

## PLANNING COMMITTEE – 26 MAY 2022

### PART I - DELEGATED

#### PRELIMINARY REPORT

12. **22/0491/FUL - The provision of new sound stages, workshops, production and post-production offices, Studio support facilities (including new welfare and café building) and new roundabout to provide vehicular access to the Studios and Island Site; the construction of decked car parking and a pedestrian footbridge (Island Site); the use of land to the west of the Studios for film production and associated activities (Backlot 2); ecological improvements to existing field (Lower Field) together with site-wide landscape and necessary utilities and infrastructure works, bund construction, and ground re-profiling at Warner Bros. Studios Leavesden, Warner Drive, Watford, Hertfordshire, WD25 7LP (DCES)**

Parish: Abbots Langley  
Expiry of Statutory Period: 04.07.2022

Ward: Leavesden  
Case Officer: Claire Westwood

**Recommendation:** That the Committee notes the report, and is invited to make general comments with regard to the material planning issues raised by the application.

**NOTE: A decision will NOT be made on this application at this time. The application will be returned to a future committee meeting for determination.**

Reason for consideration by the Committee: Called-in by the Head of Regulatory Services in accordance with Part 3, Section 11.5.1(4) of the Constitution.

#### 1 Planning History

##### 1.1 Background

- 1.1.1 The Leavesden Aerodrome site has a complex planning history. The site, which originally included land now developed to the east, has previously been owned by the Ministry of Defence where it was an important centre for the production of Mosquito and Halifax aircraft during World War II; and by Rolls Royce where it was used for manufacture of helicopter engines until 1993. At its peak, the site employed over 3,000 people, but this had been reduced to approximately 1,800 by 1991. The airfield remained open for flying until March 1994, being used by a private flying club; the Leavesden Flight Centre. At its peak in 1990, there were some 60,000 aircraft movements at the site.

- 1.1.2 In 1995 the site was purchased by Third Millennium Group and part of the site was used as a film production studios. In 1999, the site was purchased by MEPC who leased the studios to Warner Bros. until they acquired it.

##### 1.2 Planning Brief

- 1.2.1 A Planning Brief was prepared by Three Rivers District Council and Watford Borough Council and approved for the site in 1993. This set out principles to guide future development of the overall Leavesden Aerodrome site (totalling 119 hectares). The basic concept was to constrain development to the eastern part of the site and release the remainder of the site to form an attractive and accessible Green Belt wedge between Abbots Langley and Watford.

##### 1.3 Relevant Planning History for Studios Site

- 1.3.1 10/0080/FUL - Continued use of land and buildings for film production and associated activities including retention and refurbishment of existing studios to accommodate stages, backlot, workshops, offices, production facilities, canteen /commissary and ancillary studio facilities and services, replacement and extended workshops, stage and offices. Two new stages (approx. 13,000 sqm floorspace) for the storage and public exhibition of film sets and artefacts (including cafe and gift shop), new accesses from Aerodrome Way, revised internal road layout and parking, extended backlot, landscaping and associated works. Approved with a S106 Agreement.
- 1.3.2 10/2425/FUL - Erection of an electricity sub-station (in connection with redevelopment of the Studios under reference 10/0080/FUL). Approved 26 January 2011.
- 1.3.3 11/0376/RSP - Part retrospective: Amendments to planning permission 10/0080/FUL to include: Reduction and modifications to K Stage, modifications to J Stage and revised layout of external display areas; revised layout of security gatehouses, internal road layout (temporary consent sought for internal road link) and cycle storage; minor realignment of spur access from northern roundabout; revised landscaping including re-profiling and realignment of bunds; new paved area for picnic use and security hut; revised materials for car park; and associated works. (No alteration to operation of visitor centre, visitor numbers, no. of parking spaces or traffic generation as per the section 106 agreement dated 15 June 2010). Approved 19 May 2011 with a deed of variation to the Section 106 Agreement.
- 1.3.4 11/0590/RSP – Part retrospective: Revised layout for the northern part of Leavesden Studios (previously approved under application 10/0080/FUL), including demolition and replacement of the Mill building to be built in two phases, the relocation and construction of the approved multi-purpose workshop building, revised parking layout, hard and soft landscaping including omission of bunding and associated ancillary works. Approved 20 June 2011.
- 1.3.5 11/1607/ADV - A total of 9 individual advertisement signs, including directional signage, at Warner Bros. Studios Leavesden and the associated Studio Tour (including externally illuminated entrance signs, fascia signs and poster advertisements). Approved 21 September 2011.
- 1.3.6 12/0344/FUL - Variation of Condition 2 of planning permission 10/0080/FUL to allow substitution of plans to reflect minor amendments to design. Approved 22 May 2012 with a deed of variation to the Section 106 Agreement.
- 1.3.7 12/0345/FUL - Variation of Condition 2 of planning permission 11/0376/RSP to allow substitution of plans to reflect minor amendments to design. Approved 22 May 2012 with a deed of variation to the Section 106 Agreement.
- 1.3.8 12/0346/FUL - Variation of Condition 2 of planning permission 11/0590/RSP to allow substitution of plans to reflect minor amendments to design. Approved 22 May 2012.
- 1.3.9 12/1150/FUL - Amendments to flight shed at Warner Bros. Studios comprising minor modifications to the existing fabric of the building, replacement cladding to the west elevation and removal of the 'beehive' ventilation units (cross boundary application). Approved 31 July 2012.
- 1.3.10 12/2169/FUL - Construction of a new permanent workshop building with associated parking, demolition of existing workshop/store, relocation of an existing refuse and recycling facility and associated ancillary works. Approved 15 January 2013.
- 1.3.11 12/2324/FUL - Variation of the existing S106 Agreement and Traffic and Visitor Management Plan (relating to planning permission 10/0080/FUL) at Warner Bros. Studios Leavesden to allow earlier openings (from 0900 hours) on Saturdays, school holidays and

on 15 'floating days' and up to 5,540 visitors on these days. Approved 1 March 2013 for a temporary period of 2 years.

- 1.3.12 13/0110/RSP - Part retrospective: Temporary consent (6 months) for construction/retention of exterior filming tank and associated storage of spoil. Approved 28 March 2013.
- 1.3.13 13/1173/FUL - Variation of Conditions 2 and 3 of planning permission 12/2169/FUL for a new permanent workshop building to allow: Substitution of plans to reflect minor amendments to building design and improvements to internal Studio roundabout and retention of existing store building for a minimum of two years from first occupation of the workshop due to significant existing production commitments. Approved 23 September 2013.
- 1.3.14 13/1352/RSP - Part Retrospective: Exterior filming tank with associated hard-standing, drainage works and access road and spoil storage. Approved 12 September 2013.
- 1.3.15 13/1924/FUL - Extension of 'J' stage of the Warner Bros. Studio Tour including accommodation for a new feature set, educational support facilities, revised parking layout including the provision of an additional 226 car parking spaces, extension of the internal link road, an external picnic area, a toilet block, revised landscape proposals and resiting of the cycle storage and refuse area. Approved 13 January 2014.
- 1.3.16 13/2066/FUL - Full planning permission for the construction of a new permanent sound stage with associated parking and hard landscape work and temporary (18 months) construction access on to South Way. Approved December 2013.
- 1.3.17 13/2239/FUL - Full planning permission for the construction of a new permanent sound stage (Stage N), studio support space, associated parking and hard landscape works, external lighting, use of temporary construction access on to South Way for a period of 18 months and associated ancillary works. Approved 24 February 2014.
- 1.3.18 14/1232/FUL - Deed of Variation: Variation of the existing S106 Agreement and Traffic and Visitor Management Plan (relating to planning permission 10/0080/FUL) at Warner Bros. Studios Leavesden to enable hospitality events to take place and studio tours to commence up to 21:00 hours on such days. Approved 25 September 2014 (for 8 events within limited period of 1 year).
- 1.3.19 14/1752/FUL - Deed of Variation: Variation of the existing S106 Agreement (relating to planning permission 10/0080/FUL) at Warner Bros. Studios Leavesden to insert additional clauses relating to visitor numbers; to vary clauses to increase daily visitor numbers from 5,000 to 5,728 and from 5,540 to 6,383 on Saturdays, school holidays and floating days; to vary clauses to increase number of floating days from 15 to 20; to vary clauses to permit floating days within 10 days of any school holiday; and updates to definitions. Approved 5 December 2014.
- 1.3.20 14/1831/FUL - Variation of Condition 2 (Plans) of planning permission 12/0344/FUL to amend the existing parking layout to increase staff parking provision by 71 spaces and provide additional landscape planting. Approved 5 December 2014.
- 1.3.21 15/0744/FUL - Application for the operation of Hospitality Events at the Warner Bros. Studio Tour London until 23.00 hours on any given day and until 00.00 hours (midnight) on 24 occasions during a calendar year ('special' Hospitality Events). Approved 16 July 2015.
- 1.3.22 15/1852/FUL - Hybrid Application to include detailed approval of new sound stages, workshops, post production facility and extension to the Studio Tour car park together with outline approval (matters reserved: appearance and landscaping) of extension to the Studio Tour, workshops, production support building, Studio parking deck, Studio cafe extension, Studio support facilities and associated works as well as continued use of land and buildings for film production and associated activities (including use of Stages J & K for the storage

and public exhibition of film sets and artefacts (Studio Tour) and hospitality events). Approved 25 January 2016.

- 1.3.23 16/2430/FUL - Deed of Variation: Variation of the existing S106 Agreement (relating to planning permission 15/1852/FUL) at Warner Bros. Studios Leavesden to vary the studio tour hours of opening to allow the first tour to start at 09:00 on Sundays for a temporary period of one year. Approved 7 February 2017.
- 1.3.24 16/2554/FUL - Studio parking deck to provide 2,150 additional parking spaces, bicycle store, security office, post room facilities and rearrangement of internal vehicular circulation. Approved 27 February 2017.
- 1.3.25 16/2611/AOD - Approval of Details: Details pursuant to hybrid planning permission 15/1852/FUL comprising construction of a new permanent workshop building with associated hardstanding, drainage and landscape (Development Area 7). Approved 2 March 2017.
- 1.3.26 17/0286/NMA - Non material amendment to planning permission 15/1852/FUL: Alteration to external finish of the rear elevation of P-Stage. Approved 22 February 2017.
- 1.3.27 17/0591/ADV - Advertisement Consent: Three internally illuminated fascia signs and six internally illuminated signs to Studio parking deck. Approved 28 April 2017.
- 1.3.28 17/0683/NMA - Non Material Amendment to planning permission 15/1852/FUL - Alterations to hardstanding (Development Area 1 - L Stage Workshop). Approved 19 April 2017.
- 1.3.29 17/1790/NMA - Non Material Amendment to planning permission 16/2554/FUL: Additional ramp to southern elevation; Electrical room provision; and amendments to Warner Drive. Approved 4 September 2017.
- 1.3.30 17/2240/FUL - Extensions and additions to the Studio Tour with associated parking, drainage, landscaping and enabling works (including the provision of temporary reception facilities) and a variation to the S106 to allow the Studio Tour to open at 9am on Sundays, on a permanent basis. Approved 10 January 2018.
- 1.3.31 17/2570/NMA - Non material amendment to planning permission 16/2554/FUL: Alterations to external materials and alterations to post room. Approved 3 January 2018.
- 1.3.32 18/0019/ADV - Advertisement Consent: Erection of internally illuminated signage. Approved 2 February 2018.
- 1.3.33 18/2343/NMA - Non Material Amendment to planning permission 17/2240/FUL: Replacement of hedgerow species and removal of six trees. Approved 10 December 2018.
- 1.3.34 18/2545/ADV - Advertisement Consent: 7 x externally illuminated advertising posters, 1 x externally illuminated Warner Bros shield and fibre glass lettering. Approved 6 February 2019.
- 1.3.35 19/1445/FUL - Extension to the Studio café and landscape improvements. Approved 20 August 2019.
- 1.3.36 19/1944/FUL - Development of T, U and V stages along with new office building and landscape improvements. Approved 3 April 2020.
- 1.3.37 19/2369/FUL - Extension to the backlot café. Approved 21 January 2020.
- 1.3.38 20/2645/FUL - Erection of a 2.4m high fence, to the south (A41) and west (Gypsy Lane) boundaries including gates to the west (Gypsy Lane) and east (Backlot) boundaries and the

erection of 3 no. 6m high CCTV poles adjacent to the northern and eastern boundaries. Approved 20 January 2021.

- 1.3.39 20/2667/FUL - Temporary change of use of land for the purposes of external film production for a period of 2 years. Approved 26 February 2021.
- 1.3.40 21/0852/NMA - Non material amendment to planning permission 20/2645/FUL: Amendment to Conditions 2 and 5 to allow alterations to landscaping and planting scheme and environmental management plan. Approved 12 April 2021.
- 1.3.41 22/0509/FUL - Construction of storage building. Approved 9 May 2022.
- 1.3.42 There have been numerous applications to discharge conditions.

## **2 Site Description**

### Wider Studio Site - Background

- 2.1 Leavesden Studios has been used for film making since the mid 1990s and from 2000 by Warner Bros. for the Harry Potter series of films, amongst others. The Studios (WBSL) comprise the main part of the original Leavesden Aerodrome dating back to the 1930s and operated from 1967 to 1994 when the site was occupied by Rolls Royce for aero engine manufacture.
- 2.2 The site is now owned by Warner Bros. and has been redeveloped through the implementation of various planning consents outlined in section 1 of this report. These consents have essentially allowed:
  - 1) The continued use of the land and buildings for film production and associated activities including the retention and refurbishment of existing studio buildings.
  - 2) Erection of a replacement 'Mill' building and new workshop building to the northern part of the site.
  - 3) Erection of two new stages (J and K) for the storage and public exhibition of film sets and artefacts, including cafe and gift shop, located between the main studio complex and Aerodrome Way. These new stages house the 'Warner Bros. Studio Tour London: The Making of Harry Potter', and have since been extended.
  - 4) Revised internal road layout and parking, new gatehouses, extended backlot, landscaping including new bunding and associated works.
  - 5) Consent for an external water tank used to film water based scenes.
  - 6) Construction of additional workshops, two new sound stages and production offices (M, N and O).
  - 7) Studio Tour and Studio parking.
  - 8) Studio Tour hospitality events.
- 2.3 Permission was granted under application 15/1852/FUL for further development at the wider Leavesden Studios site for the following elements:

#### *Detailed elements:*

- 1) L Stage Workshop located adjacent to existing L Stage to the south of the site to replace existing temporary workshop structures at the backlot.
- 2) P Stage located on the northern part of the site, opposite N & O and M Stages to be a new permanent sound stage.
- 3) Q and R Stages and ancillary production offices within a new permanent sound stage with three storey offices attached to the northern elevation to the west of C Stage.
- 4) Post production facility to the south of the main Studio buildings to include re-recording stages, cutting rooms and a preview theatre.

#### *Outline elements:*

- 5) Studio Tour Extension - new stage to extend from the southern elevations of J & K Stages onto part of the existing visitor car park including additional single storey staff accommodation located around K Stage, with a maximum height of 10m.
  - 6) Workshop on an existing hardstanding area to the north of the site, known as Car Park 5 (CP5).
  - 7) Studio Café Extension to meet enhanced catering needs.
  - 8) Production Support Building adjacent to the backlot and proposed Q & R Stages, to be used for a range of support activities including workshop, wardrobe, make-up and special effects.
  - 9) Island Site development - accommodation for a range of Studio support facilities such as workshops and production services together with supporting office accommodation with access via a new arm on the existing Aerodrome Way/High Road/Ashfields Way signalised junction.
- 2.4 Some Reserved Matters applications pursuant to the outline elements have been approved as detailed in the full planning history above.
- 2.5 Permission has been given under application 17/2240/FUL for 'Extensions and additions to the Studio Tour with associated parking, drainage, landscaping and enabling works (including the provision of temporary reception facilities) and a variation to the S106 to allow the Studio Tour to open at 9am on Sundays, on a permanent basis'.
- 2.6 Planning permission 19/1944/FUL granted consent for 'Development of T, U and V stages along with new office building and landscape improvements', with some slight variations to that approved pursuant to the Hybrid Planning Permission.
- 2.7 Planning permission 20/2667/FUL granted consent for 'Temporary change of use of land for the purposes of external film production for a period of 2 years' in February 2021.

#### Site Location

- 2.8 The 70 hectare site lies to the north of Watford just within the M25 and north of Hunton Bridge M25 spur roundabout. The residential area of Leavesden is to the east, with Abbots Langley to the north and Watford to the south. To the west of the site are open fields with some residential roads and individual properties.
- 2.9 The majority of the site lies within Three Rivers District Council (TRDC) area, however, a proportion (approximately 10%) encompassing part of L Stage and approximately two-thirds of the Island Site fall within Watford Borough Council (WBC) area.

#### Site Accessibility

- 2.10 The site benefits from good rail links with the West Coast Main Line from London Euston, with services departing from London Euston for Watford Junction (approximately 3km from the site) every 10-15 minutes. Kings Langley Station is approximately 2.5km to the north of the site.
- 2.11 Public bus services run past the site frontage along Aerodrome Way providing direct access to and from Watford as well as other neighbouring residential areas. Other services can be accessed via South Way or Leavesden High Road, a short walk from the site. There is also a dedicated bus service between WBSL and Watford Junction.
- 2.12 The site is well located in terms of road connections, with connections to junctions 19 and 20 of the M25 and junctions 5 and 6 of the M1 motorway. The A41 provides access to London and Hemel Hempstead. The A405 provides access to St Albans. The site is accessed by two roundabouts on Aerodrome Way. Warner Drive provides access to the Studio from the northern roundabout and Studio Tour Drive provides access to the Studio Tour from the southern roundabout.

- 2.13 All pedestrian routes to/from the site consist of lit pavements, with signal controlled crossings at the Aerodrome Way junctions with Hercules Way, Ashfields and Hill Farm Avenue. Within the site, approximately 30m west of the back lot, a public footpath runs south from Hunton Bridge, along Gypsy Lane to the Hunton Bridge interchange. The footpath runs between two fields owned by WBSL.

#### Site Designations

- 2.14 Leavesden Studios was identified in the Local Plan 1996-2011 as a Major Developed Site in the Green Belt. However, the Site Allocations document adopted in November 2014 removed the Green Belt designation from the built areas of the Leavesden Studios site. This area of the site (including the Island Site) is allocated specifically for Leavesden Studios Operations and associated uses (Site GB(2)).
- 2.15 Whilst the majority of the existing complex of WBSL buildings, as well as the part of the Island Site within TRDC fall outside of the Green Belt, the backlot, stages Q, S, T, U, V and L and fields to the west are located in the Green Belt, together with the part of the Island Site falling within WBC.
- 2.16 Tree Preservation Order (TPO) 310 protects trees in the vicinity of L Stage to the south of the site. TPOs 315 and 107 protect trees within the Lower Field and Island Site respectively.
- 2.17 There are 3 Local Wildlife Sites within the site and surrounding area, one wholly within the site. The Grade II\* Listed Hunton Park and Grade II Listed Dairy at Hunton Park are located to the north of the site. Hunton Bridge Conservation Area is sited beyond, approximately 750m to the north-west of the site.

### **3 Description of Proposed Development**

- 3.1 Planning permission is sought for the provision of new sound stages, workshops, production and post-production offices, Studio support facilities (including new welfare and café building) and new roundabout to provide vehicular access to the Studios and Island Site; the construction of decked car parking and a pedestrian footbridge (Island Site); the use of land to the west of the Studios for film production and associated activities (Backlot 2); ecological improvements to existing field (Lower Field) together with site-wide landscape and necessary utilities and infrastructure works, bund construction, and ground re-profiling.
- 3.2 As noted previously, a small part of the site falls within WBC area. As such, duplicate applications have been submitted to TRDC and WBC.
- 3.3 The development is split between 5 main areas as listed/described below:
- 1) Central Site
  - 2) Island Site
  - 3) Western Site
  - 4) Triangle Site
  - 5) Northern Access

#### **3.4 CENTRAL SITE:**

##### **3.4.1 SOUND STAGES**

- 3.4.1.1 Eleven new permanent sound stages are proposed. The proposed stages are labelled as Stages 2A – 2K on the submitted plans. A range of sizes are proposed, from 1,858sqm to 3,437sqm and a total floorspace of approximately 28,614sqm.
- 3.4.1.2 The height of the stages will vary from 18m on the outer edge closest to Gadeside, up to 21.5m within the centre of the site. It is proposed that the stages following the same scale, architectural language, colour and profile of the existing stages.

### 3.4.2 ANCILLARY PRODUCTION OFFICES

- 3.4.2.1 Four ancillary production office buildings are proposed, each three-storeys in height. These would be constructed to the north-western elevation of Stages 2A – 2D (Offices 1 and 2), facing the existing backlot, and to the south-eastern elevation of Stages 2H – 2K (Offices 3 and 4), providing an active frontage to Gadeside.
- 3.4.2.2 The buildings will each have a floorspace of approximately 2,260sqm, with a total floorspace of 9,040sqm. They would have a height of 12m and would reflect the appearance of existing office buildings on the site. The offices will provide day-to-day support for the film studio activities.

### 3.4.3 WORKSHOPS AND L STAGE WORKSHOP CONVERSION

- 3.4.3.1 Three new workshops are proposed. In addition it is proposed to add a mezzanine level to the existing L Stage to convert this into workshop space.
- 3.4.3.2 The new buildings will be 14.5m in height at eaves level and will be sited close to the associated Stages. 'Base Camps' will provide external areas adjacent to the Stages and Workshops for production catering or other temporary support activities.
- 3.4.3.3 The workshops will support the filming activities, providing space for set construction, costume and prop storage etc. Their external appearance/colour will reflect the existing workshops on site.

### 3.4.4 STUDIO AMENITY SPACE

- 3.4.4.1 A new amenity space is proposed to serve the development, comprising of a 660sqm single storey amenity building with external landscaped terrace. The building will face south-east towards the open woodland and internal green spaces, with the external design/materials palette again reflecting of existing buildings on site.

### 3.4.5 STUDIO SOUTH GATE ENTRANCE WITH SECURITY FACILITIES

- 3.4.5.1 A new access will be created to serve the new Studio development to the south of the site, connecting to Gadeside and serving as an entry point to the Studios. This entrance will be served by a dedicated security building, acting as the arrival tower for visitors coming from the Island Site parking structure via the footbridge (described below). It will include a security hub, WC facilities and secure bicycle and golf buggy parking and charging.

## 3.5 ISLAND SITE:

### 3.5.1 STUDIO PARKING DECK

- 3.5.1.1 The Studio Parking Deck will comprise a total of 2,500 parking spaces over ground, first, second, third floors and roof deck, providing parking for studio and production staff. The parameters for a building on this site were set by the 2015 planning permission and these are broadly followed now and include a lower building height to the eastern side in recognition of the residential development beyond the site.
- 3.5.1.2 The parking deck will be up to a maximum height of 15m adjacent to Gadeside, with the lower level (11m) towards Ashfields to the east in accordance with the 2015 parameters. Localised pop ups include the staircases and lift core.
- 3.5.1.3 The parking deck has been designed to look more like a building rather than a typical open sided multi-level car park and will be a modular steel structure with concrete floors. The structure will include a greater proportion of solid walls and horizontal banding to add interest whilst also screening cars from view. A detailed landscape strategy has been submitted with the application and includes extensive landscape planting around the Island Site,



particularly the eastern boundary, and includes a planted earth mound to act as both a visual and acoustic barrier.

3.5.1.4 The parking deck will be accessed from Gadeside via the proposed South Gate roundabout (described below), with vehicle barriers controlling entry.

### 3.5.2 STUDIO SUPPORT LIGHTING FACILITY (SET LIGHTING)

3.5.2.1 The support facility (Building 75 on the submitted plans) on the Island Site will be used for set lighting, with accommodation totalling 4,856sqm provided over two floors. The building will have a maximum height of 11m, reflecting the lower height of Studio Parking Deck. As with the parking deck, extensive landscaping is proposed around the perimeter.

## 3.6 WESTERN SITE:

### 3.6.1 BACKLOT 2

3.6.1.1 Backlot 2 is to the immediate west of the main Studios site and currently benefits from temporary planning permission (ref. 20/2667/FUL) to allow external film production. The current application proposes that the use of Backlot 2 for filming become permanent. The backlot enables temporary sets to be constructed near to the permanent support functions.

3.6.1.2 Landscape mitigation measures are proposed and include earth bunds to be constructed behind the existing security fence. This would be a minimum height of 3m and designed so that the existing hedgerows/trees are unaffected. In addition to 1,500 trees previously planted along the boundary with Gypsy Lane, new native woodland will be planted along the outer edge and on top of the earth mound. New woodland planting is also proposed in areas where little or no planting currently exists.

3.6.1.3 It is proposed that an Operational Management Plan (OMP) be agreed to include restrictions such as in relation to the height of temporary structures and protocols for night filming to ensure that the impacts of any activity on Backlot 2 are managed/mitigated.

### 3.6.2 LOWER FIELD

3.6.2.1 It is proposed to create a 12 acre area within the Lower Field that is accessible for public use via Gypsy Lane and Old Mill Road. Planting will include: 40 new trees including an orchard and semi-mature Oak trees; 4,857sqm of new woodland planting; 492sqm of coppice planting; and 1,565sqm of native scrub planting. A naturalised floodwater basin will also create a wetland habitat whilst providing surface water attenuation.

## 3.7 TRIANGLE SITE:

### 3.7.1 SOUTHERN ACCESS ROUNDABOUT

3.7.1.1 The proposed southern access roundabout would serve the Studio Parking Deck and main Studio site. Access will be provided via Gadeside, keeping traffic away from adjacent residential areas. The roundabout will intercept traffic arriving from the M25 and A41, and similarly, departing traffic will have easy access to the A41 and M25 beyond.

### 3.7.2 PEDESTRIAN BRIDGE ACCESS

3.7.2.1 The proposal includes a direct link between the Island Site Parking Deck and main Studio site through the provision of a pedestrian bridge to enable safe/direct access. This will have an overall span of approximately 100m with a cross-section height of 2.8m and 5.5m road clearance.

3.7.2.2 The construction of the bridge will follow a modular steel truss design concept, rectangular in section. It will be supported by two tapered 4-point piers. The bridge will be fully enclosed

with glazed sides. Vertical aluminium fins (to match those on the decked car park) will support the fenestration and will be bronze in colour. The roof and floor will be silver-grey.

### 3.8 **NORTHERN ACCESS:**

3.8.1 The Studio North Gate proposals to Warner Drive/Aerodrome Way roundabout include widening the access road to assist with traffic flow into the site.

### 3.9 **LANDCAPE STRATEGY:**

3.9.1 A comprehensive landscape strategy (as described in part above) forms part of the application proposals and seeks to achieve a significant increase in biodiversity net gain across the site. In summary:

- 175 new trees to be planted including an orchard and semi-mature Oak trees;
- 19,519sqm of new woodland planting;
- 487sqm of native hedgerow;
- 429sqm of coppice planting;
- 1,565sqm of native scrub planting;
- 425 linear metres of formal hedgerows;
- 3,458sqm of ornamental shrub planting.

### 3.10 **AMENDMENTS:**

3.10.1 In response to concerns raised from residents in relation to planting on the Island Site and Backlot 2 (Western Site), amended landscape drawings have been submitted. Additional bund and planting depth has been added to the eastern boundary of the Island Site closest to Ashfields. The sizes of the field maple and hornbeam on the boundary of Backlot 2 (Western Site) and Gypsy Lane have been increased to create a more immediate screening impact. The field maple were previously 8-10cm girth (2.5-3m high) and are now shown as 16-18cm girth (4-4.5m high); the hornbeam were previously 6-8cm girth (2.5-3m high) and are now proposed to be 14-16cm girth (4.25-6m high).

## 4 **Consultation**

### 4.1 **Summary of Consultation Responses**

Abbots Langley Parish Council	4.2.1	Support application but highlight concerns of residents
Affinity Water	4.2.2	No objection
British Film Commission	4.2.3	Support
British Film Institute	4.2.4	Support
British Pipeline Agency	4.2.5	No objection
CPRE Hertfordshire	4.2.6	Objection
Creative England	4.2.7	Support
Environment Agency	4.2.8	No objection
Film London	4.2.9	Support
Gypsy Lane Residents Group	4.2.10	Objection
Hertfordshire Constabulary	4.2.11	No objection
Hertfordshire County Council – Footpath Section	4.2.12	No response received
Hertfordshire County Council – Growth & Infrastructure Unit	4.2.13	No objection
Hertfordshire County Council – Highway Authority	4.2.14	Holding Response

Hertfordshire County Council – Lead Local Flood Authority	4.2.15	No comment
Hertfordshire County Council – Waste & Minerals Team	4.2.16	No objection
Herts. Archaeology	4.2.17	No response received
Hertfordshire Ecology	4.2.18	No response received
Hertfordshire Fire and Rescue Service	4.2.19	No response received
Hertfordshire Local Enterprise Partnership	4.2.20	Support
London Screen Academy	4.2.21	Support
London Underground Infrastructure Protection	4.2.22	No objection
National Film and Television School	4.2.23	Support
National Grid	4.2.24	No objection
National Highways	4.2.25	No response received
National Planning Casework Unit	4.2.26	No comment
Natural England	4.2.27	No objection
Network Rail	4.2.28	No objection
Screen Skills	4.2.29	Support
Thames Water	4.2.30	No objection
The Chiltern Society	4.2.31	Objection
Three Rivers District Council – Heritage Officer	4.2.32	No objection
Three Rivers District Council – Development Plans	4.2.33	No objection
Three Rivers District Council – Environmental Health (Residential)	4.2.34	No response received
Three Rivers District Council – Environmental Protection	4.2.35	No response received
Three Rivers District Council – Landscape Officer	4.2.36	No response received
Transport for London	4.2.37	Advisory comments
University of Hertfordshire	4.2.38	Support
Watford Borough Council	4.2.39	No response received
Watford Borough Council – Environmental Health (Commercial)	4.2.40	No objection
West Herts College Group	4.2.21	Support

## 4.2 Consultees

### 4.2.1 Abbots Langley Parish Council: [Support application but highlight concerns of local residents]

Whilst members support the application, members would like to ensure the planning officer is aware of the concerns of local resident groups by including herein attached residents' comments received by the Council.

#### START OF RESIDENTS' COMMENTS

"Our Group represents 40 households in residential streets close to the proposed "Backlot 2". We presume that others will comment on the impacts of the proposed expansion for the Main Site and Island Site; our primary interest is the proposed permanent expansion into Green Belt land – the entirety of the upper field above the Gypsy Lane path - to create Backlot 2, which we believe is inappropriate, contrary to planning principles and is going to progressively destroy the green belt between Watford and Abbots Langley.

Our residents group will provide comments by the due date of 23rd April, but we have already written to Three Rivers to state our expectations for their review of the application, based upon the lack of challenge provided when temporary use of the field was granted in 2021. We thought the Parish Council should have the benefit of seeing these expectations before you make your own submission to Three Rivers. They are as follows.

The proposed Backlot 2: When WB applied for permission for temporary use of the field that is now proposed to become Backlot 2, the challenge and due diligence by Three Rivers District Council ("TRDC") was inadequate. Aspects that are key when considering the Green Belt under NPPF were not adequately debated. There was a cursory assessment of the material change of use and no challenge that all reasonable options had been explored before seeking to take over Green Belt land. No attempt was made by WB, or demanded by TRDC, to present an assessment of the visual impact of the facilities, despite visual impact being a key consideration under NPPF and ignoring residents' predictions that a backlot area would present an unsightly view in the Green Belt (which it now is).

So, our expectations for the review of the current planning application are that TRDC will demand and properly consider;

- the valid types of material change of use of Green Belt land, which do not include the proposed industrial use;
- that WB prove the very special circumstances required to redesignate Green Belt, as we believe this test is not met;
- business plans from WB that justify that the extra space of backlot 2 is really required in addition to all the other space on the site, under the planning principle that all reasonable alternatives be considered before destroying the Green Belt;
- a full analysis of the visual impact that permanent use will have on local viewpoints in the Gade Valley, from viewpoints including the Hunton Bridge roundabout, the Gypsy Lane path and Langleybury Lane;
- that the local employment gains be described quantitatively - both the gains created to date through temporary use and the gains forecast by permanent use of, specifically, the upper field;
- screening proposals that are designed to provide relief to the public in the near term; that means the planting of significant numbers of mature trees. The references in the application to cosmetic measures of young trees which will take 10-15 years to provide screening of the required height shows that WB are not yet taking seriously the disruptive impacts that they create for residents, walkers and wildlife in the area and the industrial views currently presented from local viewpoints; and
- screening proposals that also address noise and light pollution, which are now frequent issues in the neighbourhood.

Field below Gypsy Lane: We view positively the proposals for the lower field below Gypsy Lane to be protected and enhanced as a natural environment. This would be a welcome change of behaviour as there is a history of broken commitments to preserve grasslands on the studio site, a point made previously by both local residents and by Herts Ecology.

The proposals include that a portion of this field be used to create a nature area, with the remainder (the area towards the Hunton Bridge roundabout) being left as an arable field area. However, we believe from discussions with WB that WB will seek permission at a later date to make commercial use of some of that green space towards the Hunton Bridge roundabout. This would harm wildlife established in that area and would threaten the public amenity, or even the future, of Gypsy Lane itself - an ancient deep cut lane and of historical value as a part of the toll road running North. So, we expect that the entire lower field will be protected as a cohesive green space, and formally covenanted as such for its long term protection. "

END OF RESIDENTS' COMMENTS

On the main site, members appreciate the scale of the project and the employment opportunities it will bring to the area. However, members urge the planning officer to take onboard the concerns of local residents with respect to traffic management. Members recommend a more detailed traffic management plan based on traffic survey data be added as a requirement. Members also recommend the scale of the building on the main site could be further softened with planted areas and further enhanced Bio Diversity elements increasing the elements already highlighted.

On the Island Site, members are concerned about biodiversity and feel section 7.9(2) of the Biodiversity Conservation (BC) Act 2016 should be upheld. Members recommend the creation of wildlife tunnels be applied as a requirement to allow the rehoused badgers and other wildlife the opportunity to forage on neighbouring areas without the need to cross roads. Also as this development is in a high bat activity area, members request a full bat mitigation strategy be applied, especially during night time activity and the potential for increased light pollution.

#### 4.2.2 Affinity Water: [No objection, subject to conditions]

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to our Pumping Station (THEG). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

The development site is also within an area of historical contamination, therefore great care needs to be taken during planning and construction to ensure contamination isn't exacerbated and mobilised towards public water supply abstractions.

We require that the following conditions are implemented and the requested documents covering our specific concerns are submitted in consultation with Affinity Water, so we are able to review risks to public water supply:

##### 1. Contamination

Any works involving excavations that penetrate into the chalk aquifer below the groundwater table (for example, piling or the installation of a geothermal open/closed loop system) should be avoided. If these are necessary, then the following condition needs to be implemented:

##### Condition

**A)** No works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in conjunction with Affinity Water:

- i) **An Intrusive Ground Investigation** to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
- ii) A **Risk Assessment** identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination.
- iii) A **Method Statement** detailing the **depth** and **type** of excavations (e.g. piling) to be undertaken including **mitigation measures** (e.g. appropriate piling design, off site monitoring boreholes etc.) to prevent and/or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

**Reason:** To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction.

## 2. Contamination during construction

Construction works may exacerbate any known or previously unidentified contamination. If any pollution is found at the site, then works should cease immediately and appropriate monitoring and remediation will need to be undertaken to avoid any impact on water quality in the chalk aquifer.

Condition

**B)** If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until a **Remediation Strategy** detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority in conjunction with Affinity Water. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

**Reason:** To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.

## 3. Infiltration

Surface water should not be disposed of via direct infiltration into the ground via a soakaway in contaminated areas.

Condition

**C)** Prior to the commencement of development, details of a Surface Water Drainage Scheme that considers ground contamination and public water supply as a receptor of that contamination shall be submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water.

**Reason:** The potential presence of contaminated land and the risk for contaminants to remobilise through direct infiltration causing groundwater pollution potentially impacting public water supply.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

### **Water efficiency**

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.

### **Infrastructure connections and diversions**

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact

with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com).

In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com). The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing [maps@affinitywater.co.uk](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

#### 4.2.3 British Film Commission: [Support]

The British Film Commission (BFC) is the UK Government's national organisation responsible for supporting inward investment film and TV production in the UK, funded by the Department for Digital, Culture, Media and Sport (DCMS) through the BFI and by the Department for International Trade (DIT). The BFC leads on:

- Maximising and supporting the production of major international feature film and high-end television in the UK;
- Strengthening and promoting the UK's film and television infrastructure;
- Liaising between the Government and the film and television industry to secure and maintain production- friendly policies.

The global demand for audio visual content for theatrical release, broadcast and streaming has never been greater. A combination of factors, including the ongoing success of the UK film and HETV tax reliefs, and our award-winning cast and crew, continue to encourage productions to maximise their production activity throughout the UK. Due to this growing demand for filmed content, the film and TV industry has become increasingly valuable in terms of employment and investment. Film, TV and the wider Creative Industries are the fastest growing sector, growing at five times the rate of the UK economy as a whole.

Despite a global suspension of production due to COVID-19 in March 2020, as a result of Government endorsed production protocols launched by the BFC in June 2020, the UK is supporting more inward investment production than pre-pandemic. The combined total spend on film and high-end television (HETV) production in the UK in 2021 was £5.6 billion, the highest figure on record.

UK Government recognises that film and TV studios are a unique economic and cultural proposition, highlighting "the impact that creative anchor institutes can have on pride and economic performance in an area", and citing film and TV studios as an example of how creative businesses and local investment increase employment and share spill-over benefits across the area and the supply chain.

The success of the UK as a production destination has led to extreme stage space capacity issues. To meet the continuing demand for content, the requirement for additional stage space of the right scale and in the right geographical locations, with access to the UK's world-class skills and infrastructure, has never been greater. In recognition of this need, in 2020, HM Treasury awarded the BFC £4.6 million over three years to work with commercial and public partners to increase the provision of studio space in the UK to accommodate and support additional film and TV content production, which leads to essential inward investment and employment. Warner Bros. Studios Leavesden (WBSL) is a crucial partner of the BFC's in this endeavour.

WBSL has played a distinct and significant role in supporting film and TV production in the UK since it opened in 2012 (though of course Warner Bros.' history at Leavesden extends significantly further back). It is a unique proposition in that Warner Media is both a content creator and studio, thus ensuring a pipeline of high-end, high-value productions, with the

associated direct economic impact, in addition to the indirect and induced impacts of employment, local business usage and, of course, tourism. Further development of the site such as that proposed, will not only build upon the studio's established and impressive reputation amongst international clients, and provide a considerable boost to local, regional and national economies, but it will contribute significantly to the combined efforts of the BFC and our public and commercial partners in promoting the studio, the county of Hertfordshire, and the businesses therein, to the global marketplace.

As such, the BFC is fully supportive of the expansion plans proposed by WBSL. If the BFC can provide any further support or evidence of the importance of additional capacity at WBSL, please do not hesitate to contact us.

#### 4.2.4 British Film Institute: [No objection]

The BFI is the UK's lead organisation for film and the moving image. We are a cultural charity and a National Lottery distributor. We work with Government and industry to ensure the continued growth of the UK's screen industries and it is in this latter role that we write this letter.

The UK is a global hub for film, TV and screen sector production. We have world-class skills, locations and production facilities that are the envy of the world. And yet, there is a proven lack of studio stage space in the UK with compelling evidence of significant future demand from inward investors in the global feature film and high-end TV drama market to come here to make their content. In short, there are more films and dramas that wish to film in the UK than the existing studio space available can accommodate. In order to enable the UK to capitalise on this opportunity and remain globally competitive, more studio space or expanded existing facilities are needed.

The UK film and high-end TV (HETV) production sector is a global success story that has witnessed extraordinary economic growth in recent years, generating hundreds of thousands of jobs, building skills and creating opportunities for young people from all backgrounds. The latest Screen Business report - UK screen sector economy | BFI - published by the BFI in December 2021 and covering the period 2017-2019, reported spend in 2019 on film production of £2.02 billion and on HETV of £2.08 billion. The latest official figures published by the BFI's Research and Statistics Unit in February 2022 highlight the growth in the economic recovery of UK film and high-end TV (HETV) production in the wake of the pandemic with record levels of spend contributed to the UK economy. The combined spend by film and high-end television production (HETV) during 2021 reached £5.64 billion, the highest ever reported and £1.27 billion higher than for the pre-pandemic year 2019.

Warner Bros. Studios Leavesden is already a well-established Studio in the UK - home to numerous major film franchises including Fantastic Beasts, Wonder Woman, Fast and Furious, Mission Impossible and Batman – and this represents a solid commitment to the UK by the company, which is set to continue with an increasing number of HETV productions, such as HBO's House of The Dragon. The scale and nature of their facilities includes on-site Virtual Production, expansive backlot and on-site Post Production facilities. This delivers a highly sustainable location that is attractive for productions resulting in time and financial efficiencies.

The studio in Leavesden creates and supports long-term employment opportunities for local people in Hertfordshire and the surrounding counties, across a wide range of areas from carpentry to catering. While the majority of jobs created are in the local areas, the benefits of additional investment will also support the wider UK economy through production on-location filming and local spend across the Nations and Regions, as seen in recent productions such as The Batman which filmed in Liverpool and Glasgow, and Wonka which was shot in Bath.



We welcome the expansion plans proposed by Warner Bros. Studios in Leavesden as the resulting capacity in studio infrastructure will create jobs and bring many economic benefits to the community there, to the UK film and screen sector and to the UK as a whole.

#### 4.2.5 British Pipeline Agency: [No objection]

Having reviewed the information provided, the BPA pipeline(s) is not affected by these proposals, and therefore BPA does not wish to make any comments on this application.

However, if any details of the works or location should change, please advise us of the amendments and we will again review this application.

Whilst we try to ensure the information we provided is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.

#### 4.2.6 Countryside Charity Hertfordshire (CPRE): [Objection]

I write with regard to the above application and would raise a number of concerns due to its location mainly in the Green Belt. We recognise the long-standing nature of the studios and the contribution they undoubtedly make to the local and wider economy, and their identification in the emerging Three Rivers and Watford Local Plans, and the support of their respective Councils.

We also note that this proposal is one of several similar related to the expansion of the film and television production industry in Hertfordshire which are also being positively promoted by the Councils involved. Most of these proposals affect significant areas which are presently designated as Green Belt, and their implementation will result in a considerable reduction in the area of protected open countryside in the County.

In this case, significant resources have clearly been used in the preparation of the application and supporting documents and studies, but it is reasonable to question the strategic issues surrounding the further concentration of such activities in an area with so many constraints. The Government's levelling-up agenda would also suggest that economic activity should be re-balanced to provide jobs where they are needed more.

Estimates for the provision of the employment to be provided by new development are regularly exaggerated by their promoters. The changing nature of employment, especially in the South and East of England, means that specific location is becoming less of a factor for employment provision.

Ideally therefore, we would seek any expansion of activity at Warner Studios to take place within their existing premises, preventing the need to use Green Belt land. In the event that the Council agrees that very special circumstances have been demonstrated for this inappropriate development, as required by the National Planning Policy Framework, we would urge you to impose wide-ranging and comprehensive conditions.

Recent legislation, including the Environment and Climate Change Acts, will place increasing responsibilities on local planning authorities and agencies to ensure that environmental issues are addressed appropriately, notably towards carbon reduction and biodiversity net gain. Together with recent Ministerial statements regarding the need to maintain the integrity of the Green Belt, these should constrain and guide any development which takes place in this location.

The opportunity should be taken, through this application if permitted, to improve those areas of the Green Belt which are released, to provide an enhanced open space for the

surrounding communities. Similarly, the proposals made in the application for biodiversity net gain and carbon reduction are crucial, and Warner Bros should be encouraged to go further to provide an exemplar development, given their high public profile and influence.

#### 4.2.7 Creative England: [Support]

Creative England is the national agency endorsed by the Department for Digital, Culture, Media and Sport (DCMS) and funded by the British Film Institute (BFI) to maximise and support international and domestic film and TV production to shoot in England, outside London. We work to develop a production-supportive environment and support further spread in the levels of feature film and high-end TV production activity taking place across the English regions, ensuring communities across the nation enjoy the profile, job opportunities and economic benefits that the sector generates. Creative England would like to extend their full support to this planning application to expand Warner Bros. Studios Leavesden and grow the world-class facility in Hertfordshire.

The film and TV sector is a major contributor to the UK creative industries economy, with an important role to play in the UK's economic recovery from the Covid-19 pandemic and contributing to the Government's ambitions to grow and develop industries UK-wide. Official 2021 BFI statistics demonstrates the growth and resilience of the sector with record-breaking level of film and TV production spend in the UK reaching £5.64 billion, the highest ever reported and £1.27 billion higher than for the pre-pandemic year 2019. This highlights the confidence international filmmakers have in the UK's creativity, the expertise of our crews, and world-class production facilities combined with the generous UK creative tax reliefs.

Despite the UK's success in attracting the biggest names in film and high-end TV, the supply of studio space has not been in-step with demand. The current unprecedented demand for content has never been on a greater trajectory and this planning application directly responds to the shortage of studio space in the UK that Creative England have seen over the last number of years. The expansion plans at Warner Bros. Studios Leavesden supports the UK remaining internationally competitive by ensuring sufficient infrastructure to support inward investment.

Warner Bros. Studios Leavesden is studio facility of significance for the UK film industry. Warner Bros. became the first Hollywood major to establish its own studio outside of the US and celebrates a long and rich history of hosting commercially successful franchise films such as *Harry Potter*, *Fantastic Beasts*, *Fast & Furious* and *Mission Impossible*, and multi-season TV shows like HBO's *House of The Dragon*, driving growth and stability in the sector. The scale and nature of the studio facilities, including on-site virtual production stage, extensive backlog and post-production facilities, makes it a highly sustainable location of choice for productions. Creative England are proud to support productions based out of Warner Bros. Studios Leavesden to film on location across the English Regions, most recently *The Batman* in Liverpool and *Wonka* in Bath. The economic impact brought by filming both at Warner Bros. Studios Leavesden and on location across the Nations and Regions is clear to see.

On a more local level, Warner Bros. Studios Leavesden is central to establishing long-term employment & training opportunities for local people in Hertfordshire and the surrounding counties, across a wide range of areas from carpentry and catering to accountants and electricians. This supports the UK in developing a sustainable and diverse workforce that is world leading and can support the huge quantities of content being produced.

The expansion plans at Warner Bros. Studios Leavesden offers the opportunity to ensure local communities enjoy the profile, job opportunities and economic benefits that the sector generates. If Creative England can provide any further support or evidence in support of this planning application, please do not hesitate to contact us.

#### 4.2.8 Environment Agency: [No objection]

Thank you for consulting us on the above application on 17 March 2022.

Based on a review of the submitted information, **we have no objection** to the proposed development.

We are currently operating with significantly reduced resources in our Groundwater and Contaminated Land Team in our Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals.

The previous land use at this site suggests the potential presence of contamination. As the site is situated in a vulnerable groundwater area within Source Protection Zone 3 these proposals need to be dealt with in a way which protects the underlying groundwater. Please therefore take note of the following advice.

Where land contamination may be an issue for a prospective development we encourage developers to employ specialist consultants/contractors working under the National Quality Mark Scheme.

#### **Advice for LPA/Applicant**

We recommend that the requirements of the National Planning Policy Framework and National Planning Policy Guidance are followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. We expect reports and Risk Assessments to be prepared in line with our Approach to Groundwater protection (commonly referred to as GP3) and the updated guide Land contamination: risk management (LCRM). LCRM is an update to the Model procedures for the management of land contamination (CLR11), which was archived in 2016.

In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution (e.g. soakaways act as preferential pathways for contaminants to migrate to groundwater and cause pollution).
- Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

The applicant should refer to the following (non-exhaustive) list of sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

1. Follow the risk management framework provided in the updated guide LCRM, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for the type of information we require in order to assess risks to controlled waters from the site. The Local Planning Authority can advise on risk to other receptors, such as human health.
3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. The Planning Practice Guidance defines a "Competent Person" (to prepare site investigation information) as: "A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation." For this definition and more please see here.

4. Refer to the contaminated land pages on Gov.uk for more information.
5. We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by contamination e.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents and their subsequent updates:
  - BS5930:2015 Code of practice for site investigations;
  - BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated sites;
  - BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;
  - BS ISO 5667-11:2009, BS 6068- 6.11: 2009 Water quality. Sampling. Guidance on sampling of groundwaters (a minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns but more may be required to establish the conceptual site model and groundwater quality. See RTM 2006 and MNA guidance for further details);
  - BS ISO 18512:2007 Soil Quality. Guidance on long-term and short-term storage of soil samples;
  - BS EN ISO 5667:3- 2018. Water quality. Sampling. Preservation and handling of water samples;
  - Use MCERTS accredited methods for testing contaminated soils at the site;
  - Guidance on the design and installation of groundwater quality monitoring points Environment Agency 2006 Science Report SC020093 NB. The screen should be located such that at least part of the screen remains within the saturated zone during the period of monitoring, given the likely annual fluctuation in the water table. In layered aquifer systems, the response zone should be of an appropriate length to prevent connection between different aquifer layers within the system.

A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a "Competent Person" e.g. a suitably qualified hydrogeologist. More guidance on this can be found at: <https://sobra.org.uk/accreditation/register-of-sobra-risk-assesors/>.

In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment.

Further points to note in relation to DQRAs:

- GP3 version 1.1 August 2013 provided further guidance on setting compliance points in DQRAs. This is now available as online guidance: <https://www.gov.uk/guidance/land-contamination-groundwater-compliance-points-quantitative-risk-assessments>
- Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50 metres.
- For the purposes of our Approach to Groundwater Protection, the following default position applies, unless there is site specific information to the contrary: we will use the more sensitive of the two designations e.g. if secondary drift overlies principal bedrock, we will adopt an overall designation of principal.

Where leaching tests are used it is strongly recommended that BS ISO 18772:2008 is followed as a logical process to aid the selection and justification of appropriate tests based on a conceptual understanding of soil and contaminant properties, likely and worst-case exposure conditions, leaching mechanisms, and study objectives. During the risk assessment one should characterise the leaching behaviour of contaminated soils using an appropriate suite of tests. As a minimum these tests should be:

- Up-flow percolation column test, run to LS 2 - to derive kappa values;
- pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario;
- LS 2 batch test - to benchmark results of a simple compliance test against the final step of the column test.

Following the DQRA, a Remediation Options Appraisal should be completed to determine the Remediation Strategy, in accordance with the updated guide LCRM.

The verification plan should include proposals for a groundwater monitoring programme to encompass regular monitoring for a period before, during and after ground works e.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period. The verification report should be undertaken in accordance with in our guidance Verification of Remediation of Land Contamination.

We only consider issues relating to controlled waters (groundwater and watercourses). Evaluation of any risks to human health arising from the site should be discussed with the relevant local authority Environmental Health Department.

Please can you also include the below informative for any permission granted.

#### **Informative - Flood Risk Activity Permit**

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk). The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

#### **Final comments**

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence and provide us with a copy of the decision notice for our records. This would be greatly appreciated.

Should you have any queries regarding this response, please do not hesitate to contact me.

#### **4.2.9 Film London: [Support application]**

I write to you in my capacity as the Head of Production Services for Film London. Film London is the capital's screen industries agency, funded by the Mayor of London, the National Lottery through the BFI, with support from Arts Council England and Heritage Lottery Fund.

Inward investment from the production of international feature film and high-end TV (HETV) drama reached record levels in the UK in 2019 and again in 2021 hitting £5.64bn. London

attracts over 75% of the film and TV industries UK spend. The screen industries support thousands of jobs and have wider benefits for our city and the South East of England, boosting tourism and raising our international profile. Despite the COVID19 pandemic halting all production in March 2020, our ability to be one of the first industries to re-start in the summer led to only 21% reduction on combined total spend in the UK (at £2.84bn) compared with the previous year. 2022 is already exceedingly busy as the industry continues to make up for lost time. We fully expect that film and TV production will continue to play a key role in the economic recovery of the region over the coming years.

With this success come challenges: London's increased popularity as a filming destination has led to severe capacity issues, most notably for studio space. By nature, our film and HETV tax reliefs encourage productions to maximise their UK-based activity, and are well suited to major high-end projects. These typically require multiple large-scale sets spread over stage space totalling an average of anywhere between 40,000 and 120,000sqft, plus associated workshop, office, back lot, and other auxiliary space. The finite amount of purpose-built, or re-purposed, studio space in the UK has led to the loss of several major multi-million dollar feature film and TV projects to competitor territories, with the resultant loss of investment, employment, and tax revenue for UK plc and the London economy. Even in an industry that utilises alternative stage space resourcefully, the loss of projects and resultant loss of investment is considerable. As Warner Brothers, Disney and Netflix's long-term residence continues, newer major players such as Amazon, Apple and Hulu continue to enlarge the marketplace. Combined with a film-friendly government, a relatively attractive £:\$ exchange rate and the proliferation of major film and HETV projects, the resultant capacity issue is set to continue – if not, more likely, to increase.

In recognition of the importance of the creative industries, which are worth £92 billion, employ two million people, and are growing twice as fast as the rest of the economy, the UK Government sustains Creative Sector Tax Reliefs to attract further business and ensure the UK retains its position at the forefront of global production.

Inward tourism spend is also strongly associated with the production of film and HETV – tourism as a result of British film is estimated to have brought 8,400 FTEs and £400m GVA, while more than £200m of inward tourism spend is associated with HETV.

Due to the large and experienced crew base, diverse and cinematic filming locations, easy access to the world's leading VFX and post-production hub in Soho, and film-friendly local government, London and the South East of England are probably the busiest areas for high-end production in the world. As such, studio/stage space capacity is a key priority for the area. Additional stage capacity would not only allow London and the South East to build their already established and impressive reputation amongst international clients, and increase the level of stage space in the UK, but would also provide a considerable and essential boost to the combined efforts of Film London, and our public and commercial partners, to market London and the South East globally as a leading destination for major HETV and feature film production.

The contribution that the expansion to Warner Brothers Studios Leavesden would make to increasing London and the South East's studio capacity would be extremely significant both in terms of helping fix our studio space deficit as well as providing increased local employment, both directly and in-directly, through the broad supply chain required for film making. Film London therefore wholeheartedly supports the proposal.

If Film London can provide any further support or evidence of the necessity for a significant increase in stage and auxiliary space capacity in and near London, please do not hesitate to contact me.

#### 4.2.10 Gypsy Lane Residents' Group: [Objection]

Our Group represents 40 households in residential streets close to the proposed "Backlot 2". Whilst we presume others will comment on the impacts of the proposed expansion for the Main Site and Island Site, our primary interest and the subject of local residents' comments by 17th April will be the proposed permanent expansion into Green Belt land - the upper field above Gypsy Lane - to create Backlot 2, which we believe is inappropriate, contrary to planning principles and is going to progressively destroy the green belt between Watford and Abbots Langley.

I would like to make you aware in advance of the concerns of residents about the upper field and the proposed nature area in the lower field below Gypsy Lane, and to set out our expectations of TRDC's due diligence review of this planning application.

### The proposed Backlot 2

When WB applied for permission for 2 years temporary use of the field that is now proposed to become Backlot 2, the challenge and due diligence by TRDC was inadequate. Aspects that are key when considering the Green Belt under NPPF were not adequately debated in the Officer's Report or the Planning Committee.

There was a cursory assessment of the material change of use and no challenge that all reasonable options had been explored before seeking to take over Green Belt land. We recall that WB sought temporary use of the upper field based on a lack of space even though there was spare space in the existing site; see the WB consultation video for the evidence of this. The clear conclusion is that the temporary use of the upper field above Gypsy Lane to address post-Covid schedule backlogs was simply a ruse to progress towards permanent expansion.

As we had pointed out at the time, it was unacceptable that no attempt was made by WB, or demanded by TRDC, to present an assessment of the visual impact of the facilities, despite visual impact being a key consideration under NPPF and ignoring residents' predictions that a backlot area would present an unsightly view in the Green Belt. The view expressed by councillors at the Planning Committee was generally that WB should "just be allowed to get on with it" and "no one will see it". We can now see though, one year on, what a horrendous blot on the landscape has been created. The views from the A41, the Hunton Bridge roundabout, Langleybury Lane and the Gypsy Lane pathway are unacceptable.

Furthermore the site creates noise and light pollution, about which residents have to regularly complain to WB. WB's attention to screening by vegetation is as limited as they can make it.

Being a good neighbour is about more than corporate responsibility exercises and funding parks. It is about minimising disruption to residents and this is not happening around the proposed Backlot 2. We consider, with the benefit of a year of experience of temporary use, that the proposed commercial use of the upper field by WB (which would cover an even greater portion of the upper field) is inappropriate and not in line with planning principles.

So, our expectations for your review of the current planning application are that you will demand and properly consider;

-screening proposals that are designed to provide relief to neighbours in the near term; that means the planting of significant numbers of mature trees. The references in the consultation documents to cosmetic measures of young trees which will take 10-15 years to provide screening of the required height shows that WB are not yet taking seriously the disruptive impacts that they create for residents, walkers and wildlife in the area and the industrial views currently presented from local viewpoints.

-screening proposals that also address noise and light pollution

### Field below Gypsy Lane

The proposals include that a portion of this field be used to create a nature area, with the remainder (the area towards the Hunton Bridge roundabout) being left as an arable field area. However, we believe from discussions with WB that WB will seek permission at a later date to make commercial use of some of that green space towards the Hunton Bridge roundabout. This would harm wildlife established in that area and would also threaten the public amenity, or even the future, of Gypsy Lane itself - an ancient deep cut lane and of historical value as a part of the toll road running North.

We presume that the details of the habitats will be defined later through the planning process, but we do expect that the entire lower field will be protected as a cohesive green space, and formally covenanted as such for its long term protection.

In Conclusion, please confirm that you will undertake full due diligence of the above matters when reviewing WB's application, to include our expectations above.

#### 4.2.11 Hertfordshire Constabulary: [No objection]

I have no objection to this application, I recently met with the Director of security, the architects and our counter terrorism advisor to discuss security at the site and this proposal.

#### 4.2.12 HCC Footpath Section: No response received.

#### 4.2.13 Hertfordshire County Council Growth & Infrastructure Unit: [No objection]

I refer to the above mentioned application and am writing in respect of planning obligations sought by Hertfordshire County Council towards early years; primary and secondary education; library and youth services, to minimise the impact of development on HCC's services for the local community.

Planning obligations should only be sought for residential developments that are major development, which is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. Therefore we will not be seeking financial contributions.

However, you may receive separate comments from the Highways Unit.

PLEASE NOTE: Please consult the Hertfordshire Fire and Rescue Service Water Officer directly at [water@hertfordshire.gov.uk](mailto:water@hertfordshire.gov.uk), who may request the provision of fire hydrants through a planning condition.

#### 4.2.14 Hertfordshire County Council – Highway Authority: [Holding Response]

I am e-mailing to provide an update on progress in relation to our technical assessment of Planning Application Ref. 22/0491/FUL for the provision of new sound stages, workshops, production and post-production offices etc at Warner Bros. Studios Leavesden.

We have met with the applicant's transport consultant and have further meetings arranged. Positive discussions on a package of measures to mitigate the effects of the development proposals on the transport network are taking place. The focus of these is measures to encourage the use of active and sustainable modes of transport to access the site, in line with LTP4 which seeks to encourage a switch from the private car to sustainable transport wherever possible. The package of measures consists, which Warner Bros appear to be supportive of, consists of a mixture of physical improvements to the pedestrian and cycle infrastructure in the area around the site to be delivered under a S278 Agreement, financial contributions towards more strategic improvements and subsidy of public transport and the



implementation of measures specific to the Studio including shuttle buses and a bespoke car sharing phone app.

We anticipate that these measures and mode shift targets for the Studio will be secured through either planning conditions or a S106 Agreement that will include requirements for monitoring and further management.

I will keep you updated on progress of these discussions and set them out in a full consultation response in due course.

4.2.15 HCC Lead Local Flood Authority: [No comments submitted]

Thank you for your consultation.

The Lead Local Flood Authority (LLFA) is currently unable to respond to any new planning consultations.

LLFA guidance is available under Policies and Guidance on our website: <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx#>. We recommend that any new development site follows the LLFAs policies on SuDS, which are contained within the Local Flood Risk Management Strategy 2 (LFRMS2). The Guidance for developers contains a Developers Guide and Checklist for developers to understand requirements. A climate change allowance note for Hertfordshire is also provided on the website. The surface water drainage webpages also contain links to national policy and industry best practice.

If the site contains an ordinary watercourse, we advise that: Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and/or temporary works, regardless of any planning permission. For further advice on Ordinary Watercourses, please visit our Ordinary Watercourse webpage via the following link: <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/ordinary-watercourses/ordinary-watercourses.aspx#>

When we have cleared our backlog of consultations, we will be working on the principle of addressing the most significant cases; triaging and prioritising. This means that for many applications we will not be able to provide detailed comments or input.

4.2.16 Hertfordshire County Council Minerals & Waste Policy Team: [No objection]

I am writing in response to the above planning application insofar as it raises issues in connection with minerals or waste matters. Should the Borough Council be minded to permit this application, a number of detailed matters should be given careful consideration.

**Waste**

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage Districts and Boroughs to have regard to the potential for minimising waste generated by development.

The Department for Communities and Local Government published its National Planning Policy for Waste (October 2014) which sets out the following:

*'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:*

- the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;*
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;*
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'*

This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;

Policy 2: Waste Prevention and Reduction; &

Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application the borough council is urged to pay due regard to these policies and ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions.

As a general point, new housing and other built development should have regard to the overall infrastructure required to support it, including a sufficient number of waste management facilities that should be integrated accordingly and address the principles of sustainability and the proximity principle. This includes providing adequate storage facilities for waste arisings through the arrangement of separate storage of recyclable wastes.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan

(SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to.

The Minerals and Waste Planning Authority are pleased to see that a SWMP has been submitted as part of the application. The SWMP submitted is considered adequate and sets out sufficient details the Waste Planning Authority would expect to see included.

Section 2 of the SWMP identifies persons responsible for producing and monitoring the SWMP, as well as the means of waste minimisation. Section 3 outlines the methods and options for managing the different expected waste streams as well as providing estimated figures and space for recording actual figures of waste arisings.

As a reminder, the SWMP must be available to any contractor carrying out work described in the plan and should be forwarded to the Waste Planning Authority when completed. There is no need to provide monthly progress; instead, the final figures at the completion of

the project would be sufficient. These should be sent to the Spatial Planning and Economy Unit at the above postal address or by email to: [spatialplanning@hertfordshire.gov.uk](mailto:spatialplanning@hertfordshire.gov.uk)

Evidence supplied by the applicant suggests hazardous material may be present at the site. This material may need to be removed during construction, should the application be permitted. Other than treatment and transfer centres, waste facilities in Hertfordshire do not accept hazardous waste and therefore, provisions must be made by the applicant, within the SWMP, in order to dispose of this waste safely and appropriately. With specific regards to the potential for asbestos containing materials (ACMs) on site, proper management and provision of this hazard must be adhered to given the risks presented to the adjacent residential area.

## **Minerals**

It is noted that the application site falls within the adopted Sand and Gravel Belt. Adopted Minerals Local Plan Policy 5 (Minerals Policy 5: Mineral Sterilisation) encourages the opportunistic extraction of minerals for use on site prior to non-mineral development. Opportunistic extraction refers to cases where preparation of the site for built development may result in the extraction of suitable material that could be processed and used on site as part of the development. This may include excavating the foundations and footings or landscaping works associated with the development.

The county council, as the Minerals Planning Authority, would like to encourage the opportunistic use of any deposits within the developments, should they be found when creating the foundations/footings. Opportunistic use of minerals will reduce the need to transport primary materials to the site and make sustainable use of these valuable resources.

- 4.2.17 Herts. Archaeology: No response received.
- 4.2.18 Herts Ecology: No response received.
- 4.2.19 Hertfordshire Fire & Rescue Service: No response received.
- 4.2.20 Hertfordshire Local Enterprise Partnership: [Support]

I am writing in support of your planning application to Three Rivers District and Watford Borough Council to include 11 new state-of-the-art sound stages, production workshops, dedicated production offices, storage, support and backlot filming space.

This is a really exciting step forward in the development of the film and TV industry, reinforcing the UK's position as a global player and stimulating local job creation, skills development and future inward investment opportunities.

Hertfordshire is already a global leader in the industry and its creative sector has rapidly expanded in the past 12 months, strongly establishing the county as a key location for film and TV production in the UK and a prime destination for on-location filming with screen tourism a key focus for Visit Herts recovery strategy post COVID.

An independent report into the health of the sector commissioned by Hertfordshire LEP, has identified what will be needed to enable the industry to grow sustainably as well as leverage its economic, social, and environmental value both locally and nationally.

One of the key interventions will be to address the acute lack of stage space in the UK and evidence of significant future demand, from inward investors in the global feature film and high-end TV drama market. Hertfordshire is perfectly positioned to respond to this unprecedented demand. Driven in large part by access to Heathrow Airport and central London, the hub of UK Film and TV Production is defined around a 'wedge' that extends

from central London (Soho) out through west London across an arc that (loosely) follows the M25 – approximately from the M3 in the west to the A1(m) in the east. Hertfordshire is fully part of this broader footprint.

The future expansion of Warner Bros. Studios Leavesden will be key. It is already a well-established studio in the UK. Due to its scale and nature of its facilities including on-site virtual production, expansive backlot and on-site post production facility, it is a highly sustainable location for productions resulting in time and financial efficiencies.

It is also open to other production studios and has been home to some of the most commercially successful franchises filmed in the UK including Fast & Furious (Universal) and Mission Impossible (Paramount).

Securing planning consent to support its continued expansion will be central to establishing long-term employment opportunities for local people in Hertfordshire and the surrounding counties, across a wide range of areas from carpentry to catering. Crucially, the benefits of additional investment to The Studios is not limited to the local area but will also support the wider UK economy through production on-location filming across the Nations and Regions, as seen in recent productions The Batman filming in Liverpool and House of The Dragon filming in Cornwall.

Our Annual Conference broadcast live from Warner Bros. Studios Leavesden last year demonstrated that there is a real appetite to work together to stimulate future investment, drive local job creation and spearhead skills development, putting Hertfordshire at the fulcrum of the film and TV industry's future growth.

We strongly support this planning application which will continue to grow a world-class facility on our doorstep and deliver huge positive benefits to residents and businesses in the supply chain.

#### 4.2.21 London Screen Academy: [Support]

I am writing to express the support of The London Screen Academy for the planning application submitted by Warner Bros. Studios Leavesden.

As background, The London Screen Academy was set up by some of the UK's most successful producers to enable 16-19 year olds to access the screen industries or progress to higher education through high quality learning within a diverse, accepting and supportive community.

It is an incredibly exciting time for our students as the UK screen industry has never been stronger offering young people the opportunity to carve a lasting career in the sector.

For the UK to maintain its position in the international market the high demand for stage space needs to be met. It's vital that studios invest in their facilities to fulfil significant future demand from inward investors in the global feature film and high-end TV drama market.

WBSL has a proven track record in reinvestment and is an established high-end facility which is much sought after. It is uniquely owned by a producing studio (Warner Bros. Discovery) and therefore is particularly important to the economic sustainability and sector growth driven by franchise films (Fantastic Beasts) and multi-season TV shows (HBO's House of The Dragon) which create stability and security within the industry and long-term employment and training opportunities for crew. Its doors are also open to non-Warner Bros. films and the studios have hosted some of the most commercially successful franchises filmed in the UK including Fast & Furious (Universal) and Mission Impossible (Paramount).

The benefits of additional investment to the studios are not limited to the immediate area but will support the wider UK economy through productions on-location filming across the Nations and Regions, as seen in the recent productions of The Batman filming in Liverpool and Wonka filming in Bath.

These plans are a real opportunity for the growth of our sector and have our full support.

#### 4.2.22 London Underground Infrastructure Protection: [No objection]

I can confirm that London Underground/DLR Infrastructure Protection has no comment to make on this planning application as submitted.

This response is made as Railway Infrastructure Manager under the "Town and Country Planning (Development Management Procedure) Order 2015". It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities.

#### 4.2.23 National Film & Television School: [Support]

As Director of the National Film and Television School, I write in support of the planned expansion of Warner Bros Studios Leavesden.

The proposed development is critical to cementing the local area as the leading destination for Film and Television in the UK whilst helping to maintain our position globally against fierce competition. There is a proven lack of stage space and evidence of significant future demand.

I support all aspects of the development including the additional stages, workshops and backlot filming space. Warner Bros have always been at the forefront of setting standards and practices. Their WonderWorks, health and wellbeing facility is a model for studios globally.

At the NFTS we run more behind the camera courses than any other film school in the world, with courses covering all aspects of film and television production. We have an extremely close connection with Warner Bros Studios Leavesden, and many of our graduates and alumni have gone on to work on some of the biggest films in the world there. Recently, no less than sixteen of our graduates worked on Fantastic Beasts (including the film's Director David Yates) and many are currently at Leavesden working on Mission Impossible and Barbie in the art department and other key production roles.

At the NFTS we welcome all inward investment into the UK film industry, and particularly when it will create and support so many jobs and opportunities for our graduates locally on both Warner Bros and HBO projects but also projects for other major studios.

I hope you will give your full support to this investment, which will ensure that Warner Bros Studios Leavesden can continue to support UK film students for years to come, and will ensure that they have world-class facilities in which to practice their trade once they graduate.

#### 4.2.24 National Grid: [No objection]

##### **Your planning application – No objection, informative note required**

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

## What you need to do

To prevent damage to our assets or interference with our rights, please add the following **Informative Note** into the **Decision Notice**:

*Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.*

*If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)*

*Prior to carrying out works, including the construction of access points, please register on [www.linerearchbeforeudig.co.uk](http://www.linerearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.*

## Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) or on 0800 688 588 quoting your reference at the top of this letter.

4.2.25 National Highways: No response received.

4.2.26 National Planning Casework Unit: [No comment]

I acknowledge receipt of the environmental statement relating to the above proposal. I confirm that we have no comments to make on the environmental statement.

4.2.27 Natural England: [No objection]

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

4.2.28 Network Rail: [No objection]

Network Rail has the following comments:

- (1) Network Rail notes that the proposal includes use of the west side of the site and therefore there is a risk of road vehicle incursion (rvi) on to the railway. The applicant will need to agree with Network Rail all RVI risk mitigation measures to prevent any vehicle incursion onto the railway.
- (2) Network Rail notes that there was a derailment at Watford Tunnel a few years back – with works undertaken which were not notified to Network Rail to the cutting slope.

As the applicant owns all the land to the west of the down fast from the tunnel up to and beyond Gypsy Lane bridge – this land falls away from the railway - it looks as though there is no buildings or hardstandings being planned (can the developer please confirm) so it is unlikely this will be an issue to Network Rail so the main area of concern is behind the tunnel portals and slightly on the up side where although new temporary buildings are being shown, it is assumed that they will have hardstandings and potentially parking areas created. It will be essential that these drain away from the railway and if there is any attenuation planned, it is well away from the tunnel portal / up slope.

In light of the previous derailment, it is essential that all hard standings be they permanent or temporary have positive drainage falls away from the railway and drained away from Network Rail infrastructure to avoid a repeat incident. Network Rail need to review the applicant's drainage design / plans as part of their planning application.

Whilst Network Rail has no objection to the proposal in principle there are areas of concern which require Network Rail interface and review/agreement of works in relation to RVI and drainage and therefore at this stage no works are to commence until the above are agreed with Network Rail.

#### 4.2.29 Screen Skills: [Support]

I am writing as CEO of ScreenSkills, the industry-led skills body for the UK's screen industries, to support the expansion plans of Warner Bros. Studios Leavesden.

The UK is currently benefiting from a production boom attracting high levels of investment from the global film and high-end TV drama market. This is of significant benefit to the economy and means there are considerable employment opportunities for a wide range of people with different skills from carpentry to catering and hair and make-up to accounts as well as those working with new and evolving tech.

Warner Bros. Studios Leavesden is already a well-established studio in the UK and the scale and nature of its facilities including on-site virtual production and post-production facility mean there are time and financial efficiencies that help make the studios a sustainable location for productions.

As Warner Bros. Studios Leavesden is owned by a producing studio, Warner Bros. Discovery, it is particularly valuable to the economic sustainability and growth of the sector, driven by franchise films such as Fantastic Beasts and multi-season TV shows like HBO's House of The Dragon which create stability and security within the industry and long-term employment and training opportunities for crew. The studios also host other commercially successful franchises such as Fast & Furious, made by Universal, and Paramount's Mission Impossible.

Warner Bros. Studios Leavesden has an important role in establishing long-term employment opportunity for local people in Hertfordshire and the surrounding counties. There is a broader benefit to the wider UK economy as it is common for large-scale productions based at the studios to do on-location filming in other parts of the country, as The Batman did in Liverpool.

Warner Bros. Discovery collaborate closely with ScreenSkills, on a range of training initiatives, including the Trainee Finder trainee programme and an apprenticeship programme, to ensure there is the skilled and inclusive off-screen workforce this activity requires. We would expect the expansion plans to contribute further to this very important work.

#### 4.2.30 Thames Water: [No objection]

##### Waste Comments:

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

This site is affected by wayleaves and easements within the boundary of or close to the application site. Thames Water will seek assurances that these will not be affected by the proposed development. The applicant should undertake appropriate searches to confirm this. To discuss the proposed development in more detail, the applicant should contact Developer Services - <https://www.thameswater.co.uk/developers>

##### Water Comments:

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>)



and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

#### 4.2.31 The Chiltern Society: [Objection]

The Chiltern Society is well-established with circa 7000 members acting as a voice of all those championing the Chilterns and our countryside; campaigning to cut overbearing development, conserving the Chiltern landscape, and promoting the enjoyment and environmental understanding of the area.

The Chiltern Society object to the expansion of the Warner Bros site at Leavesden principally on the grounds of the permanent loss of Green Belt land and the adverse impact on the environment around Gypsy Lane which is a heritage feature of the area. Also, the development of the 'Island Site' robs an area of Green Belt separating the towns of Watford and Abbots Langley. The special circumstances required for release of the Green Belt land are not adequately proven. The Society does however support the plans for the Lower Field to the West of Gypsy Lane.

The impact on the wider views from the A41 in the vicinity of the junction with the M25 Spur and from the higher ground to the West, around Langleybury, are not presented in any detail and this needs to be corrected. Today, use of Backlot 2 is clearly visible with inadequate screening around the site.

Should the Development proceed, more attention to screening is required. Current tree planting to the East of Gypsy Lane is inadequate – more mature trees are required. The cross-section (A-A) of land profile taken across Gypsy Lane to show the shielding of Backlot 2 is not representative of the whole lane as the contours vary along the lane. Generally, screening across the current site is poor, not helped by the hideous yellow slab-sided buildings. Cannot the buildings be multi-shades of green to better blend with the environment? The impact of the new car park and overhead walkway need to be better assessed with views presented from the resident areas. The appearance of these buildings is crucial to the look of the site and there seems to be little attention given to the style, screening and materials used.

There is clearly a traffic problem today around the site which is likely to get worse with the proposed expansion. Details of this are best left to the local residents who have to live with the consequences. The traffic surveys taken are possibly invalid due to the reduced traffic in times of Covid, however it is suggested that an independent survey and assessment is made with appropriate modelling of the proposed new road scheme.

#### 4.2.32 Three Rivers District Council - Heritage Officer: [No objection]

This application is for the provision of new sound stages, workshops, production and post-production offices, Studio support facilities (including new welfare and café building) and new roundabout to provide vehicular access to the Studios and Island Site; the construction of decked car parking and a pedestrian footbridge (Island Site); the use of land to the west of the Studios for film production and associated activities (Backlot 2); ecological improvements to existing field (Lower Field) together with site-wide landscape and necessary utilities and infrastructure works, bund construction, and ground re-profiling.

The application is located within the setting of several designated and non-designated heritage assets. The northwest corner of the application site bounds the Hunton Bridge Conservation Area, however, this section of the site would be preserved as verdant field and will benefit from ecological enhancements. This would preserve the setting of the Conservation Area.

Taking into consideration the distance of the other assets from the application site; the extent of existing development of the Warner Bros. Studios as well as other residential development within the locale; existing landscaping and topography of the land it is unlikely that the proposed development would have an adverse effect on the significance of the surrounding heritage assets. Any views of the structures within the application would only be glimpsed so the visual impact (if any) would be low. It is also understood that the structures located in the Backlot and Support Facility area would not be permanent. Therefore, I would not raise an objection to the proposal. The proposal would be compliant with section 16 of the NPPF 'Conserving and enhancing the historic environment' as well as Section 66(1) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.2.33 Three Rivers District Council - Development Plans: [No objection]

The Core Strategy (adopted 2011) recognises the Studios as being nationally important (Place Shaping Policy PSP2) and that the sustainable growth of the District's economy will be supported by continuing to focus employment use within the key employment areas of the District such as Leavesden Aerodrome.

In order to not compromise the ability of the Leavesden Studios to contribute to the national and regional economy, both as a local employer and as a centre to contribute to the growth of the District, the Leavesden Studios Site was allocated specifically for Leavesden Studios (adopted 2014). Despite this, the application site falls within the Metropolitan Green Belt. The National Planning Policy Framework (NPPF) states that the construction of new buildings in the Green Belt is inappropriate. The National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 143). Policy CP11 of the Core Strategy states that 'there will be general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it'.

Policy DM12 of the Development Management Policies (adopted July 2013) is met by the proposal by not only protecting the filming operations at the Studios, but also by enhancing them. Policy SA8 of the Site Allocations LDD states that development on the Leavesden Studios site 'must be in relation to the Leavesden Studios operations and associated uses'. This proposal meets the requirements of both policies.

4.2.34 Three Rivers District Council - Environmental Health (Residential): No response received.

4.2.35 Three Rivers District Council - Environmental Protection: No response received.

4.2.36 Three Rivers District Council - Landscape Officer: No response received.

4.2.37 Transport for London: [Advisory comments]

Thank you for consulting Transport for London (TfL). Although the proposed development is some distance from the London boundary, the sheer scale of the development and the expected number of trips is likely to generate cross boundary travel and have an impact on transport services provided by TfL and on the strategic road network within London.

Based on the approach taken to car parking within London set out in the London Plan, we would encourage a restraint based rather than a demand led approach to the provision of car parking. Evidence shows that parking restraint at new developments is the most effective tool to manage pressures on local and strategic road networks. This approach could be combined with charging for car parking at the site and more ambitious measures to encourage active travel and promote public transport use by staff and visitors.

Drawing on best practice in managing travel to large employment sites and visitor attractions, the updated Travel Plan could adopt a number of complementary measures to reduce car use. These measures could include targets in the Travel Plan to progressively reduce on site car parking linked to increases in parking charges. Charging for parking would provide an income stream to recycle into measures that supported sustainable travel including conventional public transport, shuttle buses, active travel improvements and a guaranteed ride home for shift or late workers. Discounts could be offered to staff and visitors so that use of public transport and active travel modes is incentivised. A particular target could be to reduce the occasional peaks in demand which have been referred to in the Transport Assessment. This could avoid the perceived need to provide a replacement for the car parking which has been removed from the site in the last couple of years.

We would also encourage the adoption of more challenging targets for reducing car trips in the Travel Plan that take account of emerging trends in transport and travel including mobility management. As an indication of future ambitions, the Mayor has set a target that 80% of all trips within London will be by sustainable modes by 2041.

We trust that these comments can be forwarded to the applicant's transport consultants so that they are able to respond to them positively before the application is determined.

#### 4.2.38 University of Hertfordshire: [Support]

I am writing in support of the proposed expansion of Warner Bros. Studios Leavesden.

Leavesden studios are a globally renowned film studio, with its output seen worldwide and recognised as one of the finest in the world. Since the significant investment made at the site throughout the duration of the Harry Potter films, the studio has become one of the most important production hubs in the United Kingdom. Not only are some of the biggest films in the world made on the site, but significant television content for HBO is also produced there, showcasing the world-class craft work of British crews.

The UK industry is benefiting from extraordinary growth at this time. The BFI has announced that by 2025 there will be a skills shortage of almost 50,000 crew members, based on the current rate of investment into UK production. At a time when there is a national shortage of studio space, the growth of the Warner Bros studio is not only an essential requirement to meet the needs of productions requiring stages and studios, but it is a significant employer of UK talent – encouraging and nurturing young crew members and retaining the best of the industry in the UK, where we have the best crews in the world. This investment will help to beat that skills shortage and ensure more crew can be trained and gain experience.

At the present time, there is not enough studio space to accommodate the productions looking to film in the UK. We are at the point of outpacing Hollywood production, but the space to host these productions is not there. With Warner Bros owning the studio, as well as being one of the “big five” production companies, they are in a unique position to commission content to make best use of their stages. This is an almost unique position in the UK, with most other studios relying on other production companies to book their stages, Warner Bros are free to not only commission their own content, but also rent the stages to other productions. This benefits the wider UK economy, as well as locally in Hertfordshire.

Warner Brothers Studios Leavesden has been a key partner with the University of Hertfordshire in supporting students looking to gain a career in the film industry. Over the past eight years, countless students have benefited from mentorship, training, work experience and employment at the studio. With the identified skills gap by the BFI, the relationship between industry and education providers in the sector is even more vital than ever.

As an employer in the region, Warner Bros ensures that UK talent continues to be offered opportunities in Hertfordshire and doesn't have to look further afield. The benefits to a growing studio also go to surrounding industries, which service and feed into the film industry such as electricians, carpenters, security, props companies, production designers and costume designers.

As Hertfordshire strongly cements itself as the true "British Hollywood", I strongly recommend to the planning committee that they approve the planning application made by Warner Brothers Studios Leavesden.

4.2.39 Watford Borough Council: No response received.

4.2.40 Watford Borough Council Environmental Health (Commercial): [No objection]

#### Air Quality

I have reviewed Chapter 8: Air Quality & Technical Appendix E of the Environmental Statement. I have also reviewed the CEMP.

The assessment of construction phase impacts indicates that the proposed development will constitute a medium dust risk for demolition and construction activities and a low risk for earthworks and trackout activities. The consultant states that for the site the general mitigation measures applicable to a medium risk site should be applied.

A CEMP has been submitted in support of the planning application. The consultant states that with the implementation of the CEMP, which includes the aforementioned mitigation measures, the construction dust and vehicle emissions effects in the area will be temporary and not significant.

The assessment of operation phase impacts utilised dispersion modelling, predicted concentrations indicate that emissions from the proposed development will have a negligible impact on annual mean concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> at existing and new receptors. No further mitigation is considered necessary.

I would suggest that a condition be applied to any permission granted requiring the development to be carried out in accordance with the CEMP, specifically with reference to Section 7: Air Quality & Dust.

I would suggest an informative relating to the following:

The use of vehicles (that are involved in demolition, earthworks, construction etc.) that meet the most recent European emissions standards.

The use of ultra-low emissions vehicles.

Consider innovation where possible, i.e. Non-Road Mobile Machinery (NRMM) low emission technology, replacing diesel powered equipment with ultra-low emission engines, the use of machinery/equipment that run on alternative fuels.

#### Contaminated Land

I have reviewed the Geo-Environmental Site Assessment (Report ref. 1620012265 03) and the Additional Environmental Assessment (Report ref. 1620012265 0.2) prepared by Ramboll.

The intrusive investigation did not identify any concentrations of contaminants of concern in exceedance of the relevant generic assessment criteria. The presence of asbestos was

identified within the made ground on the Central Site Area. The consultant has suggested that appropriate mitigation measures should be considered if areas of soft landscaping are introduced as part of the development i.e. a suitable thickness of clean cover in landscaped areas.

Ground gas monitoring results recorded over four separate events indicated that the Site Gas Screening Value is Characteristic Situation 1. The results obtained suggest that there is no requirement for gas protection measures as part of the proposed commercial development. However, the consultant has made the following recommendations:

- Further ground gas risk assessment may need to be considered if the current proposals change significantly or earthworks significantly change the ground profile;
- It is considered that, providing Network Rail approvals can be obtained, additional ground gas wells (or similar investigation method) and follow-on risk appraisal should be completed within the footprint of the proposed building 72 prior to construction; and
- Proposed building 56 is situated beneath an existing mound of material and it is considered that further ground gas risk assessment will be necessary following removal of the mound and prior to construction.

I would suggest that conditions be applied to any permission granted requiring a remediation method statement and verification plan to be submitted and approved, a verification report on completion of the works described in the approved remediation method statement and the reporting of any unexpected contamination identified during the development.

Based on this, the following contaminated land condition is recommended on this and any subsequent applications for the site.

1. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A remediation method statement, based on the results of the Geo-Environmental Site Assessment (Report ref. 1620012265 03) and the Additional Environmental Assessment (Report ref. 1620012265 0.2) prepared by Ramboll, giving full details of the remediation measures required and how they are to be undertaken.

ii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (i) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

2. Following completion of measures identified in the approved remediation method statement and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

3. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### 4.2.41 West Herts College Group: [Support]

I am writing this letter in support of the planning application submitted to Three Rivers District and Watford Borough Council for the expansion of the Warner Bros. Studios, Leavesden.

As a long-term partner of Warner Bros. Studios Leavesden (WBSL), West Herts College fully supports the application submitted for new state-of-the-art sound stages, production workshops, dedicated production offices, storage and support spaces and backlot filming space highlighting.

The College has seen a significant increase in the number of young people enrolling onto 'Creative' courses at the College over the past few years and with the vast majority of these students aspiring to work in TV and Film related jobs. In addition, many students studying other traditional occupations such as 'media make up, hairdressing, carpentry (set design), and many more, have strong aspirations for jobs within the TV and Film industry.

WBSL is important to the local area and central to providing long-term employment opportunities for local people in Hertfordshire and the surrounding counties.

West Herts College and WBSL have developed a strong relationship which allows students to further develop their skills through a range of opportunities at the Studios such as work experience, industry placements, apprenticeships, and seminars about life in TV and Film, through masterclasses provided by industry experts. These opportunities are critical to the development of work-readiness and significantly increase the employability of young people.

Warner Bros. Studios Leavesden is uniquely owned by a producing studio (Warner Bros. Discovery) and therefore is particularly important to the economic sustainability and sector growth driven by franchise films (Fantastic Beasts) and multi-season TV shows (HBO's House of The Dragon) which create stability and security within the industry and long-term employment and training opportunities for many people.

Crucially, the benefits of additional investment to The Studios is not limited to the local area but will also support the wider UK economy through production on-location filming across the Nations and Regions, as seen in recent productions The Batman filming in Liverpool and Wonka filming in Bath.

It is for all these reasons that West Herts College fully supports, in full, the application and I hope you will take the points included into consideration.

### **4.3 Public/Neighbour Consultation**

4.3.1 Number consulted: 768

4.3.2 Site Notice: 7 x Site Notices displayed around site perimeter on 18/03/22, expired 20/04/22.

4.3.3 Press Notice: Published 25/03/22, expired 27/04/22.

4.3.4 No of responses received: 46 (44 objections, 2 support)

4.3.5 Summary of Responses:

#### Objections:

Overdevelopment; Site has already been overdeveloped; Prominent in landscape; Visual impact on the landscape is significant; Will detrimentally alter rural nature of Gypsy Lane; Gypsy Lane is one of Hertfordshire's last deep cut lanes; the character has changed to industrial wasteland; Gypsy Lane is well used; Concerns cannot be overcome by planting which in itself changes the character of the area; Cumulative impact of development; Creeping strategy; It is not possible to provide effective screening as demonstrated currently; Buildings and structures excessively high; Dominate skyline; LVIA is dismissive of visual impact; No redeeming features to the car park or footbridge which would dominate; Bridge will create industrial appearance; Out of keeping with residential and semi-rural character of the area; No proper analysis of environmental harm; Appearance; Unsightly warehouses; A further unsightly multi-storey car park; Original Island Site proposal was building not car park, the two cannot be compared.

Negative impact on Green Belt; Warner Bros. continue to expand into the Green Belt; Permission for backlot was temporary, it should not be permanent; Granting permanent consent contravenes previous decision; Temporary permission was not properly assessed; The proposed backlot is not a justified use of Green Belt land; M25 service station in Green Belt was refused and the same principles apply; No rigorous assessment of alternative sites contrary to NPPF; There is space within existing site which would avoid use of Green Belt; Harm to the environment and openness of the Green Belt; M25 factor not taken into account; Green Belt within the parish has significant role to play in offsetting negative impact of M25; Once Green Belt is lost it is gone forever; Production of entertainment cannot justify loss of Green Belt; Contrary to the purpose of the Green Belt to have no break; Would create urban sprawl; Contrary to initial plans for the site which sought to retain Green Belt; Screening should include mature trees to provide immediate relief.

No very special circumstances have been demonstrated; Covid and backlog of work is not justification for further expansion; Success of expansion is not known so cannot be relied upon, it cannot be guaranteed; Entertainment industry is shrinking; No justifiable evidence; Claims not supported; Is there really a need given all the expansion elsewhere in Hertfordshire and the UK; Need for additional car parking suggests jobs would not be local.

Adverse affect on Trees; Adverse affects on Conservation Area.

Concerns regarding previous land use/contamination; Concern that local water supply cannot support more development; Lead to flooding due to amount of buildings and hard surfaces.

TRDC has declared a climate emergency; Contrary to climate change emergency and climate change imperatives.

Impact on ecology needs to be fully considered; No amount of mitigation will ever negate the biodiversity lost; Requirement for 10% biodiversity net gain; The triangle site is a natural habitat for wildlife.

Additional Traffic to local infrastructure; Traffic studies during pandemic do not reflect reality; Create a car park on local roads; There are currently queues as cars try to get into the site in the mornings; There will be severe congestion; Addition of 2500 parking spaces will increase traffic, congestion, noise and emissions; Underground car park would avoid need for bridge; Unable to park at shops in Cunningham Way due to Warner Bros traffic/vehicles; Impact of new roundabout on local roads; Layout of new roundabout and access to car park inappropriate; Highways safety concerns; No provision for waiting taxis/drop off and pick up; Construction traffic will be significant.

No consideration of residents; Needs of residents should be considered; Fully support comments on behalf of Gypsy Lane Residents' Group; Overshadowing by large mustard coloured buildings; Impact on neighbouring amenity; Too close to boundary; Why should community suffer long term for short term gains of commercial entity.

Impact of construction on neighbouring amenity and environment; Construction period will be long; Noise and disturbance from construction and use; Use of backlot would result in noise intrusion; Neighbours have and will continue to endure noise pollution and disruption; Light pollution; Existing green space absorbs noise and helps with air pollution; Air pollution will increase as a result of development and significant additional numbers of cars; Should be looking to reduce carbon dioxide; Green spaces should be used for food growing; WB should be involved with "Plant Britain"; Impact on residents health.

New Local Plan is draft only; My application for extensions was refused so this proposal cannot be permitted.

View positively the proposals for lower field but this needs to be secured and protected.

#### Support:

Great opportunity to build on thriving local film industry; No great loss of nature.

Letter of support from director of WonderWorks nursery who support WBSL by providing flexible childcare.

## **5 Reason for Delay**

5.1 No delay.

## **6 Relevant Planning Policy, Guidance and Legislation**

### **6.1 National Planning Policy Framework and National Planning Practice Guidance**

On 21 July 2021 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework".



## 6.2 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP1, CP6, CP8, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM2, DM3, DM4, DM6, DM8, DM9, DM10, DM12, DM13 and Appendix 5.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policy SA8 is relevant.

## 6.3 Other

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

National Planning Practice Guidance (2019).

## **7 Planning Analysis**

7.1 The report is a Preliminary Report and therefore the following sections (7.1 – 7.20) set out the policy framework against which the application should be considered in order to aid the discussion on the item. The analysis does not at this preliminary stage assess the acceptability or otherwise of the proposals.

### 7.2 Principle of Development

7.2.1 Place Shaping Policy (PSP2) of The Core Strategy (adopted 2011) recognises the Studios as being nationally important and that the sustainable growth of the District's economy will be supported by continuing to focus employment use within the key employment areas of the District such as Leavesden Aerodrome.

7.2.2 Policy CP1 of the Core Strategy (adopted October 2011) states that development must contribute to the sustainability of the District and recognises the need to maintain high levels of employment by attracting jobs and training opportunities for local people and Policy CP6 of the Core Strategy (adopted October 2011) supports development that provides jobs, promotes skills and learning of the local workforce, and re-enforces the south-west Hertfordshire area's existing economic clusters including film, printing and publishing, telecommunications and construction industries.

7.2.3 In order to not compromise the ability of the Leavesden Studios to contribute to the national and regional economy, both as a local employer and as a centre to contribute to the growth of the District, the Leavesden Studios Site was allocated specifically for Leavesden Studios

(adopted November 2014). The Site Allocations LDD (SALDD) (adopted November 2014) recognises the ability of Leavesden Studios to contribute to the national and regional economy and Policy SA8 of the SALDD sets out that development on the site must be in relation to the Leavesden Studios operations and associated uses so as not to compromise this ability. As part of the allocation (Policy SA8), the operational area was removed from the Green Belt. The backlot remained/remains in the Green Belt. It is relevant to note that the 'Island Site' (where it falls within Three Rivers) falls within the Studios 'operations' area identified by Policy SA8 and therefore is not within the Green Belt. Similarly, the 'Northern Access' is outside of the Green Belt. It is noted that the remainder of the application proposals fall within the Green Belt.

### 7.3 Green Belt

- 7.3.1 With the exception of the 'Island Site' (where it falls within TRDC) and 'Northern Access', the application site is located within the Metropolitan Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use.
- 7.3.2 The NPPF states that the Government attaches great importance to Green Belts. Paragraph 147 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF also states that LPAs should ensure that substantial weight is given to any harm to the Green Belt, and 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.
- 7.3.3 The five purposes of the Green Belt are set out at paragraph 138 of the NPPF as follows:
- To check the unrestricted sprawl of large built up areas;
  - To prevent neighbouring towns from merging into one another;
  - To assist in safeguarding the countryside from encroachment;
  - To preserve the setting and special character of historic towns;
  - To assist in urban regeneration by encouraging the recycling of derelict land and other urban land.
- 7.3.4 Paragraph 149 of the NPPF advises that a Local Planning Authority should regard the construction of new buildings as inappropriate in the development.
- 7.3.5 Paragraph 150 of the NPPF advises that certain forms of development are not inappropriate in the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of the including land within it. Two such exceptions listed at paragraph 150 are; b) engineering operations and e) materials changes in the use of land.
- 7.3.6 Policy CP11 of the Core Strategy (adopted October 2011) advises that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with purposes of including land within it. It also notes at criterion (d) that; 'The Council will review 'Major Developed Site in the Green Belt' status in relation to Leavesden Aerodrome having regard to the important contribution the site is expected to make to meeting needs for housing and employment.
- 7.3.7 It is accepted by the applicant that the parts of the development located within the Green Belt are inappropriate and are therefore, by definition, harmful to the Green Belt and should not be approved unless there are very special circumstances.

- 7.3.8 'Very Special Circumstances' are not defined and determining whether very special circumstances exist will depend on the facts and circumstances of the individual application.
- 7.3.9 The applicant in their submission contends that there are very special circumstances to justify the otherwise inappropriate development, namely the economic and social benefits of the proposed development which they consider to be of national significance.

7.4 Character and Appearance (including impact on the landscape)

- 7.4.1 Paragraph 126 of the NPPF states that:

*"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities..."*

- 7.4.2 Paragraph 130 of the NPPF states amongst other things that:

*"Planning policies and decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."*

- 7.4.3 Paragraph 134 of the NPPF states that:

*"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to (a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes: and/or (b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."*

- 7.4.4 Policy CP1 of the Core Strategy (adopted October 2011) advised amongst other things that:

*"All development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to:*

*n) Promote buildings and public spaces of a high enduring design quality that respects local distinctiveness, is accessible to all and reduces opportunities for crime and anti-social behaviour"*

Whilst this criterion talks about buildings and public spaces it stresses the importance of design quality and local distinctiveness.

7.4.5 In accordance with the requirements of Policy CP12 of the Core Strategy (adopted October 2011) development should amongst other things:

*“a) Have regard to the local context and conserve or enhance the character, amenities and quality of an area.*

*d) Make efficient use of land whilst respecting the distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials”*

7.4.6 The proposed sound stages on the ‘Central Site’ (2A - 2K on submitted plans) would range in height from 18m on the outer edge up to 21m within the centre of the site. Their design would follow the scale, colour and profile of the existing stages. The ancillary offices would be lower, up to 12m in height and would include active frontages. The new workshops would be 14.5m to eaves height.

7.4.7 The Studio Parking Deck would range from 11m – 15m in height, the lower height closest to residential properties in Ashfields to the east. A number of solid walls and horizontal banding are proposed to create the appearance of the building. The Pedestrian Bridge Access will provide access from the Studio Parking Deck to the Studio Site. This would be 100m in length with a road clearance height of 5.5m. Extensive landscaping is proposed around the perimeter of the ‘Island Site’ and across the development site more widely, including the Lower Field.

7.4.8 In terms of land use, the area is mixed in character. To the north-east of the main application site is the existing Studios and Studio Tour. To the north-west is the residential area of Abbots Langley. To the west of the site are open fields with some residential roads and individual properties. To the north-east on Aerodrome Way there are existing commercial units at Leavesden Park with residential properties beyond to the east. To the south is the residential area of Watford beyond the A41 North Orbital Road.

#### ***Impact on views and the landscape***

7.4.9 In order to assess the visual impact of the development on various visual receptors and the character and appearance of the landscape the applicant has submitted a Landscape and Visual Impact Assessment (LVIA) within their Environmental Statement (ES).

7.4.10 A 2.5km study area was chosen based on the Zone of Theoretical Visibility (ZTV) as the visibility beyond this distance will become limited. The assessment judges the potential effects of the proposals on the landscape and visual receptors that have been identified. The significance of a landscape and visual effect is determined by consideration of the sensitivity of the landscape and visual receptors and the magnitude of the landscape and visual effect as a result of the proposals. This follows the Guidelines for Landscape and Visual Impact Assessment, (GLVIA) 3<sup>rd</sup> Edition, Landscape Institute (LI) and Institute for Environmental Management and Assessment (IEMA) (2013).

7.4.11 Landscape effects arise either as a result of direct changes as a result of development in the physical elements of the receiving landscape, or from indirect effects on the character and quality of the surrounding landscape. Visual effects arise from changes in character and quality of people’s views resulting from a proposed development. In both cases, effects that are moderate (including slight to moderate) or above are considered to be significant for the Environmental Impact Assessment.

7.4.12 A baseline study is undertaken. This is to record the existing landscape conditions against which the effects of the proposed development will be assessed.

7.4.13 The LVIA considers the impact on 3 types of receptor, these being residential streets/areas, transport routes and recreational areas. A number of representative viewpoints (14) have

been selected within the study area to illustrate how the site is experienced by the identified visual receptors.

7.4.14 With regards to Primary Mitigation, key mitigation measures have been incorporated into the proposals which aim to minimise the initial predicted impacts. These include:

- Retention of historic lane (Gypsy Lane) that runs through the site;
- Retention of PROW no. 40;
- Retention of TPO trees along Gypsy Lane and within the Western Site;
- Island Site building heights in accordance with parameters;
- Introduction of low planted earth mounds to north and east of Island Site;
- Introduction of planted earth mounds around the Western Site's western field (Backlot 2);
- Ecological enhancements in the Lower Field including hedgerow planting, orchard and woodland planting;
- Introduction of woodland matrix along western side of Gadeside.

7.4.15 The principal sources of change to landscape and resources and visual amenity arise from the introduction of new built form and landscape elements. The changes that could occur to the landscape can be separated into temporary (that occur during construction) and permanent changes that occur at completion (post construction and during the operation of the site). Some of these changes may be beneficial, resulting in an improvement on quality or landscape resources, while others may be adverse. Some changes may initially be adverse, but on establishment and maturity may result in a gradual improvement as new landscape resources replace old or supplement existing.

7.4.16 The LVIA states that out of the 11 visual receptors assessed, 6 will have significant adverse visual effects during construction. By completion this is reduced to 5. Over time with the primary mitigation in the form of earth bunds and the detailed planting proposals taken into account the planting will begin to mature. The woodland planting will thicken and will begin to screen the Studios proposed development including Backlot 2. Five to 10 years after completion the woodland planting will reduce the visual effects. After 15 years there are not expected to be any significant adverse effects on the landscape character of the visual amenity of the 11 receptors identified. The degree of visual effects on the residential receptors from The Maltings and Old Mill Road will reduce to slight adverse and therefore not significant as the planting within the Studios matures. The visual receptors using Gypsy Lane and PROW no. 40 will also reduce to slight adverse and therefore not significant. The LVIA concludes therefore that there will be no significant landscape or visual effects after 15 years on any of the receptors.

## 7.5 Heritage & Archaeology

7.5.1 The Grade II\* Listed Hunton Park and Grade II Listed Dairy at Hunton Park are located to the north of the site. Hunton Bridge Conservation Area is sited beyond, approximately 750m to the north-west of the site.

7.5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

*"In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

7.5.3 Paragraph 195 of the NPPF advises that:

*"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the*

*setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."*

7.5.4 Paragraphs 199 and 200 of the NPPF state that:

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*

*"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."*

7.5.5 Paragraph 202 of the NPPF advises that:

*"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal..."*

7.5.6 The NPPG advises that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

7.5.7 Policy DM3 of the Development Management Policies LDD advises that the Council will preserve the District's Listed Buildings and that "Applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment."

7.5.8 The application is accompanied by a Heritage Statement (March 2022) prepared by Terence O'Rourke. The report concludes that the proposed development is not predicted to result in any changes to the setting of designated or non-designated heritage assets that could harm their significance.

## 7.6 Impact on Neighbours

7.6.1 Paragraph 130 of the NPPF advises that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.6.2 Policy CP6 of the Core Strategy (adopted October 2011) advises that the Council will support development that sustains parts of the District as attractive areas for business.

7.6.3 Policy CP12 of the Core Strategy (adopted October 2011) states that the Council will expect development proposals to protect residential amenities.

7.6.4 The closest residential properties to the east of the 'Island Site' are those on Ashfields (within Watford Borough Council area). The Studio Parking Deck reflects the parameters (in terms of scale/mass/bulk etc) approved in 2015. The height would be 15m maximum, however, it would be stepped with the lower 11m high element sited closest to Ashfields.

The south-east corner of the Studio Deck Car Park would be over 80 metres from the closest property in Ashfields. A detailed landscape strategy has been submitted with the application and includes extensive landscape planting around the Island Site, particularly the eastern boundary, and includes a planted earth mound to act as both a visual and acoustic barrier.

- 7.6.5 The support facility (Building 75 on the submitted plans) on the Island Site will be used for set lighting. The building will have a maximum height of 11m, reflecting the lower height of Studio Parking Deck. As with the parking deck, extensive landscaping is proposed around the perimeter. The eastern flank elevation of Building 75 would be located approximately 90 metres from the closest properties on Ashfields.
- 7.6.6 The sound stages and supporting offices/workshops would be separated from residential properties to the south by the North Western Avenue, with a separation distance of over 100m at the closets point. The offices would front Gadeside (with North Western Avenue beyond) with the higher sound stages located more centrally within the site away from the site boundaries.
- 7.6.7 To the west there are some individual residential properties and residential roads. The residential part of Gypsy Lane adjoins the site boundary and the Lane itself continues through the site as a public footpath between the proposed Backlot 2 and Lower Field. There are residential properties on The Maltings which adjoin the Lower Field where ecological enhancements are proposed as part of the development.

#### 7.7 Pollution – Air Quality

- 7.7.1 Paragraph 174 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations:

*(e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;*

- 7.7.2 The NPPG provides guidance as to when air quality would be relevant to a planning decision. In summary, it states that when deciding whether air quality is relevant to a planning application, considerations could include whether the development would, amongst other considerations:

- *Significantly affect traffic in the immediate vicinity of the proposed development site or further afield.*
- *Introduce new point sources of air pollution eg. furnaces.*
- *Give rise to potentially unacceptable impact (such as dust) during construction for nearby sensitive locations.*

- 7.7.3 In relation to air quality, Policy DM9 of the Development Management Policies LDD (adopted July 2013) advises that development will not be permitted where it would:

- i. Have an adverse impact on air pollution levels, particularly where it would adversely affect air quality in an Air Quality Management Area and/or*
- ii. Be subject to unacceptable levels of air pollutants or disturbance from existing pollutant sources.*

- 7.7.4 The application is accompanied by an Environmental Statement. Chapter 8 of the Environmental Statement specifically deals with air quality. The application is also accompanied by a Construction Environment Management Plan (CEMP).

- 7.7.5 The assessment of construction phase impacts indicates that the proposed development will constitute a medium dust risk for demolition and construction activities and a low risk for earthworks and trackout activities. The consultant states that for the site the general mitigation measures applicable to a medium risk site should be applied.
- 7.7.6 The assessment of operation phase impacts utilised dispersion modelling. Predicted concentrations indicate that emissions from the proposed development will have a negligible impact on annual mean concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> at existing and new receptors and no further mitigation is considered necessary.
- 7.7.7 The Environmental and Protection Officer recommends conditions be applied to any permission granted requiring the development to be carried out in accordance with the CEMP, specifically with reference to Section 7: Air Quality & Dust. They also suggest an informative relating to the use of vehicles (that are involved in demolition, earthworks, construction etc.) that meet the most recent European emissions standards and the use of ultra-low emissions vehicles.

## 7.8 Pollution – Noise & Vibration

- 7.8.1 Paragraph 174 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations:

*(e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;*

- 7.8.2 Policy DM9 of the Development Management Policies LDD (adopted July 2019) sets out that planning permission will not be granted for development that has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development, has an unacceptable adverse impact on countryside areas of tranquillity which are important for wildlife and countryside recreation.

- 7.8.3 The application is accompanied by a Noise Assessment (ref. 206/0600/R2, March 2022) prepared by RSK Acoustics. The Assessment has considered noise from construction, road traffic noise and noise associated with the soundstages and backlot 2. It acknowledges that the proposals include elements that have the potential to produce noise with risks of disturbance to nearby residents. It sets out the design, including landscaping, have sought to minimise noise emissions where practical and that noise from the majority of activity is unlikely to be a material concern. The Assessment concludes that noise impacts would be minor, but if necessary, conditions could be attached to any permission if granted.

- 7.8.4 The Council's Environmental Health Officer is reviewing the submitted details.

## 7.9 Pollution – Light

- 7.9.1 Paragraph 174 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations:

*(e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;*



7.9.2 Policy DM9 of the Development Management Policies LDD (adopted July 2013) states in relation to lighting proposals, that development proposals which include external lighting should ensure that:

- i. Proposed lighting schemes are the minimum required for public safety and security*
- ii. There is no unacceptable adverse impact on neighbouring or nearby properties*
- iii. There is no unacceptable adverse impact on the surrounding countryside*
- iv. There is no dazzling or distraction to road users including cyclists, equestrians and pedestrians*
- v. Road and footway lighting meets the County Council's adopted standards*
- vi. There is no unacceptably adverse impact on wildlife*
- vii. Proposals in the vicinity of habitats and habitat features important for wildlife ensure that the lighting is sensitively designed to prevent negative impacts on use of these habitat features.*

7.9.3 The application is accompanied by an External Lighting Strategy and Impact Assessment (March 2022) prepared by Ramboll which concludes that the external lighting for the proposed development will comply with relevant guidance and will be unobtrusive for adjacent residential properties.

7.9.4 The Council's Environmental Health Officer is reviewing the submitted details.

## 7.10 Highways & Access

7.10.1 Paragraph 110 of the NPPF advises that;

*In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

*a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*

*b) safe and suitable access to the site can be achieved for all users;*

*c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*

*d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

7.10.2 Paragraph 111 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

7.10.3 All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 113 of the NPPF).

7.10.4 Policy CP1 of the Core Strategy (adopted October 2011) advises that in ensuring all development contributes to the sustainability of the District, it is necessary to take into account the need to reduce the need to travel by locating development in accessible locations and promoting a range of sustainable transport modes.

7.10.5 Policy CP10 (Transport and Travel) of the Core Strategy (adopted October 2011) advises that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District. Development will need to demonstrate that:

- i) It provides a safe and adequate means of access*
- j) It is appropriate in scale to the existing infrastructure...*
- k) It is integrated with the wider network of transport routes...*
- l) It makes adequate provision for all users...*
- m) It includes where appropriate, provision for public transport either within the scheme or through contributions*
- n) The impact of the proposal on transport has been fully assessed...*
- o) The proposal is accompanied by a draft Green Travel Plan*

7.10.6 On the 'Triangle Site' a new 'Southern Access Roundabout' is proposed which would serve the Studio Parking Deck and main Studio site. Access will be provided via Gadeside, keeping traffic away from adjacent residential areas. The roundabout will intercept traffic arriving from the M25 and A41, and similarly, departing traffic will have easy access to the A41 and M25 beyond. The proposals also include a direct link between the Island Site Parking Deck and main Studio site through the provision of a pedestrian bridge to enable safe/direct access. This will have an overall span of approximately 100m with a cross-section height of 2.8m and 5.5m road clearance.

7.10.7 At the 'Northern Access' it is proposed to widen the access road to assist with traffic flow into the site.

7.10.8 The application was accompanied by a Transport Assessment (TA) (March) 2022 and Travel Plan (March 2022), both prepared by Markides. The submitted details are being reviewed by HCC as Highways Authority (HCCHA). HCCHA have provided a holding response which confirms that they have met the applicant's transport consultant and that positive discussions have taken place regarding a package of measures to mitigate the effects of the development proposals on the transport network. HCCHA will provide a full consultation report in due course.

## 7.11 Parking

7.11.1 Three Rivers District Council are the Parking Authority, and Policy DM13 and Appendix 5 of the Development Management Policies LDD set out the car parking requirements for the District.

7.11.2 There are no parking standards relating specifically to film studio use. The Policy advises that for uses not specifically identified, standards should be considered on a case by case basis. The most closely related standards are considered to be:

- Office and Research Development                      1 space per 30sqm
- Light Industry    1 space per 50sqm
- General Industry    1 space per 75sqm

7.11.3 Applying the above standards to the proposed development would result in a requirement for 2,352; 1,411; and 941 spaces respectively.

7.11.4 Appendix 5 does indicate that the car parking standards may be adjusted according to which zone the proposed development is located in. The site is within Zone 4, equating to 75-100% of the demand based standard.

7.11.5 The proposed multi-storey car park on the 'Island Site' will accommodate 2,500 car parking spaces. It is intended to meet both the demand of the additional studio space being created, and to reintroduce the capacity on site to deal with the 1000 space buffer that the Studio has tried to maintain for extreme peaks.

7.11.6 The existing multi-storey car park on the main Studios site accommodates 2,250 spaces. The uplift in floor area of the proposed development is approximately two-thirds of the existing floor space of the site. Two-thirds of the existing parking provision would equate to

approximately 1,500 spaces. A parking accumulation calculation, based on trip rates derived from entry and exit counts at the site has also been undertaken which has identified average daily peak parking demand for the site to be in the order of 1,330 spaces.

- 7.11.7 The Transport Assessment sets out that the provision of a car park with space for 2,500 vehicles would therefore be sufficient for the typical day to day use associated with the new development and would also accommodate the extreme peak provision (1,000 spaces).
- 7.11.8 Parking requirements for disabled motorists are also set out in Appendix 5, with the development requiring 6 spaces plus 2% of the total capacity. The application proposes 56 accessible parking spaces.
- 7.11.9 It is noted that TRDC current adopted policy does not require Electric Vehicle Charging Points (EVCP), however, the draft parking policy approved by the Local Plan Sub-Committee and Policy & Resources Committee includes a requirement for 20% of spaces for such a development to be active provision and 30% to be passive. The application proposes 20% of spaces to be active provision from the opening of the car park with the option to passively allow for EVCP to all of the remaining spaces subject to demand.
- 7.11.10 Cycle parking standards are also set out within Appendix 5 of the Development Management Policies LDD (adopted July 2013). There are no specific standards for film studio use. The application proposes 150 covered/secure cycle parking spaces. Amenity facilities for staff would incorporate showers and lockers.

## 7.12 Wildlife and Biodiversity

- 7.12.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 9 of the Conservation of Habitat and Species Regulations 2017 (as amended) which states that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.12.2 Paragraph 174 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by:
  - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*
- 7.12.3 Paragraph 179 of the NPPF advises that in order to protect and enhance biodiversity and geodiversity, plans should:
  - b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*
- 7.12.4 Paragraph 180 of the NPPF advises that when determining planning applications, local planning authorities should apply principles including:
  - if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.*
- 7.12.5 Policy CP1 of the Core Strategy (adopted October 2011) advises that; “all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to (amongst other things) (f) “protect and enhance our natural, built and historic environment from inappropriate development and improve the diversity of wildlife and habitats”.

- 7.12.6 Policy CP9 of the Core Strategy (adopted October 2011) advises that; “The Council will seek a net gain in the quality and quantity of Green Infrastructure, through the protection and enhancement of assets and provision of new green spaces”.
- 7.12.7 Policy DM6 of the Development Management Policies LDD advises that development should result in no net loss of biodiversity value across the District as a whole.
- 7.12.8 Policy DM6 advises that;
- (a) Development that would affect a Site of Special Scientific Interest, Local Nature Reserve, Local Wildlife Site or protected species under UK or European law, or identified as being in need of conservation by the UK Biodiversity Action Plan or the Hertfordshire Biodiversity Action Plan, will not be permitted where there is an adverse impact on the ecological, geological or biodiversity interests of the site, unless it can be demonstrated that:*
- ii) Adverse effects can be satisfactorily minimised through mitigation and compensation measures to maintain the level of biodiversity in the area.*
- (d) Development must conserve, enhance and, where appropriate, restore biodiversity through:*
- i) Protecting habitats and species identified for retention*  
*ii) Providing compensation for the loss of any habitats*  
*iii) Providing for the management of habitats and species*  
*iv) Maintaining the integrity of important networks of natural habitats, and*  
*v) Enhancing existing habitats and networks of habitats and providing roosting, nesting and feeding opportunities for rare and protected species.*
- (e) Linked habitats are important in allowing species to adapt and respond to circumstances. Development must not result in fragmentation or isolation of wildlife habitats and should seek opportunities for habitat connectivity with the wider landscape.*
- 7.12.9 There are 3 Local Wildlife Sites within the site and surrounding area, one wholly within the site.
- 7.12.10 The application is accompanied by an Ecological Impact Assessment (March 2022) prepared by LC Ecological Services which was undertaken to assess the potential ecological effects of the proposed development. Walkover surveys have been completed in 2007, 2015, 2021 and 2022. Phase 2 surveys were undertaken to obtain further information on which protected species were likely to be impacted by the proposed works and include badger activity surveys; bat activity transects; breeding bird surveys; invertebrate surveys and reptile surveys. 28 Important Ecological Features (IEFs) were identified, including 17 designated sites, 3 habitats and 1 fauna of regional importance, and 3 habitats and 4 fauna of local importance. The Assessment concludes that the development scheme and mitigation measures will result in a minor positive impact overall.
- 7.12.11 The proposal will result in the loss of an area of a Local Wildlife Site (LWS), however, the design includes areas of translocation for the LWS grassland habitat. Mitigation measures are proposed including habitat translocation (as noted above), production of a Construction Environment Management Plan to control all potentially damaging operations, protection measures for hedgerows and woodlands and a mitigation strategy for badgers, bats, nesting birds, invertebrates and reptiles.
- 7.12.12 The submitted details are being reviewed by Hertfordshire Ecology.

### ***Habitats & Biodiversity Offsetting***

7.12.13 Paragraph 174 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by, among other matters:

*d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*

No % or quantum of 'net gains' is stipulated in the framework.

7.12.14 Paragraph 179 of the NPPF advises that in order to protect and enhance biodiversity and geodiversity, plans should:

*b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*

7.12.15 Paragraph 180 of the NPPF advises that when determining planning applications, local planning authorities should apply principles including:

*if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.*

7.12.16 Policy DM6 of the Development Management Policies LDD (adopted July 2013) states that (d) 'development must conserve, enhance and, where appropriate, restore biodiversity through: ii) providing compensation for the loss of any habitats'.

7.12.17 The Environment Act (introduced as a Bill in October 2019 and enacted following receipt of Royal Assent on 9 November 2021) proposes to mandate the requirement for BNG in legislation, through changes made to the Town and Country Planning Act 1990. The Bill proposes to achieve a threshold 10% gain in biodiversity. The Bill received Royal Assent on 9 November 2021 meaning that it is now an Act of Parliament. Mandatory BNG as set out in the Environment Act applies only in England by amending the Town and Country Planning Act and is likely to become law in 2023. The requirement for 10% BNG is, therefore, not yet enshrined in planning law. As noted above, however, Local Plan Policy DM6 refers to the provision of compensation measures for the loss of any habitats.

7.12.18 The proposed enhancement measures, including to the 'Lower Field' where it is proposed to create a 12 acre area, accessible for public use, with 40 new trees including an orchard and semi-mature Oak trees; 4,857sqm of new woodland planting; 492sqm of coppice planting; 1,565sqm of native scrub planting; and a naturalised floodwater basin creating a wetland habitat whilst providing surface water attenuation, seek to achieve an increase in biodiversity net gain (BNG) across the site. A grant of planning permission would need to secure the provision and maintenance of 'Lower field', including for public access.

7.12.19 The submitted details are being reviewed by Hertfordshire Ecology.

### 7.13 Trees and Landscape

7.13.1 Tree Preservation Order (TPO) 310 protects trees in the vicinity of L Stage to the south of the site. TPOs 315 and 107 protect trees within the Lower Field and Island Site respectively.

7.13.2 Paragraph 174 of the NPPF advises that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

7.13.3 In ensuring that all development contributes to the sustainability of the District, Policy CP12 of the Core Strategy (adopted October 2011) advises that development proposals should:

*i) Ensure that development is adequately landscaped and is designed to retain, enhance or improve important existing natural features; landscaping should reflect the surrounding*

*landscape of the area and where appropriate integrate with adjoining networks of green open spaces.*

- 7.13.4 Policy DM6 (Biodiversity, Trees, Woodlands, Watercourses and Landscaping) of the Development Management Policies LDD (adopted July 2013) advises that development proposals for new development should be submitted with landscaping proposals which seek to retain trees and other landscape and nature conservation features. Landscaping proposals should also include new trees to enhance the landscape of the site and its surroundings as appropriate.
- 7.13.5 The application is accompanied by an Arboricultural Assessment and Method Statement (ref. 21011-AA-PB, 8 March 2022) prepared by Barrell. A detailed planting strategy for the site has also been submitted as summarised at section 3.9 above, including:
- 175 new trees to be planted including an orchard and semi-mature Oak trees;
  - 19,519sqm of new woodland planting;
  - 487sqm of native hedgerow;
  - 429sqm of coppice planting;
  - 1,565sqm of native scrub planting;
  - 425 linear metres of formal hedgerows;
  - 3,458sqm of ornamental shrub planting.
- 7.13.6 As noted at section 3.10 above, in response to concerns raised from residents in relation to planting on the Island Site and Backlot 2 (Western Site), amended landscape drawings have been submitted. Additional bund and planting depth has been added to the eastern boundary of the Island Site closest to Ashfields. The sizes of the field maple and hornbeam on the boundary of Backlot 2 (Western Site) and Gypsy Lane have been increased to create a more immediate screening impact. The field maple were previously 8-10cm girth (2.5-3m high) and are now shown as 16-18cm girth (4-4.5m high); the hornbeam were previously 6-8cm girth (2.5-3m high) and are now proposed to be 14-16cm girth (4.25-6m high).
- 7.13.7 The submitted details are being reviewed by the Council's Landscape Officer.
- 7.14 Energy & Sustainability
- 7.14.1 Paragraph 152 of the NPPF states that "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure".
- 7.14.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.
- 7.14.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply.
- 7.14.4 Three Rivers District Council declared a 'Climate Emergency' in 2019. The Climate Change Motion put forward by Members commits the council to use all practical means to reduce the impact of council services on the environment, use all planning regulations and the Local Plan to cut carbon emissions and reduce the impact on the environment. Following the

declaration of the 'Climate Emergency' Three Rivers District Council agreed a Climate Change and Sustainability Report at its Full Council meeting on 25 February 2021. The TRDC Climate Strategy is not a planning document, but an overarching Council Strategy which is informed by the draft policies in the new Local Plan. Whilst the declaration of the Climate Emergency and Climate Change Strategy are noted, it is the current adopted Policy DM4 against which any planning applications must be currently be assessed.

- 7.14.5 The application is accompanied by an Energy Statement Report (March 2022) prepared by Ramboll. The report sets out that the energy strategy is based on the energy hierarchy of prioritising passive design and a general energy demand reduction before the incorporation of Low and Zero Carbon technologies.
- 7.14.6 Passive Design: It is proposed to improve insulation of the office fabric. In addition, solar control has been added to glazing to reduce cooling demand without excessively impacting beneficial solar gain during winter. Improvements in the air tightness of buildings, particularly when not in use, are also proposed to reduce heat loss.
- 7.14.7 Reduce Energy Demand: Appropriate ventilation and air conditioning systems will be used, alongside low energy LED light fittings and suitable smart lighting controls. Air Source Heat Pump will be utilised for Stages H and I and VRF systems will provide heating and cooling.
- 7.14.8 Low and Zero Carbon Technologies: In order to maximise on-site energy generation, photovoltaic (PV) panels will be provided on the roofs of the proposed Stages. The PV will generate over 1,600,000kWh per year. Whilst the primary purpose is to power the Studios, any surplus can be exported to the wider electricity network.
- 7.14.9 Enhanced fabric combined with efficient heating, ventilation and air conditioning systems and the inclusion of PV will ensure a minimum 20% reduction in regulated carbon emissions. The development is estimated to demonstrate an 86% reduction in overall regulated carbon emissions which is above the current 5% threshold and draft future guidance of 20%.
- 7.14.10 A BREEAM 2018 New Construction 'Excellent' rating is being targeted across the site. Through water efficient sanitary ware the buildings will be targeting a 40% reduction over the typical baseline water consumption. To reduce air pollution, electric vehicle charging points will be provided to encourage more sustainable modes. WBSL are also moving towards electrification of their vehicles on site, including the shuttle bus which transfers visitors to and from Watford Junction station.

## 7.15 Flood Risk & Drainage

- 7.15.1 The site is located within Flood Zone 1 and therefore has a 'low probability' of fluvial flooding, with less than a 1 in 1000 annual probability of river or sea flooding in any year. However, as the site area is over 1 hectare a Flood Risk Assessment is required.
- 7.15.2 Paragraph 159 of the NPPF states that;  
  
*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*
- 7.15.3 Paragraph 174 of the NPPF advises that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 7.15.4 Policy CP1 of the Core Strategy (adopted October 2011) recognises that taking into account the need to (b) avoid development in areas at risk of flooding will contribute towards the sustainability of the District.

- 7.15.5 Policy CP12 of the Core Strategy (adopted October 2011) also acknowledges that the Council will expect development proposals to build resilience into a site's design taking into account climate change, for example through flood resistant design.
- 7.15.6 Policy DM8 (Flood Risk and Water Resources) of the Development Management Policies LDD (adopted July 2013) advises that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risks of flooding elsewhere and that the Council will support development where the quantity and quality of surface and groundwater are protected and where there is adequate and sustainable means of water supply. Policy DM8 also requires development to include Sustainable Drainage Systems (SuDs). A SuDS scheme for the management of surface water has been a requirement for all major developments since April 2015.
- 7.15.7 The application is accompanied by a Flood Risk Assessment and Drainage Strategy (March 2022) prepared by Quattro Consult.

### ***Sustainable Drainage***

- 7.15.8 The Lead Local Flood Authority (LLFA) has advised that they are currently unable to respond to any new planning consultations and as such are not providing comments on this planning application. The LLFA publish guidance on SuDS and they recommend that new development follows these policies.
- 7.15.9 In the absence of comments from the LLFA, TRDC is in the process of instructing an external consultant to review the submitted Flood Risk Assessment and Drainage Strategy with reference to the LLFA's published guidance.

### ***Railway Infrastructure***

- 7.15.10 Network Rail raise no objection in principle but note that the applicant will need to agree 'road vehicle incursion' (RVI) mitigation measures with them to prevent vehicle incursion onto the railway. Network Rail also sought confirmation that hardstanding drains away from the railway.
- 7.15.11 In response the applicant has confirmed that there are no proposed works to the west side of the site within 12 metres of the Network Rail fence line and that a Heras style fence will be erected along this exclusion line to ensure no vehicular or pedestrian incursion. They have also confirmed that all drainage will be down to either the River Gade or pond/wetland area in the lower field, 20m lower than the Network Rail fence.

### **7.16 Contaminated Land/Groundwater**

- 7.16.1 Paragraph 174 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations:

*(e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;*

- 7.16.2 Policy DM9 of the Development Management Policies LDD (adopted July 2013) advises that;

*"The Council will refuse planning permission for development, including changes of use, which would or could give rise to polluting emissions to land, air and/or water by reason of disturbance, noise, light, smell, fumes, vibration, liquids, solids or other (including smoke,*



*soot, ash, dust and grit) unless appropriate mitigation measures can be put in place and be permanently maintained.”*

7.16.3 The application is accompanied by the following documents which have been reviewed by the Environmental and Protection Officer:

- Geo-Environmental Site Assessment (March 2022) prepared by Ramboll; and
- Additional Environmental Assessment (28/02/22) prepared by Ramboll.

7.16.4 The Environmental and Protection Officer has advised that the intrusive investigations have not identified any elevated concentrations of contaminants of concern in exceedance of the relevant generic assessment criteria. The presence of asbestos was identified within the made ground on the Central Site Area. The consultant has suggested that appropriate mitigation measures should be considered if areas of soft landscaping are introduced as part of the development i.e. a suitable thickness of clean cover in landscaped areas. They consider that further ground risk assessments may be needed if the current proposals were to change significantly or if earthworks significantly change the ground profile. Subject to approval from Network Rail, additional ground gas wells (or similar investigation method) and follow-on risk appraisal should be completed within the footprint of the proposed building 72 prior to construction; and as proposed building 56 is situated beneath an existing mound of material, it is considered that further ground gas risk assessment will be necessary following removal of the mound and prior to construction.

7.16.5 The Environmental and Protection Officer raises no objection subject to conditions requiring a remediation method statement and verification plan to be submitted and approved, a verification report on completion of the works described in the approved remediation method statement and the reporting of any unexpected contamination identified during the development.

7.16.6 With regards to regards to surface water and foul water sewerage network, Thames Water recognise that the catchment is subject to high infiltration flows during certain groundwater conditions. However, the scale of the development is not considered to materially affect the sewer network and as such they have no objection.

7.16.7 Thames Water recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities.

### ***Ground Water***

7.16.8 The proposed development site is located within an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) corresponding to Pumping Station (THEG) which is for public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd. Affinity Water note that the site is within an area of historical contamination and therefore whilst they raise no objection, they do require that a number of planning conditions are included in order that the risks to public water supply can be properly considered. Requested conditions include no excavation such as piling unless a piling method statement has first been agreed; the requirement for works to cease if contamination not previously identified is found to be present and a surface water drainage scheme to ensure surface water is not disposed of via direct infiltration in contaminated areas. These requests reflect the comments/requests of the Environment Agency.

### **7.17 Refuse & Recycling**

7.17.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:

- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
- ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
- iii) There would be no obstruction of pedestrian, cyclists or driver site lines

7.17.2 The County Council's adopted waste planning documents reflect Government policy which seeks to ensure that all planning authorities taken responsibility for waste management. This includes ensuring that development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and ensuring that the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal. Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP) which aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to.

7.17.3 The application is accompanied by a SWMP and HCC Minerals and Waste Planning Team have reviewed the submitted document and have confirmed that it is considered adequate and sets out sufficient details.

7.17.4 The SWMP will help reduce the amount of waste full stop, whilst also reducing waste that is removed from the site. As existing, waste will be processed on site where possible and will be collected by private contractors.

## 7.18 Safety & Security

7.18.1 Policy CP12 of the Core Strategy advises that all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to, for example promote buildings and public spaces that reduce opportunities for crime and anti-social behaviour. Policy CP12 also requires that development proposals design out opportunities for crime and anti-social behaviour through the incorporation of appropriate measures to minimise the risk of crime and create safe and attractive places.

7.18.2 The Police Designing Out Crime Officer has reviewed the submitted details and has raised no objections, noting that they met with relevant personnel to discuss site security.

## 7.19 Infrastructure Contributions

7.19.1 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 April 2015. The Charging Schedule sets out that the charge per sq.m of non-residential development is £nil.

7.19.2 Full comments from HCC as Highway Authority are awaited at this time, however, it is anticipated (as indicated in their holding response), that in order to make the proposals acceptable to maximize sustainable travel options, that the Highway Authority will recommend appropriate developer contributions are sought via a Section 106 Agreement towards supporting the implementation, processing and monitoring of a full travel plan including any engagement that may be needed.

## 7.20 Referral to Secretary of State

7.20.1 The Town and Country Planning (Consultation) (England) Direction 2021 requires Local Planning Authorities to consult the Secretary of State before granting planning permission for certain types of development. These include inappropriate developments in the Green Belt that by reason of their scale or nature or location would have a significant impact on

the openness of the Green Belt. In the event that it is concluded that the development subject of this application is acceptable although contrary to the Development Plan, or that very special circumstances exist which are considered to outweigh the harm to the Green Belt by inappropriateness and any other harm, it would be necessary for the LPA to consult the Secretary of State prior to a decision being issued. The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to call in an application under section 77 of the Town and Country Planning Act 1990. If a planning application is called in, the decision on whether or not to grant planning permission will be taken by the Secretary of State.

## **8 Recommendation**

- 8.1 There is no recommendation for approval or refusal at this stage in the consideration of the application.
- 8.2 Consequently, it is recommended that the Committee notes the report, and is invited to make general comments with regards to the material planning issues raised by the application.