metropolitan Open Land in which it lies or important views from Richmond Hill.

U41496 Decision Drawings:

For the avoidance of doubt the drawing numbers to which this decision refers are as follows:-

Site location plan received on 27/11/08; plan number DP7/2857 received 03/04/07 (under Permission 07/1235/FUL), Application Support Statement dated January 2009, Petersham Nurseries Travel Plan Review dated 06/12/08, Petersham Nurseries Draft Travel Plan dated 01/12/08 and Petersham Nurseries Draft Transport Statement dated November 2008.

U41498 Principal Policies:

The following have been taken into account in the consideration of this proposal:-

Unitary Development Plan - First Review 2005 Policies IMP2, ENV1, ENV5, BLT2, BLT16, TRN2, TRN4, CCE18 & TC9.

Local Development Framework Core Strategy (April 2009) – Policies CP1, CP5, CP7 and CP10

The London Plan (February 2008) Policies 2A.1 and 3C.1

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 08/4312/FUL
