

DELEGATED DECISION REPORT

SMD/2025/0410
Valid 19/09/2025

29 MILL LANE
WETLEY ROCKS

**CERTIFICATE OF
LAWFULNESS FOR A
PROPOSED WIDENING OF
EXISTING ACCESS AND
INSTALL A DROPPED KERB
TO THE FRONT OF THE
PROPERTY TO ENABLE THE
OCCUPIER TO ACCESS
DRIVEWAY SAFELY AND
ALLOW ADEQUATE SPACE
WHEN ENTERING AND
EXITING ADAPTED VEHICLE.**

**(CERTIFICATE OF
LAWFULNESS - PROPOSED)**

MAIN ISSUES

- Whether the works comply with The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

DESCRIPTION OF SITE

The site consists of a semi-detached two storey red brick dwelling house, with a front facing gable to the side and a hipped tile roof. The property has no existing driveway, but rather a front lawn with hedging as boundary treatment. The property is served by a small service road off Mill Lane, which is unclassified.

PROPOSAL

The application seeks to establish whether the proposed works comply with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and are therefore lawful to carry out without planning permission.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- None.

CONSULTATIONS

N/A

OFFICER COMMENTS

Part 1

Class F – hard surfaces incidental to the enjoyment of a dwellinghouse Permitted development

F. Development consisting of—

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
- (b) the replacement in whole or in part of such a surface.

Development not permitted:

Development is not permitted by Class F if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use); **the property is a post-war development and therefore the proposal complies;** or
- (b) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses). **The proposal complies.**

Conditions

Development is permitted by Class F subject to the condition that where—

- (a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and
- (b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres, either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. **The proposed hardstanding is porous with appropriate drainage channels to prevent run off onto pavement or road, and therefore complies with the requirements of Class F**

Part 2

Class B – means of access to a highway

Permitted development

B. The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part). **The property is accessed via an unclassified service road**

off Mill Lane and it is required in connection with development permitted under Class F of Schedule 2, Part 1, namely the creation of a porous hardstanding. Furthermore the material widening of the existing access will not create an obstruction to the view of persons using the highway such as to lead to danger to such persons (Article 3 paragraph 6)
Therefore the proposed means of access is permitted development.

CONCLUSION / PLANNING BALANCE

The proposed development complies with the relevant sections of the GPDO and is therefore lawful and permitted development. Recommendation to approve.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Reuben Berriman

Recommendation Date: 14/11/2025

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council