

DELEGATED DECISION REPORT

SMD/2025/0524
Valid 17/12/2025

9
THE COTTAGES HULME LANE
WERRINGTON

CERTIFICATE OF LAWFULNESS
FOR A PROPOSED SINGLE STOREY
EXTENSION TO SIDE

(CERTIFICATE OF LAWFULNESS -
PROPOSED)

MAIN ISSUES

- Whether the proposal complies with the provisions of Part 1, Class A of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

DESCRIPTION OF SITE

The application site is number 9 The Cottages, Hulme Lane, Werrington, a previously extended, end-of-terrace, two-storey dwelling with cream painted brickwork. To the eastern side of the dwelling there is a parking area which appears to be shared with other properties. The Location and Block Plan show a blue-edged area which contains a garage for the applicant's parking. Land levels are relatively flat, there are dwellings to the west and open fields to the north and south.

The application site is located within the Green Belt and a high-risk coal development area. The property does not form part of any Conservation Area and is not Listed.

PROPOSAL

A single-storey side extension with pitched, tile roof and cream colour, painted brickwork walls. The elevation plan shows that the new roof and walls will match the materials of the main house. The outer side wall (at ground level) is to be removed with the extension allowing for the enlargement of the dining room and lounge.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

The application is for a certificate of lawfulness and therefore Local and National Planning policies cannot be applied. Determination of this application relates solely to whether the Proposed side extension complies with the domestic permitted development rights within Schedule 2, Part 1, Class A of the General Permitted Development Order (GPDO) 2015, which allows for the 'enlargement, improvement or other alteration of a dwellinghouse.'

No records can be found to state permitted development rights have been removed.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity
Site Notice. Expired.

Public Comments

None received.

OFFICER COMMENTS

Assessment of Class A is as follows;

A.1

- (a) Complies. The dwelling is not used as such as a result of a Part 3 (Changes of Use) permission.
- (b) Complies. 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). The site is quite developed. The architects state that their calculation is 39.29%, and this is shown on one of the submitted plans. The LPA figure is approximately 43%. It isn't unusual that figures may differ, due to measurement accuracy, what matters is that both calculations are less than the 50% limit. It is therefore concluded that the proposal complies with this part of Class A.
- (c) Complies. The height of the proposed extension does not exceed the height of the highest part of the roof of the dwellinghouse.
- (d) Complies. 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) Complies. The extension does not form part of the principal elevation of the original dwelling or front a highway and forms a side elevation.
- (f)(i) Complies, this is not a rear extension.
- (f)(ii) Complies. The extension does not exceed 4 metres in height, although it is 4m in height.
- (g) Not applicable as the dwelling is not on article 2(3) land or a site of special scientific interest.
- (h) Not applicable as the extension does not have more than a single storey.
- (i) Complies. The extension is within 2m of the boundary of the curtilage of the dwellinghouse, however the eaves height would not exceed 3m.
- (j) Complies. The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse but it would not;
 - (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.
- (ja) Complies. The extension would not be linked to any other extension.
- (k)(i) Complies. Proposal does not include the construction or provision of a verandah, balcony or raised platform.
- (k)(ii) Complies. Does not include the installation, alteration or replacement of a microwave antenna.
- (k)(iii) Complies as the proposal does not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe.

- (iv) Complies. Does not include an alteration to any part of the roof of the dwellinghouse.
- (l) Complies. The dwellinghouse is not built under Part 20 of this Schedule.

A.2 Not applicable as the application site is not within article 2(3) land.

A.3 Development is permitted by Class A subject to the following conditions—

- (a) The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. Complies. The proposal is for matching painted brickwork and matching tiles.
- (b) This section is not relevant as there are to be no upper floor windows.
- (c) This section is not relevant as the proposal is not more than single storey height.

CONCLUSION / PLANNING BALANCE

For the reasons outlined within the report, it is concluded that the proposal complies within the provisions of Part 1, Class A of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

OFFICER RECOMMENDATION : Approve. Is lawful.

Case Officer: Lisa Jackson

Recommendation Date: 13.03.2026.

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council