

Our Ref 19.9ab

Planning Services  
RBWM  
Town Hall  
St Ives Road  
Maidenhead  
SL6 1RF

6<sup>th</sup> February 2024

Dear RBWM

**CERTIFICATE OF PROPOSED DEVELOPMENT – CLASS E, PART 1, SCHEDULE 2 OF THE GENERAL PERMITTED DEVELOPMENT ORDER 2015, AS AMENDED AT THE COTTAGE, STRAIGHT MILE, SHURLOCK ROW, BERKSHIRE, RG10 0QN**

This submission relates to Class E, Part 1, Schedule 2 of the GPDO 2015, as amended, in relation to the proposed residential outbuilding and outdoor swimming pool to be sited within the residential curtilage of The Cottage, as shown on the attached plan.

**THE PROPOSED RESIDENTIAL OUTBUILDING**

The proposal for the proposed outbuilding complies having regard to the criterion of Class E, as follows:

***E. The provision within the curtilage of the dwellinghouse of –***

- (a) 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; or***
- (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.***

The proposed building provides for a home gym to include aerobics mat areas, weights area, exercise bike and running machine area, sauna, storage and plant rooms, a changing room along with a games room, as shown on the attached floor plan.

The attached site plan shows the extent of the residential curtilage. We attach a Statutory Declaration from the former owner which confirms the extent of residential curtilage.

Pike Smith & Kemp Rural & Commercial is the trading name for Pike Smith & Kemp Rural and Commercial Limited.

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The proposed facilities cannot be accommodated in any of the existing building at the property because these buildings are already being fully used for ancillary residential purposes. For the avoidance of any doubt we have shown the existing outbuildings shaded for ease of reference.

These existing outbuildings are used for:

Building Shaded Pink - A single prefabricated garage used as a tool shed, workshop and mower store; and

Building Shaded Orange - A narrow timber building housing the oil tank, an office/domestic store and an open sided area used for covered seating/outside covered eating area; and

The Building shaded yellow - A timber summerhouse used as a summertime den for the applicants children and used during the winter for storage of garden items/furniture; and

The Building shaded green – A bike shed and garden implement store.

None of the existing buildings could accommodate the proposed facilities.

As such, the proposed building is incidental to the enjoyment of the dwelling house.

**Therefore, the proposal complies.**

The permission to use the dwellinghouse as a dwellinghouse was not granted by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

**Therefore, the proposal complies.**

The total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

**Therefore, the proposal complies.**

No 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, as is shown on the attached plan by way of the yellow dashed line.

**Therefore, the proposal complies.**

The building does not have more than a single storey.

**Therefore, the proposal complies.**

The proposed building has a dual pitched roof, is not within 2m of the boundary of the curtilage of the dwellinghouse and will not exceed 4m in height.

**Therefore, the proposal complies.**

The height of the eaves of the building do not exceed 2.5 metres.

**Therefore, the proposal complies.**

The proposed building is not situated within the curtilage of a listed building.

**Therefore, the proposal complies.**

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

**Therefore, the proposal complies.**

The proposal does not relate to a dwelling or a microwave antenna or a container with a capacity which would exceed 3,500 litres.

**Therefore, the proposal complies.**

The proposal is not within an area designated as:

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

**Therefore, the proposal complies.**

The proposal is within a Conservation Area (Article 2 (3) Land) and hence cannot be located between a wall forming the side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse, which, as is evident from the annotated site plan, no part of the proposal falls within such an area.

**Therefore the proposal complies.**

The proposed building is clearly of a design and scale for the domestic needs and personal enjoyment of the occupants of the dwellinghouse.

**Therefore the proposal complies.**

A previous application for a residential outbuilding to contain the same facilities as being proposed now but also included an indoor swimming pool has been referred to none determination appeal along with an application for costs against the Council. Although an indoor swimming pool is more practical, due to considerable leaf drop from trees, this revised

proposal is for a smaller outbuilding with an outdoor pool to include an overhang to mitigate leaf drop into the pool and provide shading/cooling for the building as well as a covered seating area between the building and pool, it is hoped that this provides a suitable compromise to allow the Council to proceed to a positive determination instead of having to prolong the ongoing Appeal.

I trust that you will find the above and attached documents to your satisfaction, however, should you require any further information, please don't hesitate to contact me.

Yours faithfully

**TOM MCARDLE** BSc. Hons MRICS MNAEA  
**PIKE SMITH & KEMP RURAL**