

Mr. B. Haywood
Development Services
Staffordshire Moorlands District Council
Stockwell Street
Leek
Staffordshire
ST13 6HQ

25th July 2025

Dear Ben

**LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED ERECTION OF DETACHED OUTBUILDING
THORNBYS LODGE, CONSALL FORGE, WETLEY ROCKS, STAFFORDSHIRE, ST9 0AJ**

On behalf of my client Mr. P. Sinfield I would be grateful if you would find attached a Lawful Development Certificate application relating to the proposed erection of a detached domestic outbuilding at the above property to provide a home gymnasium and office.

Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) allows for the erection of any building required for a purpose incidental to the enjoyment of a dwellinghouse. The proposed home gymnasium and office constitute uses that are incidental to the enjoyment of the dwellinghouse and the building is of a size that is genuinely and reasonably required to accommodate that use.

Development is not permitted under Schedule 2, Part 1, Class E if the proposal conflicts with any of the following criteria:

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
- b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;

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- d) the building would have more than a single storey;
- e) the height of the building, enclosure or container would exceed—
 - i) 4 metres in the case of a building with a dual-pitched roof
 - ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
 - iii) 3 metres in any other case;
- f) the height of the eaves of the building would exceed 2.5 metres;
- g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;
- h) it would include the construction or provision of a verandah, balcony or raised platform
- i) it relates to a dwelling or a microwave antenna; or
- j) the capacity of the container would exceed 3,500 litres.
- k) The dwellinghouse must not have been built pursuant to Part 20 of the Order.

The assessment below appraises the proposed development in the context of the aforementioned criteria.

The existing dwelling has long been in residential use, with planning permission having been previously granted in 1984 for extensions to the property (SMD/1984/0564).. The proposal therefore meets criterion (a).

The total area covered by buildings will fall well below 50% of the domestic curtilage, which is extensive in area. The enclosed extract of the approved location plan for application SMD/1984/0564 shows the historic extent of the domestic curtilage which remains unaltered to this present day. The proposal therefore meets criterion (b).

No part of the building will sit forward of the principal elevation of the original dwellinghouse, which in this particular case faces westwards and which houses the original front door which led into the hallway. The floor plans as shown in application SMD/1984/0546 serve to confirm this. The proposal therefore meets criterion (c).

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The building will be single storey and will have a part flat roof / part dual pitched roof. The overall ridge height of the dual pitched roof does not exceed 4 metres, and likewise the flat roof will not exceed 3m in height. These heights have been measured in relation to the highest land level immediately surrounding the building as per the requirements of pp.43 of the Permitted Development Technical Guidance. The proposal therefore meets criteria (d) and (e).

The eaves height of the building, which is to be measured to the top of the flat roof in behind the parapet roof (in accordance with pp.12 of the Permitted Development Technical Guidance) will furthermore not exceed that maximum permissible height of 2.5 metres. The proposal therefore meets criterion (f).

The existing dwelling does not comprise a listed building, and the proposed development does not encompass any form of verandah, balcony, raised platform, antenna, involve the provision of a container, or involve works relating to a dwelling approved under Part 20 of the Order. The proposal therefore meets criteria (g) – (k) inclusive. The site is furthermore not located on Article 2(4) land as it sits outside of the Conservation Area.

Consequently, the proposed development is concluded to accord with the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, and therefore amounts to Permitted Development.

The Local Authority is therefore respectfully requested to grant a Lawful Development Certificate to confirm this.

Yours sincerely



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