



Application 20/03418 – Land Adjacent to the Drawrey, Windsor Great Park.

Change of use of land for construction of film set and use of associated land for parking and storage purposed for a 5 year period.

Sunninghill and Ascot Recommendations:

Summary:

Our parish council strongly objects to the proposed development.

It is clear from the submissions that the applicant has:

- a. Significantly underestimated the harm the development and its accesses will do to the Green Belt, biodiversity and users of the popular footpaths affected by the proposals
The applicant claims that: "when considering what is permissible there will be very little harm to the area through traffic, noise or environmental impact from the filming activity and associated vehicle movements" and hasn't presented an environmental statement to support this view, contrary to NP/EN4.2.
- b. Over-estimated the economic benefit of the facility which will only be used for between 12-15% of the 5 years it will be in place, and is largely self-contained.--

The harm from the proposals include:

1. It is inappropriate development in high quality green belt (contrary to Local Plan Policy GB2 A) and B) and NPPF paragraphs 143 – 145)
2. It doesn't respect the character of the surrounding area, contrary to NP/DG3.1
3. It will have a significant and unacceptable impact on:
 - The openness of the green belt, contrary to GB2.
 - The health of the prime agricultural land on which the facility sits owing to the very large areas of hardstanding required (due to lack of air, light and compaction of the soil)
 - The biodiversity of the Great Pond and ancient woodland which abut the proposed accesses, and on the two wildlife corridors that cross the site accesses in 3 places, contrary to policy NP/EN5 (ref: Neighbourhood Plan Map 8d)
 - The tranquillity, enjoyment and safety of the families, dog walkers and cyclists who use the two heavily used rights of way (footpaths 3 and 4), along which the filming facility is accessed, particularly during the 5 month construction period and the estimated 3 months for its removal. Paragraph 108b) of the NPPF requires safe access for all users and paragraph 110 a) and c) of the NPPF, which sets out that developments should a) give priority to pedestrian and cycle movements, and c) create places that are safe, secure and attractive – which minimises the scope for conflicts between pedestrian, cyclists and vehicles. The proposals fail to do so.

- The tranquillity of those residents who live alongside the access roads, which are narrow and not fit for the high level of OGV's / HGVs that will be using them.
- The viability of the riding stables who walk their horses between the stables and paddocks which lie to the west of FP4.
- The significant areas of hardstanding proposed might speed up the surface water run-off into the ditch by FP4 and may contaminate the ditch and increase the flood risk of the land immediately to the north of the site.

The case for VSCs rests on:

- Economic Benefit
- Lack of alternative sites
- Permitted Development Rights are a material consideration
- The National Shortage of studio space

As shown below, these don't amount to a case for VSCs.

We are concerned that if permission is granted the site will be used as a filming facility for many years thereafter. This has happened on site 5 – Bovingdon Airfield (alternative sites review), where a series of temporary planning permissions have been granted for filming over the past 10 years, and a recent permission has been granted for a further 5 years.

The lack of information provided (including an environmental impact statement, topographic survey, details of the base area facilities, hard standings and site boundary treatment, and information regarding the suitability of the construction access) makes it difficult to make a full assessment of the application and should be provided before deciding the application.

Discussion

The Case for Very Special Circumstances is very weak.

The case for VSCs is a high hurdle to jump for development in high quality land within the Green Belt. We consider the case for VSCs fails as the benefits fall well short of offsetting the harm caused.

The Harm Caused

The applicant's view that "when considering what is permissible there will be very little harm to the area through traffic, noise or environmental impact from the filming activity and associated vehicle movements" is not supported by an environmental impact statement, contrary to NP/EN4.2. Our assessment is that the impacts are severe and will cause harm for the reasons set out in the summary. We provide more detail of the harm below.

Harm to those using the public rights of ways (FP3 and FP4)

The application only comments on the impact on the openness of the Green Belt. It recognises that the proposals will impact on the openness, but only for 5 years. This is a long period for the enjoyment of this area to be so harmed.

FP4 users will be affected in two ways:

- a. By the filming site itself, which spoils the open vistas of open fields and trees, and
- b. By the traffic which will share 600m of public footpath 4 with local families, dog walkers, cyclists and horses being led to and fro between the paddocks and stables.

This impact will occur during all periods of filming (6-8 weeks each year), when there will be 300 traffic movements of cars and vans, and 60 OGVs / HGVs each day but will be at its worst during the construction (5 months) and dismantling (3 months?) of the facility. During these periods 200 cars / vans and 48 OGV/HGVs will pass along 600m of footpath 4 (Transport Assessment, Fig 5.1) each day during the hours of 07.00 to 18.00 Monday to Friday, and from 07.00 to 13.00 hours on Saturdays. The conflict between users and construction traffic will therefore be significant and sustained. If the application was to be approved we understand that construction would continue through the spring and into high summer, the period is when footpath 4 is most heavily used and when the biodiversity is at greatest risk.

This shared use is contrary to NPPF paragraph 110 c), which requires developments to “Create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrian, cyclists and vehicles....and respond to local character”.

It is also contrary to the Borough’s commitment to safeguard and enhance public rights of way and cycle routes,

The three site accesses from the nearest public highways are considered unfit for purpose:

- The construction access from the Winkfield road to the site is 2kM long and ‘bendy’. Spot checks by the stables towards the junction with FP4 shows it is 3 to 3.4m wide – totally inadequate for the 11,000 plus OGVs / HGVs movements that will use the access during the set construction and removal periods and additional 12,000 OGVs / HGVs during the filming period.

The road is unlikely to be designed to carry this level of traffic, and damage is almost inevitable. We also note that it's use requires permission from Ascot United Football Club, not yet granted. Approval of the application should be dependent on this approval being granted.

- The concrete access along FP4 starts at approx. 5.5m wide at the SE corner of the Great Pond, but soon reduces to between 4m and 4.3m wide for most of its length. This is too

narrow to accommodate two-way construction traffic. It is also far too narrow to safely accommodate one-way construction traffic alongside the many users of this public footpath (F4). It is also in very poor condition (badly cracked, with areas which have settled). The condition is likely to deteriorate badly under the number of OGVs / HGVs that will be using it and this would pose a further safety risks to pedestrians, cyclists and horses who use it. It is clear that both the construction and filming traffic will have a hugely detrimental impact on the enjoyment of the users of FP4 due to the loss of tranquillity, the visual impact, and fumes from construction plant and other vehicles, and the need to keep a constant look out for heavy vehicles and will also give rise to real safety concerns. It will also damage the viability of the stables.

- The accesses from Sunninghill Road and Cheapside are also long (1.6kM and 1.4kM respectively) and narrow. For example, a spot check of the width of the access that runs along the side of (and within less than 2m of) of the Great Pond showed it to be typically 4.2 wide.
- 4.12 of the Transport Assessment states that the area for overspill parking will be accessed along the track that runs along the south side of the site. This is narrow and totally unsuited for the purpose.
- All three accesses are in Crown Estate Land within the Green Belt throughout their length.

We recommend that before deciding the application the RBWM Highways Dept. surveys the accesses and reports on their acceptability. Alternatively, the applicant should be asked to do so.

Harm to biodiversity

The whole filming site, which is currently high-quality agricultural land, will be covered by hardstanding. This will compact the soil and deprive it of air and light, making it less fertile when the hardstanding is removed.

The site was used to grow corn in 2020 and attracted many geese and other birds for feeding.

There is a risk of contaminated storm run-off from the hardstanding polluting the drainage ditch along footpath 4 and increasing the risk of flooding to the boggy area just north of the site.

Significant lengths of the accesses run alongside ancient woodland, and without the required buffer zone, risks damaging the biodiversity.

The car / van access runs very close (1-2 meters) the SE edge of the Great Pond. This edge includes a swan's nest, a 'beach' where tadpoles gather in huge numbers before emerging as tiny frogs that emerge from the South corner of the pond and are seen in huge numbers on the access road / footpath 4 for a number of days. As well as the breeding swans (5 cygnets in 2020) there were several broods of Mandarin Ducks and Mallards, which have nests nearby. The noise and pollution

from vehicles is likely to cause significant damage to the pond's biodiversity and there is a risk that the swans will abandon their nest that has been there for some years.

Benefits arising from the development:

The applicant makes great play of the economic benefits of the facility to the local community to justify Very Special Circumstances. Economic benefit alone cannot justify VSCs – if it could then our green belt would soon be overrun with development.

We agree with the planners that the economic benefit will be limited as:

- The site facilities are largely self-contained, and the technicians, staff and extras will remain on site all day (ref: Transport Statement)
- The total period of filming over the 5 years will be between 30 and 40 weeks (12% to 15% of the 5 year period).
- The construction and removal will take approximately 34 weeks, or 13% of the 5 year period, and will add little to the local economy.

By comparison the impact on the openness of the Green Belt and on the character of the area will last the full 5 years.

It should be noted that any site chosen would provide economic benefit, so this cannot be the key argument in support of the case for VSCs.

Lack of Alternative sites.

The case for VSCs looks at, but rejects, 5 possible sites, all of which had the advantage of having existing hardstanding covering some or all of the site. At least two of the sites also had the advantage of being flat.

The Longcross and Shepperton studios were not included in the review.

The proposed site wasn't assessed for suitability alongside the 5 sites looked at and dismissed. Had there been an honest assessment we doubt the site would be judged suitable, for the following reasons:

- It is in the green belt, making planning permission 'challenging'.
- The economic benefit claimed would be similar for any similar facility
- The poor access for construction vehicles.
- The real harm posed by shared accesses with pedestrians, cyclists and horses
- The need to provide hardstanding and remove it upon completion.
- The site isn't level, and some re-shaping may be required.
- The harm to both the environment and the recreational use of the area.

No Rural sites similar to the proposed site were considered. This is surprising since the applicant acknowledges that the UK government supports filming activity in rural areas (outwith the green belt) where full planning permission is not required. Paragraph 83 of the NPPF also encourages business expansion in rural areas, and filming falls within the list of a suitable enterprises.

This should surely suggest to the applicant that a rural site out-with the green belt, and without the same levels of harm, would be a better choice.

It should be noted that the applicant's perceived economic benefit would apply to any site, so there is no particular economic VSC that would single out the proposed site.

Permitted Development Rights:

The applicant acknowledges that the site doesn't fall within the current permitted development rights but none the less argues that these permitted planning rights are a material consideration. We fail to see how they can be, when the proposal falls out-with their scope and permitted development rights don't apply to developments within the Green Belt.

National shortage of studio space:

1.11 of the 'statement of Very special Circumstances' argues that there is a lack of studio space in the UK to meet the Government target of £4bn growth by 2025, and that this development will provide further production space and an alternative to Pinewood and Leavesden studios which are fully let. This alone is not a valid VSC – it must be shown that there isn't a suitable alternative. A separate document considers 5 other sites, all reasonably close to Pinewood.

The availability / suitability of the Longcross or Shepperton Studios hasn't been assessed. Nor have other (rural) sites been considered, of which there must me many.

Site 3 was rejected due to the risk of noise from the M25, but Aircraft noise hasn't been mentioned in relation to this site.

Councillor Robin Wood
Planning Committee (Chairman)
06-01-2021