

DELEGATED DECISION REPORT

SMD/2026/0314
Valid 25/06/2026

447 NEW STREET
BIDDULPH MOOR

**APPLICATION FOR LAWFUL
DEVELOPMENT CERTIFICATE
FOR PROPOSED LOFT
CONVERSION & FORMATION
OF NEW DORMER TO REAR**

**(CERTIFICATE OF
LAWFULNESS - PROPOSED)**

MAIN ISSUES

Whether the proposed development is considered permitted development under the provision of 'The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)'.

DESCRIPTION OF SITE

The proposed site comprises a detached brick, hung tile, render and tile dwellinghouse and its associated curtilage, situated in the Biddulph Moor ward. The site is enclosed by neighbouring dwellinghouses on the North, South and West. No. 449 New Street is situated to the North of the site and No. 445 New Street is located to the South. The rear curtilage of the site adjoins the rear curtilage of No. 16 Fairfields Road to the North-West and No. 7 and No. 9 Willow Place to the West. The New Street highway runs adjacent to the proposed site on the East.

PROPOSAL

The proposed development comprises a loft conversion, including a dormer extension on the rear roof plane. The proposed rear dormer extension would have a simple flat roof, having a height of approximately 2.15 metres. It would have a depth of approximately 3.29 metres and a width of 10.28 metres. The extension would be constructed from materials including hung tiles and EDPM flat roofing finish.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

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

Permitted development rights for householders: Technical Guidance Updated 10 September 2019

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

N/A

CONSULTATIONS

Publicity

N/A

Public Comments

N/A

OFFICER COMMENTS

In conformity with the rules stated within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it is necessary to assess whether the proposed rear dormer extension and loft conversion to the dwellinghouse adhere to the criteria stated by Schedule 2, Part 1, Class B of the GPDO, to determine whether the householder development is permitted.

Schedule 2, Part 1, Class B.1 (a) states that development is not permitted if the dwellinghouse has been granted consent under Part 3 of the GPDO. The dwellinghouse has not been granted consent for a change of use under Part 3.

Class B.1 (b) confirms that if any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof; the development is not permitted. The height of the proposed rear dormer extension would not exceed the maximum roof height of the existing dwellinghouse.

The dormer is located to the rear of the dwelling. As the dormer extension would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and front a highway, this would be in compliance with Class B.1 (c).

With respect to Class B.1 (d), the cubic content of the resulting roof space cannot exceed the cubic content of the original roof space by more than 50 cubic metres in the case of a detached dwelling. Thus, as the cubic content of the resulting roof space would be approximately 36.36 metres cubed, the development would conform to this restriction.

The proposed extension would not include the addition of any new ornamentation features such as a verandah, raised platform, balcony, chimney, flue or soil and vent pipe. Therefore, Class B.1 (e) is not applicable.

The proposed site does not fall within article 2(3) land, therefore Class B.1 (f) does not apply.

The dwellinghouse is not built under Part 20 of this Schedule (construction of new

dwellinghouses), therefore Class B.1 (g) does not apply.

The existing dwellinghouse has not been enlarged in reliance on the permission granted by Class AA, therefore Class B.1 (h) does not apply.

The proposed development would be constructed from materials which would harmonise with the existing colours, textures and materials of the dwellinghouse. In accordance with Class B.2 (a), all proposed materials are set to be of a similar appearance to those used in the construction of the existing dwelling, including hung tiles and EDPM flat roofing finish.

Class B.2 (b.i) states that the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves. There would be more than a 0.2 metre gap between the wall of the proposed dormer extension and the eaves, thus this condition would be complied with.

There would be no new windows inserted on a wall or roof slope forming a side elevation of the dwellinghouse. Therefore, Class B.2 (c) is not applicable.

Permitted development rights are intact.

CONCLUSION / PLANNING BALANCE

The proposed development is considered 'permitted development' under the provision of 'The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)'. Thus, a Certificate of Lawfulness for the proposed development works can be granted based upon the evidence which architectural documentation provides.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Varley

Recommendation Date: 13/08/2026

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

