

DELEGATED DECISION REPORT

SMD/2026/0316
Valid 25/06/2026

50 LADDEREDGE
LEEK

**CERTIFICATE OF
LAWFULNESS FOR A
PROPOSED SINGLE STOREY
SIDE EXTENSION FOR
DISABLED USE, WITH FACING
BRICKWORK WALLS, A
MONO-PITCHED ROOF TO
FRONT LEADING TO A FLAT
ROOF AT THE REAR AND
UPVC WINDOWS AND DOORS
TO MATCH THE EXISTING**

**(CERTIFICATE OF
LAWFULNESS - PROPOSED)**

MAIN ISSUES

-
-

DESCRIPTION OF SITE

Mid-20th Century buff brick dormer bungalow and its curtilage. The bungalow is set behind a driveway, garden foliage, and a stone wall to the edge of the footway. The bungalow fills the full width of the plot with a flat roof garage that extends from the southwest facing side elevation.

The bungalow is in a row of other similarly sized and positioned dormer bungalows, there is some variation between dwelling types.

PROPOSAL

Proposed development described on form as:

“Single storey side extension for disabled use, with facing brickwork walls, a mono-pitched roof to front leading to a flat roof at the rear and upvc windows and doors to match the existing”.

The application seeks a certificate of lawfulness to confirm that in the authority's determination the proposed development does not require planning permission because it is permitted by Class A of Part 1 of the GPDO.

The submitted drawings detail the replacement of the flat roof garage with a new side extension that would be built with cavity brick work and provide an ensuite bedroom with wheelchair access. The proposed side extension would be slightly

deeper and wider than the existing garage extending to the full width of the bungalow's side elevation and all the way to the boundary at the side of the plot.

The side extension would have a flat roof with a decorative tiled 'dummy pitch' to the front edge of the roof. The extension would be 7.6m deep and 3.3m wide. Eaves height would match the existing dwelling and the maximum height of the structure at the peak of the 'dummy pitch' would be 3.45m.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

OFFICER COMMENTS

Are there any planning conditions that remove the rights and allowances of the General Permitted Development Order?

The planning permission to build the original dwelling is not readily available for review. It appears to be a mid to late 20th century dwelling built within a row of similarly sized dwellings of varying design and type.

The dwelling is on a generous plot there is no reason to consider its permitted development allowances are restricted by condition.

Are the proposed enlargements and alterations permitted by Class A, Part 1 of the GPDO?

The proposal would result in the enlargement of a dwellinghouse with extension development that would take place within its curtilage.

The enlargement of the dwellinghouse would consist of a single-storey addition that would extend from the original side wall elevation by little more than 3m.

The development is permitted by Part 1 Class A of the GPDO, subject to there not being any exceedance of the limitations set out at A.1. In those regards:

- o The works would not result in more than 50% of the ground within the curtilage being covered by buildings;
- o The height of the part of the dwellinghouse enlarged would not exceed the height of the highest part of the roof of the existing dwellinghouse;
- o The height of the eaves of the part of the dwellinghouse enlarged would not exceed the height of the eaves of the existing dwellinghouse;
- o The enlarged part would extend beyond a side elevation of the original dwelling but would not have a width that exceeds more than half the width of the original dwelling or a height that exceeds 4m;
- o The enlarged part would not have more than a single storey, it would not extend beyond the rear or front wall of the original dwelling;
- o The enlarged part would be within 2m of the boundary of the curtilage of the dwelling but the eaves height would not be greater than 3m but would not be within 2m of the curtilage of the dwellinghouse
- o The alterations would not include the provision of a balcony, the installation of microwave antenna, or works to a chimney.

The proposal would comply with the conditions at A.3(a) (b) and (c) because:
The brick to be used to build the extension would match those of the existing dwelling, the windows and doors would match the frames of those already installed, and roof tiles on the front dummy pitch would match the tiles on the existing roof.

The proposed alteration and enlargement would therefore be permitted by Class A, Part 1, Schedule 2 of the GPDO 2015 and not require planning permission. They would be lawful.

CONCLUSION / PLANNING BALANCE

The proposal would be lawful, it does not require planning permission and could not be subject to enforcement action.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 20th August 2026

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council