The Planning Inspectorate

For official use only (Date received)
5-Aug-2014 22:47

PLANNING APPEAL FORM (Online Version)

To help you fill in this form correctly, please refer to the guidance leaflet "How to complete your planning appeal form".

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time we will not accept the appeal.**

APPEAL REFERENCE: APP/B4215/A/14/2223374

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name: Amour Spa Ltd Amour Spa Ltd Amour Spa Ltd (Amour Spa Ltd)

Address: 3 Wenfield Drive
MANCHESTER

Postcode: M9 7BE

Phone no.: 07448 534900

Fax no:

E-mail: richard.williams@lrlaw.co.uk

Please confirm how you wish to correspond with us:
- Electronically, via the email address specified above ✔
- On paper, by post.

B. AGENT DETAILS FOR THE APPEAL (if any)

Name: Mr Richard Williams

Address: 37 Little Peter Street
LR Law Limited
Madison House
Manchester

Postcode: M15 4QJ

Your reference:

Phone no.: 01618501522

Fax no.:

E-mail: info@plan8townplanning.co.uk

Please confirm how you wish to correspond with us:
- Electronically, via the email address specified above ✔
- On paper, by post.

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA: Manchester City Council

LPA's reference number: 105994/FU/2014/N1

Date of the planning application: 13 Jun 2014

Date of the LPA's decision (if issued): 01 Aug 2014

D. APPEAL SITE ADDRESS

Address: 25 Park Street
MANCHESTER

Postcode: M3 1EU

Grid Reference: Easting: 03839175 Northing: 03992991

Is the appeal site within a Green Belt? YES ☐ NO ☑

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 ☑

E. DESCRIPTION OF THE DEVELOPMENT

Size of the whole appeal site (in hectares): 0.08

Area of floor space of proposed development (in square metres): 300

Has the description of the development changed from that stated on the application form? YES ☑ NO ☐

If YES, please state below the revised wording, and enclose a copy of the LPA's agreement to the change.

The original wording on the application form was: "Change of use from business (B1) to sui generis members club (leisure spa)"

The LPA unilaterally changed that to : " Retrospective application for the change of use of vacant premises to private members health spa (Sui Generis)"

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:-

Please tick **one** box only ✓

1 Refuse planning permission for the development described on the application form or in Section E. ☑

2 Grant planning permission for the development subject to conditions to which you object. ☐

3 Refuse approval of the matters reserved under an outline planning permission. ☐

4 Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object. ☐

5 Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

6 Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐

or

7 Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation ☐

G. CHOICE OF PROCEDURE

There are 3 possible choices:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances before selecting your preferred option by ticking the box.

1. THE WRITTEN REPRESENTATIONS PROCEDURE _____ ☑

This is normally the simplest, quickest and most straightforward way of making an appeal. The written procedure is particularly suited to small-scale developments (e.g. individual houses or small groups of houses; appeals against conditions or changes of use).

a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? YES ☑ NO ☐

b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? YES ☐ NO ☑

If so, please explain below or on a separate sheet.

2. THE HEARING PROCEDURE _____ ☐

If you are proposing that this appeal follows the hearing procedure, you must submit a draft statement of common ground. **You must give detailed reasons below or in a separate document why you think a hearing is necessary.**

a) If you are proposing that this appeal follows the hearing procedure, you must liaise with the LPA and agree two alternative dates on which a hearing could take place. The dates should not fall on a Monday but should be between the period 7 - 11 weeks from submission of your appeal.
Please note that failure to provide at least one agreed date will result in a date being fixed by the Planning Inspectorate.

b) Is there any further information relevant to the hearing which you need to tell us about? If so please explain below. YES ☐ NO ☐

3. THE INQUIRY PROCEDURE _____ ☐

You must ensure you have read the 'Choice of Procedure' section of the 'How to…' guidance at the top of this form before you choose this procedure. If you are proposing that this appeal follows the inquiry procedure, you must submit a draft statement of common ground. **You must give detailed reasons below or in a separate document why you think an inquiry is necessary.**

a) How long do you estimate the inquiry will last? (Note: We will take this into consideration, but please bear in mind that our estimate will also be informed by others' advice and our own assessment.) No. of days ☐

b) How many witnesses do you intend to call? No. of witnesses ☐

c) How long do they need to give their evidence? No. of days ☐

d) If you are proposing that this appeal follows the inquiry procedure and have estimated that it will last no more than 2 days, you must liaise with the LPA and agree two alternative dates on which an inquiry could open and enter the details below. The opening date should not fall on a Monday or a Friday but should be between the period 10 – 17 weeks from submission of your appeal.
Please note that failure to provide at least one agreed date will result in a date being fixed by the Planning Inspectorate.

e) Is there any further information relevant to the inquiry which you need to tell us about? If so, please explain below. YES ☐ NO ☐
Please continue on a separate sheet if necessary.

H. FULL STATEMENT OF CASE

a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? YES ☐ NO ☑

b) Do you intend to submit a costs application with this appeal? YES ☐ NO ☑

** See separate documents **

H. FULL STATEMENT OF CASE (continued)

I. (part one) APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeals site. If you do not own the appeal site or only own a part of it, we need to know the name(s) of the owner(s) or part owner(s) and be sure that you have told them that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.

If you are the sole owner of the whole appeal site, certificate A will apply: Please tick **one** box only ✓

CERTIFICATE A ☐

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner of any part of the land to which the appeal relates:

OR

CERTIFICATE B ✔

I certify that the appellant (or the agent) has given the requisite notice (see the *Guidance Notes*) to every one else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which the notice was served	Date the notice was served
Jack Ellis	27a Cheadle Road, Cheadle Hulme, Stockport, S	04 Aug 2014

CERTIFICATES C & D ☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D in the guidance leaflet and attach it to the appeal form.

I (part two) AGRICULTURAL HOLDINGS CERIFICATE

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b). ✓

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding: ✔

OR

(b)(i) The appeal site is, or is a part of an agricultural holding, and the appellant is the sole agricultural tenant: ☐

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below: ☐

Tenant's name	Address at which the notice was served	Date the notice was served

Details of additional tenants ☐

J. ESSENTIAL SUPPORTING DOCUMENTS

You **must** send the documents listed 1-7 below with your appeal form.
Please tick the boxes to show which documents you are enclosing.

		✓
1	A copy of the original **planning application** sent to the LPA.	✔
2	A copy of the **site ownership certificate** and **agricultural holdings certificate submitted** to the LPA at application stage (this is usually part of the LPA's planning application form).	✔
3	A copy of the **LPA's decision notice** (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.	✔
4	A **site plan** (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.	✔
5	Copies of all **plans, drawings and documents** sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. Please number them clearly and list the numbers here or on a separate sheet:	✔
6	Copies of all **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes). Please number them clearly and list the numbers here or on a separate sheet:	✔
7	A copy of the **design and access statement** sent to the LPA (if required)	

You must send copies of the following, if appropriate:

8	Additional plans, drawings or documents relating to the application but **not previously seen by the LPA.** Please number them clearly and list the numbers here or on a separate sheet:	✔
9	Any relevant **correspondence** with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. :	
10	If the appeal is against the LPA's refusal or failure to approve the **matters reserved under an outline permission,** please enclose:	
	(a) the relevant outline application;	
	(b) all plans sent at outline application stage;	
	(c) the original outline planning permission.	
11	If the appeal is against the LPA's refusal or failure to decide an application which relates to a **condition**, we must have a copy of the original permission with the condition attached.	
12	A copy of any **Environmental Statement** plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).	
13	A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.	
14	If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application.	

K OTHER APPEALS

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

L CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that I have sent a copy of this appeal form and relevant documents (including the full statement of case) to the LPA *(if you do not your appeal will not normally be accepted).*

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

Signature Date 5 August 2014

Name (in capitals) Mr Richard Williams

On behalf of (if applicable) Amour Spa Ltd Amour Spa Ltd Amour Spa Ltd

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 1998. Further information about our Data Protection policy can be found in the guidance leaflet.

M. NOW SEND

- **Send a copy to the LPA**

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again; send them any supporting documents (including the full statement of case) not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

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

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.

N. 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@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 2606, Bristol, BS1 9AY.

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:

APP/B4215/A/14/2223374

Please ensure that a copy of your appeal form and any supporting documents are sent to the local planning authority.

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************************************************************
* The Documents Listed Below Were Uploaded With The Appeal Form *
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==========  DESCRIPTION OF THE DEVELOPMENT  ==========
TITLE:       LPA's Agreement to the change
DESCRIPTION: LPA's Agreement to the change
FILENAME:    The original wording on the application form was.pdf


==========  FULL STATEMENT OF CASE  ==========
TITLE:       FULL STATEMENT OF CASE
DESCRIPTION: FULL STATEMENT OF CASE
FILENAME:    Grounds of Appeal 25 Park Road.pdf

TITLE:       FULL STATEMENT OF CASE
DESCRIPTION: Bing Maps
FILENAME:    06 BING MAPS 25 Park Street.pdf

TITLE:       FULL STATEMENT OF CASE
DESCRIPTION: Appeal Decision South Wales
FILENAME:    06 APPV6945C132195941 3years south wales 1.2.pdf

TITLE:       FULL STATEMENT OF CASE
DESCRIPTION: Appeal Decision Devon
FILENAME:    06  APPU1105A072056318 B1B1B8 to D2 Play Centre.pdf


==========  ESSENTIAL SUPPORTING DOCUMENTS  ==========
TITLE:       01. A copy of the original planning application sent to the LPA.
DESCRIPTION: Forms
FILENAME:    01 Planning application forms.pdf

TITLE:       02. A copy of the site ownership certificate and agricultural holdings
            certificate submitted to the LPA at application stage (these are usually
            part of the LPA's planning application form).
DESCRIPTION: Certificate
FILENAME:    02 Certificates.pdf

TITLE:       03. A copy of the LPA's decision notice (if issued). Or, in the event of
            the failure of the LPA to give a decision, if possible please enclose a
            copy of the LPA's letter in which they acknowledged the application.
DESCRIPTION: Decision Notice
FILENAME:    03 Planning refusal 010814.pdf
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Continued on Supplementary Sheet

SUPPLEMENTARY SHEET

Appeal Documents (continued)

TITLE: 04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of th
DESCRIPTION: Site Plan
FILENAME: 04 Location Plan0001.pdf

TITLE: 05. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
DESCRIPTION: Floor PLans
FILENAME: 05 25 Park Street Ground and First Floor.pdf

TITLE: 05. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
DESCRIPTION: Floor plans 2
FILENAME: 05 25 Park Street Second Floor.pdf

TITLE: 05. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
DESCRIPTION: site plan
FILENAME: 05 Submitted Planning document 120614.pdf

TITLE: 05i. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
DESCRIPTION: List
FILENAME: 05i List of Submitted Plans.pdf

TITLE: 06. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
DESCRIPTION: Planning Statement
FILENAME: 06 Planning Statement 2014 1.8.pdf

TITLE: 06. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
DESCRIPTION: Photos
FILENAME: 06 BING MAPS 25 Park Street.pdf

TITLE: 06. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
DESCRIPTION: Relevant appeal 1
FILENAME: 06 APPV6945C132195941 3years south wales 1.2.pdf

TITLE: 06. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
DESCRIPTION: Relevant appeal 2
FILENAME: 06 APPU1105A072056318 B1B1B8 to D2 Play Centre.pdf

TITLE: 06i. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
DESCRIPTION: List
FILENAME: 06i List of Docs.pdf

TITLE: 08. Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
DESCRIPTION: Planning Response LR LAW
FILENAME: 08 Planning response 220714.pdf

TITLE: 08i. Please provide a list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.

SUPPLEMENTARY SHEET

Appeal Documents (continued)

DESCRIPTION: list
FILENAME: 08i List of Docs not seen by LPA.pdf

****
* The Documents Listed Below Will Follow By Post *
****
========== FULL STATEMENT OF CASE ==========
** FULL STATEMENT OF CASE

========== ESSENTIAL SUPPORTING DOCUMENTS ==========
** 01. A copy of the original planning application sent to the LPA.
** 02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form).
** 03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
** 04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of th
** 05. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
** 05i. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
** 06. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
** 06i. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
** 08. Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
** 08i. Please provide a list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.