

Ms Charlotte Senn
Petersham Nurseries
Petersham Nurseries
Petersham Road
Petersham
Richmond
TW10 7AB

Letter Printed 18 January 2018

FOR DECISION DATED
18 January 2018

The Town and Country Planning Act 1990, (as amended)
Decision Notice

Application: 14/0345/VRC
Your ref: Petersham S73
Our ref: DC/JIT/14/0345/VRC
Applicant: Ms Charlotte Senn
Agent:

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 **3 February 2014** for the permission of the Local Planning Authority to vary condition(s) of the Planning Permission for land situated at:

Petersham Nurseries Petersham Road Petersham Richmond

for

Application for variation of condition NS04 of planning permission 08/4312/FUL for permanent mixed use as garden centre (Class A1) and café/restaurant (Class A3), to allow for the sale of food for consumption on the premises, between the hours of 09.00 and 18.00 on Mondays, Tuesdays and Wednesdays, 09.00 and 23.00 on Thursdays, Fridays and Saturdays and 11.00 and 18.00 on Sundays.

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 **REFUSED** subject to the reasons and informatives summarised and listed on the attached schedule.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Angus', with a long horizontal flourish extending to the right.

Robert Angus
Head of Development Management

SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 14/0345/VRC

APPLICANT NAME

Ms Charlotte Senn
Petersham Nurseries
Petersham Road
Petersham
Richmond
TW10 7AB

AGENT NAME

SITE

Petersham Nurseries Petersham Road Petersham Richmond

PROPOSAL

Application for variation of condition NS04 of planning permission 08/4312/FUL for permanent mixed use as garden centre (Class A1) and café/restaurant (Class A3), to allow for the sale of food for consumption on the premises, between the hours of 09.00 and 18.00 on Mondays, Tuesdays and Wednesdays, 09.00 and 23.00 on Thursdays, Fridays and Saturdays and 11.00 and 18.00 on Sundays.

SUMMARY OF REASONS AND INFORMATIVES

REASONS

| | |
|--------|---------------------------------------|
| U37004 | Impact on MOL and neighbour amenities |
|--------|---------------------------------------|

INFORMATIVES

| | |
|--------|---------------------------------|
| U21806 | Breach of condition |
| U21860 | NPPF REFUSAL- Para. 186 and 187 |

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U37004 Impact on MOL and neighbour amenities

The proposal would result in the expansion of an inappropriate use to the detriment of the character and function of Metropolitan Open Land and would, by reason of an increased level of pedestrian and vehicular activity around the site, result in an adverse effect on the amenities of neighbouring residential occupiers and the area generally. As such the proposal would be contrary to the National Planning Policy Framework and the Local Plan, including policy CP10 of the Local Development Framework Core Strategy adopted April 2009, policies DM OS 1, DM TC 5 and DM DC 5 of the Development Management Plan adopted November 2011 and policies LP 8, LP 10 and LP 13 of the Publication Local Plan.

DETAILED INFORMATIVES

U21806 Breach of condition

The applicant is advised that officers understand that the use of the premises is currently operating in breach of both condition NS05 'Café/Restaurant Areas' and NS04 'Hours of Use - Café/Restaurant' of planning permission 08/4312/FUL. This application has been determined on the basis of the information submitted to it, which has included no request to vary condition NS05 'Café/Restaurant Areas' or the associated drawing. The Council is ready to enter into formal pre-application discussions to advise the applicants of relevant policy and guidance in respect of this matter.

U21860 NPPF REFUSAL- Para. 186 and 187

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

- o Providing a formal pre-application service
- o Providing written policies and guidance, all of which is available to view on the Council's website
- o Where appropriate, negotiating amendments to secure a positive decision
- o Determining applications in a timely manner.

In this instance:

- o The application was referred to the Planning Committee, where the agents / applicants had an opportunity to present the case. The Planning Committee found the scheme was contrary to policy and guidance, and subsequently refused. The Council is ready to enter into formal pre-application discussions to advise the applicants of relevant policy and guidance; and where possible assist in the preparation of a new planning permission.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
14/0345/VRC
