

PLANNING APPEAL

If you need this document in large print, on audio tape, in Braille or in another language, please contact us on 0300 123 1590.

This form is to appeal against a decision to refuse a planning or discharge of conditions application, against a decision to grant an application subject to conditions to which you object, or against the failure of the Local Planning Authority to give a decision within the appropriate period, not including Householder applications (use separate form).

Please ensure you are using the correct form for the type of appeal you are submitting.

Please visit our website for guidance on completing this form.

WARNING: Your appeal must reach Planning and Environment Decisions Wales within 6 months of the date of the Local Planning authority's decision notice. (**NOTE:** If any of the "Essential supporting documents" listed in Section L are not received by us within the appeal period, the appeal will not be accepted).

IF YOU ARE NOT COMPLETING ELECTRONICALLY, PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT – The name of the person(s) making the appeal **must** appear as an applicant on the application form. If this is not the case the appeal may not be registered.

Name / Organisation Name (if applicable)	Spotless Water
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B. AGENT (if any) FOR THE APPEAL

Name	Nick Griffin
Organisation Name (if applicable)	Inception Planning

C. LOCAL PLANNING AUTHORITY (LPA)

Name of the LPA	Wrexham
LPA's application reference number	P/2024 /0166
Application form dated	04/03/2024
Date of LPA's Decision notice (if issued)	25/06/2024

D. APPEAL SITE ADDRESS

Address

GATE HANGS HIGH, RHOSNESNI LANE, WREXHAM,

Post code

LL13 9ES

Size of the whole appeal site (in hectares)

0.1

Area of floor space of the proposed development (in square metres)

7.39

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

☐

☒

*If yes, please explain in your full statement of case (section H)

Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land?

YES

NO

☒

☐

Is it essential for the Inspector to enter the site to check measurements or other relevant facts? * If the answer is 'YES' please explain below.

YES*

NO

☐

☒

Do not include personal or financial information.

NOTE: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or relevant facts.

E. DESCRIPTION OF THE PROPOSED DEVELOPMENT

Please enter details of the proposed development. This should normally be taken from the planning application form, but if the application was revised while it was with the local planning authority for consideration, you may enter a description of the revised scheme.
Please enclose a copy of the LPA’s agreement to the change.
Do not include personal or financial information.

Proposed Water Filling Station

	YES	NO
Has the description of the development changed since the application was submitted?	☐	☒
Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?	☐	☒

F. REASON FOR THE APPEAL

This appeal is against the LPA’s decision to:

Please tick which applies

1. Refuse planning permission for the proposed development.

☒
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. The failure of the LPA to give its decision within the appropriate period (usually 8 weeks) on an application for planning permission.

☐

G. OTHER APPEALS

Have there been any other appeals decided or are being currently considered on this site, or on nearby land, against a refusal of planning permission?

YES*

☐

NO

☒

* If the answer is ‘YES’ please give details, including our reference number, if known.
Do not include personal or financial information.

H. FULL STATEMENT OF CASE

This is your **only** opportunity to make your case in connection with the reason for the appeal as indicated in section F. Therefore please provide your **FULL** statement of case. Alternatively you can submit your statement of case as a separate document alongside other documents supporting your appeal. To do this, you need to go through the reasons for the decision (if provided) and explain why you disagree and/or why you think the appeal should be allowed. Only the reasons within the LPA’s decision and the matters they considered at application stage should be included. You should not introduce any new matters that were not before the LPA during the application. Please refer to the guidance on our website for further information.

Please continue on a separate sheet, page 6, if necessary

Please see statement of case attached with planning appeal pack.

H. FULL STATEMENT OF CASE (continued)

I. PROCEDURE (see guidance for further information)

Appeals dealt with under Part 4 of The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 can be considered on the basis of written representation, a hearing, an inquiry or combined proceedings. In accordance with the Town and Country Planning (Determination of Procedure) (Wales) Order 2017, PEDW will make a determination as to the most appropriate procedure and will review it throughout the process.

Please tick
ONE box only

I consider the written representations procedure is appropriate.

☐

I consider the hearing procedure is appropriate.

☐

I consider the inquiry procedure is appropriate.

☐

*If you feel that a hearing or inquiry is needed please provide your full reasons below, including the likely number of days you feel that the event will last and how many witnesses you intend to call. Please note that it will be PEDW’s decision as to whether a hearing, inquiry or combination will take place.

J. APPLICATION FOR AN AWARD OF COSTS (see [guidance for further information](#))

YES* NO

Does the appeal include an application for costs?

☐☐

* If the answer is ‘YES’ you must submit a statement below that clearly explains why you think unreasonable behaviour has occurred and how this has caused unnecessary or wasted expense.

K. APPEAL SITE OWNERSHIP DETAILS (Part 1)

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal.

YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES

Please read the guidance leaflet ‘How to complete your planning appeal form’ if in doubt.

Please tick
ONE box only

CERTIFICATE A (If you are the sole owner of the whole appeal site, certificate A will apply)

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see the Guidance on our website) of any part of the land to which the appeal relates.

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CERTIFICATE B

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

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Owner’s Name	Date the notice was served

Please supply owner’s address(es) on personal details page 14.

CERTIFICATES C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D at Annexe 1 of our guidance and attach it to the appeal form.

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K. APPEAL SITE OWNERSHIP DETAILS (Part 2) **AGRICULTURAL HOLDINGS CERTIFICATE**
(this **must** be completed for all appeals)

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

☐
- b(i)**

The appeal site is, or is 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:

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Tenant's Name	Date the notice was served

Please supply Tenant's address(es) on personal details page 14.

L. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1–6 below, must be sent with your appeal form; 7–12 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with your appeal.

Please tick the boxes to show which documents you are enclosing.

- 1

A copy of the original planning application sent to the LPA.

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- 2

A copy of the site ownership certificate and ownership details submitted to the LPA at application stage (this is usually part of the LPA's planning application form).

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- 3

A copy of the LPA's decision notice (if issued).

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- 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 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 in blue.

☐
- 5

A list (stating drawing numbers) and 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.

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- 6

A list (stating drawing numbers) and 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).

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- 7

A copy of the Design and Access Statement (if required).

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- 8

A copy of the Green Infrastructure Statement (if required).

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- 9

Additional plans, drawings or documents relating to the application but not previously seen by the LPA. (Please note appellants cannot vary an application from that considered by the Local Planning Authority, other than the correction of drawing or drafting errors which do not affect the substance of the application). Please number them clearly and list the numbers below: Do not include personal or financial information.

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L. ESSENTIAL SUPPORTING DOCUMENTS (continued)

Please tick the boxes to show which documents you are enclosing.

- 10

All relevant correspondence with the LPA relating to the application.

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- 11

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 approved at outline application stage;

☐
- c.

the original outline planning permission.

☐
- 12

If the appeal is against the LPA’s refusal or failure to decide an application which relates to a condition, we must receive a copy of the original permission with the condition attached.

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- 13

If the appeal is against the LPA’s failure to decide an application please supply a copy of the LPA’s letter registering your application.

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- 14

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).

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APPLICATION DECLARATION

I confirm that I have sent to the LPA a copy of the appeal form, full statement of case, and any supporting documents not previously sent as part of the application (if you do not your Appeal will not normally be accepted).

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

I understand that you may use the information I have given for official purposes in connection with the Town and Country Planning Act 1990 and details including my name, the site description and my statement of case may appear online. By submitting this form I am agreeing to the use of the information I provide in this way.

Name (in capitals)	
On behalf of (if applicable)	
Date	

SEND

1 COPY to us at:

E-mail: PEDW.Casework@gov.wales
PEDW.GwaithAchos@llyw.cymru

OR

Planning and Environment Decisions Wales
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

Helpline: 0300 123 1590

Please keep a copy for your records

1 COPY to the LPA

Send a copy of the appeal form and full statement of case 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 supporting documents again; only send them any supporting documents not previously sent as part of the application.

When we receive your appeal form, we will write to you letting you know what happens next.

Any enquiries regarding this document/publication should be sent to us at the address above or e-mail: PEDW.Casework@gov.wales / PEDW.GwaithAchos@llyw.cymru