

4 December 2025

Planning Department
Wokingham Borough Council
Development Management,
Wokingham Borough Council,
Civic Offices, Shute End,
Wokingham,
RG40 1BN

To Whom It May Concern,

**PERMITTED DEVELOPMENT APPLICATION FOR SCARLET HOLLIES, WOKINGHAM ROAD,
HURST, BERKSHIRE, RG10 0RX.**

I have been instructed by my clients to prepare and submit the enclosed drawings in support of a certificate of lawfulness application for permitted development to Wokingham Borough Council in relation to changes to fenestration on the main house, construction of a new detached pool house outbuilding and detached gazebo.

SUMMARY OF MAIN ISSUES IN ORDER TO COMPLY WITH PERMITTED DEVELOPMENT RIGHTS

This application is for a Certificate of Lawfulness for a proposed development. This decision is based only on legal issues involved and is not a discretionary matter. As such Local Plan Policies are not relevant for this application with the determination made only in relation to the relevant provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended); see italicised text below.

Does the site benefit from permitted development rights: Yes

Class A – enlargement, improvement or alteration

The proposed changes to the rear elevation fenestration all fall under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Class E – buildings etc

The proposed detached pool house outbuilding and detached gazebo fall under Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

E.1 Development is not permitted by Class E 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)

Permission to use the dwellinghouse as a dwellinghouse has not been granted by virtue of Class M, N, P, PA or Q of Part 3 of Schedule 2 to the Order. **The proposal complies.**

(b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)

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 not exceed 50% of the total area of the curtilage. **The proposal complies.**

(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse.

The proposed pool house outbuilding and gazebo are not situated on land forward of the principal elevation of the dwelling house. **The proposal complies.**

(d) the building would have more than a single storey

The proposed pool house outbuilding and gazebo are single storey. **The proposal complies.**

(e) the height of the building, enclosure or container would exceed -

- (i) 4 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 2 metres of the boundary of the curtilage of the dwellinghouse, or*
- (iii) 3 metres in any other case*

The proposed pool house outbuilding and gazebo has a pitched roof and is a maximum of 4m in height with eaves at 2.5m and set out more than 2m from the boundary. **The proposal complies.**

f) the height of the eaves of the building would exceed 2.5 metres.

The proposed eaves are a maximum of 2.5m in height. **The proposal complies.**

(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building

The proposed garage is not situated within the curtilage of a listed building. **The proposal complies.**

(h) it would include the construction or provision of a verandah, balcony or raised platform

The proposal does not consist of or include the construction or provision of a verandah, balcony or raised platform. **The proposal complies.**

(i) it relates to a dwelling or a microwave antenna

The proposals do not relate to a dwelling and do not include a microwave antenna. **The proposal complies.**

(j) the capacity of the container would exceed 3,500 litres

N/A.

Condition E.2 In the case of any land within the curtilage of the dwellinghouse which is within -

- (a) a World Heritage Site,
- (b) a National Park,
- (c) an area of outstanding natural beauty or
- (d) the Broads,

development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres

The proposal is not within the curtilage of any land which is within (a), (b), (c) or (d). **The proposal complies.**

Condition E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse

The application site is not on article 2(3) land. **The proposal complies.**

Condition E.4

Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 relates to 'The provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure'. For the purposes of Class E, "purpose incidental to the enjoyment of the dwellinghouse as such" includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.

Consideration of what is 'incidental to the enjoyment of the dwellinghouse' raises two questions: is the purpose of the proposed outbuilding incidental to the enjoyment of the dwellinghouse as such and, if so, is the proposed outbuilding reasonably required for that purpose.

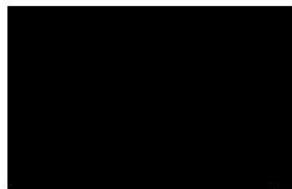
The outbuilding would accommodate an indoor swimming pool, plant, store, gym, sauna, WC/shower room and seating area. The gazebo will form cover to an outdoor kitchen and dining area.

The accompanying application drawings clearly demonstrate that the size of the proposed pool house and gazebo is appropriate for the intended use, and this use is clearly incidental to the

enjoyment of the dwellinghouse. (Incidental use refers to minor, secondary or complementary uses that are concurrent with the main use). The outbuilding and gazebo would therefore be 'permitted development' under Article 3 and Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

I trust this summary will assist in your review of these proposals.

Yours sincerely,



Bronwen Gombert

CONNECTED ARCHITECTURE