

APPENDIX G: PSDF Appeal Decision 13/00175/OUT (extract)



Department for
Communities and
Local Government

Mr Graham Love
Turley Associates
1 New York Street
Manchester
M1 4HD

Our Ref: APP/N0410/A/13/2199037
Your ref: PINM2001

18 June 2014

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 78)
APPEAL BY PINWOOD STUDIOS LTD
LAND AT AND ADJACENT TO PINWOOD STUDIOS, PINWOOD ROAD, IVER
HEATH, BUCKINGHAMSHIRE
APPLICATION REF: 13/0175/OUT**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, Terry G Phillimore MA MCD MRTPI, who held an inquiry on dates between 19 November to 13 December 2013 in relation to your client's appeal under Section 78 of the Town and Country Planning Act 1990 against the decision of South Bucks District Council to refuse planning permission for:

the reconfiguration and expansion of facilities for screen based media, including film, television and video games and associated services and industries, comprising: demolition of existing outdated accommodation; erection of new stages, workshops, office accommodation, demountable modular buildings, entrance structures and reception and security offices, gas CHP energy centre, underground waste water treatment plant, recycling facilities, backlots and film streetscapes; external film production; creation of a new vehicular and pedestrian access from Pinewood Road, a new access from Sevenhills Road for use as both an emergency access and a secondary controlled vehicular access, access roads within the site, surface and multi-level car parking; and associated landscaping and ecological habitat creation works, in accordance with application ref:13/00175/OUT, as amended on 30 September 2013.

2. The appeal was recovered for the Secretary of State's determination on 4 June 2013, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990, because the appeal involves proposals for significant development in the Green Belt.

Inspector's recommendation

3. The Inspector recommended that the appeal be allowed and planning permission granted subject to conditions. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions and recommendation. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Procedural Matters

4. In reaching this position the Secretary of State has taken account the Environmental Statement which was submitted (IR8 and 828) and the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Secretary of State is content that the Environmental Statement complies with the above Regulations and that sufficient information has been provided for him to assess the environmental impact of the appeal proposal.

Matters arising after the close of the inquiry

5. The Secretary of State received a letter dated 17 December 2013 from Michael J Woods, Director and Company Secretary of Colne Valley Park Community Interest Company which states that the Company receive no income from Pinewood Studios. The Secretary of State notes that this statement contradicts the appellant's closing submission made at the inquiry and the comments made by the Inspector on funding contributions at IR697, but is satisfied that this matter does not affect his decision in this case.
6. The Secretary of State is also in receipt of the other correspondence listed at Annex B which was either received following the close of the inquiry or otherwise not seen by the Inspector. He notes that many of these representations argue that the announcement of a deal between Pinewood Studios and the Welsh Government to create a 17,000m² new film studio in Cardiff weakens the case for this appeal proposal. Although the Inspector may have been unaware of the Cardiff proposal, he concluded that under the appellant's base case forecast there is considerable potential for additional studio facilities elsewhere in the UK as well as the appeal proposal and that, if the appellant's calculation of requirements is accepted, the appeal scheme would capture only a minority proportion of this (IR795). As the Secretary of State accepts the Inspector's conclusion that the appellant's calculation of requirements is robust (paragraph 21 of this letter) he is satisfied that the Cardiff announcement does not diminish the case for expansion at Pinewood Studios' main site in Buckinghamshire. The Secretary of State therefore has not considered it necessary to seek parties' comments on the announcement of the Cardiff proposal.
7. Copies of the representations listed at Annex B are not enclosed but may be obtained on written request to the address at the foot of the first page of this letter.

Policy Considerations

8. In deciding this appeal, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

9. In this case, the development plan consists of the 2011 South Bucks Local Development Framework Core Strategy Development Plan Document, the 1999 South Bucks District Local Plan (saved version), the 2012 Buckinghamshire Minerals and Waste Core Strategy Development Plan Document, and the 2006 Buckinghamshire Minerals and Waste Plan (saved version). The Secretary of State considers that the development plan policies most relevant are those identified by the Inspector at IR46-49 and IR52-59. He also considers that the Core Strategy content identified at IR45 and IR50 are particularly relevant to this case.
10. Other material considerations which the Secretary of State has taken into account include the National Planning Policy Framework ("the Framework" – March 2012) the associated planning guidance (March 2014), the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), the statements of Government policy relating to the delivery of sustainable economic growth listed at IR61, the cross-departmental policy documents relating to the UK film, television and screen-based creative industries listed at IR62 and the Government's 'Response to the CMS Select Committee Report on the Creative Economy: Third Report of Session 2013-14' identified at IR63.

Main issues

11. The Secretary of State agrees with the Inspector that the main considerations are those set out at IR657.

The impact the proposal would have on the Green Belt, including openness, purposes, the use of land and visual amenity

12. For the reasons given by the Inspector at IR663-684, the Secretary of State agrees with the Inspector's conclusion that in addition to the harm to the Green Belt by definition as a result of the inappropriate development, the proposal would give rise to harm by reason of loss of openness, conflict with three of the five Green Belt purposes and a moderate adverse effect on landscape and visual amenity (IR685).
13. The Secretary of State notes that concern was expressed at the inquiry about any precedent the approval of this appeal could set, but given the unique circumstances of this case, the Secretary of State agrees with the Inspector that the weight of policy considerations applicable to proposals for development in the Green Belt would not be diminished should planning permission be granted (IR686).
14. As the Inspector identifies in his report (IR687), the proposal would approximately double the area of the existing Pinewood Studios and to a large degree replicate its existing physical form on undeveloped Green Belt land. The Secretary of State agrees with the Inspector's conclusion that the harm to the Green Belt in this case, and the conflict with the development plan in that respect, is a matter that should be accorded very serious weight in his decision (IR687).

The effect the proposal would have on the Colne Valley Park

15. For the reasons given by the Inspector at IR689 and 691-692 the Secretary of State agrees with the Inspector's conclusion that in overall terms, the proposed substantial physical development within a large area that is existing countryside would have a significant adverse effect on the Colne Valley Park (IR697).
16. The Inspector in the 'Project Pinewood' appeal case (IR39-41) noted that, if the positive aspects of the proposal were concluded to clearly outweigh the harm to the Green Belt, then the same considerations would equally apply and outweigh the harm to the Colne Valley Park. The Secretary of State agrees with the current Inspector that this applies similarly to the application of Core Policy 9 and that the significant harm to the Colne Valley Park is to be weighed in the balance, but with the proviso that, to the extent that the harm relates to landscape, it is the same as that identified under Green Belt impact rather than being additional (IR698).

Whether the development would be sustainable in transport terms

17. For the reasons given by the Inspector at IR700-711, the Secretary of State agrees with the Inspector that with around a doubling of the numbers employed at the Studios expected as a result of the proposal, it would give rise to a substantial increase in journeys reliant on the private car, with a much greater number than the approved Masterplan development. The Secretary of State also agrees that this would be a negative outcome of the proposal, and a matter to be drawn into the overall balance of benefit and harm (IR712).

The impact the proposal would have on highway conditions

18. For the reasons given by the Inspector at IR714-724 the Secretary of State agrees with the Inspector that there is no evidence that the impacts in this case would reach the 'severe' threshold at paragraph 32 of the Framework, but that the addition to local congestion and rat-running would be a moderate harm that falls to be taken into the overall balance (IR724).

The merits of the appellant's case for expansion of Pinewood Studios

19. The Secretary of State agrees with the Inspector's assessment of the appellant's case for the expansion of Pinewood Studios at IR725-799. On this basis he agrees with the Inspector's overall conclusions on the case for expansion at IR800-807. He agrees with the Inspector's conclusion that Pinewood Studios has a leading global status, and is an essential component of the UK film industry, which makes a substantial contribution to the UK economy. He agrees too that Government policy seeks sustainable economic growth, and as part of this attaches high importance to the creative industries and specifically film (IR800).
20. The Secretary of State acknowledges that the proposal would approximately double the existing Pinewood Studios in terms of size and capacity, and recognises that there is a widely acknowledged current shortage in UK studio capacity, with strong industry support for the proposal. In addition to this, he agrees that the proposal is backed by a proper business assessment of future requirements. The appellant's analysis takes a long-term view which the Secretary of State considers is appropriate for major capital project investment. He also agrees that under the base case projection there would be substantial growth in film production expenditure by 2032 (IR801).

21. The appellant's top-down methodology makes a number of explicit assumptions, and the Secretary of State accepts there are uncertainties in these respects that potentially bear on the weight that can be given to the base case forecast. He agrees with the Inspector that these particularly relate to the specific nature of the film industry and unknowns regarding the future of the traditional Hollywood film model, which is a key element in UK inward investment film production expenditure, and such factors as digitisation and the studio requirements of television production. He agrees too that the shifting nature of development proposals brought forward by the appellant in recent years is indicative of changing expectations of future requirements. Nevertheless, the Secretary of State agrees that the base case projection appears to be robust, having regard to long term trends and its endorsement in independent assessments. Like the Inspector, he is satisfied that it can be regarded as the most likely future outcome based on current best information. He also agrees that the inflation-only case provides an appropriate representation of the downside risks (IR802).
22. In terms of the translation to stage space requirements, the Secretary of State agrees with the Inspector that there are some reasonable reservations about this element of the appellant's analysis, in particular with regard to high-end television and the scope for efficiencies in the use of ancillary space. However, he also agrees that there is a further considerable degree of robustness in that the proposal would provide for only 38% of the projected UK floorspace requirement under the base case. On the risk side, the Secretary of State accepts that under the inflation-only case there would be no requirement for additional floorspace (IR803).
23. The Secretary of State agrees with the Inspector that there is some weakness in the justification for the Media Hub expansion, but that the qualitative benefits of this are convincing and that it relates only to a limited part of the proposal within the Green Belt (IR804). The Secretary of State agrees with the Inspector's conclusion that the proposal would deliver substantial economic benefits if implemented and occupied in full (IR805).
24. Like the Inspector, the Secretary of State is satisfied that alternatives have been reasonably considered by the appellant. He agrees that there is no firm evidence to undermine the conclusion that there is no identifiable alternative site that could accommodate the scale and nature of the appeal proposal, although options for a lesser provision of new studio space exist (IR806).
25. Overall, the Secretary of State agrees with the Inspector's conclusion that there is a very strong, credible economic case for the proposed expansion. While recognising that there is a degree of risk arising from uncertainty, the Secretary of State accepts that the case is sufficiently compelling to be given substantial weight in support of the development (IR807).

Planning conditions and obligations

26. The Secretary of State has considered the Inspector's reasoning and conclusions on conditions (IR808–821), as well as his recommended conditions as set out in the Annex to his report (IR pages 158-165). The Secretary of State is satisfied that the proposed conditions are reasonable and necessary and would meet the tests of paragraph 206 of the Framework.

27. The Secretary of State has had regard to the submitted legal agreements, the Inspector's comments at IR822-826, national policy set out at paragraphs 203-205 of the Framework, the planning guidance and the CIL Regulations. He agrees with the Inspector's assessment at IR826 and considers that the obligations comply with regulation 122 of the CIL Regulations 2010 and can be given weight in support of the proposal.

Whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify such inappropriate development

28. The Secretary of State agrees with the Inspector's overall summary of the harms in regard to the Green Belt, the Colne Valley Park, sustainable transport and traffic at IR829-835. He also agrees that the proposal is, overall, not in accordance with the development plan (IR836).

29. The Secretary of State agrees with the Inspector's conclusion that this proposal constitutes inappropriate development in the Green Belt which is contrary to an up-to-date development plan and can only be approved on the basis of very special circumstances. He agrees too that the provisions for applying a presumption in favour of sustainable development in decision-taking set out in paragraph 14 of the Framework do not apply in this case. Nevertheless, the Secretary of State accepts that given the goal of sustainable development, the performance of the proposal in this respect is a matter to be addressed, dealing with the economic, social and environmental roles of the planning system (IR837).

30. The Secretary of State agrees with the Inspector that the design and technical aspects of the development would meet sustainability criteria, and a gain in biodiversity would be delivered. Weighing against the proposal, the Secretary of State agrees with the Inspector that the incursion into Green Belt and loss of undeveloped land would be a negative environmental effect. There would also be an adverse social impact with respect to the concern expressed in widespread local objection to such an intrusion. Conversely, with the recognised cultural contribution made by Pinewood Studios and the film industry, the Secretary of State considers that there would be a boost to this which would be a positive social aspect of the expansion (IR838).

31. The Secretary of State accepts the proposal does not fully represent a focussing of significant development in a location which is or can be made sustainable in transport terms, as sought by paragraph 17 of the NPPF. He agrees with the Inspector that the extent to which it would give rise to an increase in journeys reliant on the private car would be a negative outcome, but that an increased demand for travel is a general consequence of new development (IR839).

32. In terms of the economic dimension of sustainable development, there is a strong national commitment to economic growth and support for the film industry. The secretary of State agrees with the Inspector that the potential economic benefits of the proposal would contribute significantly to these national objectives. However, as the Inspector points out, there is no general dispensation for economic development to override the Government's continuing firm commitment to Green Belt protection. Nor is there any such provision for the film industry in particular, and the support for this is not quantified or location specific in terms of new studios

development. The Secretary of State agrees with the Inspector that the requirement for very special circumstances to be established remains applicable for any exception to be made (IR840).

33. Subject to there being very special circumstances in this case, considered below, the Secretary of State agrees with the Inspector that the proposal would be reasonably consistent with sustainable development objectives albeit with a significant reservation regarding transport (IR841).

Other considerations

34. The Secretary of State notes that the appellant has put forward four components of what are referred to as individual very special circumstances. Like the Inspector he considers these should be regarded as 'other considerations' rather than very special circumstances, which cannot be identified until the end of the balancing exercise (IR842).
35. The Secretary of State agrees with the Inspector (IR843) that in terms of the first consideration, '*delivering sustainable economic growth through the appeal scheme to a world-leading business in a priority sector for the UK*', there is a very strong, credible economic case. Turning to the second consideration, '*the absence of a credible and viable alternative*', the Secretary of State agrees with the Inspector that on the basis of the available evidence, the case on this is made out (IR844).
36. In regard to the third consideration, '*the range and scale of the socio-economic and other benefits from the appeal scheme*', the Secretary of State accepts the Inspector's conclusion that although the quantification of the benefits has not been challenged, the degree to which they are delivered would again be dependent on the extent of implementation of the full scheme (IR845).
37. In arriving at the appellant's final consideration '*the harm to the Pinewood Studios Ltd business and the creative industries sector that would arise from a rejection of the appeal proposal*', the Secretary of State agrees with the Inspector's reasoning at IR846, and agrees that in the context of international competition in the film industry, the lost opportunity would represent a harmful outcome of the development not being permitted.
38. The Secretary of State notes that while these four considerations are put forward individually by the appellant, it is clear that they are interrelated and contribute collectively to the supporting case. He agrees with the Inspector that each carries substantial weight, leading in turn to a substantial cumulative weight of considerations in favour of the proposal (IR847).

The Green Belt balance and overall conclusion

39. The Secretary of State acknowledges that extensive representations both for and against the proposal were made at the inquiry, and among the latter there is understandable scepticism about the appellant's arguments in the context of changes from earlier proposals. However, he agrees with the Inspector that the appeal is to be determined on the basis of the evidence now available and on the particular case (IR848).
40. The Secretary of State agrees with the Inspector that uncertainty relating to the future of the film industry cannot be excluded. He agrees too that risk is a feature of investment decisions, but if future demand for the proposed facilities is not as

expected, and is instead as indicated by the appellant's alternative inflation-only downside case, then the result could be that the full development is not implemented. The Secretary of State acknowledges that the anticipated benefits would then not be realised in full, while the intrusion into Green Belt and harm to the national interest that it represents would be permanent. However, he agrees with the Inspector's conclusion that the evidence indicates a strong likelihood of a level of demand such that it is possible to be satisfied that the permitted development would be taken up (IR849).

41. The Government is firmly committed to both promoting sustainable economic growth and to protecting the Green Belt. In this case the Secretary of State has given very careful consideration to the clear conflict between these aims. In considering the balance between the two national interests the Secretary of State agrees with the Inspector's conclusion at IR850 that, notwithstanding the degree of uncertainty, the potential harm to the Green Belt and the other identified harm is clearly outweighed by the other considerations. He concludes too that the characteristics of the particular site, the relationship to the existing Pinewood Studios, the individual circumstances of the film industry, and the details of the supporting economic case, taken together provide a distinguishing combination of features. Overall, the Secretary of State concludes very special circumstances exist to warrant allowing the inappropriate development, overriding the identified conflict with the development plan.

Formal Decision

42. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby allows your client's appeal and grants outline planning permission for: *the reconfiguration and expansion of facilities for screen based media, including film, television and video games and associated services and industries, comprising: demolition of existing outdated accommodation; erection of new stages, workshops, office accommodation, demountable modular buildings, entrance structures and reception and security offices, gas CHP energy centre, underground waste water treatment plant, recycling facilities, backlots and film streetscapes; external film production; creation of a new vehicular and pedestrian access from Pinewood Road, a new access from Sevenhills Road for use as both an emergency access and a secondary controlled vehicular access, access roads within the site, surface and multi-level car parking; and associated landscaping and ecological habitat creation works*, in accordance with application ref: 1300175/OUT (amended description) dated 30th September 2013, subject to the conditions listed at Annex A of this letter.
43. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the Local Planning Authority fail to give notice of their decision within the prescribed period.
44. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

45. This letter serves as the Secretary of State's statement under regulation 24(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Right to challenge the decision

46. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court within six weeks from the date of this letter.

47. A copy of this letter has been sent to South Bucks District Council and 'Stop Project Pinewood'. A notification letter has been sent to all other parties who asked to be informed of the decision.

Yours faithfully

Julian Pitt

Authorised by the Secretary of State to sign in that behalf

CONCLUSIONS

656. The numbers in square brackets in this section of the Report are references to previous paragraphs which are particularly relied upon in reaching the conclusions.

Main Considerations

657. Having regard to the Council's reasons for refusal of the application, the relevant policy context and the evidence to the inquiry, the main considerations that need to be addressed are as follows:

- i) The impact the proposal would have on the Green Belt, including openness, purposes, the use of land and visual amenity;
- ii) The effect the proposal would have on the Colne Valley Park;
- iii) Whether the development would be sustainable in transport terms;
- iv) The impact the proposal would have on highway conditions;
- v) The merits of the appellant's case for expansion of Pinewood Studios;
- vi) The planning conditions and planning obligations that are required in the event of permission being granted and the likely effectiveness of these with respect to mitigation of impacts on infrastructure and the environment;
- vii) Whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify such inappropriate development.

i) The impact the proposal would have on the Green Belt, including openness, purposes, the use of land and visual amenity

658. The appeal site lies within an area to the west of London where there is extensive designation of land as Metropolitan Green Belt. The site includes the existing Pinewood Studios on the west side of Pinewood Road. The central part of the Studios where its building development is concentrated is excluded from the Green Belt. However, the remainder of the existing Studios site to the north and south of this, and the entirety of the part of the appeal site on the east side of Pinewood Road, are within the Green Belt. The latter area of land is of a similar size to the existing Studios, extending to some 44.5ha. [10,13,76,319]

659. The proposal in the Green Belt of the East Area includes some 72,498sqm of new building development, comprising stages, workshops, offices and other accommodation. Within the West Area, a multi-storey car park and a workshop building are proposed in the Green Belt adjacent to existing buildings, as well some new development within the non-Green Belt part of the existing Studios. [15,16,76,322,325]

660. Paragraph 89 of the National Planning Policy Framework (NPPF) requires the construction of new buildings in the Green Belt to be regarded as inappropriate other than for limited, specified exceptions. There is agreement between all parties that in this respect the proposal amounts to inappropriate development in the Green Belt. According to paragraph 87 of the NPPF, inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. [64(12), 76,318,475]

661. Policy GB1 of the South Bucks District Local Plan 1999 takes a similar approach. More specifically, under policy GB4 proposals to establish new

employment generating or other commercial sites or extend the curtilages of existing sites will not be permitted in the Green Belt. The spatial strategy of the South Bucks Core Strategy 2011 aims to protect the Green Belt. The proposal is contrary to these policies of the development plan. [45,55,261,320,368]

662. Paragraph 79 of the NPPF indicates that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt openness

663. The Green Belt land of the East Area is semi-improved grassland and pasture, divided and enclosed by a number of hedges and trees, together with an area of woodland (The Clump). Other than the Saul's Farm buildings in the north corner, it is undeveloped and generally without physical structures. This includes the part historically used for landfill, which blends into the surrounding grassland. In Green Belt terms, the land has the characteristic of openness to a substantial degree. [13,42,322]
664. Although the appeal relates to an outline planning application, considerable information is available on the likely physical form of the proposed development in the East Area. There would be up to 10 new sound stages (2 of which would be workshop/stages) of up to 3,680sqm footprint with ridge heights of up to 21.5m. While smaller in area (but at maximum slightly higher) than the largest existing stage (the '007 Stage'), these would be substantial structures of an industrial/warehouse nature, as illustrated by the existing development of the Studios. There would also be other warehouses and office buildings, parking and circulation areas. Sizeable zones would remain without permanent buildings as backlot space, and such areas are within designated Green Belt on the west side of the road. Parts would also be undeveloped landscaping, especially in the southern fields, and The Clump would be retained. Overall, however, there is no doubt that the existing openness of the East Area land would essentially be lost. [15-20,80-82,322]
665. In the West Area, the proposed multi-storey car park on an existing surface car parking area and the workshop within the existing northern backlot would also erode Green Belt openness. [325]
666. The previous Project Pinewood proposal, dismissed at appeal by the Secretary of State on 19 January 2012, related to the current East Area part of the site. That scheme comprised extensive residential development (1,400 units) and other mixed uses including creative industries floorspace, but no stages. The Secretary of State agreed with the Inspector that the loss of openness from the development would not only be visually apparent, but would all but destroy the concept of the site as part of open Green Belt land. There are considerable differences in the nature of the development now proposed, including that Project Pinewood included relatively dense housing whereas there would be a spread of individual buildings in the current scheme. However, that assessment also validly applies to the present proposal. [39-41,82,323]

Green Belt purposes

667. Paragraph 80 of the NPPF sets out five purposes served by Green Belt, and the proposal as it relates to the Green Belt falls to be assessed against these.

To check the unrestricted sprawl of large built-up areas

668. There is agreement that the proposal constitutes a form of urban sprawl that this purpose is seeking to constrain. Iver Heath, together with the central part of the existing Studios excluded from the Green Belt, do not in themselves comprise a large built-up area, but lie between the urban masses of Uxbridge on the edge of London to the east and Slough to the south-west. The Local Plan describes this area as the most seriously fragmented of the Metropolitan Green Belt, and such fragmentation was recognised by the Project Pinewood Inspector. The Local Plan also sets out that the whole of the Green Belt is important in order to keep these larger urban areas in check, and not just those parts of it immediately adjacent to them. The defined and relatively robust nature of the boundaries to the proposal therefore does not negate the additional urban sprawl that would result. [86-87,318-319,327]

To prevent neighbouring towns merging into one another

669. Conflict with this purpose is also agreed. The development would not in itself result in the merger of towns, but that would rarely be the outcome of any single proposal. Fairly extensive open tracts of Green Belt would remain between settlements. However, that between this part of Iver Heath and other settlements would be reduced, and having regard to the fragmentation of the Green Belt in the area, the conflict with this purpose would be significant. This was the conclusion of the Secretary of State on Project Pinewood. [89-90,328]

To assist in safeguarding the countryside from encroachment

670. There is agreement that the proposal would be a significant encroachment in this respect. The East Area land is properly regarded as countryside, despite the historic landfill of part and the relatively low-key agricultural use. [13,91,329]

To preserve the setting and special character of historic towns

671. There is no dispute that this purpose is not relevant to the case. [92]

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

672. The appellant's contention that there is no conflict with this purpose is based on the argument that the development is geographically fixed with no alternative location or scope for disaggregation. In the context of a similar argument made on Project Pinewood, the Secretary of State agreed with the Inspector that the effect of the proposal was less clear-cut than the assessment on the other purposes. In the absence of specific identified alternatives to the proposal that would involve the recycling of urban land, it is difficult to regard a negative outcome on this purpose as being more clearly established than with Project Pinewood. Conversely, the potential indirect/secondary effects of the scheme would also be uncertain in terms of the nature of land that might benefit from any associated new development, and this factor carries little weight. Overall the proposal cannot be said to materially advance this purpose. [93-95,330,455]

Beneficial use of the Green Belt

673. According to paragraph 81 of the NPPF, enhancement of the beneficial use of Green Belt should be sought. Examples given are looking for opportunities to provide access and for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

Access, outdoor sport and recreation

674. There are no existing public footpaths in the East Area, and this is private land without rights of access despite the local use that has been made of it in the past. [13,595]

675. The proposal provides for a network of pedestrian routes through the southern part of the East Area and The Clump woodland, and along the southern and northeast boundaries, which would be for controlled public use. The existing public footpath alongside the M25 is affected by road noise. Although such noise is not unusual in this area of the Green Belt, the proposal would provide a part alternative to this. It would also create a new pedestrian route alongside Sevenhills Road. The footpaths would not be set in open countryside and the nature of the provision would reflect the security requirements of the Studios. In addition, the development is not an essential prerequisite for access to be allowed through permissive paths. Nevertheless, the certainty of provision would be a gain in terms of access and recreation that can be given some weight in favour of the proposal in line with this beneficial use. [24,96-97,331-332]

Biodiversity

676. The expert evidence, including consultee responses, confirms that the proposal would provide for a net gain in biodiversity within the site and enhanced habitats off-site. This also carries some positive weight. [64(23),98,346]

Damaged and derelict land

677. Previous restoration of the part of the East Area affected by landfill has taken place. The Project Pinewood Inspector found that the East Area was not damaged or derelict, and there has been no subsequent change in this respect. The proposal would provide no benefit on this matter. [13,333]

Landscapes and visual amenity

678. The effect of the proposal in relation to landscape and visual amenity overlaps with the effect on Colne Valley Park, which follows below as the second main consideration. Under the current heading the matter is addressed in general Green Belt/landscape terms, with the specific objectives and policies for the Park dealt with below.

679. There is an up-to-date (2011) Landscape Character Assessment for the District. The site falls within a landscape character area identified in this as being one in which the landscape is largely dominated by settlement and existing development, including Pinewood Studios, and with characteristics of discordance and fragmentation. Nevertheless, open views across fields are also a feature which the guidelines in the document seek to maintain, together with

conservation and management of hedgerows within an agriculturally dominant landscape. [104,335,337,341]

680. Consistent with this there are currently open views across the fields of the East Area. These views are especially from around the junction of Sevenhills Road with Pinewood Road at the north-west corner of the site, from the rear of Pinewood Green, and through hedges along Pinewood Road. The latter was confirmed by my site visits, although the degree of visibility will vary on a seasonal basis with the thickness of the vegetation. The views are of open, agricultural type land. [7,336,342]
681. The proposal includes an extensive set of landscaping measures, including substantial ground shaping and tree planting in the East Area. However, the primary purpose of this would be to screen the development. In that respect it seeks to mitigate the impact of the development, and there is no evidence to suggest that the landscaping would represent an enhancement of visual amenity in its own terms. [27,103,334-335]
682. The screening would be by way of bunds up to 5.5m high along sections of the site boundaries together with new planting. Bunding is not characteristic of the area, and the effect of such enclosure would be to reduce the existing open views across fields which the guidelines seek to maintain. This would be particularly so as seen from the north-west corner of the East Area, where the existing low gradient would be replaced by a relatively steep bund with some glimpses of buildings beyond. Along Pinewood Road the existing sky views would be retained, but long views through the boundary hedge would be lost. An erosion of rural character would also result from retained hedgerows no longer being within an agriculturally dominant landscape but largely between developed plots, contrary to the guidelines. In the views in which the proposed buildings would appear, due to their size and nature the development would be perceived as having the character and appearance of a business park, in contrast to the existing undeveloped and open landscape. The new buildings in the Green Belt of the West Area would, with new landscaping, be more satisfactorily assimilated in visual terms due to the existing built context. [100-104,335-344]
683. The appellant's application of established landscape and visual impact assessment methodology is not in dispute. The key test is not the effect of the proposal on the site itself but on the surrounding area. The East Area is relatively well contained within the landscape and the effect on long-distance views would be minimal, with only one such viewpoint identified, from where the development would not easily be perceived. The appellant assesses that the effect of changes in near views would also be limited and in character with the surrounding landscape, leading to a finding of no more than slight adverse impact on landscape and visual amenity. [64(16),100-103,335-344]
684. However, this conclusion reflects an over-emphasis on the existing negative features of the landscape, in particular the effects of built development, and underplays the features of open views and agricultural dominance that the District's Landscape Character Assessment also identifies and seeks to promote. Having regard to this, the outcome would be more than slight adverse, although not as much as the significant adverse contended by the Council, which over-concentrates on the change that there would be within the site itself. Moderate adverse would be a reasonable description of the effect, resulting in conflict with

policy EP3 of the South Bucks Local Plan due to the impact on landscape character. [53,261,368]

Conclusion on Green Belt

685. In addition to harm to the Green Belt by definition as a result of the inappropriate development, the proposal would therefore give rise to Green Belt harm by reason of loss of openness, clear conflict with 3 of the 5 Green Belt purposes, and a moderate adverse effect on landscape and visual amenity. Minor Green Belt benefits would arise from new footpaths and gains to biodiversity.
686. Concern has been expressed about precedent in terms of further proposals that might follow from approval of the appeal development and consequent difficulty of resisting these. Given the unique circumstances of the proposal, and consistent with the conclusion reached in the Project Pinewood case, the weight of policy considerations applicable to proposals for development in the Green Belt would not be diminished should planning permission be granted. [88]
687. Nevertheless, protection of the Green Belt is a national policy objective to which great importance is attached. As part of that, permanence is a key element. There is strong local recognition of the value of Green Belt and objection to the proposal on this ground. Paragraph 88 of the NPPF requires that substantial weight be given to any harm to the Green Belt. While the appellant and the Council identify some differences in their respective approaches to analysing the harm in this case, there is agreement (recorded in the Statement of Common Ground) that the scale of harm arising from the conflict with Green Belt policy is "*substantial and adverse*". That is a fair statement of the position, but it is important also to emphasize the geographical extent of Green Belt land that would be affected. The proposal represents a very large swathe of development in the Green Belt, which would approximately double the area of the existing Pinewood Studios and to a large degree replicate its existing physical form on undeveloped Green Belt land. The harm to the Green Belt in this case, and the conflict with the development plan in that respect, is therefore a matter that should be accorded very serious weight in the decision. [64(13),77-79,271,318-321,324,374-376,571-635]

ii) The effect the proposal would have on the Colne Valley Park

688. The entire site lies within the Colne Valley Park, which is a sub-regional level landscape designation. The Park provides an important area of countryside to the west of London. [64(15),107,347]
689. Core Policy 9 of the South Bucks Core Strategy 2011, which sets out aims for the conservation and enhancement of the landscape characteristics and biodiversity resources of the District, is relevant. As set out above, there would be a net gain to biodiversity, and therefore the objectives of the policy in this respect would be achieved. With regard to landscape character, as also concluded above there would be moderate harm and conflict with the guidelines of the Landscape Character Assessment. The policy allows for exceptions where the harm is outweighed by the importance of the development or the development cannot reasonably be located on an alternative site. As already indicated, that is an assertion in the appellant's case, which will be considered further below under the case for expansion. [47,112-113,118]

690. Core Policy 9 specifically seeks to improve the rural/urban fringe through initiatives in the Colne Valley Park Action Plan. That document is expired, and there is agreement that the proposal should be assessed against the six objectives established by the Colne Valley Park Community Interest Company. This is carried out as follows. [117,119,348]
691. *To maintain and enhance the landscape, historic environment and waterscape of the Park in terms of their scenic and conservation value and their overall amenity.* With the moderate harm to landscape as set out above, there is material conflict with this objective. [120,348]
692. *To safeguard existing areas of countryside of the Park from inappropriate development. Where development is permissible it will encourage the highest possible standards of design.* On the basis of the proposal comprising substantial inappropriate development in the Green Belt, there is significant conflict with this objective. [121,349]
693. *To conserve and enhance biodiversity within the Park through the protection and management of its species, habitats and geological features.* The ecological measures in the proposal would meet the aims on biodiversity. [122,350]
694. *To provide opportunities for countryside recreation and ensure that facilities are accessible to all.* This would be achieved by the new permissive paths which, although not in open countryside, would to a large extent be set in the retained open areas of grassland and woodland and outside the parts of the site with new buildings. [123,350]
695. *To achieve a vibrant and sustainable rural economy, including farming and forestry, underpinning the value of the countryside.* While the proposal would create significant employment on the site, and generate off-site supply-chain benefits, it would not form part of the rural economy in terms of a need for or appropriateness of a rural location. The proposal does not therefore gain support from this objective. [124,351]
696. *To encourage community participation, including volunteering and environmental education. To promote the health and social well-being of benefits that access to high quality green spaces brings.* The access improvements would be consistent with this objective. [125,351]
697. In overall terms, the proposed substantial physical development within a large area that is existing countryside would have a significant adverse effect on the Colne Valley Park given the essential countryside protection and enhancement objectives underlying this. This is despite the evidence that there has not been a trend of erosion of compatible uses within the Park, or that some expressed concerns are based on anticipated future large-scale infrastructure developments rather than previous developments. Similarly, the funding contributions made by the appellant towards the Park, while these can be regarded as beneficial to its operation, do not negate the substantial incursion into countryside. [126-129,352]
698. The Inspector in the Project Pinewood appeal noted that, if the positive aspects of the proposal were concluded to clearly outweigh the harm to the Green Belt, then the same considerations would equally apply and outweigh the harm to the Colne Valley Park. That approach is endorsed by the main parties in this case

and can be adopted, and applies similarly to the application of Core Policy 9. In addition, the Council accepts that the negative impacts on landscape and visual amenity that it identifies would not in themselves justify a withholding of permission. Nevertheless, there would be significant harm from the development to the Colne Valley Park. This is to be weighed in the balance, but with the proviso that, to the extent that the harm relates to landscape, it is the same as that identified under Green Belt impact rather than being additional. [109-111,130,261,345,352-353,472]

iii) Whether the development would be sustainable in transport terms

699. The Council's reason for refusal on sustainable development grounds focuses on the degree of accessibility of the site. [3,132]

700. The site is located in an area to the west of London that is well served by rail lines and stations, and significant improvements to services will be brought about in particular by the advent of Crossrail in 2019. Evidence shows that workers travel to Pinewood Studios from across an extensive geographical area. This factor, reflecting the particular skills employed, can be expected to continue with the proposal, and apply to the new employment that would be generated at the site. In this respect the general location within an area with such good rail connectivity is beneficial for the potential use of public transport by workers, and also by visitors. [9,141,149,361]

701. However, the site itself is in a semi-rural location which is relatively remote from public transport facilities. The nearest station (Langley) is 5km away. No bus routes pass the site, and the nearest bus stops are 1.2km away. There are no dedicated cycle routes to the nearest stations. The scale of the appeal scheme would generate extensive additional travel. The proposal in this respect does not accord with the objective included in Core Policy 7 of the Core Strategy of focussing new development that generates substantial transport movements in locations that are accessible by public transport, walking and cycling, and is similarly in conflict with Core Policy 10 on employment. [3,46,48,140,156,357,368,513,516]

702. The shortcomings of the location in terms of public transport were identified by the Project Pinewood Inspector. She found that the site is in an "*inherently unsustainable location*", as recognised in the Core Strategy settlement hierarchy. The Secretary of State adopted that description. It was given in the context a proposal for mixed use development which included a substantial residential component, and therefore reflected access to facilities needed by residential occupiers as well as journeys to work. The sustainability of the location for the current proposal falls to be assessed on the basis of the specific development contents and transport-related improvements put forward. [133,136-138,354-355,357]

703. Nevertheless, to the extent that the description reflected the quality of public transport facilities in the near vicinity, it gives a general measure of the nature of the location within a policy framework of seeking more accessible sites for major development.

704. A central part of the appellant's case is that the proposed development is not footloose, in that it can only be located adjacent to the existing Pinewood Studios. This contention is to be considered below in the later examination of the

merits of the case for expansion. However, it can be noted at this stage that no specific potential alternative locations for the development have been put forward, and therefore there are none to provide the basis for a comparison of public transport accessibility with the appeal site. Conversely, little weight can be given to the appellant's argument that the appeal site location is preferable in transport terms to any alternative, in view of the assertion that it would not take place other than here. In addition, there is no firm evidence to support the claimed transport sustainability benefits of a co-location of existing and new facilities on the basis of film making being an integrated process, for example by way of specific information on trip patterns and lengths. In this situation, the relative sustainability of the proposed development at the appeal site by comparison with other possible scenarios, having regard to the requirement of paragraph 34 of the NPPF, cannot effectively be tested. The only matter that can be assessed is the transport sustainability of the proposal in more absolute terms. [155-156,365,455,481]

705. The most recent information indicates that some 87% of existing workers at the Pinewood Studios site travel to it by car (including 5% car share). Only 2% cycle and 1% walk. A combined figure of 8% is given for rail/underground/bus/shuttle bus. The latter element of this is PSL's own free service that has been operating a link with Uxbridge and Slough stations since 2005. This is a valuable provision towards facilitating rail journeys, and with 50,000 trips made by the shuttle bus in 2012 it is a significant contribution to sustainable transport. However, there is some evidence that the number has more recently fallen, or at least not been rising. [140,151,154,359,363,479,487-488]
706. Even without clear comparative examples, the 82% proportion of single car occupancy journeys can be regarded as reflecting a heavy reliance on the private car as opposed to more sustainable modes. PSL's description of the existing modal split as "*encouraging*" in sustainable transport terms is the best that is claimed; the breakdown is not indicative of a site that is well served by public transport. This is irrespective of the on-site facilities that are available to workers. [131,151,154,363,478-480]
707. The proposal puts forward a raft of measures aimed at achieving a sustainable modal shift in association with the new development, comprising both funding for new provision and promotional support including through a Travel Plan. However, the success of these measures is likely to be somewhat limited. Although a relatively large population lives within walking distance, the geographical distribution of the Pinewood Studios workforce suggests that there is little potential for a material increase in the proportion of pedestrian trips. The proposed cycleway provision would make cycling safer and more pleasant, and offers more promise. However, with the relatively low percentage cycling at present despite the numbers living within the cycling catchment area, even a large increase in proportion would not bring about a major change. In addition, the Pinewood Road footway/cycleway is not required to be completed under the planning obligation on this matter until a substantial amount of the new development is occupied. [142,146-147,358,361-362,484-486,647]
708. The proposed shuttle bus improvement, although with a maximum spend limit, offers clearer potential benefits by way of both enhancement of existing routes to

Uxbridge and Slough stations and a new link to Gerrards Cross station.
[140,148,359-360,487-489]

709. However, the only target put forward on modal shift is a 20% reduction in single car occupancy use by the time the full development has taken place (2033). Even this somewhat modest degree of change, while claimed by the appellant to be achievable, is described as challenging, and therefore there must be doubt about the extent to which its deliverability can be relied upon. Moreover, the target applies only to workers of the new development. Although existing workers could be expected to benefit from the measures, this does not indicate a high degree of confidence in changing existing travel modes.
[154,365,489,492-495]
710. Consistent with a scenario of continued substantial dependence on car travel is the proposed level of parking provision. While there are sound reasons for seeking to avoid overspill parking in nearby residential roads, the proposal for an increase in existing on-site parking that is proportionate with the scale of development, resulting in a total of 3,000 spaces, does not suggest an effective curtailment of propensity to travel by car. The limitations of public transport and a consequent high dependence on private car travel could also be expected to continue to apply to visitors to large-scale live events that are held at the Studios. [18,157,364,498]
711. The proposed transport measures have been developed in conjunction with the County Council, and are agreed by it to make the proposal sustainable from a transport perspective. However, with the continuing likely dominance of car reliant travel, the proposal cannot be fully considered to amount to a focussing of significant development in a location which is or can be made sustainable as sought by paragraph 17 of the NPPF. The proposed availability of the transport measures to members of the local community would be a welcome contribution to sustainable travel more generally, but there is no evidence on the likely extent to which this would be taken up, and only limited weight can be given to this factor. [66-68,131,134-135,152,156,158,355,365,477,481-482,490-491,496,513,515-516]
712. With around a doubling of the numbers employed at the Studios expected as a result of the proposal, based on the above analysis it would give rise to a substantial increase in journeys reliant on the private car, with a much greater number than the approved Masterplan development. This would be a negative outcome of the proposal, and a matter to be drawn into the overall balance of benefit and harm. [36,139,356,362]

iv) The impact the proposal would have on highway conditions

713. The Council has no objection to the proposal on traffic grounds, but it is a matter raised by Stop Project Pinewood (SPP) and many local parties. It can be noted, though, that SPP does not argue that traffic impact in itself would warrant resisting the proposal. [3,160,366,473,571-635]
714. The traffic likely to be generated by the development has been appropriately modelled based on surveys of the existing situation and the floorspace increase. This enables an assessment of the impact on junctions in the vicinity after the completion of the development in 2033. [161-162,497]

715. The Five Points Roundabout to the south of the site is a relatively complex junction which currently operates with pressure on capacity. The proposal would bring forward a signalisation scheme for the roundabout which would result in a significant increase in capacity. Permission has been granted for this scheme, and its implementation is the subject of a planning obligation. The modelling includes junction interactions and indicates that the upgrade would provide adequately for the additional traffic that would be generated by the development, even allowing for other new traffic taking advantage of the additional capacity. [22,23,67,164,500,647]
716. Of the other junctions tested, capacity issues arise in relation to the mini-roundabouts along Church Road and Slough Road and at the Wood Lane/Langley Park Road junction to the south of Five Points Roundabout. The analysis of the existing traffic flows shows that congestion occurs at these, as confirmed by local evidence. The appellant's Assessment 2, which adds the development traffic to the baseline, indicates that the proposal would result in additional queuing at peak hours. When an allowance for background traffic growth based on TEMPRO forecasts is made (Assessment 3), a number of junctions would exceed capacity and local congestion would worsen with the proposal. No capacity improvements are proposed for these junctions in association with the development. [164-167,501-503]
717. However, the additions to queuing would be relatively small, and the effects of the development traffic would be restricted to short periods. There is disagreement over whether it is necessary to add in the allowance for future background traffic growth. While there could be developments during the assessment period which are not currently firm proposals, the appellant reasonably points out that those which would generate significant traffic could be expected to be accompanied by their own mitigation. Furthermore, the assessments assume no modal shift away from the private car. Although achievement of the full target on this is not certain, as set out above, the potential for a degree of modal shift adds an element of robustness to the assessment by way of an over-estimate of development traffic. [165-167,499,501-503,507-509]
718. While the current proposal requires assessment on its own merits, it is also relevant to note that, as shown by Assessment 1, it would generate substantially less traffic than the Project Pinewood development. That proposal was not found to be unacceptable on traffic impact grounds. [41,163,504]
719. The planning obligations provide for the option of a secondary staff access on Sevenhills Road where identified traffic thresholds to be reached. The supplementary Transport Assessment on this indicates that, with the accompanying junction improvements at Denham Road and increased use of Sevenhills Road, this would reduce flows on Pinewood Road and Church Road, and in Pinewood Green. [22-23,168]
720. An alternative under the obligation would be funding for traffic management in Pinewood Green. Rat running through this residential area takes place, and the proposal without mitigation is forecast to add around a third extra to this. Although in traffic terms the increased number of vehicles would be modest, the effect in terms of resident sensitivity, even with mitigation, would be reasonably

classified as more than minor, although less than serious. [2,168,505-506,510-512]

721. HGV traffic is of considerable local concern. It is a matter addressed in the Core Strategy, but in relation to certain specific local sites, of which Pinewood Studios is not one. The evidence confirms that the proposal would have only a minor impact in this respect. [169,514,571-635]
722. A further local concern is with regard to parking, and in particular the potential for overspill parking in the surrounding area on occasions of there being insufficient on-site parking to deal with peak demand. The proposed level of provision, with appropriate management of events, would appear to provide the basis for avoiding such unwelcome parking on local residential roads. [18,157,497-498]
723. The County Council regards the proposal as acceptable in traffic terms with the proposed package of obligations and conditions. There is no expert assessment to counter this position. Indeed, as already noted, SPP does not argue that the proposal should be turned down on transport grounds. [67,473]
724. Advice in paragraph 32 of the NPPF is that development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe. There is no evidence that the impacts in this case would reach that threshold. However, the addition to local congestion and rat-running would be a moderate harm that falls to be taken into the overall balance. [170-171,505-506]

v) The merits of the appellant's case for expansion of Pinewood Studios

725. The proposal, totalling some 109,683sqm net additional accommodation, involves around a doubling of the size of the existing Pinewood Studios, both in term of site area and floorspace. Stage space would account for about just over a quarter of the new floorspace, with most of the remainder divided between workshop and office accommodation. Large stages are the principal component of the scheme. There would be 8 new stages and 2 stage/workshops in the East Area, with 2 further stages in the West Area. In this respect the proposal differs considerably from the Project Pinewood scheme, which included film set streetscapes but no actual new stages. The appellant advises that the additional stage space would enable Pinewood Studios to increase its current capacity of handling 2 big budget productions at any one time to 4. Some flexibility is indicated here by reference also to accommodating high-end television production as well as films. [16-17,39-40,200,202,385,406]
726. The appellant in support of the proposal argues that the new development represents a nationally important element of infrastructure, that there is no alternative to it, and that substantial benefits would flow from the development and, conversely, there would be disbenefits from a withholding of permission. Similar arguments were made in the Project Pinewood case. That may have a bearing on the weight given to some aspects of the supporting case now put forward in the context of differences in the content of the schemes, but the current proposal nevertheless falls to be assessed on its own merits. [192-193,272,385,546,562-563]

Role of Pinewood Studios

727. As recorded in the Statement of Common Ground (SoCG), there is extensive agreement on the profile and status of Pinewood Studios. The SoCG identifies it as the only production complex of its size, scale and international profile in the UK. It is agreed to be a leading provider of film, television and related services to the global film and television industry, and is ranked in the top three studio facilities in the world. Pinewood Studios has in recent years had a particular prominence in large budget film productions (over \$100m budget). As well as one of the most comprehensive ranges of production facilities on one site, Pinewood Studios offers a collection of related businesses which provide equipment and services to the creative industries. [64(4,5,6),178-180,383,549]
728. It is also common ground that the core film industry makes a substantial contribution to the UK economy, with Pinewood Studios an essential component of this industry. As such there is agreement that Pinewood Studios generates significant economic activity for the UK and has and will continue to be a major contributor to the Government's economic policy objectives. [64(7,8),181]
729. The eminence of Pinewood Studios within the film industry is attested to by a number of letters from major Hollywood film studios and industry bodies, demonstrating a high regard for it as a provider of premium studio space and supporting facilities. Its leading status is echoed in many other representations and statements, and the valuable local economic role it performs is highlighted by the Local Enterprise Partnerships. [175,631,634]
730. The importance of Pinewood Studios is expressly acknowledged in the development plan. Paragraph 10.17 of the South Bucks District Local Plan states that the site is of national and international significance for the production of films, and that the retention of this unique site for film production is extremely desirable. Similarly, paragraphs 1.2.28 and 2.2.23 of the South Bucks Core Strategy recognise the national and international importance of Pinewood Studios as a location for film and television production. [50,52]

National policy on the economy and the film industry

731. Key statements of Government policy, both in written and spoken form, attach great significance to the delivery of sustainable economic growth. In terms of the translation of this into planning policy, the NPPF identifies the important role that planning should play in supporting economic development and growth. Paragraphs 17, 19, 20 and 21 in particular have been referred to in this respect. [60-61,182,193,263]
732. In addition, the National Infrastructure Plan 2013 highlights the importance of infrastructure to growth. [192]
733. The relationship of these economic objectives with Green Belt policy, and the balance to be struck in a particular case, will be considered below in the final concluding section of the Report. [320,371,517-519]
734. More specifically in relation to the UK film, television and screen-based creative industries, the SoCG notes that policy for these is set collectively across several Government departments including HM Treasury, the Department for Business, Innovation and Skills and the Department for Culture, Media and Sport. Again, a range of relevant reports, speeches and statements is identified. There

is no dispute that the thrust of the policy framework is to attach high importance to the creative industries, and specifically film, to the economy. In quantitative terms it can be noted that the overall contribution of the industry to UK GDP, employment and tax revenues for the year 2011 was: (a) a total of 117,400 FTE jobs; (b) a contribution of over £4.6 billion to UK GDP; and (c) a contribution of over £1.3 billion to the Exchequer (gross). [62-63,64(7),182-191,264-265,378-379]

735. In summary, the collective policy has the objective of attracting film and television production to the UK and encouraging the development of the UK film and television industry. A key aspect is the use of a favourable tax incentive regime to attract inward investment. The long-standing incentives relating to film production have recently been extended to what is known as high-end television. The Autumn Statement of 2013 emphasises the importance of the creative industries as an industrial sector offering significant growth opportunities. Adjustments have been made to film tax relief to increase the attraction of the UK and additional funding is in place for the National Film and Television School, with skills provision an important element of the support. [183-186,190-191,254]
736. The locational dimension of the film-industry policy, including with respect to the Green Belt, is again left for later consideration in the Report.

Capacity

737. That there is a current capacity issue in the UK film industry, specifically in terms of a shortage of studio stage space to meet present demands for film and high-end television production, does not appear to be in contention. [194,383]
738. Indeed, the Council states explicitly that it is no part of its case to dispute the need for additional capacity to service the film and television industry. In this context it argues that it has actively encouraged development at Pinewood Studios to enable it to compete in its international market, with the planning permission granted for the Masterplan in 2006 and subsequent developments referred to in that respect. [36-38,383]
739. The existing pressure on stage space capacity is substantiated by a range of evidence. There are a number of film industry letters from major film-makers who are the main users of Pinewood Studios referring to difficulty in securing facilities. The British Film Commission and Film London as authoritative bodies make reference to business being lost from the UK as a result of inadequate production space. In addition, the operational evidence of the appellant indicates the degree to which the existing facilities at Pinewood Studios are occupied to what can reasonably be regarded as full capacity. The House of Commons Culture, Media and Sport Committee recently noted that a lack of studio space is already resulting in the loss of international inward investment, and the Government's response to its report acknowledges this concern and the importance of addressing it. The overall picture of such pressure on capacity is convincing. [174-175,183-184,190,194-195,202,387,540]
740. In spite of its acceptance of a current capacity issue, the Council nevertheless questions the extent of this. It correctly points out that none of the sources of evidence referred to above quantify the degree of shortfall. There is also no quantified target for additional studio space set out in Government policy. In

relation to the capacity specifically of Pinewood Studios, it also reasonably argues that the multiple booking of future productions, put forward as an indicator of excessive demand, appears to be a normal business practice. Further, it is fairly noted that the Project Pinewood scheme, containing no stage space, was pursued at a time when Pinewood Studios was similarly operating at stage space capacity, implying that this was not then assessed as a critical issue. [373,382,385,387-388]

741. The Council goes on to suggest that there may be around one big budget film a year presently being lost to the UK for capacity reasons. The anecdotal nature of the evidence does not enable a firm view to be reached on the accuracy of this estimate of the current situation, although no other estimate has been put forward. [195,390]
742. However, it is clear that the appeal scheme is intended to provide additional capacity for the longer-term rather than simply respond to a short-term situation. Thus, the appellant advocates it as a desirable alternative to a 'hand-to-mouth' incremental approach that makes use only of the existing Pinewood Studios site. The proposed development has an anticipated 15 year delivery timescale commencing in 2015, with substantial ground works to take place before any new stage space would be completed. The need for capacity that the proposal seeks to address is therefore one which it is contended by the appellant would arise in the longer term, and the scheme is not put forward just to deal with an existing immediate pressure on facilities. [27,31-32,247,292,304,384,391]
743. On the Project Pinewood proposal, the Secretary of State, agreeing with the Inspector, found that there was an absence of tangible data or evidence of demand for the streetscapes included within that scheme. The appellant, in the light of that background, states that the importance of providing a robust evidence base in support of the current proposal has been recognised. Although it appears that the Pinewood Board determined the basic scale of the proposal prior to the receipt of specialist business advice, the case now put forward by the appellant is underpinned by relevant analysis, and it falls to be assessed based on that evidence. [201,386,565]
744. The appellant's quantification of future demand for studio and related floorspace and the potential benefits of this is now examined in that context.

The appellant's analysis

745. The appellant's analysis is essentially in two parts. The first is an assessment of UK film production expenditure growth over the period 2012-2032 (by PricewaterhouseCoopers). The second is a translation of this projected growth into a quantification of requirements for space (by Amion). [173]
746. There are separate growth projections based on three different scenarios. The first is an 'inflation only case', in which growth is at a long-term estimate of inflation. This would require no increase in studio capacity. The appellant regards this scenario as highly unlikely given historic growth rates. [205]
747. In the second, growth is based on trends in broader entertainment and media spending growth. The appellant treats this as the 'base case' on which it is said the highest degree of confidence can be placed. In real terms (2013 prices) total UK production expenditure is predicted to grow by £699million, an increase of

62% over the 20 year period. This is translated into a demand for an additional 74,296sqm of stage floorspace, with a further demand for an additional 111,444sqm of ancillary space (including workshops and production offices). This leads to a total projected demand of around 186,000sqm of additional production-related space (stage and ancillary). [205,215,224-226]

748. The third scenario is a '17% UK market share case', in which UK-produced productions increase their share of global film box office receipts from 14% to 17%. The appellant regards this scenario as representing an outcome at an upper end of a range of reasonable assumptions. Under it, total UK production expenditure would grow by £1,062 million (94%) by 2032, requiring a total additional production-related floorspace of 282,000sqm (112,879sqm stage space and 169,318sqm ancillary space). [205,213,215,224-226]
749. A further part of the appellant's case is an assessment of the economic and employment benefits expected to flow from the development. These are (at 2012 prices): private sector investment of some £194million; some 3,100 net additional jobs at the national level including multiplier and other wider effects; £149m net additional GVA per annum at UK level; net additional contributions to the Exchequer of £36m; net additional exports of £37m. More generally, it is argued that the proposal would help to ensure that Pinewood Studios remains one of the premier global studio brands, and contribute substantially to the continued success and growth of the UK's creative industries, a key driver in the Government's Plan for Growth. [227]
750. Criticisms have been made of various aspects of the appellant's analysis, with associated doubts raised by the critics about the reliability of the projections which underlie the proposal. These are now considered under relevant sub-headings.

Uncertainty and the value of long-term projections

751. The first matter to deal with relates to the general value of longer term projections of the film-production industry given its particular nature. As indicated by the first step of the appellant's analysis, involving a review of historical UK film production expenditure, there is a significant year on year variation in this, driven largely by the particular timing of filming schedules for big budget films. Expenditure is dominated by a relatively small number of such films, which are critical to overall film production expenditure in the UK. These involve inward investment, which is essentially governed by decisions of the major Hollywood studios. [207,417-418,430,432,520-523,537-538,558-559]
752. In this context attention is also drawn by critics to the apparent shifts in the appellant's own expectations of future demand, having regard to the promotion of the 2006 Masterplan and subsequent modified proposals and the absence of new stage space in the Project Pinewood scheme. [384-386,435-437]
753. The Council's written evidence included the suggestion that, in these circumstances, any projection beyond a 5-year horizon should be rejected or substantially discounted. However, large-scale capital investment projects are dependent on financial returns over a long period. As such they require a view to be taken on likely demand levels some time into the future, as recognised in the National Infrastructure Plan. The Council's submissions finalised its position on this point as advocating a need for very considerable caution in attaching any

significant weight to projections of demand beyond 2020. Determining the weight to be attached to such projections is a reasonable approach, rather than simply rejecting the use of long-term projections because of uncertainty. Clearly the time period and uncertainty involved will affect the degree of confidence that can be placed on projections to 2032, but the exercise of assessing long-term future demand has essential value in capital project planning.
[192,222,242,244,383-385,394,435-437]

Calculation of the base year figure

754. The base year expenditure figure for the projections (attributed to the starting point of 2013) uses a four-year average drawn over the period 2009-2012. These four years include both a peak figure (2011) and the following year of 2012 with a substantially lower expenditure level. Although criticised as being too short a span, the four year average provides a reasonable foundation for a base figure given the record of underlying growth over a long period and year-on-year fluctuations within that. [209,426-428]

Relationship between GDP, E&M spend and film production expenditure

755. The appellant's top-down modelling approach derives projections for overall market growth, before disaggregating into more specific components of the market. The disaggregation assumes that the relationships between GDP, Entertainment and Media (E&M) spend and film production remain stable over the projection period. The appellant regards this as a reasonable assumption, primarily due to the strong historical relationships between these variables.
[204,219]

756. No specific criticism has been made of the assumed rates of global and UK GDP growth, which are derived from well-established sources. In addition, no reasoned objection appears to have been raised to the projections of total E&M spending based on the historic relationship between this and GDP growth. This includes with respect to the appellant's downward adjustment of 0.5 percent to allow for historical growth in both UK and global E&M spending being slightly below the equivalent growth rate of nominal GDP. [207,210]

757. Strong criticisms, however, have been made of the assumptions regarding the filmed entertainment spending share of total E&M spending. The share averaged around 6% at global and 7.5% at UK level between 2000 and 2011. The appellant acknowledges that these shares are currently trending downwards as other forms of media entertainment out-grow film, but argues that some faster growing media types such as video games require studio facilities and so are likely to contribute to future studio based production expenditure. A downward adjustment of 0.5 percent was made to the historical average of filmed entertainment as a share of total E&M spending for use in the long-term projections. While in practice this share is expected to vary on a yearly basis, as particular forms of media gain and lose popularity, the appellant considers that over the longer term it is reasonable to assume that the share is constant.
[211,393,395]

758. The criticisms identify a number of areas of uncertainty in this respect.

759. There is no firm evidence to corroborate the appellant's assumption that video games and other media types will make up for a declining share of filmed

entertainment and require studio facilities in the same way. The precise effects that digitisation is likely to have on the industry are hard to predict. In this respect the appellant explicitly acknowledges a further assumption that there will be no major technological development that fundamentally changes the way in which films are produced. In support of this it is argued that technological developments in the film industry in the recent past have had greater impact on the distribution and consumption of film than on its production. [211,221,256,396]

760. A number of relevant considerations that could affect the reliance on this assumption have been referred to. The Hollywood Studio model has traditionally given the producers of films a high degree of control over the means of distribution as well as production. A loss of control over distribution as a result of digital delivery and the potential detriment to income of producers in this respect could have unknown effects on film production spending growth. Fair parallels with the substantial effects of distribution changes on the print and music sectors have been drawn. The potential impact of piracy at an international level as a significant threat to profitability is also an unknown. [397-404,521-523]
761. Another notable current change involves new forms of production and distribution with an emphasis on speed of production and consumer access. Such technologically driven models, especially linked to the internet, are unlikely to involve the budgets and studio requirements of traditional films. The historic closure of many film studios at the time of the introduction of television has been cited as a previous episode of change associated with technological development. [400-403,534]
762. As well as the potential effects of these new developments on traditional Hollywood studios, their model of film production itself is subject to evident pressures. The unpredictable fortunes of individual big-budget films at the box office is not a new matter. However, current concerns about budgets, constraints on launch dates/release windows, and competition within the market are potential factors that could limit future expansion of production expenditure. While the information available from the studios is anecdotal in this respect, it supports that there is pressure on budgets and does not provide any firm indication of an increasing number of blockbuster films, with no guaranteed pipeline of such films. There is also evidence of funding constraints on middle budget films (\$30-49.9m). [414-423,525-528,533,537,560]
763. Set against these uncertainties in the film sector, there is clear evidence of growth in high-end television production, although there is some doubt about the assumed contribution of this to overall growth in the appellant's analysis and the degree to which it requires premium studio facilities. The potential for expansion in film production internationally, with China in particular cited, provides support for production expenditure growth at global level. [183,194,251-253,259,406,408,412,425,527-528]
764. Turning specifically to the UK share of production expenditure growth, a further assumption acknowledged by the appellant is that both this (and Pinewood Studios' share of the UK market) will remain stable over the projection period, with the UK maintaining its existing share in the base case. The appellant recognises a possibility that global investment in both facilities and other film production requirements will outpace the UK and therefore present a risk of loss

- of market share to the UK. However, it is argued that the UK film production industry has demonstrated strong growth over a long period, and that a range of competitive drivers are favourable for the UK. [220]
765. Countering this confidence is that the UK is relatively exposed to big budget film productions given the degree to which these contribute to inward investment, which is the major share of total expenditure. There is therefore a risk factor associated with the future prospects of such productions, with Pinewood Studios seemingly exposed in this respect based on its existing and assumed continuing business profile. [429-430,436,536-540]
766. However, tax incentives appear to be secure, and have also been extended to high-end television productions. These incentives have played an important role in attracting inward investment and can be expected to do so in the future. This is particularly so given the recognised skills base available in the UK which is also an evident attraction. Uncertainty arising from exchange rate fluctuation appears to be only a minor factor in affecting inward investment. The recent co-production treaty with China provides evidence of the scope for the future prospects for the UK share of global expenditure to be reinforced by expansion into new markets, even as a two-way exchange. [186,254-255,259,301-302,378,408,531-532]
767. Extensive development of new studios is taking place in many countries, including by the Pinewood Group. However, the base case projections allow for the growth of foreign studios as the international market expands, with only the upside projection providing for a relative increase in the UK market share (from 14% to 17%). In addition, such global investment demonstrates an international confidence in film production expenditure growth. [213-214,220,243,429,530]
768. Taken overall, a number of uncertainties in relation to future film expenditure have been identified, which generally have been acknowledged by the appellant. There has been no attempt to specifically quantify the potential individual effects of these factors, which is not surprising given their evolving and interactive nature. The difficulty of modelling the variables provides methodological support for the logic of the appellant's top-down approach to projections. [204,422]
769. Nevertheless, in the face of the uncertainties, the question is the degree to which the appellant's projections derived from a top-down assessment can be regarded as robust. Supporting that they are, it can be noted that the 2013-2032 average projected growth rates under both the base case (5.1%) and the 17% market share case (6.1%) are significantly less than the recent average historical growth rate of 9.6% (2002-2011). For the base case, it is also below the average growth rate for the period 2002-2012 of 5.3%, which included the materially lower level of production in 2012. These figures also substantiate the appellant's view of the inflation-only case as a very conservative scenario, and it can be regarded as one which provides a reasonable encompassment of downside risks. [205,217,407,431-434,522,535]
770. In addition, the reasonableness of the appellant's forecasts has been endorsed through independent expert assessments. Specifically, these comprise a review carried out for the Council at application stage by Gina Fegan; one by Hasan Bakhshi which was commissioned by the appellant as part of the appeal; and a third review by the Research and Statistics Unit of the British Film Institute, referred to in its appeal representation. There is no questioning by the Council of

the authority and relevant expertise of these reviewers. In summary they advise that the appellant's forecasts provide a fair assessment of likely future performance, which takes into account the risks arising from uncertainty. While seemingly optimistic, the appellant's assumptions are confirmed as providing a reasonable basis for a realistic base case forecast. Although the sources of uncertainty have been well articulated in the cases of the Council, SPP and others, there is no alternative countervailing quantitative assessment. Overall, the base case projection of future expenditure growth can be given considerable weight. [229-236,377,393,396,405,411,429,434,464,522,535,544]

Translation of expenditure growth to stage space and ancillary space

Stage space

771. Following preparation of the expenditure growth projections, the appellant has assessed the additional stage space requirements expected to arise from the additional UK expenditure. The calculation involves applying the percentage increase in film production expenditure over the period 2013-2032 to the combined floorspace of the existing 12 UK studios that are able to accommodate major film making. From this are derived estimates of the additional floorspace required. [224,438]
772. Studio costs (excluding set construction) are generally between just 4% and 6% of total film production spend. The appellant's calculation assumes a fixed relationship between studio costs and total expenditure, so that demand for this rises by the same proportion. It is suggested in criticism that price sensitivity and budget restraints would require an increase in efficiency of use of studio space over the projection period. Nevertheless, there is no evidence of such a change in the relationship. [228,439-441]
773. High-end television does not necessarily require premium stage space of the type that is proposed in the appeal scheme. There is evidence of the current use of cheaper facilities, including space built for other purposes that is converted to studios. It is also not established that video games making has extensive stage space requirements. These factors lead to some reservations about the likely reliability of the appellant's stage space demand projections. [409-412,541-542]

Ancillary space

774. Demand for additional ancillary space (including workshops and production offices) in the appellant's analysis is derived by applying what is said to be the existing ratio of stage to ancillary space at Pinewood Studios of 1:1.5 to the stage floorspace projections. [225]
775. While individual film productions may require less than this ratio of provision, a sound point is made by the appellant that the needs of overlapping productions warrant the higher level, with evidence on occupation to support this. Nevertheless, reasonable doubts have been raised about the application of the fixed ratio to the entire projection period to 2032. There may well be scope for a more efficient model, as suggested by some evidence from new international studios, and especially in the context of pressure on budgets. [442-446,558]
776. Taking into account all of the above aspects of the conversion of the expenditure projections into floorspace requirements, it appears that the appellant's analysis makes no allowance for a varied outcome on the lower side.

777. However, an important point is that the appeal proposal (stage plus ancillary space) would provide for only some 38% of the required new capacity as calculated by the appellant under the base case (25% under the 17% market share case). If the base case projection is accepted as a fair reflection of the likely growth, this adds a significant robustness to the floorspace demand conversion, since under this the scheme would accommodate only a limited portion of the available national growth. As explored below, there is little by way of identified firm alternatives to the appeal scheme to provide for substantial new premium stage space. There would therefore be scope for considerable variation in the outcome of overall demand for new production space with there still being a requirement for that in the appeal scheme. In the base case it is assumed that Pinewood Studios would retain its existing share of big budget film productions in the UK (around 35%), with this share increasing only in the 17% share case. [225-226]

778. Conversely, it should be noted that under the inflation-only projection there would be no requirement for an increase in studio capacity, but a need only for existing capacity to be maintained. This can be regarded as a reasonable representation of downside risks with the proposal. In this respect attention is again drawn to the independent analyses, which endorse the appellant's base case as a realistic forecast of likely future demand. [205,229-236]

Media Hub

779. The existing combined office and workshop floorspace at Pinewood Studios is around 71,921sqm (43,586sqm + 28,335sqm), which is more than double the existing stage space (32,360sqm). This clearly exceeds the ratio of 1:1.5 for stage to ancillary space which is said to presently exist. The balance is accounted for by what is described as the Media Hub, referred to in the Statement of Common Ground as a collection of related businesses which provide equipment and services to the creative industries. The existing floorspace figure given by the appellant for the Media Hub is 24,922sqm. Deducting this from the total office/workshop space (to leave 46,999sqm) gives a ratio of stage space to offices/workshops of some 1:1.45. [11,64(5),225,445]

780. The above calculated figures of requirements for additional floorspace including ancillary space that would result from the growth projections are stated by the appellant not to include the additional floorspace required to accommodate businesses providing services to productions. The latter equate to Media Hub type businesses. The appellant asserts that it is likely there would be a substantial increase in demand for floorspace for these based on the other projections. [226]

781. No UK requirement figure is produced for this, but the proposal makes provision within the development for additional floorspace to accommodate Media Hub businesses. The appellant's information variously quantifies the extent of this as both 20,875sqm and 23,434sqm. The total combined office and workshop floorspace after the development of 134,979sqm would again be around just more than double the stage space of 63,451sqm⁸⁶⁴, and the ratio of stage to

⁸⁶⁴ Figures from CD16 drawing no P-P-004 Issue 0h (134,979sqm total is 77,531sqm office + 57,448sqm warehouse)

ancillary space after deducting the Media Hub total from the latter⁸⁶⁵ would be 1:1.4 or 1:1.37. In effect the proposal would approximately carry forward the existing ratios, with the Media Hub increased in proportion to its existing size. [16-17,445]

782. The explanation given for the inconsistency in the appellant's information is that the Media Hub floorspace would be flexible in terms of an overlap with the use of offices and workshops for immediate production purposes. As now, businesses would not be fixed in location but move around to meet the demands of particular productions and accommodate them in the most appropriate locations. Thus, in the proposed development, whilst new buildings 1.01, 1.07 (in the West Area) and, in particular, 2.30 and 2.31 (in the East Area) might seem the most obvious to be occupied by Media Hub tenants due to their relative remoteness from stages, that would not necessarily define the geographical location of the Media Hub. It is argued that there is not a clear distinction between production space and Media Hub space, but it is intended that all of the development would be subject to a restriction by condition to media use. [293-297,447-450]

783. The availability of Media Hub businesses at Pinewood Studios is evidently a valued aspect of its overall offer and seen as part of its attraction to film makers, as indicated by the various industry letters. However, there has been no modelling of likely future demand for Media Hub floorspace, other than an assumption that it should grow in proportion with the Studios and reference to a waiting list of potential occupiers. [180,200,451]

784. In addition, the degree to which it is essential for Media Hub businesses to be located at Pinewood Studios has reasonably been questioned. The evidence of the Pinewood group's own promotion of services located separately at its Pinewood and other studios, and the geographical spread of the supplier base of Pinewood Studios across London and the South East, are relevant points strongly suggesting that co-location is not essential for all potential occupiers. The inclusion of a similar facility in a proposal for expansion of Leavesden Studios is not in itself a justification for the extent of accommodation proposed in the appeal scheme. [258,297,451-454]

785. There is therefore a weakness in the appellant's justification for the extent of non-stage floorspace included in the proposal. However, the new Media Hub floorspace is limited to around 20% of the total net floorspace of the development. In addition, about 45% of the additional office floorspace proposed within the development would be sited within the West Area outside the Green Belt.⁸⁶⁶ Therefore, even if the questioning of the expansion of the Media Hub is agreed with to its fullest extent such that none of the expansion is regarded as properly justified, this relates only to a limited proportion of the overall proposed development within the Green Belt. A more measured assessment is that, with the clear benefits of the Media Hub to the overall functioning of Pinewood Studios and the additional demand for on-site facilities that it can be anticipated would arise from the new studio space, at least some expansion of it is warranted as an integral part of the overall development. [10,13,16,17,64(5,6),180,200,451]

⁸⁶⁵ 134,979sqm less 45,797sqm or 48,356sqm to give 89,182sqm or 86,623sqm

⁸⁶⁶ 14,239sqm of the total of 31,964sqm net office increase

Economic benefits

786. It is common ground that the appeal development has the potential to deliver a significant range of economic benefits at national, regional and local levels, in accordance with Government policy for sustainable economic growth and the screen-based creative industries, including skills training. Further, it is agreed that a number of the objectives of the Local Enterprise Partnership fully support the appeal proposal, including stimulating sustainable business growth and bringing forward business-critical infrastructure. [64(10,11),464]
787. The appellant's quantification of the benefits has been outlined above. There is no evidence to counter the assessment. However, delivery of the benefits to this level is dependent on full implementation and occupation of the proposed development. [227,464]

Alternatives

788. As agreed in the Statement of Common Ground, and already referred to, Pinewood Studios is the only production complex of its size, scale and international profile in the UK. It can readily be accepted that its global high reputation would add particular value to an extension of facilities through a physical expansion of the existing site, thereby assisting in the continuing attraction of the UK to inward film investment. Thus there is credibility in this respect in the appellant's assertion that Pinewood Studios is the natural focus of expansion within the industry. [64(4,6),197]
789. However, the appellant goes further. It is argued that the proposal is not footloose, but must be located at Pinewood Studios, such that there is no alternative. As a point of principle, that proposition is not consistent with the existing distribution of studio facilities in the UK. Pinewood Studios is not the only location where big-budget inward investment films are made, indeed large-scale and successful facilities exist at the Pinewood group's own Shepperton Studios, as well as at Leavesden and Longcross. Pinewood Studios has only 36% of the UK's major film stages, although being the single most important concentration. [179,214,247,459,549]
790. It therefore is not the case that the potential for additional big-budget film studio capacity in the UK is locationally restricted to Pinewood Studios. In addition, the evidence of film making on split sites, and of the use of alternative spaces such as redundant warehouses, while there may be particular reasons for this in individual cases and these options will generally not be preferred, indicates that there is some flexibility in spatial and physical requirements. [245-246,285-286,409-410,456-458,540-542,561]
791. However, with the identified capacity requirement to a great extent relating to the capturing of big-budget inward investment film production growth, it is reasonable for the consideration of alternatives to focus on those options able to provide a concentration of premium facilities. The assessment of alternatives carried out by the appellant contains specific criteria on scale of production capability and existence of on-site production infrastructure. These are realistic requirements in terms of a need to achieve a critical mass of facilities and supporting services. A deliverability criterion is also warranted to test whether the provision could actually be achieved. [281]

792. The final criterion in the appellant's assessment is a location within the West London studio cluster. The existing four major studio sites in the UK are all within this general area. In the Project Pinewood appeal the Inspector concluded that the main screen industry cluster is concentrated in London and the South East, of which Pinewood Studios is one of a number of smaller scale agglomerations. In that context the appellant's current identification of a Greater West London Film cluster with Pinewood as the main hub is disputed. Notwithstanding this debate, the evidence supports that the supplier base of Pinewood Studios shows a particular focus across London and the South East. The Secretary of State for Business, Innovation and Skills has identified the role of existing centres of excellence and supply chain clustering as strong influences on future growth in the sector. In this context, the focus on options within the area of search is reasonable, having regard also to the clear link of existing skills to the success in attracting inward investment. [175,188-190,281,452-454]
793. The appellant's assessment concludes that there is no alternative to the appeal proposal. While exploring the potential of alternatives in its evidence, the Council's submissions expressly record that it is advancing no specific alternative sites that could accommodate the scale and mix of the proposal. It is notable that no other party has brought forward a credible alternative. On the contrary, many representations express strong support for the scheme in general or on the particular site. This includes support from bodies that are concerned with promoting the film industry in Scotland and Northern Ireland. No serious regional policy case on the basis of a need to spread investment across the UK has been made against the proposal. [175,248,286,455,541,631,633-634]
794. It is of course to be recognised that the appellant's alternatives assessment is based on achieving the scale of provision proposed in the appeal scheme. The base case for the future capacity requirement has been accepted as realistic above, such that the search restriction to alternatives that would make a substantial contribution towards meeting that requirement is justified. Although some reservation has been expressed about the case for the entire Media Hub content, that represents a relatively limited proportion of the overall development. Clearly, were there to be more substantial doubt about the scale of additional capacity needed, that would affect the weight given to the alternatives assessment. [456,540,544,554]
795. Under the base case there is considerable potential for additional studio facilities elsewhere in the UK as well as the appeal proposal, including for television production and making use of buildings originally developed for other purposes. It is noted above that, if the appellant's calculation of requirements is accepted, the appeal scheme would capture only a minority proportion of this. [226,409-410,458,541-542]
796. A particular matter to consider is the scope for additional development within the existing Pinewood Studios site. The Statement of Common Ground identifies that there is 55,115sqm (net) of undeveloped committed floorspace under the 2006 Masterplan planning permission. Within the constraints of a tightly developed operational studios site, construction work can obviously be disruptive. Nevertheless, the recent construction of the South Dock (Q) and Richard Attenborough Stages has shown that substantial development can successfully be undertaken, and that the longer term benefits of new facilities can outweigh the

short term disruption. Policy E2 of the Local Plan supports such use of the site. [38,52,287,466]

797. However, the appellant's detailed analysis of all the remaining sites/plots of the Masterplan permission indicates strong limitations in what could still be provided under this. In particular, most of the residual floorspace comprises approved multi-storey office buildings with a built form that would be unsuitable for large stages. The lease granted to Panalux, an important company engaged in film production, provides an understandable justification for the appellant not proceeding with the development of the part of the site it occupies to provide an approved stage. [250,289-290,448]
798. The appeal scheme itself proposes 26,532sqm of floorspace on the West Area (excluding the multi-storey car park and overlapping with the sites of the residual Masterplan approvals). This could provide up to a maximum of 4,894sqm of stage space (4,645sqm expected). The Council suggests that there is potential for significant additional stage space with some adjustment to the proposal. However, there has been no appraisal of the achievable scale of this to counter the appellant's more detailed conclusions on the constraints of the West Area. Although the Gina Fegan review suggests that sufficient capacity to handle capacity for the next 5-10 years could be provided, there is no firm assessment of what the West Area could accommodate other than the appeal evidence. Whether or not further development within the existing Studios site would amount to an incremental approach, the Council accepts that not all of the floorspace of the appeal proposal could be provided on the West Area. [16,288-291,383,465-467]
799. To conclude on alternatives, there are various options for new studio development in the UK to meet future requirements for existing capacity, including on the existing Pinewood Studios site. However, based on the available evidence, there is no identifiable alternative to the appeal site that could provide an equivalent development of premium studio facilities of the nature and scale of the proposal. If the need for such an extent of development is not accepted, this alternatives assessment will carry less weight.

Conclusions on the case for expansion

800. Pinewood Studios has a leading global status, and is an essential component of the UK film industry, which makes a substantial contribution to the UK economy. Government policy seeks sustainable economic growth, and as part of this attaches high importance to the creative industries and specifically film.
801. The proposal would approximately double the existing Pinewood Studios in terms of size and capacity. There is a widely acknowledged current shortage in UK studio capacity, with strong industry support for the proposal. In addition to this, the proposal is backed by a proper business assessment of future requirements. The appellant's analysis takes a long-term view which is appropriate for major capital project investment. Under the base case projection there would be substantial growth in film production expenditure by 2032.
802. The top-down methodology makes a number of explicit assumptions, and there are uncertainties in these respects that potentially bear on the weight that can be given to the base case forecast. These particularly relate to the specific nature of the film industry and unknowns regarding the future of the traditional

Hollywood film model, which is a key element in UK inward investment film production expenditure, and such factors as digitisation and the studio requirements of television production. The shifting nature of development proposals brought forward by the appellant is indicative of changing expectations of future requirements. Nevertheless, the base case projection appears to be robust, having regard to long term trends and its endorsement in independent assessments. It can be regarded as the most likely future outcome based on current best information, carrying substantial weight. The inflation-only case provides an appropriate representation of the downside risks.

803. In terms of the translation to stage space requirements, there are some reasonable reservations about this element of the appellant's analysis, in particular with regard to high-end television and the scope for efficiencies in the use of ancillary space. However, there is a further considerable degree of robustness in that the proposal would provide for only 38% of the projected UK floorspace requirement under the base case. On the risk side, under the inflation-only case there would be no requirement for additional floorspace.
804. There is some weakness in the justification for the Media Hub expansion, but the qualitative benefits of this are convincing, and it relates only to a limited part of the proposal within the Green Belt.
805. The proposal would deliver substantial economic benefits if implemented and occupied in full.
806. Alternatives have been reasonably considered by the appellant. There is no firm evidence to undermine the conclusion that there is no identifiable alternative site that could accommodate the scale and nature of the appeal proposal, although options for a lesser provision of new studio space exist.
807. Overall there is a very strong, credible economic case for the proposed expansion. While recognising that there is a degree of risk arising from uncertainty, the case is sufficiently compelling to be given substantial weight in support of the development.

vi) The planning conditions and planning obligations that are required in the event of permission being granted and the likely effectiveness of these with respect to mitigation of impacts on infrastructure and the environment

Conditions

808. Suggested conditions to be imposed on a grant of permission were put forward and discussed at the inquiry. There was a large measure of agreement on these, but also differing views on some matters. The conditions fall to be considered against the advice in national planning guidance and the model conditions in Circular 11/95. Taking into account that advice and the views expressed on the proposed conditions, and the above conclusions, a set of amended conditions that are recommended in the event of the appeal being allowed is included in an Annex. [636-639]
809. A number of minor detailed changes to the suggested conditions have been made to improve the wording. A justification for the conditions is now set out under the headings of the groups into which the recommended conditions are arranged.

Time Limits, Periods and Plans

810. Conditions appropriate to an outline permission are required. In view of the scale of the development it is reasonable for details to be brought forward for different parts in steps. However, control over certain site-wide matters at the initial step, and ensuring inclusion of a significant element of the approved floorspace, are warranted to mitigate the impact of the development and reflect the very special circumstances case. Although, with the proposed cross-site works, the development does not divide into distinct parcels, the approach of an indicative phasing which allows for some flexibility is an agreed matter. The proposal is intended to be delivered over a 15 year period reflecting the anticipated growth in demand over that time. In these circumstances, some control over a programme of delivery, with scope for this to be reviewed as the development progresses, is justified; the wording of Conditions 2 and 5 has been adjusted to ensure that there is no development prior to approval of the programme in the interests of enforceability and clarity. The time periods accord with the early initial delivery in the context of the very special circumstances case. [31,32,64(3),637]

811. The submitted plans should be incorporated in the permission so that this is consistent with the scheme assessed.

Materials and Tree Protection

812. These aspects of the development should be controlled to ensure that its appearance and landscape impact are satisfactory.

Energy centre

813. Requirements on the energy centre are necessary in the interests of sustainable development.

Ecological Management and Monitoring

814. Requirements on ecology to secure the application supporting details are needed in order to safeguard biodiversity with appropriate protection and mitigation measures.

Drainage and Ground Contamination

815. These conditions, again reflecting the submitted assessments, are necessary to protect the environment of the site and surrounding area.

External Lighting

816. Control over lighting is needed to safeguard the amenity of the area.

Archaeology and Building Recording

817. Requirements on these matters are necessary to protect heritage interest as identified in the submitted assessments.

Construction Management

818. The proposal is for a development of substantial scale and a number of requirements relating to construction management are justified to minimise impact on the surrounding area. However, there is no evidential basis on which

to warrant a condition to control construction traffic routing, and the suggestions of the County Council in this respect are not included. [639]

Highways

819. A number of conditions on access are needed to safeguard highway conditions.

User Occupation

820. Requirements relating to uses of external areas within the site are needed to safeguard amenity and the environment.

821. A general limitation on occupation of the development for media related uses is justified having regard to the very special circumstances case. The evidence relating to the Media Hub does not warrant the specification of a maximum floorspace for this, having regard to the likely flexibility of occupation in serving the varying requirements of film productions and the difficulty of enforcing such a restriction. Any future proposals for further development would need to be assessed on their own merits. [638]

Obligations

822. The NPPF sets out policy tests for the seeking of planning obligations, and there are similar statutory tests contained in Regulation 122 of the Community Infrastructure Levy Regulations (2010) which must be met for obligations to be given weight. Core Policy 6 of the Core Strategy on providing for local infrastructure needs is also relevant. The submitted obligations have been considered in the light of these requirements and the joint evidence put forward in support of them. [640-655]

823. The obligations in the first legal agreement, involving the District Council, all relate to local labour and skills training. Economic benefits, including to the local area, are an important element of the very special circumstances case, and the use of local labour would reduce the need for travel in line with sustainable transport objectives.

824. The second legal agreement, involving the County Council, contains a number of obligations relating to transport matters. These divide into those intended to secure delivery of off-site highway works, and others directed towards sustainable transport measures. The obligations are required to help mitigate the impacts of the development in line with national transport policy objectives, as well as local ones set out in policy TR5 of the Local Plan and Core Policy 7 of the Core Strategy. Footpath provision within the site would help meet objectives for the use of land in the Green Belt and the Colne Valley Park.

825. Other obligations in the second agreement deal with ecological matters. These are needed to secure biodiversity interests, consistent with Core Policy 9 and national policy.

826. All of the above obligations meet the tests of being necessary, directly related to the development and fairly and reasonably related to it, and therefore can be given weight in support of the proposal.

Infrastructure and environmental effects

827. The Statement of Common Ground records agreement that, subject to conditions and obligations, the proposal is acceptable in terms of a range of amenity, environmental and heritage impacts. The Council expressly raises no infrastructure objections to the development on the same basis. The above conditions and obligations deal satisfactorily with these matters.
[64,65,266,366]

828. The Statement of Common Ground also notes that the Environmental Statement meets relevant requirements. The submitted environmental information can be regarded as adequate to enable assessment of the likely significant environmental effects of the proposal. [64(1)]

vii) Whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify such inappropriate development

Summary of harm

Green Belt harm

829. The proposal is inappropriate development in the Green Belt. In addition to harm to the Green Belt by definition, it would give rise to further Green Belt harm by reason of a large-scale intrusion on openness, clear conflict with 3 of the 5 Green Belt purposes, and a moderate adverse effect on landscape and visual amenity. Minor Green Belt benefits would arise from new footpaths and gains to biodiversity.

830. Precedent is not a reason for rejecting the proposal, but it would have a substantial and adverse effect on the Green Belt, and the sheer geographical extent of the proposed development in the Green Belt is to be borne in mind. The proposal is in clear conflict with policies GB1, GB4 and EP3 of the South Bucks District Local Plan in these respects. The Green Belt harm is a matter that should be accorded very serious weight in the decision.

Colne Valley Park harm

831. The proposed substantial physical development within a large area that is existing countryside would have a significant adverse effect on the Colne Valley Park. The negative impacts on landscape and visual amenity would not in themselves justify withholding permission, but there would nevertheless be significant harm from the development to the Colne Valley Park.

832. In these respects there would be conflict with Core Policy 9 of the South Bucks Core Strategy. The policy allows for exceptions where the harm is outweighed by the importance of the development or the development cannot reasonably be located on an alternative site, so that this is a matter to be taken into the overall balance. This is also with the proviso that, to the extent that the harm relates to landscape, it is the same harm as that identified under Green Belt impact rather than being additional.

Sustainable transport harm

833. The site is located within an area that is generally well served by public transport, with significant future improvements to services imminent. However, the site itself is relatively remote from public transport facilities. The scale of the appeal scheme would generate extensive additional travel. The proposal in this respect does not accord with the objective included in Core Policy 7 of the Core Strategy of focussing new development that generates substantial transport movements in locations that are accessible by public transport, walking and cycling.
834. The existing modal split of travel to the site shows a heavy reliance on the private car. The proposal puts forward a raft of measures aimed at achieving a sustainable modal shift, which have been developed in conjunction with the County Council, but the success of these is likely to be somewhat limited, with a continued substantial dependence on car travel. In the absence of comparisons, the relative sustainability of the development on this site cannot properly be tested. However, in absolute terms it can be expected that the proposal would give rise to a substantial increase in journeys reliant on the private car, which is a negative outcome.

Traffic harm

835. The likely traffic impact of the proposal has been properly modelled. The County Council regards the proposal as acceptable in traffic terms with the proposed package of obligations and conditions, and no objection is raised on this ground by the District Council. Although there is considerable local concern about traffic, the effect in terms of local congestion and additional rat-running would be limited. It would not in itself justify turning down the proposal, but would be a moderately harmful impact.

Development Plan position

836. The relevant elements of the development plan comprise the South Bucks Local Development Framework Core Strategy Development Plan Document 2011 and the South Bucks District Local Plan 1999 (saved version). The proposal is in conflict with a number of up-to-date policies in the development plan as set out above. While there are many other policy areas where no conflict has been identified, the proposal is overall not in accordance with the development plan. [43-59,64,261-262,266,367-369]

National policy position

837. The NPPF highlights the importance of achieving sustainable development, with the Government's view of what this means in practice set out by the policies in paragraphs 18 to 219 taken as a whole. Given that the proposal constitutes inappropriate development in the Green Belt, which is contrary to an up-to-date development plan and can only be approved on the basis of very special circumstances, the provisions for applying a presumption in favour of sustainable development in decision-taking set out in paragraph 14 do not apply in this case. Nevertheless, given the goal of sustainable development, the performance of the proposal in this respect is a matter to be addressed, dealing with the economic, social and environmental roles of the planning system in this. [268-270,369-370]

838. The design and technical aspects of the development would meet sustainability criteria, and a gain in biodiversity would be delivered. The incursion into Green Belt and loss of undeveloped land would be a negative environmental effect. There would also be an adverse social impact with respect to the concern expressed in widespread local objection to such an intrusion. Conversely, with the recognised cultural contribution made by Pinewood Studios and the film industry, it can be considered that there would be a boost to this which would be a positive social aspect of the expansion. [266-267,299,475,571-635]
839. The proposal does not fully represent a focussing of significant development in a location which is or can be made sustainable as sought by paragraph 17 of the NPPF. The extent to which it would give rise to an increase in journeys reliant on the private car would be a negative outcome. However, an increased demand for travel is a general consequence of new development.
840. In terms more specifically of the economic dimension of sustainable development, there is a strong national commitment to economic growth and support for the film industry. The potential economic benefits of the proposal would contribute significantly to these national objectives. However, there is no general dispensation for economic development to override the Government's continuing firm commitment to Green Belt protection. There is also no such provision for the film industry in particular, with the support for this not quantified or location specific in terms of new studios development. The requirement for very special circumstances to be established remains applicable for any exception to be made. [320,371-373,378-379,518-519]
841. Subject to such very special circumstances being accepted, including a requirement for the proposal to be in the particular location of the appeal site, it can be concluded that the proposal would be reasonably consistent with sustainable development objectives but with a significant reservation on transport.

Other considerations

842. The appellant has put forward four components of what are referred to as individual very special circumstances, and the Council has responded on a similar basis. The NPPF states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. These components should therefore be regarded as 'other considerations' rather than very special circumstances, which cannot be identified until the end of the balancing exercise. [271-272,461]
843. The first consideration is "*delivering sustainable economic growth through the appeal scheme to a world-leading business in a priority sector for the UK*". This relates to the merits of the case for expansion of Pinewood Studios, as explored above, with the conclusion reached that there is a very strong, credible economic case. In the context of Government policy, this consideration can properly be described as one of national interest. It could be expected that a grant of permission for the scheme would provide a widely reported message in support of this interest. [273-278,379,465,550-559]
844. The second consideration is "*the absence of a credible and viable alternative*". On the basis of the available evidence, the case on this is made out. The point is

reiterated that this is with the premise that the full extent of the development is needed in pursuit of the national interest. [279-298,465-467]

845. The third consideration is "*the range and scale of the socio-economic and other benefits from the appeal scheme*". These would arise at both a local and national level, and include those relating to education, skills and culture. The quantification of the benefits has not been challenged, but the degree to which they are delivered would again be dependent on the extent of implementation of the full scheme. [299-302,464]

846. The final consideration is "*the harm to the PSL business and the creative industries sector that would arise from a rejection of the appeal proposal*". The interests of the PSL business and the overall sector do not directly coincide, and the business does not equate to the UK film industry as a whole. The appellant's assertion that in the event of permission not being forthcoming for the appeal scheme it would cap its investment at Pinewood Studios was not sustained at the inquiry. There would be scope for further development within the existing site, and inward film investment could be expected to continue. There could be some adverse effect from negative publicity, but it is difficult to gauge the likely extent of this or how long it would last, and the reputation of the Pinewood brand would remain an asset. However, without the appeal scheme the benefits identified under the first and third considerations would not be realised to the degree possible with the proposed development. In the context of international competition in the film industry, the lost opportunity would represent a harmful outcome of the development not being permitted. [64(9),303-306,465,548-549,569]

847. While these four considerations are put forward individually by the appellant, it is clear that they are interrelated and contribute collectively to the supporting case. On the basis of the above assessment each carries substantial weight, leading in turn to a substantial cumulative weight of considerations in favour of the proposal. [307-309,460-461]

The Green Belt balance

848. There are extensive representations both for and against the proposal. Among the latter there is understandable scepticism about the appellant's arguments in the context of changes from earlier proposals. However, the appeal is to be determined on the basis of the evidence now available and on the particular case. The Green Belt balancing exercise is a matter of judgement on which different views can legitimately be reached. It can be noted that the officer report on the planning application to the Council's Planning Committee made no recommendation on the decision but indicated that the balance could be struck either way. The test, however, is for the harm to be clearly outweighed, rather than being achieved on a marginal basis.

849. The proposal can be regarded as an ambitious scheme with a 15 year implementation timescale. Uncertainty relating to the future of the film industry cannot be excluded. Risk is a feature of investment decisions, but if future demand for the proposed facilities is not as expected, and is instead as indicated by the appellant's alternative inflation-only downside case, the result could be that the full development is not implemented. The anticipated benefits would then not be realised in full, while the intrusion into Green Belt and harm to the national interest that it represents would be permanent. However, the evidence

indicates a strong likelihood of a level of demand such that it is possible to be satisfied that the permitted development would be taken up. [376,297,380,462]

850. In drawing the balance between the two national interests, I consider that, notwithstanding the degree of uncertainty, the potential harm to the Green Belt and the other identified harm is clearly outweighed by the other considerations. The characteristics of the particular site, the relationship to the existing Pinewood Studios, the individual circumstances of the film industry, and the details of the supporting economic case, taken together provide a distinguishing combination of features. Overall, very special circumstances exist to warrant allowing the inappropriate development, overriding the identified conflict with the development plan.

RECOMMENDATION

851. That the appeal be allowed and planning permission be granted subject to the conditions set out in the attached Annex.

T G Phillimore

INSPECTOR

ANNEX: RECOMMENDED CONDITIONS

Time Limits, Periods and Plans

- 1) No part of the development hereby permitted shall be begun until details of the appearance, landscaping, layout, scale and internal access of that part (hereinafter referred to as the "reserved matters") have been submitted to, and approved in writing by, the local planning authority. The development shall not be carried out otherwise than in accordance with the approved details.
- 2) The first application for approval of reserved matters shall be made to the local planning authority no later than 2 years from the date of this permission and shall include details of the following:
 - a) major distributor roads/routes within the site, including vehicular access;
 - b) strategic foul and surface water features within the site;
 - c) structural landscaping/planting provisions within the site;
 - d) ecological mitigation and management measures as set out in conditions 11 and 12;
 - e) the site entrance junction/roundabout to be formed with Pinewood Road and the access to be formed with Sevenhills Road;
 - f) ground works including site profiling and the formation of perimeter bunds within the site;
 - g) stage floorspace of at least 12,090sqm (gross external area), workshop floorspace of at least 12,407sqm (gross external area) and office floorspace of at least 15,905sqm (gross external area); and
 - h) a programme ("Programme") which sets out the proposed order of construction of the matters listed at a) - g) above and all of the new stage, workshop, office and other floorspace hereby permitted, for the entirety of the application site.

All such details shall accord with the parameter plans listed in condition 4. No part of the development hereby permitted shall be begun prior to approval of all of these details. Development shall be begun before the expiration of 1 year from the date of the approval of the last of the details to be approved pursuant to this condition and shall be carried out in accordance with the approved details.

- 3) Application for approval of the last of the reserved matters shall be made to the local planning authority before the expiration of 10 years from the date of this permission.
- 4) The development hereby permitted shall accord with the approved parameter plans and drawings comprising:
 - P-B-000/0h - Application Site Boundary
 - P-B-001/0h - Existing Site Plan
 - P-B-002/0h - Baseline Plan
 - P-A-001/0a - Proposed Demolitions
 - P-A-002-1 - Tree Removal Plan 1
 - P-A-002-2 - Tree Removal Plan 2
 - P-A-002-3 - Tree Removal Plan 3

- P-A-003/D - Site Access: Pinewood Road Main Entrance Plan
- P-A-004/E - Site Access: Sevenhills Road Emergency and Secondary Controlled Vehicular Access Plan
- P-P-001/0h - Green Space Parameters
- P-P-002/0h - Landscape and Ecology Parameters
- P-P-003/0h - Development Zones and Level Parameters
- P-P-004/0h - Areas by Development Zone Parameters
- P-P-005/0i - Site Access and Circulation Parameters
- P-P-006/0h - Building Plot Parameters
- P-P-007/1 - Areas and Dimensions by Plot Parameters

- 5) An up-to-date Programme shall be maintained at all stages of the development hereby permitted and shall accompany each application for reserved matters approval that is submitted pursuant to this permission. Those subsequent parts shall not commence until the Programme has been approved and the development shall thereafter be carried out in accordance with the approved up-to-date Programme.

Materials

- 6) No part of the development hereby permitted shall be begun until a schedule of the materials to be used in the external elevations of the building(s) within that part has been submitted to, and approved in writing by, the local planning authority. The development shall thereafter be carried out in accordance with the approved schedule.

Tree Protection

- 7) No part of the development hereby permitted shall be begun until an arboricultural method statement, tree constraints plan and tree protection plan in relation to that part has been submitted to, and approved in writing by, the local planning authority. The submitted details shall accord with the BS:5837 (as current) and shall include:
- a) plans showing the trees to be removed, identified by number;
 - b) plans showing trees to be retained, identified by number, with canopies plotted;
 - c) details identifying root protection areas of retained trees within, adjacent to, or which overhang the site;
 - d) the precise location and design details for the erection of protective tree barriers and any other physical protection measures; and
 - e) a method statement in relation to construction operations.

The development shall thereafter be carried out in accordance with the approved details.

- 8) No part of the development hereby permitted shall be begun until fencing for the protection of any retained tree within, adjacent to or which overhangs that part has been erected in accordance with details previously approved in writing by the local planning authority. The fencing shall be retained for the duration of the construction period of that part of the development until all equipment, materials and surplus materials have been removed from that part. Nothing shall be stored or placed in any fenced area approved in accordance

with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written consent of the local planning authority.

- 9) No part of the development hereby permitted shall be begun until details of the position and proposed depth of excavation trenches for all services (including cables, pipes, surface water drains, foul water drains and public utilities) within that part (together with their means of installation which pass underneath the canopy of any retained tree within, adjacent to or which overhangs that part) have been submitted to, and approved in writing by, the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Energy Centre

- 10) No part of the development hereby permitted shall be occupied until details of the energy centre, as shown on the Building Plots Parameter Plan P-P-006/0h (together with a programme for its implementation) have been submitted to, and approved in writing by, the local planning authority. The energy centre shall thereafter be completed in accordance with the approved details and programme.

Ecological Management and Monitoring

- 11) The first reserved matters application submitted pursuant to condition 2 shall include an ecological management plan in respect of the site covering a period of not less than 25 years. The ecological management plan shall:
- a) include details of public access, acid grassland, lighting, reptile habitat, protection and translocation, bats and the construction of green roofs;
 - b) incorporate the matters listed in: (i) section 8.9, paragraph 644 (including the proposals for mitigation in table 8.22 and table 8.24); (ii) section 4.3.2 of appendix 8.3; and (iii) section 4.3 of appendix 6 of the Environmental Statement dated February 2013 as submitted in support of the development hereby permitted;
 - c) include details of the creation and management of the embedded ecology measures set out in: (i) the Ecology Strategy dated February 2013; (ii) section 8.2 of the Environmental Statement; and (iii) plan 004/P1, all as submitted in support of the development hereby permitted;
 - d) include details of mitigation, creation and management of habitats within the site prior to, during and post construction of the development hereby permitted;
 - e) provide for the creation of all habitats as early as possible so as to minimise the time lag between construction of the development hereby permitted and the creation of replacement habitat;
 - f) require the updating of surveys of all species, which are identified as requiring protection, no later than 12 months prior to commencement of the works within each part of the development, as detailed in section 8.9, paragraph 639 of the Environmental Statement dated February 2013 as submitted in support of the development hereby permitted;
 - g) require the annual review of the ecological management plan to reflect any changes in baseline conditions or the establishment of habitats, to be submitted to and approved in writing by the local planning authority;

- h) require the provision of remedial measures if monitoring indicates that the effects of the development hereby permitted on protected and BAP species are greater than predicted in the Environmental Statement dated February 2013 as submitted in support of the development hereby permitted;
- i) require the annual submission of protected species records, collated during construction and monitoring surveys, to the local Environmental Record Centre;
- j) include details of the construction method, planting scheme and management of green roofs and details and location of any features installed for invertebrates;
- k) include details of: (i) the specification and location of bat boxes and insect hotels; and (ii) the creation and location of hibernacula created for reptiles, all as proposed in section 8.9, paragraph 637 of the Environmental Statement dated February 2013 as submitted in support of the development hereby permitted;
- l) include details of the reptile translocation strategy including details of proposed receptor sites and their suitability and ability to support additional reptiles;
- m) include the location and specification of nest boxes proposed in section 8.9, paragraph 646 of the Environmental Statement dated February 2013 as submitted in support of the development hereby permitted; and
- n) a programme for implementation.

No development hereby permitted shall be begun until the ecological management plan has been submitted to, and approved in writing by, the local planning authority. The development shall thereafter be carried out in accordance with the approved ecological management plan.

- 12) The first reserved matters application submitted pursuant to condition 2 shall include an ecological monitoring plan in respect of the site. The ecological monitoring plan shall include a regime for monitoring the impacts of those species and habitats identified as being important, including the time period over which such monitoring will occur, as detailed in section 8.9 (paragraphs 640 to 642) of the Environmental Statement dated February 2013 as submitted in support of the development hereby permitted. No development hereby permitted shall be begun until the ecological monitoring plan has been submitted to, and approved in writing by, the local planning authority. The development hereby permitted shall thereafter be carried out and managed in accordance with the approved ecological monitoring plan.
- 13) No clearance of bird breeding habitat in preparation for (or during the course of) the construction of any part of the development hereby permitted shall take place during the bird nesting season from March to August inclusive, unless a nesting bird survey has been submitted to and approved in writing by the local planning authority to establish whether that part of the site is being used for bird nesting. Should the survey reveal the presence of any nesting species then no development shall take place within that part of the site during the period specified above.

Drainage

- 14) The first reserved matters application submitted pursuant to condition 2 shall include details of a surface water sustainable drainage scheme in respect of the site. The scheme shall: (i) be based on the Flood Risk Assessment dated January 2013 revised April 2013 (as submitted in support of the development hereby permitted); (ii) include a programme for its implementation; and (iii) restrict surface water run-off to greenfield discharge rates for all areas of the site that are currently undeveloped and where existing buildings and areas of hard-standing are to be demolished and replaced, together with arrangements for on-site surface water storage. The development hereby permitted shall thereafter be carried out in accordance with the approved details and programme.
- 15) Surface water drainage in respect of the development hereby permitted shall not be permitted to infiltrate into the ground other than with the express written consent of the local planning authority (which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters).

Ground Contamination

- 16) No part of the development hereby permitted shall be begun until supplementary contamination ground investigation surveys for that part (as specified at paragraph 839 of the Environmental Statement dated February 2013) have been carried out to ascertain the presence of any contaminants on or under the surface of that part of the site and to determine its potential for the pollution of the water environment. The survey details shall include measures to prevent pollution of ground water and surface water, including provisions for monitoring. No part of the development hereby permitted shall be begun until the surveys, together with any necessary remedial works to render that part of the site fit for occupation, have been submitted to, and approved in writing by, the local planning authority. The development hereby permitted shall thereafter be carried out in accordance with the approved measures, which shall thereafter be retained.
- 17) No part of the approved backlot within the East Area of the development hereby permitted shall be used until an environmental management procedure (as specified in paragraphs 842 and 843 of the Environmental Statement dated February 2013 as submitted in support of the development hereby permitted) has been submitted to, and approved in writing by, the local planning authority. The objectives of the procedure shall be to ensure that:
- a) activities carried out on the backlot area do not pose a risk of harm to users arising from landfill gas emissions; and
 - b) temporary construction on the area does not affect the integrity of the clay cap or perimeter containment of the underlying landfill cells.

The environmental management procedure shall include: (i) a risk assessment of all proposed activities within the backlot area; (ii) details of a prior approval procedure (to be undertaken by the applicant) for all construction activities in the area; (iii) auditing for compliance with permitted activities and ensuring that all site users are briefed before using the backlot. The use and operation of the backlot area shall thereafter be carried out in accordance with the approved environmental management procedure.

External Lighting

- 18) No part of the development hereby permitted shall be occupied until details of all external lighting proposals for that part have been submitted to, and approved in writing, by the local planning authority. All external lighting proposals shall comply with: (i) the lighting mitigation measures included in section 14.8 of the Environmental Statement dated February 2013; and (ii) the ecological mitigation measures set out at paragraph 645 of the Environmental Statement dated February 2013. No part of the development hereby permitted shall be occupied otherwise than in accordance with the approved details.
- 19) The main beam angles of all external lighting units within the development hereby permitted shall be below 70° from vertical. Light trespass received at the boundary of the development hereby permitted with residential properties shall be no more than a maximum of 5 lux m².

Archaeology and Building Recording

- 20) No part of the development hereby permitted in the vicinity of: (i) Fields F1 and F2 in the East Area; and (ii) Heatherden Hall in the West Area shall be begun until details of an archaeological watching brief for that part have been submitted to, and approved in writing by, the local planning authority. The development hereby permitted shall thereafter be carried out in accordance with the approved details.
- 21) No demolition works hereby permitted shall be carried out within the site until a photographic record of the buildings listed in table 10.8 of the Environmental Statement dated February 2013, and shown on the approved Demolition Plan P-A-001/0a, has been submitted to and approved in writing by the local planning authority. The record shall accord with a Level 1 Survey as specified in the English Heritage guidance '*Understanding Historic Buildings*' 2006.

Construction Management

- 22) No part of the development hereby permitted shall be begun until a Code of Construction Practice and Management Plan for that part has been submitted to, and approved in writing by, the local planning authority. The Code of Construction Practice and Management Plan shall include:
- a) site supervision arrangements and procedures;
 - b) details of construction method statements, working practices and environmental and health and safety protection measures;
 - c) details of construction working hours;
 - d) operation of construction plant and machinery and the implementation of noise and vibration mitigation measures in accordance with paragraphs 1472 to 1476 and 1481 of the Environmental Statement dated February 2013 as submitted in support of the development hereby permitted;
 - e) details and use of construction lighting to be carried out in accordance with the mitigation listed in table 14.5 and at paragraph 1681 of the Environmental Statement dated February 2013;
 - f) arrangements for the protection of areas of ecological sensitivity and importance in accordance with the mitigation set out at paragraphs 634 to 645 of the Environmental Statement dated February 2013 (and in

accordance with the ecological management plan and ecological monitoring plan as approved pursuant to conditions 11 and 12;

- g) methods for the control of dust and air pollution in accordance with the dust mitigation measures listed in paragraphs 410 and 411 of the Environmental Statement dated February 2013;
- h) methods for the protection of landscape features and visual receptors in accordance the measures set out at paragraph 1201 of the Environmental Statement dated February 2013;
- i) methods for the prevention of dust, dirt, debris and other deposits on the highway;
- j) methods for the management of materials and prevention of waste in accordance with the sustainable waste management principles listed at paragraph 1995 of the Environmental Statement dated February 2013; and
- k) details of construction site compounds, the location and storage of plant, materials and fuel, access arrangements and security hoardings.

The development shall thereafter be carried out in accordance with the approved Code and Management Plan.

- 23) No part of the development hereby permitted shall be begun until a site waste management plan for that part (including a scheme for recycling and/or disposing of waste resulting from demolition and construction works) has been submitted to, and approved in writing by, the local planning authority. The development hereby permitted shall thereafter be carried out in accordance with the approved management plan.
- 24) No part of the development hereby permitted shall be begun until a construction traffic management plan (including details of vehicle parking for site operatives and visitors, wheel washing arrangements and plant and materials delivery/despatch times) for that part has been submitted to, and approved in writing by, the local planning authority. The development hereby permitted shall thereafter be carried out in accordance with the approved management plan.

Highways

- 25) No part of the development hereby permitted shall be occupied until the highway works, which are shown in principle on drawing number P-A-003/D (including speed gates relocation, roundabout access and a Toucan crossing) have been completed and are available for use in accordance with details that have previously been approved in writing by the local planning authority.
- 26) No part of the development hereby permitted shall be occupied until the highway works, which are shown in principle on drawing number P-A-004/E (including a secure commercial emergency vehicular access), have been completed and are available for use in accordance with details that have previously been approved in writing by the local planning authority.
- 27) Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning (General Permitted Development) Order 1995) or any Order revoking or re-enacting that Order) no gates, fences, walls or other means of enclosure other than those shown on the approved plans shall be erected along the frontage to the site within 18 metres of the carriageway.

User Occupation

28) Prior to the first use of the external areas and land within the site to be used for outdoor filming, a management and operational plan for those parts of the site shall be submitted to, and approved in writing by, the local planning authority. The plan shall include details of the management and mitigation of the impacts of outdoor filming (including noise disturbance, artificial lighting and parking and access requirements on adjacent residents, the landscape and ecology within the site). The plan shall also include reference to:

- a) the noise mitigation and local liaison measures listed at paragraphs 1487 to 1489 of the Environmental Statement dated February 2013; and
- b) the potential effect of filming activities on ground nesting bird habitats and the mitigation measures at paragraph 645 of the Environmental Statement dated February 2013.

No external areas and land within the site shall be used for outdoor filming otherwise than in accordance with the approved plan at all times.

29) The development hereby permitted shall be used only for uses directly connected with media, including film, television and video games production, and associated services and industries.