# **The Planning Inspectorate**

## QUESTIONNAIRE (s78) HOUSEHOLDER APPEAL (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.

Appeal Reference	APP/U1620/D/22/3309983
Appeal By	MR JAMES BUTT
Site Address	38 Hillview Road Hucclecote GLOUCESTER GL3 3LG

PART 1			
1. Do you agree that the Householder Appeals Service (HAS) written representation procedure is appropriate for this appeal? Please note there must be exceptional reasons for us to agree to a procedure other than HAS.	Yes	☑ No	
2.a. Are there any appeals or matters relating to the same site still being considered by us or the Secretary of State?	Yes	□ No	
2.b. Are there any appeals or matters adjacent or close to the site still being considered by us or the Secretary of State?	Yes	□ No	<b>S</b>
<ul><li>3. Can the Inspector see the relevant parts of the appeal site from public land?</li><li>4. Will the reasons for refusal/grounds of appeal require the Inspector to enter:</li></ul>	Yes	□ No	
4.a. the appeal site or property to judge the appeal proposal?	Yes	✓ No	
Proposed development is predominantly to the rear of the property.			
4.b. a neighbour's land or property to judge the appeal proposal?	Yes	□ No	
5. Are you aware of any specific health and safety issues, from your Officer's visits to the site or otherwise, which would need to be taken into account when the inspector visits the site?	Yes	□ No	
6.a. Is the site within a Conservation area?	Yes	□ No	
6.b. Is the site adjacent to a Conservation Area?	Yes	□ No	1
6.c. Is the site within a green belt?	Yes	□ No	1
6.d. Is the site in an Area of Outstanding Natural Beauty?	Yes	□ No	
7.a. Does the proposed development involve the demolition, alteration or extension of a listed building?	Yes	□ No	
7.b. Would the proposed development affect the setting of a listed building?	Yes	□ No	1
8. Did you give publicity, as required, for the site being within a Conservation Area or affecting a listed building?	Yes	□ No	
9. Is any part of the site subject to a Tree Preservation Order?	Yes	□ No	

PART 2				
Environmental Impact Assessment - Schedule 2				
10.a.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	Ø
Screening				
10.c.i. Have you issued a Screening Opinion (SO)?	Yes		No	1
Environmental Statement (ES)				
10.d. Has the appellant supplied an environmental statement?	Yes		No	1
Publicity				
10.e. If applicable, please send a copy of the site notice and local advertisement published under Article 15 of the DMPO 2015, as required for EIA development with your case file.	Applies	s 🔲	N/A	Ø
11.a. the development hereby permitted shall begin not later than three years from the date of this decision.	Yes		No	
11.b. the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.	Yes		No	
11.c. the development hereby permitted shall be carried out in accordance with the approved plans.	Yes	1	No	
11.d. any other conditions you regard as necessary?	Yes	1	No	
Details of the condition(s) and reasons you regard the condition(s) as necessary a  if the box below	re:			
Condition: The shower room window on the northeast (side) elevation, the bathroom window (side) elevation, and the ensuite window on the southwest (side) elevation of the permitted, shall be constructed so that no part of the framework less than 1.7 m floor level shall be openable. Any part of the window below that level shall be fitted in, obscure glazing (Pilkington Level 4 or equivalent).  Reason: To protect the privacy of adjacent properties	e extension etres abo	on h	nereby finished	
PART 3				
12.a.i. All the plans submitted with the application;  if see 'Questionnaire Documents' section				Ø
12.a.ii. A list of the plans submitted with the application, stating each reference no indicating which of these plans was under consideration at the time the application			-	
12.b.i. A copy of the letter/site notice with which you notified interested parties at householder planning application and a list of the addresses to which it was sent if see 'Questionnaire Documents' section		ole;		Ø.

2.b.ii. All representations received from interested parties about the application, including comments from internal and external consultees;			
12.c. A copy of the letter with which you no to which it was sent;	tified people about the appeal and a list of the addresses	1	
see 'Questionnaire Documents' section			
12.d. The Planning Officer's report to commother relevant documents/minutes;	ittee or delegated report on the application and any	1	
12.e. Design and Access Statement (if subn	nitted);		
12.f. Extracts from any statutory developmed approval/adoption and status);	ent plan policy (inc front page, title and date of	1	
✓ see 'Questionnaire Documents' section			
see 'Questionnaire Documents' section			
12.g. Extracts from relevant policies which			
12.h. Extracts from any supplementary planning guidance that you consider necessary (and/or any supplementary planning guidance published under previous provisions still in place) together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when. In the case of emerging documents, please state what stage they have reached;			
12.i. Relevant planning history only (e.g. previous relevant permissions if appropriate ), including a list of relevant documents taken into account when considering the application.			
12.j. 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;			
12.k. 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;			
12.l. Your Authority's CIL charging schedule is being/has been examined;			
12.m. Your Authority's CIL charging schedule has been adopted.			
Please advise the case officer of any che questionnaire.	anges in circumstances occurring after the return of		
LDA Dataila			
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	22/00404/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	Amy Robins		
Phone no (including dialling code)			
Email			
Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.			

#### **QUESTIONNAIRE DOCUMENTS**

Appeal Reference APP/U1620/D/22/3309983

Appeal By MR JAMES BUTT

Site Address 38 Hillview Road

Hucclecote GLOUCESTER GL3 3LG

#### The documents listed below were uploaded with this form:

**Relates to Section:** PART 3

**Document Description:** 12.a.i. All the plans submitted with the application

File name: 38 Hillview Road 2200404FUL.pdf

**File name:** AMENDED PLAN JB-MW-38HVR-H-G-001D.pdf **File name:** AMENDED PLAN JB-MW-38HVR-H-G-002A.pdf

**Relates to Section:** PART 3

**Document Description:** 12.b.i. A copy of the letter with which you notified interested parties about

the householder planning application.

**File name:** Neighbour Notification Letter.pdf **File name:** Neighbour renotification letter.pdf

**Relates to Section:** PART 3

**Document Description:** 12.b.i. A list of the addresses of the people who were notified of the

householder planning application.

File name: Neighbour List.pdf

**Relates to Section:** PART 3

**Document Description:** 12.b.ii. All representations received from interested parties about the

application.

**File name:** REP 1 10.05.2022.pdf

**Relates to Section:** PART 3

**Document Description:** 12.c. A copy of the letter with which you notified people about the appeal.

**File name:** ufm10\_Householder\_Appeal Neighbour\_Notification.pdf

**Relates to Section:** PART 3

**Document Description:** 12.c. A list of the addresses of the people who were notified of the appeal.

**File name:** Appeal Neighbour List.pdf

**Relates to Section:** PART 3

**Document Description:** 12.d. The Planning Officer's report to committee or delegated report on the

application and any other relevant documents/minutes.

File name: DELREP 2200404FUL 38 Hillview Road.pdf

**Relates to Section:** PART 3

**Document Description:** 12.f. Extracts from any statutory development plan policy including the front

page, title and date of approval/adoption and status.

**File name:** 1983 Front Cover.pdf

**File name:** JCS Plan Adopted 11 December 2017.pdf GCC City Plan 2019 - Front Cover.pdf

**Relates to Section:** PART 3

**Document Description:** 12.f. Extracts from any statutory development plan policy including the front

page, title and date of approval/adoption and status.

File name: National Planning Policy Framework.pdf

File name:SD4.pdfFile name:SD14.pdfFile name:A9.pdf

File name: Home Extension Guide.pdf

**File name:** 2020-july-County Council Manual for Streets.pdf

**File name:** mfgs-addendum-october-2021.pdf

Completed by Not Set

**Date** 30/01/2023 08:30:22

LPA Gloucester City Council

For official use only (date received): 29/10/2022 10:42:27

# **The Planning Inspectorate**

## HOUSEHOLDER PLANNING APPEAL FORM (Online Version)

**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/U1620/D/22/3309983**

A. APPELLANT DETAI	LS				
The name of the person(s) i	making the appeal m	ust appear as an applicant on the planning	applicatio	on form.	
Name	Mr JAMES BUTT				
B. AGENT DETAILS					
Do you have an Agent acting on your behalf?			Yes	✓ No	
Name	Mr Glenn Church				
C. LOCAL PLANNING	AUTHORITY (LPA	) DETAILS			
Name of the Local Planni	na Authority	Gloucester City Council			
Name of the Local Flamming Authority		Glodecater dity countri			
LPA reference number		22/00404/FUL			
Date of the application		19/04/2022			
Did the LPA issue a decision?		Yes	✓ No		
Date of LPA's decision		18/10/2022	. 33	Seconds: / I I I	-
10/10/2022					
D. APPEAL SITE ADDRESS					
Is the address of the affe	ected land the same	e as the appellant's address?	Yes	☑ No	
Address		e as the appenant's address:	165	INO	
, iaa. 655	38 Hillview Road Hucclecote				
	GLOUCESTER				
	GL3 3LG				
Is the appeal site within a Green Belt?		Yes	□ No	1	
Are there any health and safety issues at, or near, the site which the Inspector		Yes	□ No		
would need to take into account when visiting the site?		103	INO		
E. DESCRIPTION OF THE DEVELOPMENT					
			20		
Has the description of the development changed from that stated on the		Yes	☐ No		

application form?			
Please enter details of the proposed development. This should normally be taken application form.	from the	e planning	
SINGLE STOREY REAR EXTENSION AND LOFT CONVERSION			
Area of floor space of proposed development (in square metres) 88			
F. REASON FOR THE APPEAL			
The reason for the appeal is that the LPA has:			
1. Refused planning permission for the development.			1
2. Refused permission to vary or remove a condition(s).			
3. Refused prior approval of permitted development rights.			
G. CHOICE OF PROCEDURE			
There are three different procedures that the appeal could follow. Please select of	ne.		
1. Written Representations			Ø
(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	1
2. Hearing			
3. Inquiry			
H. GROUNDS OF APPEAL			
The grounds of appeal are:			
Do you have a separate list of appendices to accompany your grounds of appeal	? Yes	□ No	1
Have you made a costs application with this appeal?  ✓ see 'Appeal Documents' section	Yes	☑ No	
I. (part one) SITE OWNERSHIP CERTIFICATES			
Which certificate applies?			
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;			1
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 of any part of the land to which the appeal relates, as listed below:			
CERTIFICATE C and D			

it below.				
I. (part two) AGRICULTURAL HOLDINGS				
We need to know whether the appeal site forms part of an agricultural holding.				
(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.				
J. SUPPORTING DOCUMENTS				
01. A copy of the application form sent to the LPA.	1			
02. A copy of the LPA's decision notice.	d			
K. OTHER APPEALS				
R. OTHER APPEALS				
Have you sent other appeals for this or nearby sites to us which have not yet been decided?				
Please give details, including our reference number(s), if known.				
APP/U1620/D/22/3304956				
L. NOW SEND				
Send a copy to the LPA				
Send a copy of the completed appeal form, the personal details form and any supporting documents (including the full grounds of appeal) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.				
To do this by email:				
- open and save a copy of your forms				
- 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 forms including any supporting documents				
To send them by post, send them to the address from which the decision 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.				

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach

#### M. 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. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

#### The documents listed below were uploaded with this form:

Relates to Section: GROUNDS OF APPEAL

Document Description: The grounds of appeal

File name: STATEMENT OF APPEAL.pdf

**Relates to Section:** GROUNDS OF APPEAL **Document Description:** A costs application.

File name: CLAIM FOR COST ASSOCIATED TO APPEAL.pdf

**Relates to Section:** SUPPORTING DOCUMENTS

**Document Description:** 01. A copy of the original application form sent to the LPA.

**File name:** ApplicationForm.pdf

**Relates to Section:** SUPPORTING DOCUMENTS

**Document Description:** 02. A copy of the LPA's decision notice. **File name:** Decision Notice - 2200404FUL.pdf

Completed by MR GLENN CHURCH

**Date** 29/10/2022 10:43:05



# Statement of Appeal 38 Hillview Road Hucclecote Gloucester GL3 3LG

## 28/10/2022

**Proposal:** Single Storey Rear Extension and Loft Conversion

Planning Application Ref: 22/00404/FUL

As agent to the applicant, we have been asked to lodge an appeal against the refusal for the referenced planning application.

Our basis for appeal is laid out below and as supporting documents accompanying this application:

### Site location and surrounding area:



#### Google Image Plan of Site:

PROPERTY FLANKED BOTH SIDES TO STREET SCENE



### **Design Intent:**

The client brief was to create a larger ground floor living space with open plan living to the rear to benefit from the garden space and to create new bedroom space to first floor by the incorporation of a loft conversion.

Given the existing design of the property it was considered that a modern first floor addition with flat roof would not only maximise space but, would also add a contemporary addition to the existing aged property.

Not will this only provide the additional living space required for a young couple but will also provide future space requirements for a growing family.

As part of the build additional enhancements would be achieved with greater thermal properties to all new and upgraded construction but also allowing for further green efficiencies to be built in to the design in terms of more efficient use of water, heating systems and overall build modelling.

#### **Planning Application History:**

At completion of the plan proposals Homeplan Drafting Services submitted the application on behalf of the client and to act as agent.

Original Application acknowledgement:



Development Control Gloucester City Council PO Box 3252 Gloucester, GL1 9FW www.gloucester.gov.uk

22/04/2022 David Millinship Development.control@gloucester.gov.uk

Dear Mr Glenn Church.

# TOWN AND COUNTRY PLANNING ACT 1990 TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015

Reference: 22/00404/FUL
Location: 38 Hillview Road

Ward: Hucclecote

Proposal: Single storey rear extension and loft conversion

Thank you for submitting your application. If you disagree with the above description of your proposal, please let me know immediately.

The valid date of your application is 19/04/2022.

Due to the on going Covid-19 situation, we are unable to undertake physical site visits for most planning applications. Therefore, to assist with a virtual site visit, I would be grateful if you could provide photographs that are applicable to your application; details are available on the next page.

You can follow the progress of this application on-line via the council's website at <a href="https://www.gloucester.gov.uk/planning-development/planning-applications/view-planning-applications-online/">https://www.gloucester.gov.uk/planning-development/planning-applications/view-planning-applications-online/</a>. If your application required a fee, this letter comprises the receipt for your fee.

If you have not received a decision by **8 weeks from the valid date** and have not agreed to extend the timescale for the decision, you can appeal to the Secretary of State against non-determination. Any appeal must be made within 12 weeks of the valid date of your applications.

Further information and appeal forms are available on The Planning Inspectorate website <a href="https://www.gov.uk/government/organisations/planning-inspectorate">https://www.gov.uk/government/organisations/planning-inspectorate</a> or can be obtained from Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

Please note, we currently have a high volume of applications, partly caused by amended working arrangements necessary due to the Covid-19 pandemic and a recent IT incident. Therefore, it may be necessary to request an extension of the timescale for the determination of your application. I will be in contact in the next few weeks should this be necessary.

Your submitted planning application information will be publicly available on our website. Further information on how we use your information is available in our <u>privacy notice</u>.

Following receipt of the above the application was passed from the original officer (David Millinship) to a new officer Amy Robins who made contact to ask if she could visit site to take some photographs.

This was agreed to and the visit was made.

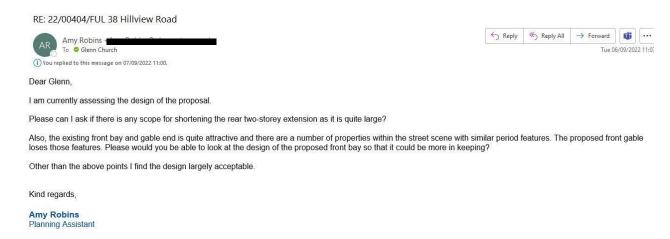
I was in attendance for the visit at the request of the client and although no full commitment was given Ms Robins indicated that in general she was happy with the proposal but wanted to check distance's to neighbouring properties.

Following the visit we received a request to add vision splays to the block plans to an adjacent property, email as below:



We replied to this request and attach copies of all submitted plans to the rear of this document, drawing JB-MW-38HVR-H-G-001, also Revisions A-D

Following this request we then received a further email requesting any scope for reducing the size of the extension, in particular at first floor level, as below:



By discussion with the client this request was complied with and revision drawing sent, JB-MW-38HVR-H-G-00, also Revision A, again to the rear of this document.

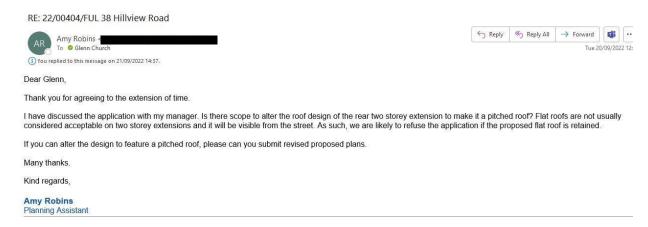
Following this request we received a further email as below:



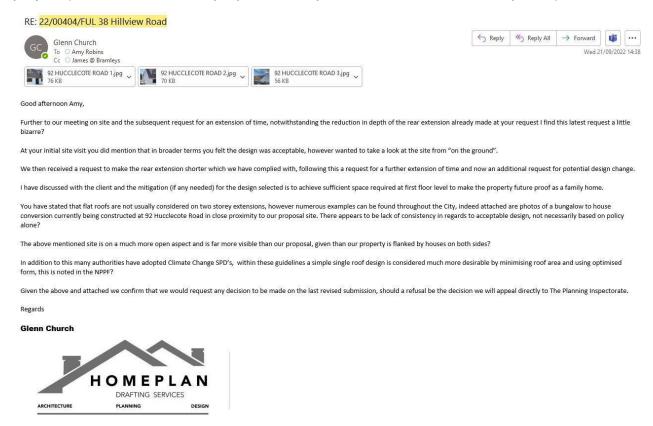
Thus far through the process and following requests for additional and revised information we had not at any time received any communication in respect of the design being non-compliant with national or any local policy.

We had made charges to our client for drawing revisions which in all good faith were considered to be in part to aid a positive determination to the application.

The following email was then received from Ms Robins:



We responded to this email as below and provided addition evidence of a local project (within ½ mile of our proposal and queried the nature of the response)?



The following pages indicate photos of the property to which we referenced which is at 92 Hucclecote Road, Gloucester GL3 3RU, we cannot provide the planning application reference as this has been lost by Gloucester City Council online records?

### ORIGINAL PROPERTY AT 92 HUCCLECOTE ROAD REFERENCED



## PROPERTY AT 92 HUCCLECOTE ROAD CURRENTLY UNDER ALTERATION



PROPERTY AT 92 HUCCLECOTE ROAD CURRENTLY UNDER ALTERATION



PROPOSAL PROPERTY FROM STREET LHS



#### PROPOSAL PROPERTY FROM STREET RHS



It is felt that the grounds for refusal are not consistent given the evidence above which shows that the property at 92 Hucclecote Road bears a similar design intent to our proposal, this property is far more prominent from the street scene and causes a far greater impact by nature of its location.

In respect of all points within the Decision Notice we fail to see how this proposal varies to the example given locally?

We consider that given the location and orientation of the property there is no negative impact to the street scene, nor to the amenity of the host or surrounding properties to any greater or lesser extent than that created by the original developments and subsequent later alterations to various properties within the locality.

We are not aware of any objections to the proposal by any neighbouring properties and no detriment will be caused, as such we hope that consideration to this appeal will result in a positive determination?

#### Regards

G A Church

Homeplan Drafting Services

Copies of all plans submitted below and associated cost' applied for if appeal is successful.:

