

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
PANEL UPDATE**

Maidenhead Panel

Application No.:	23/02588/FULL
Location:	Land At The Junction of Warners Hill And Dean Lane Cookham Maidenhead
Proposal:	New building to house 3no. stables, tack room, hay store, WC, construction of a post and timber fence to the west and associated hardstanding and parking following the demolition of the existing shelters.
Applicant:	Mr And Mrs Dilley
Agent:	Frances Pullan
Parish/Ward:	Cookham Parish/Bisham And Cookham
If you have a question about this report, please contact: Maria Vasileiou on or at maria.vasileiou@rbwm.gov.uk	

1. SUMMARY

- 1.1 Following the publication of the Committee Report, six additional letters have been received objecting to the application. The comments are summarised below.
- 1.2 Further comments have been also received from the Cookham Parish Council and The Cookham Society and these have also been summarised below.

There is no change to the recommendation in the main report.

2. ADDITIONAL COMMENTS

- 2.1 Six additional comments have been received from interested parties alongside comments from the Cookham Society and Cookham Parish Council. The comments mainly re-iterate points which have been addressed in the Committee Report and as such are not replicated here. However, some further concerns have been raised and are summarised as follows:

Comment	Officer Response	Change to recommendation?
Concerns regarding the consultation, notification and publicity of the application/committee following receipt of amendments.	Where an application has been amended it is up to the Local Planning Authority to determine whether further publicity and consultation is necessary in the interests of fairness. In this case, the neighbour consultation following the receipt of amendments was carried out for 21 days and ended on the 10 th April.	No

	<p>Site notices have been erected and the formal reconsultation period ended on the 12th April. A further press notice was not made.</p> <p>The Committee Agenda was published and available on the Council's website on the 9th April. This is in excess of five working days before the date of the committee, as required. This included all the comments received to date, which at the time of drafting was 24.</p> <p>Comments received following the publication of the Committee Agenda are taken into consideration and any additional comments received are addressed within this report.</p>	
<p>The Officers Report fails to address the exception to the new buildings in the Green Belt under paragraph 154 (b) that it has to be 'appropriate'. Whilst the new building is for equestrian development associated with the use of the land it is not 'appropriate' as it has not been justified.</p>	<p>The application proposes the erection of a building to house three stables in relation to an established equestrian use, following the demolition of the existing sheds. The proposals have been assessed under NPPF paragraph 154(b) which relates to the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This is set out in detail in Section 10 of the Officers Report, and includes an assessment of the scale of the building in relation to its appropriateness.</p>	No
<p>Questionable as to why three horse lorries would be required for private use.</p>	<p>The proposals relate to the erection of a building to provide three stables on the site in association with the established equestrian use. The assessment of the application on this basis is contained in Section 9 of the Officers Report.</p>	No
<p>The proposal would result in increased amount of activity on the site which is a matter to consider when assessing the impact of the Green Belt.</p>	<p>This is covered in in Section 10.7 of the Officers Report.</p>	No
<p>The application should be assessed under NPPF</p>	<p>The application proposes the erection of a building to house three</p>	No

<p>Para154(d) as replacement building which “should not be materially larger than the existing building”.</p>	<p>stables in relation to an established equestrian use. The proposals have therefore been assessed under NPPF paragraph 154(b) which relates to the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This is set out in the Officers Report.</p>	
<p>Lack of comments from conservation officer and detail in the heritage assessment.</p>	<p>The proposals relate to the erection of a stable with associated works in relation to an established equestrian use. Section 10 of the Officers Report sets out that the development has been assessed against the relevant local and national policies and legislation and no harm to the heritage assets has been identified. The Heritage Assessment contained within the Planning Statement is acceptable for the purposes of the assessment of the application.</p>	<p>No</p>
<p>Confirmation of whether the tree officers have provided comments was requested.</p>	<p>Comments were provided and this is noted in the Officers Report in section 9.</p>	<p>No</p>
<p>Officers report does not assess the landscape and visual impact of the proposal on the countryside.</p>	<p>A full assessment of the proposal is contained in Section 10 of the Officers Report. The impact of the development is covered in paragraphs 10.10 and 10.17.</p>	
<p>A lighting assessment has not been provided. Concerns with amenity.</p>	<p>No lighting is proposed as part of the application and this is detailed in Section 9 of the Officers Report.</p>	<p>No</p>
<p>The Lead Local Flood Authority (LLFA) do not appear to have commented on the FRA given the change to the description of the development and the increase of some 400 square metres of hardsurfacing in the form of parking and turning.</p>	<p>The LLFA initially reviewed the scheme and provided comment on the 14th November 2023. Further comments were received on the 13th February 2024 after the date the amended plans were submitted, which showed a permeable parking area. The LLFA has confirmed that due to the scale of the site and very low flood risk, no comments or concerns are raised regarding the small increase in the turning area following their comments on the 13th February. As such, there are no</p>	<p>No</p>

	objections as set out in the Officers Report.	
Concerns on surface water flood risk.	The site falls within Flood Zone 1 and is over 1ha. A Flood Risk Assessment has been submitted. The LLFA has reviewed the information and raised no objections relating to surface water flood risk.	No
If permission is granted, a condition should be included to prevent the building being repurposed for residential use if the equestrian use ceases in the future.	The application relates to a stables and not a residential use. Planning permission would be required for such a use. As such, the proposed condition would not be considered reasonable in this instance and meet the relevant tests for imposition.	No
If permission is granted, a condition should be included to withdraw permitted development rights, to remove the building once the equine use has ceased and that the permission be personal.	Equine facilities such as this would not benefit from agricultural permitted development rights. Furthermore, given that the established use of the land is considered to be equestrian, the proposed condition would not be considered reasonable in this instance and meet the relevant tests for imposition. A full assessment of the acceptability of the submitted proposals are set out in Section 10 of the Officers Report.	No
Plans suggest some commercial use.	The information provided demonstrate that the development would be for the stabling of three horses associated with the applicants' personal use.	No
The application claims and the officer appears to accept that equestrian use of the site has been established. As there is no permitted change of use to equestrian given in the Property History we ask that documentation proving 10 years of continuous use for equestrian purposes is provided in the public domain.	Aerial images show that there has been an equestrian use on the site in excess of ten years. Furthermore, the Council holds no evidence to the contrary. For the purposes of the assessment of the application, as set out in the Officers Report at section 3, the established use is considered to be equestrian.	No
A condition to secure the removal of the building if it is no longer required for equestrian use has been requested. Attention drawn to the Regulation 14 version of the Cookham Neighbourhood Plan which has this included as a key	Given that the established use of the land is considered to be equestrian, the proposed condition would not be considered reasonable in this instance and meet the relevant tests for imposition. Furthermore, as set out above, planning permission would be required for an alternative use of the structure which is the	No

requirement for new equestrian buildings.	subject of this application. With regard to the Cookham Neighbourhood Plan, whilst noted, this is not adopted policy at the time of assessment and determination.	
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