

DELEGATED DECISION REPORT

SMD/2026/0171
Valid 10/04/2026

**HILLCREST
ROAD
STANLEY**

**TOMPKIN CERTIFICATE OF
LAWFULNESS FOR A
PROPOSED TWO STOREY
REAR EXTENSION TO
EXISTING HOUSE**

**(CERTIFICATE OF
LAWFULNESS - PROPOSED)**

MAIN ISSUES

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

DESCRIPTION OF SITE

The site consists of a detached two storey dwelling house finished in a buff brick with an stone effect front porch, and a flat roof attached garage to the side. The dwelling has a hipped plain tile roof, and sits a good distance back from the highway, and occupies a generous plot on the southern edge of Stanley. The site is partly within the Conservation Area, although the house itself lies approximately 20 metres outside of the C.A. boundary. The site is in the Open Countryside but not within the Green Belt.

Stonefield House lies immediately to the west, and Stonewold lies approx. 25 metres to the north east. To the east and south of the site is agricultural land.

PROPOSAL

The application seeks permission to add a two storey rear extension. This will measure 3 metres from the existing rear elevation, by 7.53 metres wide. The proposed roof ridge will be lower than the existing, with the eaves level to match. Design wise, the rear extension will feature two rear facing gables forming a 'M' shaped roofline. Soffit, windows, and roof tiles to match the existing.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- SMD/2025/0542. DESCRIPTION: Two storey side extension, flat roof on garage replaced with new pitched roof in keeping with existing home.
DEECISION: APPROVED

CONSULTATIONS

N/A

OFFICER COMMENTS

Officer comments to legislation shown in **bold**.

Class A – enlargement, improvement or other alteration of a dwellinghouse

Permitted Development:

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

Under Class A the following limits and conditions apply:

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 M, N, P, PA or Q of Part 3 of this Schedule (change of use) – **the proposal complies as the property has not been subject to the above 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) – **the proposal will not exceed 50% of the total land area and therefore complies.**

(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 – **the proposed extension does not exceed the height of the dwellinghouse and therefore complies.**

(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 – **the proposed extension does not exceed the height of the eaves of the existing dwellinghouse and therefore complies.**

(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
- **The proposed extends from the rear elevation and therefore complies.**

(f) 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

- **N/A the proposal is two storey.**

(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

- **N/A the proposal is two storey.**

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,

- **the proposed does not exceed 3 metres beyond the rear elevation and therefore complies.**

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 – **the rear wall of the proposed extension is approximately 55 metres from the opposite rear boundary and therefore complies .**

(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 – **the proposed is approx. 5.6 metres from the nearest boundary and therefore complies.**

(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

- **N/A the proposed is to the rear .**

(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); - **the proposed would not adjoin another extension, only the rear of the existing dwellinghouse, and therefore complies.**

(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.

- **the proposed would not include any of the above, and therefore complies.**

(l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) – **the dwellinghouse was not built under Part 20 of this Schedule, and therefore complies.**

A.2 – N/A the site is not on 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) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse – **It is confirmed in the accompanying planning statement that the proposed extension will utilise a matching palette of materials to the existing dwelling.**

b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be -

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed – **it is confirmed in the accompanying planning statement that the proposed side window will be non-opening and fitted with obscure glazing.**

(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse – **the roof pitch on both the existing and proposed are 30 degrees.**

CONCLUSION / PLANNING BALANCE

The proposed development complies with all the requirements and limits of Class A of Schedule 2 Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and is therefore lawful Permitted Development recommended this Certificate of Lawfulness is for approval.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Reuben Berriman

Recommendation Date: 12/06/2026

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council