



The Planning Inspectorate

Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line:
Customer Services:
0303 444 5000

Email: ctteam@planninginspectorate.gov.uk
www.gov.uk/planning-inspectorate

Your Ref: 22/00633/FUL

Our Ref: APP/U1620/W/23/3315761

Mr P Egan
Gloucester City Council
Technical Administrator
Development Control
Herbert Warehouse
The Docks
Gloucester
GL1 2EQ

24 March 2023

Dear Mr Egan,

Town and Country Planning Act 1990
Appeal by Shahram Navard
Site Address: 11 Underhill Road, Gloucester , Gloucestershire, GL4 6HB

We have received the above referenced appeal.

We have checked the documents submitted and confirm that the appeal is valid. If we later find out that this is not the case we will write to you again.

We are now waiting for a suitable Planning Inspector to become available. Once we are able to appoint an Inspector you will be allocated a named case officer who will write to you starting the appeal and setting out details of the timetable and procedure (the 'start letter'). They will also confirm when the Inspector's site visit/hearing will take place.

Information about the latest average timescales for appeals, including the average time from when an appeal is confirmed as valid to the start of the appeal timetable, can be found at: <https://www.gov.uk/guidance/appeals-average-timescales-for-arranging-inquiries-and-hearings>

Appeals Casework Portal

Details of your appeal will be available to view on the Appeals Casework Portal as soon as a 'start' letter has been issued.

Important information

Please note that we are not able to respond to queries relating to the time taken to issue a 'start' letter.

The Planning Inspectorate deals with approximately 20,000 appeals a year in locations all over England. In order to process these as efficiently as possible our staff work hard to ensure that they identify Inspectors in the appropriate location with the appropriate

experience to determine cases.

Please be assured that when we are able to appoint an Inspector to determine your appeal we will contact you again at that time.

Information about the appeals process can be accessed at GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. I recommend that you read the relevant guidance.

Yours sincerely,

Deployment Officer

Deployment Officer

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>



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Mr P Egan
Gloucester City Council
Technical Administrator
Development Control
Herbert Warehouse
The Docks
Gloucester
GL1 2EQ

03 April 2023

Dear Mr Egan,

Town and Country Planning Act 1990
Appeal by Shahram Navard
Site Address: 11 Underhill Road, Gloucester , Gloucestershire, GL4 6HB

I have received appeal forms and documents for this site. I am the case officer. If you have any questions, please contact me. I have checked the papers and confirm that the appeal(s) is valid. If I later find out that this is not the case, I will write to you again.

The procedure and starting date

The appellant(s) asked for this appeal(s) to be dealt with by the Written Representation procedure. However, we have applied the criteria and considered all representations received, including the appellant(s) preferred choice. We consider that the Written representations procedure is the most suitable for this appeal.

We therefore intend to determine this appeal(s) by this procedure.

The date of this letter is the starting date for the appeal(s). The timetable for the appeal(s) begins from this date.

Sending documents to us and looking at the appeal(s)

A timetable is set out below. No reminders will be sent, and any documents sent after the deadlines will normally be returned.

You can use the Internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is <https://www.gov.uk/appeal-planning-inspectorate>.

If emailing documents, please use the email address above. If posting documents (other than the Questionnaire) please send 2 copies of everything. Whichever method you use, please make sure that all documents/emails are clearly marked with the full reference

number.

Guidance on communicating with us electronically can be found at: <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>.

Timetable

The following documents must be sent within this timetable.

By 10 April 2023

You must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal(s) has been made. You should tell them: -

- i) that any comments they made at application stage will be sent to me and the appellant(s) and will be considered by the Inspector (unless they withdraw them within the 5 week deadline). If they want to make any additional comments they must submit 3 copies within 5 weeks of the starting date, by 08 May 2023. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;
- ii) when and where the appeal documents will be available for inspection;
- iii) that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal(s);
- iv) that they can get a copy of our booklet 'Guide to taking part in planning appeals proceeding by Written representations' either free of charge from you, or on GOV.UK <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>; and
- v) that the decision will be published on GOV.UK.

You must send a copy of a completed appeal questionnaire and supporting documents, a copy of your notification letter and a list of those notified to the appellant(s) and me.

By 08 May 2023

Please send me your statement of case if the appeal questionnaire does not give full details of your case. Please include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant(s) a copy of any comments received from other interested persons or organisations and I will also send a copy of your statement to the appellant(s).

By 22 May 2023

The appellant(s) must send me any final comments they have on your statement. Both you and the appellant(s) may comment on any representations received from interested persons or organisations. No new evidence is allowed at this stage. I will send you a copy

of any final comments received from the appellant(s).

Site visit

We will arrange for one of our Inspectors to visit the appeal site. If it is decided that the Inspector should be accompanied by the main parties, we will send you details of these arrangements nearer the time. If, however, an unaccompanied or an 'access required' site visit can be made, you will not be informed in advance. Inspectors will not accept any documents or discuss the merits of the appeal(s) at the site visit.

Planning obligations - section 106 agreements

If you intend to submit a planning obligation, you must read the guidance provided on GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. A certified copy must be submitted to me no later than 7 weeks from the date of this letter.

Withdrawing the appeal(s)

If you hear that the appeal(s) is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant(s), I will write to you.

Costs

The appellant(s) has been directed to GOV.UK for further information regarding costs – <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Further information

Further information about the appeals process can be accessed at GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. I recommend that you read the relevant guidance.

Yours sincerely,

Bridget Holden

Bridget Holden

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

The Planning Inspectorate

QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference

APP/U1620/W/23/3315761

Appeal By

SHAHRAM NAVARD

Site Address

11 Underhill Road
Gloucester
Gloucestershire
GL4 6HB

PART 1

1.a. Do you consider the written representation procedure to be suitable? Yes No

*Note: If the written procedure is agreed, 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 other relevant facts.*

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? Yes No

2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal? Yes No

Please explain

To ascertain impact upon neighbouring properties.

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes No

3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State? Yes No

3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? Yes No

PART 2

4. Does the appeal relate to an application for approval of reserved matters? Yes No

5. Was a site ownership certificate submitted with the application? Yes No

6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings

Yes No

and Conservation Areas) Regulations 1990?

7. Does the appeal relate to a county matter? Yes No

8. Please indicate the development type for the application to which the appeal relates.

Major Developments

Minor Developments

Other Developments

8.b. Minor Developments

Dwellings

Offices/R and D/light industry

General industry/storage/warehousing

Retail and services

Traveller caravan pitches

All other minor developments

Is the appeal site within:

9.a. A Green Belt? Yes No

9.b. An Area of Outstanding Natural Beauty? Yes No

10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? Yes No

PART 3

11. Would the development require the stopping up or diverting of a public right of way? Yes No

12.a. Is the site in a Conservation Area? Yes No

12.b. Is the site adjacent to a Conservation Area? Yes No

12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area? Yes No

13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building? Yes No

13.b. Would the proposed development affect the setting of a listed building? Yes No

14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? Yes No

15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)? Yes No

16. Is any part of the site subject to a Tree Preservation Order? Yes No

17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site? Yes No

18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority? Yes No

19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
19.b. Are any protected species likely to be affected by the proposals?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

PART 4

Environmental Impact Assessment - Schedule 1

20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes No

Environmental Impact Assessment - Schedule 2

20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes No

20.c.i. Have you issued a screening opinion (SO) Yes No

Environmental Impact Assessment - Environmental Statement (ES)

20.d. Has the appellant supplied an environmental statement? Yes No

Environmental Impact Assessment - Publicity

20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development. Applies N/A

21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? Yes No

Please attach copies of any comments that you have received in response.

[see 'Questionnaire Documents' section](#)

PART 5

22. Do you wish to attach your statement of case? Yes No

For appeals dealt with by written representations only

23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal? Yes No

Copies of the following documents must, if appropriate, be attached to this questionnaire

24.a. a copy of the letter with which you notified people about the appeal;
 [see 'Questionnaire Documents' section](#)

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;

[see 'Questionnaire Documents' section](#)

Deadline

08/05/2023

- 24.c. all representations received from interested parties about the original application;
- see '[Questionnaire Documents](#)' section
- 24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;
- see '[Questionnaire Documents](#)' section
- 24.e. any representations received as a result of a service of a site ownership notification;
- 24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);
- You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.*
- see '[Questionnaire Documents](#)' section
- see '[Questionnaire Documents](#)' section
- List of policies

JCS Cover2017,SP1,SP2,SD3,SD4,SD10,SD11,SD14,INF1,INF2,INF3,1983 Cover,NPPF,City Plan Cover 2019,A1,A6,E2,E4,E5,D6,F1,F3,F6,G1,G2,2002 Cover, Policy Update Note
- 24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;
- 24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;
- 24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;
- In the case of emerging documents, please state what stage they have reached.*
- 24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted;
- Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.*
- 24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;
- 24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;
- 24.m. your Authority's CIL charging schedule is being/has been examined;
- 24.n. your Authority's CIL charging schedule has been/is likely to be adopted;
- 24.o. any other relevant information or correspondence you consider we should know about.

For the Mayor of London cases only

- 25.a. Was it necessary to notify the Mayor of London about the application? Yes No
- 25.b. Did the Mayor of London issue a direction to refuse planning permission? Yes No

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

LPA's reference

22/00633/FUL

Completed by

Dawn Collier

On behalf of

Gloucester City Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Craig Stock

Phone no (including dialling code)

01452396396

Email

craig.stock@gloucester.gov.uk

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/U1620/W/23/3315761

Appeal By SHAHRAM NAVARD

Site Address
11 Underhill Road
Gloucester
Gloucestershire
GL4 6HB

The documents listed below were uploaded with this form:

Relates to Section: PART 4

Document Description: 21. Copies of any comments that you have received in response.

File name: Consultee.pdf

Relates to Section: PART 5

Document Description: 23.b. The relevant planning history.

File name: 11 Underhill Road DC History.pdf

Relates to Section: PART 5

Document Description: 24.a. A copy of the letter with which you notified people about the appeal.

File name: ufm3_Written_Reps_Neighbour_Notification.pdf

Relates to Section: PART 5

Document Description: 24.b. A document containing a list of the people you notified of the appeal.

File name: ufm6_Appeal_neighbours_list.pdf

Relates to Section: PART 5

Document Description: 24.c. Copies of all representations received from interested parties about the original application.

File name: REP 1 (WEB) 21.07.2022.pdf

Relates to Section: PART 5

Document Description: 24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.

File name: DELREP 22 00633 FUL at 11 Underhill Road Matson.pdf

Relates to Section: PART 5

Document Description: 24.f. Copies of extracts from any relevant statutory development plan policies.

File name: JCS Plan Adopted 11 December 2017.pdf

File name: 1983 Front Cover.pdf

File name: GCC City Plan 2019 - Front Cover.pdf

File name: Local Plan 2nd Stage 2002 Cover.pdf

File name: Policy Update to Gloucester City Plan.pdf

Relates to Section: PART 5

Document Description: 24.f. Copies of extracts from any relevant statutory development plan policies.

File name: SP1.pdf

File name: SP2.pdf

File name: SD3.pdf

File name: SD4.pdf

File name: SD10.pdf
File name: SD11.pdf
File name: SD14.pdf
File name: INF1.pdf
File name: INF2.pdf
File name: INF3.pdf
File name: National Planning Policy Framework.pdf
File name: A1.pdf
File name: A6.pdf
File name: E2.pdf
File name: E4.pdf
File name: E5.pdf
File name: E6.pdf
File name: F1.pdf
File name: F3.pdf
File name: F6.pdf
File name: G1.pdf
File name: G2.pdf

Completed by

Not Set

Date

06/04/2023 12:00:12

LPA

Gloucester City Council