

DELEGATED DECISION REPORT

SMD/2025/0170
Valid 31/03/2025

12 ROBIN HILL
BIDDULPH MOOR

**CERTIFICATE OF
LAWFULNESS FOR
PROPOSED SINGLE STOREY
SIDE EXTENSION**

**(CERTIFICATE OF
LAWFULNESS - PROPOSED)**

MAIN ISSUES

- Would the development be permitted by Part 1 Schedule 2 of the General Permitted Development Order?

DESCRIPTION OF SITE

The application site comprises a two-storey L-shaped, stone and tile constructed traditional cottage located within a ribbon of development within the Green Belt. The property is constructed along the back edge of an unmade road, with the property's driveway located to the northwestern side of the property. A detached stone and tile constructed outbuilding is located to the northwest of the property's driveway, positioned along the back edge of the unmade road.

Dwellinghouses are located to either side of the property, whilst open fields are located to the rear (beyond the property's rear garden) and to the front (beyond the existing unmade road).

PROPOSAL

To enlarge the dwellinghouse with a single storey addition that would extend from an original (west facing) side wall of the dwelling. The addition would not have a width any greater than half the width of the original dwelling. The max ridge height of the addition's full pitch roof would not exceed 4m in height.

The side addition would extend into a space that appears to currently provide driveway parking. No part of the addition would be built within 2m of curtilage boundary.

A revised roof plan has been submitted that omits a corner detail, included in error, that was not carried through into the other plans and elevational drawings.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

01/00541/FUL Two storey domestic extension. APPROVED.

SMD/2020/0479 first floor window to side elevation to create 3rd bedroom.
APPROVED.

OFFICER COMMENTS

A direction under Article 4 of the GPDO has not been made in respect of the area or

the property and it is not a condition of any relevant planning permission that development shall not be carried out at the property that might otherwise be permitted by the GPDO.

The property is not in a Conservation Area.

The dwellinghouse does not result from development permitted by Part 3 (Change of Use) of the GPDO, it is a long established purpose built dwellinghouse that pre dates the Planning Act.

The dwelling has been previously been extended with a two storey gable addition that projects from the rear elevation toward the unmade access road. The proposed side addition would not adjoin or extend from a side wall of that existing extension. The permission granted for that extension does not have any effect on the allowances of the GPDO 2015 that are available to the householder.

Importantly for any development to be permitted by Part 1 the GPDO it must take place within the curtilage of the dwellinghouse and, in the case of development that might be permitted by Class A (enlargement, improvement or alteration of a dwellinghouse), there is specific criteria relative to the area and shape of the curtilage. To be permitted an enlargement to a dwellinghouse must not (in accumulation with any other development) cover more than 50% of its curtilage and an enlargement consisting of a single storey addition that extends from a side wall of a dwellinghouse must not have a width greater than half the width of the original dwelling exceed 4m in height, or have an eaves height of more than 3m when it is within 2m of a boundary. The enlargement must not include the provision of a veranda or balcony, or the installation of a chimney or flue.

It is found therefore, that as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage; the single storey side addition would not have a width greater than half that of the original dwelling; no part of the side addition would extend to within 2m of the curtilage's boundary.

The maximum height of the addition would be no more than 4m and the height of the addition therefore, would not exceed the height of the highest part of the roof of the existing dwellinghouse or the height of the eaves of the existing dwellinghouse.

The enlarged part of the dwellinghouse would not extend beyond a wall which forms either the front or rear elevation of the original dwellinghouse; or side elevation that fronts a highway.

The enlargement would not consist of or include the construction or provision of a veranda, balcony or raised platform, the installation, alteration or replacement of a microwave antenna, the installation, alteration or replacement of a chimney, flue or soil and vent pipe.

CONCLUSION / PLANNING BALANCE

The development would be permitted by Class A Part 1 of the GPDO

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 30/05/2025

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council