

The Planning Inspectorate

ENFORCEMENT NOTICE APPEAL FORM (Online Version)

WARNING: The appeal **must** be received by the Inspectorate **before** the effective date of the local planning authority's enforcement notice.

Appeal Reference: APP/L5810/C/24/3339372

A. APPELLANT DETAILS

Name	Mr Francesco Boglione
Company/Group Name	Petersham Nurseries Limited
Address	Petersham Nurseries Ltd Petersham Road RICHMOND TW10 7AB
Email	[REDACTED]
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

A(i). ADDITIONAL APPELLANTS

Do you want to use this form to submit appeals by more than one person (e.g. Mr and Mrs Smith), with the same address, against the same Enforcement notice? Yes No

B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Name	Mr Simon Ricketts
Company/Group Name	Town Legal LLP
Address	[REDACTED]
[REDACTED]	[REDACTED]
Email	[REDACTED]
Your reference	[REDACTED]
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

LPA reference number (if applicable)

Date of issue of enforcement notice

Effective date of enforcement notice

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes No

Address

Petersham Nurseries Ltd
Petersham Road
RICHMOND
TW10 7AB

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes No

What is your/the appellant's interest in the land/building?

Owner

Tenant

Mortgagee

None of the above

E. GROUNDS AND FACTS

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? Yes No

(a) That planning permission should be granted for what is alleged in the notice.

The facts are set out in

see 'Appeal Documents' section

(b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.

(c) That there has not been a breach of planning control (for example because permission has already been granted, or it is "permitted development").

(d) That, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice.

The facts are set out in

the box below

(e) The notice was not properly served on everyone with an interest in the land.

(f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.

The facts are set out in

the box below

Refer to the Statement of Grounds and Procedure and its appendices filed in respect of Ground A.

(g) The time given to comply with the notice is too short. Please state what you consider to be a reasonable compliance period, and why.

The facts are set out in

the box below

Refer to the Statement of Grounds and Procedure and its appendices filed in respect of Ground A.

F. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

2. Hearing

3. Inquiry

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

see 'Appeal Documents' section

(a) How long do you estimate the inquiry will last?

3 day(s)

(b) How many witnesses do you intend to call?

5

(c) Is there any further information relevant to the inquiry which you need to tell us about?

Yes

No

If so, please explain the relevant information below

Further to the Planning Inspectorate's invitation in its email dated Friday 12 January 2024 in relation to appeal reference APP/L5810/C/23/3335055 we are seeking to agree potential inquiry dates with the local planning authority, proposed dates from Monday 7 October 2024 onwards.

G. FEE FOR THE DEEMED PLANNING APPLICATION

1. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice?

Yes

No

2. Are there any planning reasons why a fee should not be paid for this appeal?

Yes

No

the box below

see 'Appeal Documents' section

H. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes

No

I. SUPPORTING DOCUMENTS

01. Enforcement Notice:

see '[Appeal Documents](#)' section

02. Plan (if applicable and not already attached)

see '[Appeal Documents](#)' section

J. CHECK SIGN AND DATE

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

Signature

Mr Simon Ricketts

Date

23/02/2024 12:55:43

Name

Mr Simon Ricketts

On behalf of

Mr Francesco Boglione

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

K. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) to the LPA.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the enforcement notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

L. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@planninginspectorate.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section: GROUNDS AND FACTS
Document Description: Facts to support that planning permission should be granted for what is alleged in the notice.
File name: Statement of Grounds and Procedure February 2024.pdf
File name: Appendices to Statement of Grounds (Appendices 1-6) - PART ONE.pdf
File name: Appendices to Statement of Grounds (Appendix 7) - PART TWO.pdf
File name: Appendices to Statement of Grounds (Appendix 8) - PART THREE.pdf
File name: Appendices to Statement of Grounds (Appendices 9-10) - PART FOUR.pdf
File name: Appendices to Statement of Grounds (Appendix 11) - PART FIVE.pdf
File name: Appendices to Statement of Grounds (Appendices 12-13) - PART SIX.pdf

Relates to Section: CHOICE OF PROCEDURE
Document Description: Document containing detailed reasons why an inquiry is necessary.
File name: Statement of Grounds and Procedure February 2024.pdf

Relates to Section: FEE FOR THE DEEMED PLANNING APPLICATION
Document Description: Any planning reasons why a fee should not be paid for this appeal.
File name: LPA Email Correspondence 9 January 2024.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 01. The Enforcement Notice.
File name: Petersham Nurseries Enforcement Notice January 2024.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 02. The Plan.
File name: Enforcement Notice Site Plan.pdf

Completed by MR SIMON RICKETTS

Date 23/02/2024 12:55:43