



**Cookham**

**Neighbourhood Plan**

**Background Topic Paper:**

**Agricultural and Equestrian Development**

**June 2024**



# **COOKHAM NEIGHBOURHOOD PLAN**

**Background Topic Paper:  
Agricultural and Equestrian Development  
June 2024**

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# Contents

<b>1. Introduction .....</b>	<b>2</b>
<b>2. Agricultural Development .....</b>	<b>3</b>
<b>3. Equestrian Development .....</b>	<b>13</b>

# 1. Introduction

- 1.1 This Background Topic Paper supports the inclusion of policies in the Cookham Neighbourhood Plan in respect of agricultural and equestrian development. These policies are required because the existing policy framework does not address identified issues in Cookham including the increasing occurrence of the conversion, reuse or redevelopment of agricultural and equestrian related buildings for residential and other purposes, leading to the urbanisation of the countryside, detrimentally impacting on the character of the Parish and setting of settlements..
- 1.2 Much of the Parish is in agricultural use. This is one of the defining features of the area and is of importance to the local economy. Whilst agricultural use and equestrian activities are strongly supported, particularly where they are sensitively sited in response to the environmental qualities and the landscape setting of the Parish, the change of use of buildings to non-agricultural use is both undermining the character and function of much of the countryside as well as representing inappropriate development within the Green Belt.
- 1.3 This paper presents a discussion of the existing policy framework associated with agricultural and equestrian development and case studies of recent schemes in Cookham highlighting issues that need addressing. It comments on the effectiveness of existing policies and those areas where they are silent or indeterminate, and thus where new policy is required. It concludes by recommending policy wording for inclusion in the Neighbourhood Plan.

## 2. Agricultural Development

### The issue

- 2.1 Active farming comprises an important backdrop to Cookham as a rural parish and the continued use of the countryside for farming, grazing and arable cropping is supported. With the modernisation of the farming industry and changing practices over time, there has been an increase in the presence of polytunnels in the parish, particularly association with poultry.
- 2.2 Expansion, diversification and provision of new buildings is part and parcel of changing agricultural activities and practices. Where appropriately located and designed, polytunnels and other buildings comprise an important part of the agricultural sector. However, given the combination of the Green Belt, local character and setting, and the increasing emphasis on sustainable development, it is important that opportunities for reusing existing buildings are explored in the first instance, responding appropriately to context and reducing embodied carbon.
- 2.3 However, within the parish, there are numerous land holdings where new agricultural buildings have been erected even though there are existing agricultural buildings on that land which could be repurposed for agricultural use. Instead, existing buildings have been changed into other non-agricultural uses, and, in some instances, replacement agricultural buildings erected on other farms but which are in the same land ownership. In effect, this has led to (a) new agricultural buildings in the Green Belt, (b) through the approach to change of use, the creation of new, non-agricultural development in the Green Belt which might not otherwise have been granted permission, and (c) the fracturing of farm holdings and creep of buildings into the landscape.

### Current policy framework

#### Permitted development

- 2.4 As of May 2024, agricultural land and buildings benefit from a range of permitted development rights, including:

*Part 6 Class A and B: development of agricultural units.*

- 2.5 This allows for the development of new farm buildings or extension of existing farm buildings, without planning permission. It is linked to the size of the farm. For farms up to five hectares in area, buildings up to 1,250 sqm are permitted. For farms larger than five hectares, buildings up to 1,500 sqm in size are permitted. These classes of Permitted Development state that any works must be “*reasonably necessary*” for the purposes of agriculture.

*Class Q: the conversion of agricultural buildings to dwelling houses.*

- 2.6 This allows for the conversion of up to 1000sqm of agricultural buildings into residential, allowing for the creation of up to ten homes without planning permission. The prior approval process needs to be followed to ensure that the residential units comply with national space standards.

*Class R: conversion for flexible commercial uses.*

- 2.7 This allows for the conversion of existing agricultural buildings to other uses, up to a size of 1,000sqm, without planning permission. It does not apply if the building subject to a change of use has not been in agricultural use for a minimum of ten years before the application is submitted. Uses permitted under Class R include industrial, storage and distribution, hotels, and outdoor sports facilities. Class R effectively updates and replaces former Class M (which instead now refers to changes of use involving other uses).
- 2.8 In both Class Q and R reference is made to the “established agricultural unit”. In order to prevent artificial splitting of agricultural units to obtain more than one allowance of change of use by permitted development it is important to check the history of the agricultural unit.

**NPPF**

- 2.9 Where planning permission is required development plan policies (comprising the NPPF and Local Plan) need to be considered.
- 2.10 Paragraph 88 of the NPPF (December 2023) supports a prosperous rural economy through, Part (a), the sustainable growth and expansion of businesses, including the conversion of existing buildings and well-designed new buildings, and Part (b), the development and diversification of agricultural and other land-based rural businesses.
- 2.11 The conversion and reuse of existing buildings for agricultural purposes is clearly supported. Where new development is proposed, paragraph 154 of the NPPF states that the construction of new buildings in the Green Belt should be regarded as inappropriate, with the exception of, amongst others, buildings for agricultural purposes. Paragraph 155(d) does allow the re-use of farm buildings but with the proviso that they are “permanent and of substantial construction”.
- 2.12 The concern, as experienced in the parish, is that there is a ‘loophole’, with proposals for agricultural development being approved and then, once completed, being converted for alternative use. As there have been so many agricultural buildings taken out of agricultural use in the Plan area we do not accept that any further new buildings should have any permitted rights for change of use.

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## Local Plan

- 2.13 Policy QP5 of the Local Plan confirms that national Green Belt policy applies to development in rural areas in the Royal Borough. This includes the entirety of the Parish other than the defined settlements of Cookham Rise and Cookham Village which are inset from the Green Belt. The policy does not specifically cover agricultural development.
- 2.14 Policy ED4 of the RBWM Local Plan sets the parameters for farm diversification in the Borough. It is noted that it only relates to the reuse of buildings and does not support the construction of new ones for diversification.
- 2.15 Policy ED4 is not a strategic policy in the Local Plan and thus scope exists to expand upon this in the Neighbourhood Plan.

## Case studies

- 2.16 Examples of recent development in the parish that demonstrate why a policy is needed in the Neighbourhood Plan area presented below:

### Lower Mount Farm Complex

- 2.17 This case study involves multiple though linked sites as illustrated on Figure 1.
- 2.18 Area A on Figure 1 is a long standing farmyard complex. Approximately half of Area A was given temporary permission for change to non-agricultural use as part of an agreement which provided Marsh Meadow as public open space. The temporary permission was extended a number of times and has now been made permanent but without the condition to retain the public open space. Over time additional parts of Area A were utilised for non-agricultural use without formal permission until the situation was formalised by the Borough in 2018. In some part the loss of agricultural space in Area A has been replaced by a 540 sqm farm building at the 'Pick your own' (PYO) centre a short distance away approved under application 15/01669/Full.
- 2.19 It is understood that, other than the grain stores, no other buildings in Area A are now used for the purposes of agriculture. It would seem that the need for farm buildings could have been readily met by some of the existing buildings on the site rather than erect a completely new unit at the PYO site.
- 2.20 Area B on Figure 1 had two agricultural buildings totaling 600 sqm that were granted permission under application 04/00418/Full. They were specifically requested by Copas Farms for the keeping of chickens and it was stated that they *"...represented a cornerstone in our plan to retain the viability of both the PYO operation and farming generally"*. They were specifically permitted for the use of free-range chickens only. Although some chickens were kept it is understood that

the units were never fully stocked, and permission was obtained for their use to be changed for general agricultural purposes in 2008. This is despite the notice of permission under application 04/00418/Full including a condition stating that:

*“the buildings hereby approved shall be demolished within six months of their no longer being use for the approved purpose, and all associated materials and debris removed from the site, unless otherwise agreed in writing by the Local Planning Authority”.*

- 2.21 These buildings have now been changed to non-agricultural use by utilising Permitted Development Rights (13/03411/Class M, 14/00752/Class M, 14/03990/Class M, and 16/02370/Class R) of a different farming entity, GW Copas Farms (The ownership of this part of the site changed in 2012).
- 2.22 In summary, on Area B, buildings initially erected for a specific agricultural use, and with a requirement for them to be removed if they were no longer needed for that use, have been retained but for non-agricultural use.
- 2.23 On Area C, 870 sqm of polytunnels were erected for horticultural diversification under application 00/36189/Full and a 150 sqm sales building for farm produce was erected under application 06/02388/Full. The polytunnels were subsequently granted a change of use under 14/03334/Class M and 16/00970Class R, and the sales building granted a change of use under 14/02590/Class M. It is understood that limited use was made of the polytunnels and the sales building was only fully completed once a change of use was obtained. The polytunnels are now used for vehicle repair and sales and the farm shop for formal wear hire.





Figure 1: Map showing multiple land holdings within the 'Lower Munt Farm Complex'

## Hay and straw storage - Various sites in Cookham

- 2.24 This case study involves multiple farm holdings, all in the same ownership.
- 2.25 The Hay and Straw Barns at Mount Farm, which consisted of a 1,000 sqm building, were granted permission for change of use from agricultural (storage) to office use under applications 16/01148/Class M and 17/02048/Full. A subsequent application (18/01169/Full) for the demolition and replacement of the barns with a modern office building was then approved in September 2018.
- 2.26 A new 450 sqm barn for storage of hay, straw and feed was then applied for (20/01197/AGDET) on a site at the adjoining farm, Switchback Farm. This was approved in June 2020 (subsequently renewed under application 24/00776/AGDET, approved in April 2024).
- 2.27 The Planning, Design & Access Statement submitted with the prior approval application noted that the Switchback Farm site had no covered storage for hay and straw, requiring produce to be transported or sold directly after harvest. Provision of the storage would thus allow for retention of straw and hay on site, as well as providing bedding and feed for cattle and sheep.
- 2.28 The Parish Council objected to this application, noting that, under Part 6 Class A of the Permitted Development Rights, the building is not “*reasonably necessary*” given the proposal, by the same land owner, to demolish a larger storage unit on the adjacent farm.
- 2.29 Furthermore, the same owner made another application (23/01985/AGDET) for an agricultural barn (for storage of hay and straw) at the Pound Field Open Space. This application was refused in September 2023, with the reason being that the Prior Approval of the Local Planning Authority is required as to the siting of the proposed development.

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## Kings Coppice Farm

- 2.30 This farm holding has been subject to several separate though interlinked applications (Figure 2).
- 2.31 An Application for construction of a 30m x 10m Agricultural machinery and equipment building (20/00676/AGDET) was submitted in March 2020 and a decision notice issued in April 2020.
- 2.32 The Parish Council objected to this application on the basis that the Class of Permitted Development Rights being used for the application should only apply to buildings which are *“reasonably necessary for the purposes of agriculture within that unit”*. The objection noted that the proposed building was intended to serve the needs of a number of scattered farms outside the Kings Coppice Farm *“unit”* and thus the proposed building would be outside the scope of this Permitted Development route. The objection noted that farms in the same ownership of the applicant comprise the *“unit”* and, as such, available buildings on these should be considered for use before a new building could be considered *“reasonably necessary”*.
- 2.33 In 2024 an extension of time application (24/00764/AGDET) was submitted as construction of the building had not yet commenced. The Parish Council reiterated its objections to the scheme and noted that as construction had not started, that the building could not be considered *“reasonably necessary”*. However, the Officers Report stated that the scope of assessment for prior approval is against matters of siting, design and appearance, and not whether the building is *“reasonably necessary”*. The decision note, confirming that prior approval was not required, was issued in April 2024.
- 2.34 In parallel to the above, an application (21/00134/Class M) to take a 5,000 sqm barn out of agricultural use and change this into a light industrial use was made and prior approval granted in March 2021. This application supports the view of the Parish Council that construction of a separate building for agricultural purposes on the farm holding is not necessary because it be accommodated in the existing building now subject to a change of use.

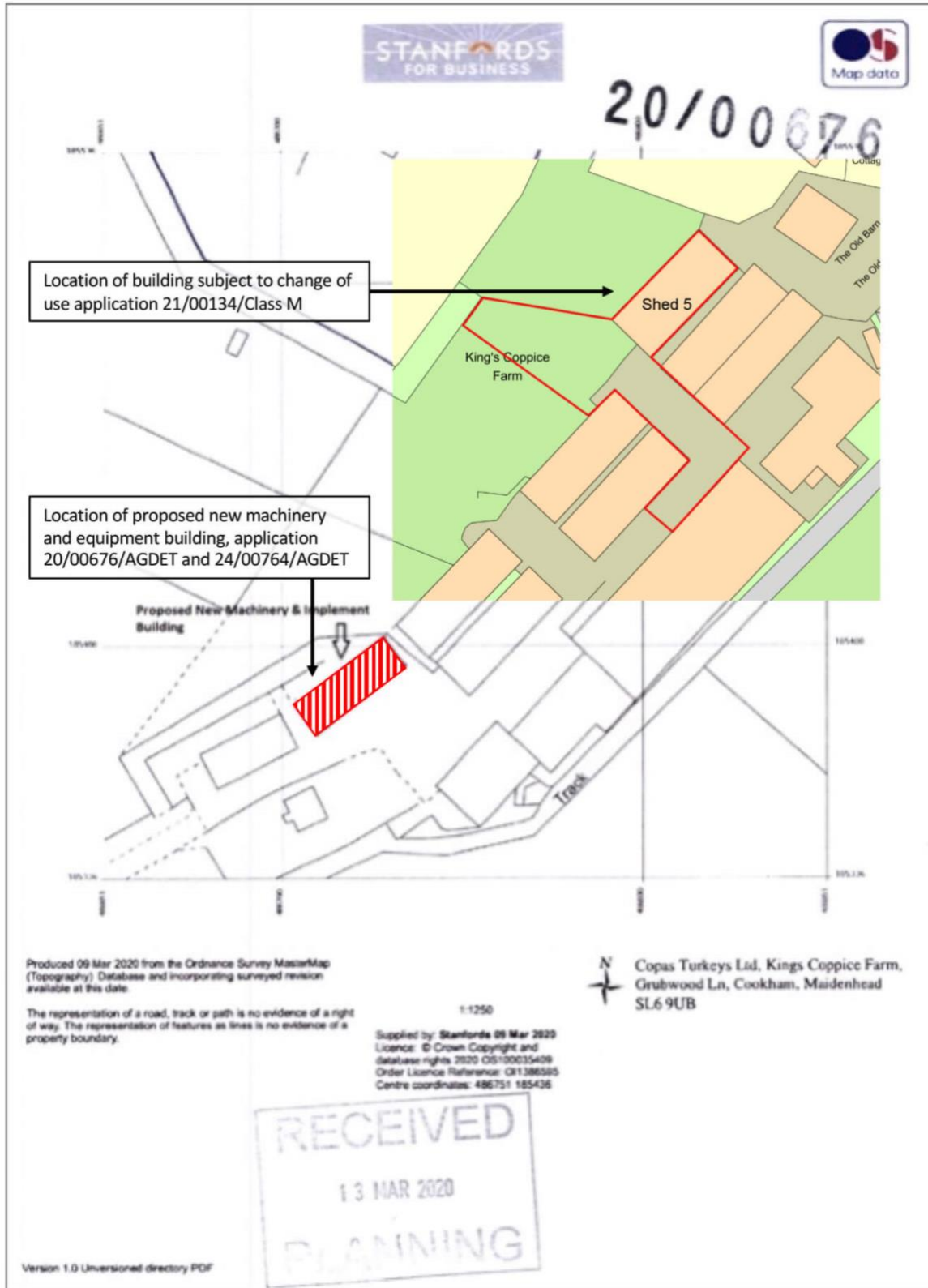


Figure 2: Location Plan submitted with Prior Approval application showing location of proposed new machinery and equipment building overlain with extract from location plan submitted with Prior Approval application for change of use of existing building from agricultural to light industrial use

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## Recommendations

- 2.35 The examples outlined above draw attention to the following:
- Change of use to non-agricultural activities is changing the nature of the landscape and increasingly urbanising the countryside.
  - Where a change of use has been approved, subsequent applications have been made for replacement agricultural buildings elsewhere. Had use been made of existing buildings then new replacement facilities would not be needed. New buildings are thus being erected even though it is not clear why they are 'reasonably necessary'.
  - Where applications for new agricultural buildings have been made and approved, these have subsequently been subject to a change of use to non-agricultural buildings. Given their Green Belt location, it is unlikely that had an application been made for the non-agricultural use in the first instance that they would have been approved.
  - Changes have taken place across multiple farm holdings within the same land ownership, slowly changing the nature of different farm holdings.
- 2.36 Permitted development rights established at the national level allow for changes of use and it is not the purpose of the Neighbourhood Plan to remove these. The Neighbourhood Plan applies instead to those schemes which fall outside of automatic Permitted Development Rights and where a planning application or prior approval is required.
- 2.37 The case studies illustrate that further scrutiny of applications (including those submitted via the prior approval route) is required to determine whether the provision of new agricultural buildings is 'reasonably necessary' and, to minimise the risk of the use of these being changed at a later date, conditions should be applied to any planning permission that requires the building to be removed if it is no longer needed for agriculture and the ground reinstated.
- 2.38 It is important that proposed changes respect the setting and character of the landscape, role and function of the Green Belt, as well as contributing to the long term viability of agricultural businesses. Schemes that threaten the viability of agricultural businesses, and which do not strictly constitute 'agricultural diversification' (being uses directly linked to farm activities, as set out in Policy ED4 of the Local Plan), will need to be carefully considered. They should be looked upon unfavourably.
- 2.39 To avoid the fragmentation of agricultural activities and the associated creep of development into the countryside, a 'whole farm strategy' should be prepared by the landowner that sets out the long term strategy for all farm holdings within the same ownership in the Parish (and nearby areas if relevant) what the implications

for change of use or proposed new buildings on one farm holding are for the other farm holdings. Where buildings have been erected under permitted development, the 'whole farm strategy' should demonstrate that they have been used for the purpose they were built for. Production of the 'whole farm strategy' will help understand how the farm, as a whole as opposed to individual parts of it, is being used, the impact of new development and how the proposed development is 'reasonably necessary' for the ongoing farm activity.

- 2.40 In terms of impact on the setting and character of the landscape, proposals should be judged in terms of their design, siting and use of materials. The Cookham Village Design Statement and the Neighbourhood Plan Design Guidance and Codes present key principles that should be referred to.

## 3. Equestrian Development

### The issue

- 3.1 Horses have for a long time been part of the rural scene in Cookham. Over recent years an increasing number of stables in the Green Belt have been lost through the granting of planning permission for the redevelopment of homes. Stables and associated equestrian development comprises previously developed land and thus complies with paragraph 154 of the NPPF that allows for the reuse of previously developed land in the Green Belt.
- 3.2 Where stables have been granted permission, these are often of a generous height and scale and, as highlighted through the case studies that follow, there is concern that this is being used as a route to permission that will eventually facilitate their change into residential development. In effect, this represents inappropriate development and creeping urbanization within the Green Belt. Given recent experience, it is assumed that this pattern of development may continue.

### Policy framework

#### Permitted development

- 3.3 Planning permission is generally required for equestrian related development, including stables, shelters and hard standing, other than where the proposal is for a temporary use. Equally, planning permission may not be needed where stables are located in a private garden, are used for private leisure use only, and do not exceed 50% of the area of the garden. Planning permission is also required for a change of use from a stable to another use type.

#### NPPF

- 3.4 The NPPF does not specifically refer to equestrian or equestrian related development. However, paragraph 88 of the NPPF supports proposals for uses that support a prosperous rural economy including, at Part (c), sustainable rural tourism and leisure developments which respect the character of the countryside. This can reasonably be inferred to include equestrian development. In addition, paragraph 154(b) is referenced by developers to support equestrian development in the Green Belt
- 3.5 Although agricultural and forestry buildings are specifically excluded from the definition of previously developed land, equestrian development is not. Paragraph 154, under Part (g), then allows for their change of use, allowing for the redevelopment of previously developed land. Equally, paragraph 84 of the NPPF

allows for provision of isolated homes in the countryside where they make use of redundant buildings.

## Local Plan

3.6 Policy QP5 of the RBWM Local Plan states:

6. New equestrian development (including lighting and means of enclosure) should be unobtrusively located and designed so that it does not have a significant adverse effect on the character of the locality, residential amenity, highway safety and landscape quality.
7. Proposals will need to ensure sufficient land is available for grazing and exercise, where necessary.
8. A satisfactory scheme for the disposal of waste will need to be provided.

3.7 The concern with this policy is not that equestrian development is supported but that because there are no specific guidelines in respect of land required for grazing, buildings for stabling are not effectively controlled and can result in excessively sized buildings which are designed as such to allow for subsequent conversion into residential use. Equally, the policy is silent on the potential reuse or redevelopment of buildings for uses other than those associated with equestrian development, e.g.: residential. This is seen as a loophole, allowing for conversion shortly after construction for equestrian use is approved. The absence of this is striking given the acknowledgement of this as an issue in the supporting text to the Local Plan policy which states:

*At paragraph 6.18.16: The use of more permanent materials should be resisted as this can result in a proliferation of permanent structures to the detriment of the open character of the landscape should the use as a stable cease.*

3.8 and

*At paragraph 6.18.20: The Borough will impose such conditions as may be appropriate to ensure that the openness of the Green Belt and the purposes of including land within it are maintained and identification of the extent of any residential curtilage. This may include withdrawal of permitted development rights, limiting use and/or duration, creating personal permissions and using occupancy conditions.*



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## Case studies

- 3.9 This section draws on the examples of change of use and redevelopment of stables in the Parish, thus highlighting why a policy is required in the Neighbourhood Plan. It also includes examples of recent proposals for new stables.

### Canon Court Farm (SL6 6NG)

- 3.10 This livery yard has been demolished and replaced with four homes approved under application 13/01959.

### Woodlands Farm (SL6 9PN)

- 3.11 This scheme involved the redevelopment of 31 stables let on a livery basis into three detached dwellings. It is a site in the Green Belt and described in the officers report (under application 15/0388/OUT) as being on higher ground. The report noted that it would help contribute to the supply of housing in the area. The proposal was approved and a subsequent application submitted in December 2018 (18/03721/Full). This superseded the application for three dwellings, instead proposing one single large, five-bed detached house. The proposal represented reuse of previously developed land in the Green Belt and was not considered to be 'inappropriate'. It was granted permission in January 2019.

### Hardings Farm (SL6 9NX)

- 3.12 The case study involves the demolition of an existing equestrian building and construction of a four-bed detached dwelling in its place (20/01488/Full). The proposal represented reuse of previously developed land in the Green Belt and was not considered to be 'inappropriate'. It was permitted in October 2020.

### Winter Hill Farm (SL6 9TW)

- 3.13 Planning permission was then granted in 2012 for a replacement barn with an equestrian facility (approved under application ref. 12/00017/Full). The approved plans and officers report said that the building was to be used wholly for equestrian purposes. An application for the redevelopment of the stables, involving construction of a new home, was then approved in May 2024 (under 23/02212/Full).

### White Place Farm (SL6 9QZ)

- 3.14 A planning application (22/03327/Full) for the demolition of existing buildings in equestrian use and agricultural storage use, and the erection of new equestrian facilities consisting of 30 stables, a relocated feed and agricultural storage barn, and the erection of five new houses, was submitted in December 2022 and subsequently withdrawn in August 2023. No reason is given for the withdrawal.

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This does not preclude the opportunity for the application to be revisited in a revised form at a future date.

### **Lower Mount Farm (SL6 9EE)**

- 3.15 An outline application for a new equine stable building (comprising sixteen stables) was submitted in June 2021 and approved in February 2022 (under application 21/01824). The scheme follows an earlier application for a similar though larger development (comprising 30 stables) that was dismissed at appeal but where this type of Green Belt development was considered to be appropriate, but that the scale of development would cause harm to the Green Belt. The building has been constructed.

### **Hills Lane (SL6 9NT)**

- 3.16 An outline application (20/00578) for the erection of a stable building in the Green Belt was approved in August 2020, followed by approval of reserved matters details in January 2021. The officers report states that the proposal was considered appropriate development in the Green Belt. The stables have since been constructed.
- 3.17 A second application (23/02133) at the site for a substantial tractor shed and separate welfare unit as ancillary buildings for the stables has since been submitted but was subsequently withdrawn in October 2023. In responding to the application before it was withdrawn, the Parish Council made objections in terms of the siting, scale, design and materials of the proposed development which it considered to cause harm to the Green Belt.

### **Warners Hill (SL6 9BQ)**

- 3.18 An application for a building to house three stables was refused in April 2024 (under 23/02588), despite having been recommended for approval by the officer. The reasons for refusal were given as impact on the Green Belt by virtue of the height, scale and location of the proposed development, that special circumstances had not been identified to justify development in the Green Belt, and that it would neither preserve nor enhance the Conservation Area. The refusal has been appealed but the appeal has not been decided yet.

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## Recommendations

- 3.19 The examples draw attention to the following issues:
- There is a regular occurrence of stables being demolished and replaced with new homes in the Green Belt in the Parish.
  - Despite their location in the Green Belt, such proposals are considered to comprise appropriate development as they comprise reuse of previously developed land. This does not consider whether an application for residential development in such a location would be considered acceptable had it not involved the reuse of previously developed land. It is likely that such schemes would be considered inappropriate.
  - There continue to be applications for new stables in the Parish.
  - The scale and size of these draws attention to the need for good quality design that respects the setting of the landscape, the role and functions of the Green Belt.
- 3.20 As with agricultural use, equestrian facilities comprise an important part of the rural economy, and the provision and use of buildings in the countryside in Cookham for equestrian purposes is supported. Such buildings can though impact on the Green Belt and landscape setting of the Parish, through their scale, massing, siting and use of materials, including the proliferation of isolated buildings and ancillary features in the countryside, as well as through increased use of road network and bridleways.
- 3.21 Policy should thus draw upon and point to the Cookham Village Design Statement and the Cookham Neighbourhood Plan Design Guide and Codes that include key principles that should inform the design and siting of buildings.
- 3.22 The Neighbourhood Plan should also provide further clarity and guidance on the appropriate size of buildings that are appropriate for equestrian use. The Local Plan currently refers to the 'provision of sufficient land for grazing and exercise'. This lacks clarity and is open to interpretation. Guidance published by Defra and the British Horse Council should be referenced. Their 'Code of Practice for the welfare of Horses, Ponies, Donkeys and their hybrids' (2017) establishes minimum standards in respect of the area of pasture required for each horse or donkey. This should be used to determine the appropriate size of stabling and avoid over development of the site. This is linked both to the welfare of animals but also to the impact of development on the countryside.
- 3.23 The use of standards above is also linked to future changes of use (or redevelopment of previously developed land) and will help control the creation of large houses in the countryside that are inappropriate to setting and do not reflect local needs for housing. A condition should be attached to the approval of planning

permission that restricts their change of use, requiring the stable or other buildings to be removed if no longer needed. This would prevent further long term damage to the Green Belt. Indeed, this is recognised in the Local Plan as a possible scenario. Equally, consideration should be given to the requirement for a business plan or similar to be prepared and submitted at the application stage that would demonstrate, to the satisfaction of the local planning authority, that the proposed building is indeed intended for equestrian use (and is thus not a means to facilitating change for other uses) and that is confirm to best practice standards for the welfare of animals.

Cookham Parish Council

**Cookham Neighbourhood Plan**

Background Topic Paper, June 2024:

Agricultural and Equestrian Development

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