

Received Date	30 March 2026
Expires:	25 May 2026
Application Number:	260741
Site:	The Dairy House, White Hill, Remenham Hill, Wokingham, RG9 3HN
Application:	Application for a certificate of lawfulness for the proposed erection of a single storey swimming pool outbuilding.

1. Relevant Planning History

App. No.	Proposal	Decision Date	Decision	Relevant Conditions
40199	Erection of double garage.	27/11/1992	Approved	N/A
990357	Proposed Erection Of Single Storey Side Extension To Dwelling	04/08/1999	Approved	N/A
041618	Application for a screening opinion prior to an application for restoration and redevelopment of Park Place.	14/01/2005	Determination made	N/A
051101	Restoration and redevelopment of mansion, stables, pleasure grounds buildings and boathouses to provide club and leisure facilities with associated fractional club accommodation (47 units), 34 new dwellings, retention of 25 dwellings, construction of 18 hole & 9-hole golf course, equestrian centre with manege, staff accommodation, access and parking for 236 cars.	05/07/2006	Refused	N/A
101743	Application for listed building consent for the conversion of barn to ancillary residential accommodation with general refurbishment and modernisation.	04/08/2010	Withdrawn	N/A
142332	Proposed erection of a single storey rear extension to existing residential barn conversion, following demolition of existing extensions.	12/11/2014	Withdrawn	N/A
153498	Householder application for the proposed erection of a part single storey part two storey rear extension to include two rear juliet balconies, twelve dormer windows and three rear roof lanterns, single storey front extension to create porch, following the demolition of existing swimming pool, store and two storey double garage including habitable accommodation.	11/03/2016	Approved	N/A
161140	Application for submission of details to comply with the following condition of planning consent 153498 (11/03/2016) 5. Detail of External Rainwater Goods	20/05/2016	Approved	N/A
201438	Householder application for proposed erection of a single storey side extension, plus erection of a three-bay carport	29/09/2020	Approved	N/A

2. Site Description

The Dairy House is located within the registered Grade II* listed historic park and garden 'Park Place and Temple Combe'. Dairy House was originally an elongated single storey farm building constructed during the 19th century and would have been part of a complex of farm buildings belonging to Park Place. The application site is also within land identified as Green Belt and countryside.

3. Land/ Property Designations

- There are no listed buildings at the site, and the property is not within 'Article 2(3) land' (Town and Country Planning (General Permitted Development) Order 2015).
- The site is subject to wildlife and habitat designations being located in an area that holds the potential to support bat roosts, and the area is identified as being a Red Risk Zone for great crested newts.

4. Legislation

Town and Country Planning Act 1990 (as amended)

- s.55 Provides that '*development*' includes the carrying out of building operations on land, and '*building operations*' includes structural alterations or additions to buildings.
- s.57 Planning permission is needed for all development of land.
- s.187a Enforcement for breach of conditions
- s.192 Applications for Certificates of Lawfulness of proposed use or development.
- s.191 Defines operations as 'lawful' if:
- (a) No enforcement action may be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and
 - (b) They do not constitute a contravention of any of the requirements of any enforcement notice then in force.

Town and Country Planning (General Permitted Development) Order 2015 (GPDO)

- Article 3 In conjunction with Schedule 2 (Part 1) (Class E) grants planning permission for the erection of certain outbuildings, pools and fuel storage containers within the curtilage of a dwellinghouse.
- Article 4 Provides that the planning authority may give direction to restrict the effect of Article 3.

5. The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

6. Relevant details of the proposal:

The proposed erection of an outbuilding to accommodate a swimming pool for the private use and enjoyment of the owners of The Dairy House.

7. Assessment against legislation:

			Yes	No
s.55	1	Does it constitute development?	✓	
s.191	2	Would it be contrary to an enforcement notice?		✓
s.187a Art.3	3	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
Art.3 (5)	4	Are the building operations involved in the construction of the dwellinghouse lawful?	✓	
Art.4	5	Is there an 'Article 4 Direction' in effect for the site?		✓
Art.4	6	Is it within the curtilage of the dwellinghouse?	✓	

Fuel storage

Sch.2 Pt. 1 E.b	7	Does the development consist of a container used for the storage of oil or liquid petroleum gas?	N/A	N/A
Sch.2 Pt. 1 E.b	8	Is the storage for domestic heating purposes?	N/A	N/A
E.10)	9	Would the capacity of the container exceed 3,500 litres?	N/A	N/A

Outbuildings and pools

Sch.2 Pt. 1 E.a	10	Does the development comprise a building or enclosure, swimming or other pool, or the maintenance, improvement or other alteration of such a building or enclosure?	✓	
Sch.2 Pt. 1 E.a	11	Is the building, enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such?	✓	

Fuel storage and outbuildings

E.1(a)	12	Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)?		✓
E.1(b)	13	Would the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) exceed 50% of the total area of the original curtilage (excluding the original dwelling)?		✓
E.1(c)	14	Would any part of the building, enclosure, pool or container be situated on land forward of a wall forming the principal elevation of the original dwellinghouse?		✓
E.1(d)	15	If it is a building would it have more than one storey?		✓
E.1(e)	16	Would the height of the building, enclosure or container exceed: (i) Four metres in the case of a building with a dual-pitched roof (ii) 2.5 metres in the case of a building, enclosure or container within two metres of the boundary of the curtilage of the dwellinghouse? (iii) Three metres in any other case?		✓ ✓ ✓
E.1(f)	17	Would the height of the eaves of the building exceed 2.5 metres?		✓
E.1(g)	18	Would the building, enclosure, pool or container be situated within the curtilage of a listed building ?		✓

			Yes	No
E.1(h)	19	Would the development include the construction or provision of a veranda, balcony or raised platform?		✓
E.1(i)	20	Would it relate to a dwelling?		✓
E.1(i)	21	Would it relate to a microwave antenna?		✓
E.3	22	Article 2(3) land (World Heritage Sites, National Parks, AONBs & Conservation Areas): Would any part of the building, enclosure, pool or container be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse?		✓
	23	Would it affect or be within the Root Protection Area of a TPO'd tree? <i>* Does not affect Article 3 permission but separate TPO approval may be needed</i>		✓

8. Conclusion:

The proposed erection of an outbuilding located in the rear garden constitutes development requiring planning permission. Permission **IS** available under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, the proposal being in accordance with Schedule 2 (Part 1) (Class E) of the Order.

DRAFT APPROVED



Development Management Team Leader

Date: 21/05/26