

DELEGATED DECISION REPORT

SMD/2025/0455
Valid 28/10/2025

ABBAY GROVE FARM
RANGLES LANE
WETLEY ROCKS

**CERTIFICATE OF
LAWFULNESS FOR A
PROPOSED SINGLE STOREY
SIDE EXTENSION TO
EXISTING DWELLING**

**(CERTIFICATE OF
LAWFULNESS - PROPOSED)**

MAIN ISSUES

- Whether compliant with GPDO(2015) Schedule 2 Part 1 Class A
- In particular, what constitutes the principal and side elevations

DESCRIPTION OF SITE

1. Lone detached two-storey large dwelling in the Green Belt. Reached along Randles Lane the property stands some 150m south from the Wetley Rocks village development boundary (larger villages policy SS8). Also named Abbey Road, Randles Lane is recorded as a definitive public footpath right of way no. 8, Consall. The right of way (a public highway) runs generally north – south alongside the easterly property boundary of Abbey Grove Farm. Across fields at some 180m further to the east is Tunnel Farm and at 160m across fields to the west is Willow Dale Farm.

2. The current main building of the dwelling has a square form plan layout and is built chiefly in stone but with a brick facade to the west elevation. Access is gained from Randles Lane off the north east corner of the site into a yard at the rear of the building. There is a single storey detached outbuilding along the east side of the yard off the north east corner of the main building. This was accepted into ancillary residential use following a 2014 planning consent. The square form plan layout of the main building is indented slightly in the north east corner where there is a rear side door and part single storey lean-to element.

3. Otherwise, the bulk of the north elevation of the main building facing into the yard comprises an imposing two storey twin-gabled structure in stone (see photo at fig.1 below). When considered in conjunction with map evidence (to follow) it is apparent that the ground floor left hand (easterly) part of the two gables must pre-date that to the right (westerly) as there is a dividing line and a distinct separation in the masonry coursing structure between the two halves. It appears likely that the whole first floor level was created at the same time as the right hand half.

4. The west elevation (see fig.2 below) is of brick in Flemish bond with stone quoins and presents an off-set double fronted structure with main doorway to right of centre. The ground floor windows have been altered by extending downwards to floor level to make French door openings.



Fig.1 – twin gabled north elevation



Fig.2 – brick and stone quoin double fronted west elevation

5. The south elevation (see photo at fig.3 below) again presents an obvious building divide between a double fronted cottage to the right (east) and a narrower element to the left (west) where there is just a single ground and first floor window, one over the other. It appears likely from map evidence (see fig.4 below) that the double fronted element of the south elevation came first. The property appears to have originally first comprised a smaller dwelling or dwellings on an L plan. Scaling from the original 1:2500 map publicly available from the National Library of Scotland the west edge of the south elevation in 1879 is found to have been c. 15m from Randles Lane. By 1898 the south elevation was wider (see fig.5 below) and the west edge scales as being about 20m from Randles Lane. Bearing in mind the limitations of scaling at 1:2500 the increase from 1879 to 1898 effectively corresponds with the additional 4.5m width of the building element west (left) of the dividing line visible in the masonry in Fig.3.



Fig. 3 – south elevation November 2025

6. The addition along the west side which had appeared by 1898 can be seen to have taken the place of two outriggers visible in the map extract at fig.4. Notably, the first westerly boundary line of 1879 (compartment 2006) remains in place in 1898 and new boundaries are shown which wrap a new additional curtilage to the south and west of the new 1898 element. These boundaries remain to essentially the same pattern in the 1:2500 OS map revision of 1962 extract reproduced at fig. 6 below.

7. For the most part the layout of 1962 is readily recognisable in a more recent air photo of 2006 – extract reproduced at fig.7 below. Off the south elevation a strong dividing hedge is present along the boundary line as first shown in 1879 as the then most westerly boundary with the fields to the west. A further curtilage boundary which first appeared in 1898 and which remained in 1962 has however by this time (2006) moved further to the west.

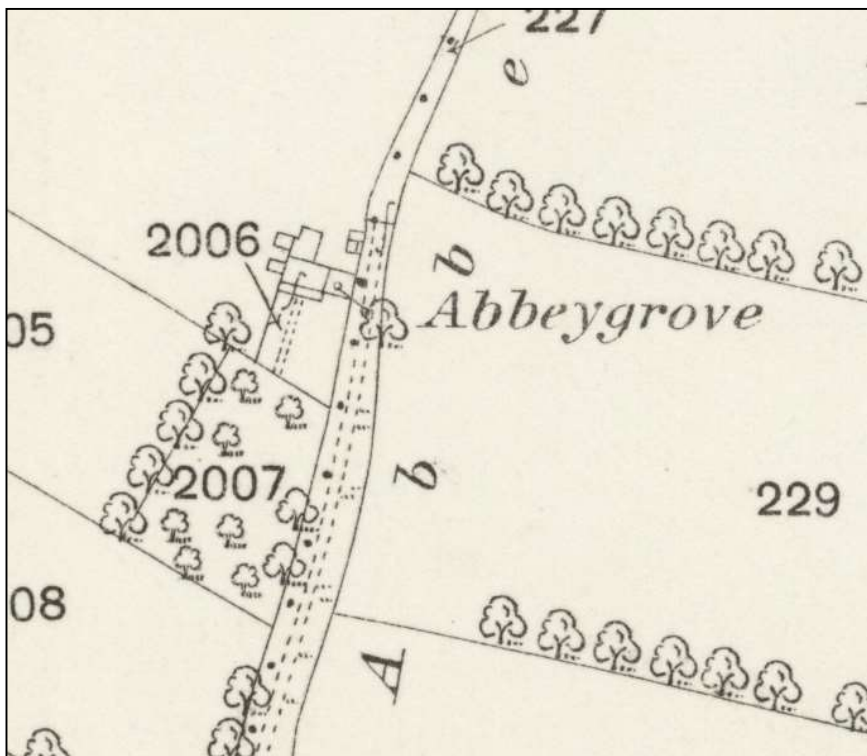


Fig. 4 OS map surveyed 1879 published: 1880 25" to the mile (1:2500)



Fig. 5 – OS map revised 1898 published: 1899 25" to the mile (1:2500)

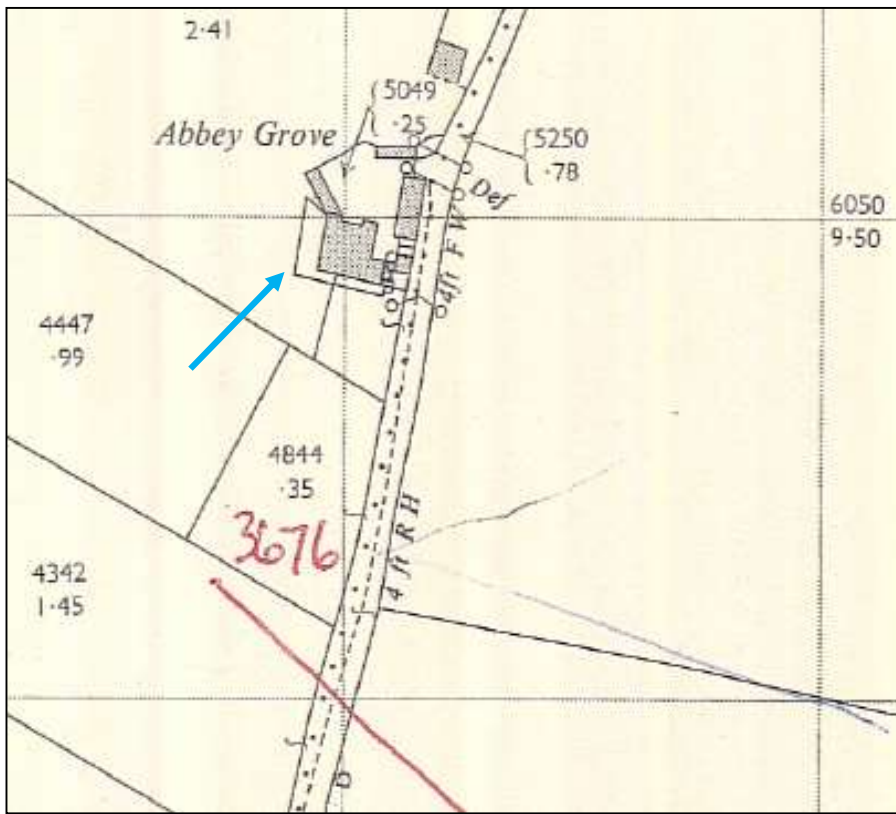


Fig. 6 – OS map revised 1962 published 1963 1:2500 scale blue arrow added to identify curtilage boundaries referred to.



Fig. 7 – air photo extract of 2006

Conclusions to the site description

- i) Abbey Grove Farm began as a property laid out in an L plan as shown in 1879.
- ii) The original south elevation (east of the masonry divide) represents the full extent of the original dwelling.
- iii) An additional structure was added by 1898 (west of the masonry divide).
- iv) A strong curtilage boundary divide remained in place until at least 2006 which kept land to the south of the 1879 property separate from land which wrapped a new curtilage to the 1898 addition.
- v) The westerly elevation of the 1898 addition presents a strong design appearance of being a principal frontage elevation original to that structure.
- vi) On balance of probability it appears most likely that the 1898 addition represents a second original dwelling at Abbey Grove with its principal elevation facing westerly.
- vii) At the present day the property is occupied as a single dwelling.

PROPOSAL

8. The application proposes that a single storey extension can be added to the westerly elevation of the existing dwelling – in other words to the westerly elevation of the original 1898 structure – as permitted development under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) as amended.

9. The extension would project out to the west from the existing building by 4.5m. It would have a length of 10.5m along the existing building westerly elevation but would be recessed by about 15cm at each end relative to the existing elevation. It would have a maximum height of 4.0m

10. Materials are set out in submitted drawing 06B as follows:

Roof – plain clay tiles to match existing.

Roof Lanterns – metal roof lanterns in a black finish.

Rainwater goods – black PVC with rise and fall brackets to match existing.

Eaves – projecting natural stone eaves to match existing dwelling.

Doors – aluminium bi-folds and patio doors colour to match existing.

Windows – painted timber casements to match style and colour of existing.

Walls – red facing brickwork to side elevation and natural stone to front and rear, both to match existing dwelling with natural stone quoins to corners.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

No policy considerations as the determination is contingent on the provisions of the GPDO(2015):

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

A.1 Development is not permitted by Class A 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);

(b) 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 exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

(g), for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
- (ii) exceed 4 metres in height;
- (h) the enlarged part of the dwellinghouse would have more than a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;
 - (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
 - (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (i) exceed 4 metres in height,
 - (ii) have more than a single storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse; or
 - (ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);
 - (k) it would consist of or include—
 - (i) the construction or provision of a verandah, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antenna,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe,
 - or
 - (iv) an alteration to any part of the roof of the dwellinghouse.; or
 - (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.
- (d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

11. Further guidance is published in the 'Permitted Development for Householders Technical Guidance' (April 2014). Under a heading of 'General issues' there is guidance on some specific terms as follows:

"dwellinghouse" – does not include buildings containing one or more flats or a single flat contained within a building. *Note, however, that for the purposes of this*

guidance, the word “house” is used rather than “dwellinghouse” unless the legislation is quoted directly.

“Building” – includes any part of a building and includes any structure or erection, but does not include mechanical plant or machinery or gates, fences, walls, or other means of enclosure.

“Original” – means a building as it existed on 1 July 1948 where it was built before that date, and as it was built when built after that date.

“Existing” – means a building as it existed immediately before any permitted development (eg a house extension) is undertaken. The existing house will include previous development to the house, whether undertaken as permitted development or as development resulting from a planning permission from the local authority.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2014/0058 – Change of use to existing outhouse to form annex strictly for family use – approved

SMD/2024/0359 – Single-storey oak frame extension – refused [on grounds of design and harm to character and appearance]

CONSULTATIONS

Publicity / Consultation

12. Publicity / Consultation – none as the determination is based on matter of legal fact based on the balance of probability. That said the proposal appears on the Council’s public planning web pages and Cheddleton Parish Council has commented to say simply that they ‘do not object’.

Site Notice expiry date: N/A

Neighbour consultation period ends: N/A

Press Advert: N/A

OFFICER COMMENTS

Principle of Development

13. If the development proposed is found to be ‘permitted’, a lawful certificate can be issued.

Discussion / Conclusion

14. As a single storey structure in which the proposed eaves height is set not higher than the eaves of the existing dwelling (and in fact shown by the proposal drawing to be set lower), the proposal is compliant with A.1(c) and (d).

15. The main determining factor in this proposal is A.1 (e) which lists development not permitted as including: *if the enlarged part of the dwellinghouse would extend beyond a wall which (i) forms the principal elevation of the original dwellinghouse.*

16. In this case it can be seen that the original building now proposed to be extended was constructed by 1898 as an addition alongside an earlier dwelling known to be present at least by 1879. Based on the visual design appearance and from map evidence of the associated curtilage areas it is considered on balance of probability that the 1898 building was constructed as a dwelling in its own right.

17. The elevation proposed to be extended constitutes the principal elevation of the original dwelling house formed by this structure (the 1898 building). Examination of curtilage evidence in the maps including from 1962 and the air photo of 2006 supports the probability that the 1898 building, considered here to be an original dwelling in its own right, remained as such post 1948. In other words the two buildings which each formed original dwellings at Abbey Grove Farm remained as separate dwellings after 1948. This is important as the word 'original' is defined in the planning context as meaning a building as it existed on 1 July 1948. It is also to be kept in mind that 'building' includes any part of a building.

18. It is the extension to the principal elevation of the *original* dwelling house (in this case the 1898 building) that is not permitted by effect of A.1(e).

CONCLUSION / PLANNING BALANCE

19. A lawful certificate cannot be granted due to the extension proposed being attached to the principal elevation of an original dwelling.

OFFICER RECOMMENDATION : refuse

Case Officer: Arne Swithenbank

Recommendation Date: 19.12.2025

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

