

**ITEM NUMBER: 5d**

<b>20/03194/MFA</b>	<b>Use of land for film making to include earth works to remove 'bund' and construction of 3 permanent studios &amp; creation of 'backlot space' to allow for construction of temporary studios with associated support services and parking. Use of former control tower as office space and/ or as film set. Construction of security building at entrance.</b>	
<b>Site Address:</b>	<b>Bovingdon Airfield Chesham Road Bovingdon Hemel Hempstead Hertfordshire HP5 3RR</b>	
<b>Applicant/Agent:</b>	<b>Mr H Mash</b>	<b>Mrs J Long</b>
<b>Case Officer:</b>	<b>James Gardner</b>	
<b>Parish/Ward:</b>	<b>Bovingdon Parish Council</b>	<b>Bovingdon/ Flaunden/ Chipperfield</b>
<b>Referral to Committee:</b>	<b>Large-scale major with S106 agreement</b>	

**1. RECOMMENDATION**

That planning permission be **DELEGATED** with a view to **APPROVAL** subject to the completion of a S106 agreement and referral to the Secretary of State.

**2. SUMMARY**

2.1 The application is located within the Green Belt which is an area of development restraint with new buildings and changes of use of land only being acceptable in specific circumstances. Where the proposed development does not fall within one of the categories deemed acceptable, it constitutes inappropriate development and should not be improved except in very special circumstances. Part of the development proposed by this application is considered to be inappropriate. However, a package of very special circumstances have been advanced which are considered to outweigh the harm to the Green Belt.

2.2 Highways impacts have been considered in full and it is considered that, subject to conditions, there would be no adverse impacts.

**3. SITE DESCRIPTION**

3.1 The application site comprises part of a former RAF runway built in WWII that runs east-west. The concrete runway, known as 08/26, is approximately 650 metres long and 45 metres wide. To the west of the site is the small village of Whelpley Hill (together with Whelpley Hill caravan park). Bovingdon Airfield was closed by the RAF in 1979 and since then the ownership has been divided up and passed through various private ownerships, while HM Prison The Mount has been built on the eastern portion of the airfield, with the large village of Bovingdon immediately to the east of the prison. The runway has been used over the years for various uses including a Saturday market, temporary filming and car racing.

**4. PROPOSAL**

4.1 The development proposed by this application can be broken down into several constituent parts.

1. Removal of existing earth bunds and change of use of land for backlot filming space.
2. Construction of three permanent film studios and security office.
3. Change of use of land used for Bovingdon Market to backlot filming space.

#### 4. Change of use of former control tower for offices / filming.

4.2 The site is large and therefore comprises of a 'southern quarter' and a 'northern quarter'. The southern quarter is shown on drawing no. 102 (*Proposed Site Plan – Southern Quarter*) and includes the two main vehicular accesses onto Chesham Road. The plan also indicates the location of a proposed entrance building and backlot space, the latter being sited on land currently used by Bovingdon Market, as well as an area of bunding to the east.

4.3 The northern quarter is shown on drawing no. 101 Rev. 03 (*Proposed Site Plan – Northern Quarter*). This includes the northern section of land currently used by Bovingdon Market, the former control tower, a further area of proposed backlot space (currently occupied by a bund), and three studio buildings. The buildings would be located in the far north-western corner of the application site, with HMP The Mount to the south-east, an existing ITV studio to the north and trees on all but one side, shielding the studios from the majority of vantage points within the site. The studio buildings range in height from 15 – 17 metres and it is understood that they are to be constructed from metal sheeting. Although the colour has not been specified within the planning documents, the Planning Supporting Statement does refer to dark green as a possible option. A condition will be included to require the building to be dark green in colour.

4.4 By way of background, the building identified as Studio III on drawing no. 101 (Rev 03) benefits from a temporary permission by virtue of permitted development rights, having been granted consent to be on site for a period of up to nine months under planning reference 20/03594/FPA. Temporary permission was also granted for Studio I, as identified on drawing no. 101 (Rev 03), under the same reference, and works are underway to implement this part of the temporary permission. The nature of these buildings is such that, although temporary, they can be upgraded to be suitable for permanent use. Therefore, should planning permission be granted, the buildings in question will be suitably upgraded and retained on site.

#### 5. PROCEDURAL MATTERS

5.1 The application originally proposed the construction of two studio buildings and three associated workshop buildings. Subsequently, the agent forwarded amended plans to the Council and advised that the applicant wished to amend the application, substituting the three workshop buildings for a further permanent studio building. The resultant increase in floor area resulted in the application fee increasing from £24,791 to £29,069, which has been fully paid. The application description was duly amended, omitting reference to the workshops. It is considered that the application description accurately reflects the nature of what is being proposed; that is to say, a change of use and operational development.

5.2 During the course of the application, the Council was informed by a third party that Certificate A had been signed in error. Specifically, the applicant was listed as Mr. H Mash when, in fact, the land is owned by W.J & M Mash Ltd. In such an instance, Certificate B should have been signed and notice served on the company directors. As a result, the application form has been re-submitted with W.J & M Mash Ltd as the applicants. A further period of consultation (three weeks) followed this amendment.

5.3 Notwithstanding the fact that no objections have been received from Bovingdon Parish Council in respect of this application, the application cannot be determined under delegated powers as it is classified as a 'large scale major development', which is defined in Part 3 of the Council's Constitution as follows:

*Large Scale Major Development: For dwellings, a large-scale major development is one where the number of residential units to be constructed is 200 or more. Where the number of*

*residential units to be constructed is not given in the application a site area of 4 hectares or more should be used as the definition of a large-scale major development. For all other uses a large-scale major development is one where the floorspace to be built is 10,000 square metres or more, or where the site area is 2 hectares or more*

5.4 The application includes a Section 106 agreement and the site area is in excess of 2 hectares, thereby falling within the definition of large-scale major development.

## **6. PLANNING HISTORY**

Planning Applications (If Any):

19/03213/FUL - Temporary use of land for filming.  
*GRA - 9th April 2020*

20/01253/DRC - Details as required by condition 3a (benefits of production to local area) of planning permission 4/01152/18/MFA (Temporary planning permission for use of land for film-making for 5 year period. To include temporary studio structures. Associated parking)  
*GRA - 11th June 2020*

20/02066/FUL - Temporary change of use of land for film-making for 8 month period. Construction of temporary 'studio' structure, following part removal of the bund and use of hardstanding for stationing of support services and storage.  
*GRA - 22nd October 2020*

20/03571/FUL - Temporary change of use of land for film-making for a 2 year period to include temporary construction of 'set' structures and use of hardstanding for stationing of support SERVICES AND STORAGE. USE OF ADJACENT LAND FOR PARKING AND ERECTION OF MARQUEES  
*WDN - 14th January 2021*

20/03594/FPA - Temporary use of land for film-making.  
*PAG - 28th January 2021*

20/04057/FPA - Temporary Use of Land for film making  
*PAG - 25th February 2021*

21/02301/DRC - Details as required for condition 3b (Statement of benefits to local area) attached to planning permission 4/01152/18/MFA (Temporary planning permission for use of land for film-making for 5 year period. To include temporary studio structures. Associated parking)  
*GRA - 2nd July 2021*

21/02400/FUL - Use of land for film making to include earth works to remove 'bund' and construction of 3 permanent studios & creation of 'backlot space' to allow for construction of temporary studios with associated support services and parking. Use of former control tower as office space and/ or as film set. Construction of security building at entrance.  
*APPRET -*

21/02920/FPA - Temporary use of land for film-making.  
*PCO -*

21/03033/FUL - Temporary Planning Permission: Film Set  
*INV -*

4/00158/19/DRC - Details as required by conditions 3 (trench plan) and 4 (site restoration plan) attached to planning permission 4/02683/18/ful (temporary planning permission for use of land for film-making for 35 weeks to include construction of set and use of hardstand  
*GRA - 26th March 2019*

4/02683/18/FUL - Temporary planning permission for use of land for film-making for 35 weeks to include construction of set and use of hardstanding for stationing of support services, associated storage and parking  
*GRA - 14th January 2019*

4/01152/18/MFA - Temporary planning permission for use of land for film-making for 5 year period. To include temporary studio structures. Associated parking  
*GRA - 28th August 2018*

4/00394/18/FUL - Temporary planning permission for use of land for film-making for 40 weeks to include construction of set and use of hardstanding for stationing of support services, associated storage and parking  
*GRA - 6th April 2018*

4/00392/18/FPA - Prior notification of the temporary use of land for film making purposes under class e, part 4, schedule 2 of the town and country planning (general permitted development) (england) order 2015. Use of land for construction of stage set and associated park  
*PNR - 6th April 2018*

4/02373/17/FUL - Temporary planning permission for use of land for film-making for 13 weeks to include construction of set and use of hardstanding for stationing of support services, associated storage and parking  
*GRA - 9th November 2017*

4/01678/17/FUL - Temporary planning permission for use of land for film-making for 13 weeks to include erection of stage structure and use of hard standing for stationing of support services, and parking  
*GRA - 13th September 2017*

4/01660/17/FPA - Prior notification of temporary use of land for film-making purposes under class e, part 4, schedule 2 of the town and country planning (general permitted development) (england) order 2015 (temporary construction of stage set and associated parking between  
*WDN - 4th August 2017*

4/01559/17/FUL - Temporary planning permission for use of land for film-making for 28 weeks to include erection of studios and use of hard standing for stationing of support services and storage  
*GRA - 23rd August 2017*

Appeals (If Any):

None relevant.

## **7. CONSTRAINTS**

Parking Accessibility Zone (DBLP): 4

Article 4 Directions: BUCKS CC ORDER. AMERSHAM RURAL & SURROUNDING AREAS.

CIL Zone: CIL2

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine  
NATS Safeguarding Zone: Notifiable Development Height: > 15 Metres High  
NATS Safeguarding Zone: Notifiable Development Height: > 10 Metres High  
NATS Safeguarding Zone: Notifiable Development Height: All Development AGL  
Parish: Bovingdon CP  
RAF Halton and Chenies Zone: Red (10.7m)  
EA Source Protection Zone: 3

## **8. REPRESENTATIONS**

### Consultation responses

8.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B.

## **9. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (2021)  
Dacorum Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

### Dacorum Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS5 – The Green Belt  
CS8 – Sustainable Transport  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS14 – Economic Development  
CS25 – Landscape Character  
CS26 – Green Infrastructure  
CS27 – Quality of the Historic Environment  
CS29 - Sustainable Design and Construction  
CS31 – Water Management  
CS32 – Air, Soil and Water Quality

### Dacorum Local Plan

Policy 13 – Planning Conditions and Planning Obligations  
Policy 51 – Development and Transport Impacts  
Policy 55 – Traffic Management  
Policy 62 – Cyclists

### Supplementary Planning Guidance / Documents

Parking Standards Supplementary Planning Document (2020)  
Planning Obligations (2011)

## 10. CONSIDERATIONS

### Main Issues

10.1 The main issues to consider are:

The policy and principle justification for the proposal;  
The quality of design and impact on visual amenity;  
The impact on residential amenity; and  
The impact on highway safety and car parking.

### Policy and Principle

10.2 The application is located within the Metropolitan Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

10.3 Policy CS5 of the Dacorum Core Strategy (2013) states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements.

10.4 Policy CS5 clarifies that small-scale development – including the redevelopment of previously developed sites – is acceptable provided that:

- i. It has no significant impact on the character and appearance of the countryside; and
- ii. It supports the rural economy and maintenance of the wider countryside.

10.5 Paragraph 149 of the National Planning Policy Framework (NPPF) states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, but then goes on to list a number of exceptions. Of relevance is paragraph 149 (g):

- *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
  - *not have a greater impact on the openness of the Green Belt than the existing development; or*
  - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

10.6 Paragraph 150 of the NPPF confirms that other forms of development – including material changes of use of land and engineering operations – are also not inappropriate in the Green Belt provided it would preserve the openness of the Green Belt and does not conflict with the purposes of including land within it.

10.7 Annex 2 of the NPPF provides the following definition of previously developed land:

***Previously developed land:*** *Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for*

*restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*

10.8 Bovingdon Airfield was constructed circa 1941 by John Laing & Son and occupied by RAF Bomber Command from June 1942. The concrete runways remain largely intact, as does the original control tower. Accordingly, the application site is considered to constitute previously developed land.

### Green Belt Openness

10.9 Paragraph 137 of the Framework states that *“the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.”*

10.10 When assessing the impact of a proposal on the openness of the Green Belt, the NPPG states that a number of factors should be taken into account. These include, but are not limited to, its spatial and visual aspects, duration of the development and the degree of activity likely to be generated. Case law has established that *“whether the development would ‘preserve’ the openness of the Green Belt”* does not mean that a proposal can only be regarded as ‘not inappropriate in the Green Belt’ if the openness of the Green Belt would be left entirely unchanged. Rather, the verb ‘preserve’ should be understood in the sense of “keep safe from harm” – rather than “maintain (a state of things)”. There is a distinction between development having a greater impact on the openness of the Green Belt versus development preserving the openness of the Green Belt, the former being somewhat more restrictive. For the purposes of this application it is important to have both concepts in mind: new built development – i.e. the studios – should not have a greater impact on the openness of the Green Belt, while engineering operations – i.e. part removal of the bunds - and changes of use should preserve the openness of the Green Belt and not conflict with the purpose of including land within it.

### *Built Development*

10.11 The proposed development would result in the construction of studio space equating to approximately 7,130m<sup>2</sup>, a full breakdown of which is shown in the table below, and a single-storey security building with a GEA of approximately 50m<sup>2</sup>.

<b>Studios</b>	<b>Area (GEA)</b>	<b>Building Heights</b>
I	2530.3 m <sup>2</sup>	17m
II	2530.3 m <sup>2</sup>	16m
III	2067.5 m <sup>2</sup>	15m

10.12 In order to facilitate their intended purpose the studios are of considerable size and height. The studios are proposed to be sited on land forming part of an historic earth bund, which will be excavated and, accordingly, the studios will occupy a level similar to that of the runway; that is to say, not an elevated position. There would also be additional hardstanding in the form roads and circulation space around the studio areas.

10.13 With the exception of Studio III, which has been erected under a temporary permission (20/03594/FPA), the land upon which the studios are to be constructed is devoid of built form.

10.14 In spatial terms, it is clear that the construction of the studios would have a greater impact on the openness of the Green Belt. They represent sizable development in terms of both floor area and height and wholly located above ground.

10.15 Turning to the visual impact, the studios would have very limited visibility from public vantage points outside the application site. Views of the studios would be limited to sections of Public Footpath 29, which runs parallel to the shorter of the two runways before diverging in an east-south-easterly direction, running parallel with the northern boundary of HMP The Mount and the continuing in a north-easterly direction. Glimpsed views of at least one of the studios would also be possible from just within the western entrance.

10.16 That Studio III is in situ, albeit under a temporary permission, assists in quantifying the impact on openness; indeed, it can be categorically confirmed that it is not visible from the section of footpath running parallel to the runway, the earth bund with large mature trees atop it effectively circumscribing views. It should be noted that only sections of the earth bund will be removed; therefore, the earth bund in the location referred to above will remain in situ. Based on these on-the-ground observations, and in having regard to the proposed site plan, it is not considered that Studios I and II would be visible from the section of footpath parallel to the runway.

10.17 The proposed studios would be more prominent from the section of footpath running parallel to the prison, though within a relatively narrow field of view. Nonetheless, by virtue of their size and height, and notwithstanding the potential to use a visually recessive colour such as dark green (as has been utilised on Studio III), it cannot reasonably be asserted that their visual presence from this vantage point would have no greater impact on the openness of the Green Belt. Limited but noticeable sky-line views would be possible from the section of public footpath to the north of the prison.

10.18 Although relatively modest in size, the proposed security / entrance building would nonetheless have a greater impact on the openness of the Green Belt in spatial terms. In visual terms, whilst tree planting to the front of the building is proposed, it would have a greater visual presence than the existing hardstanding and temporary building.

10.19 In summary, the proposed studios and security building would spatially and visually have a greater impact on the openness of the Green Belt than the existing development and therefore represent inappropriate development.

#### *Change of Use / Engineering Operation*

10.20 Backlot space is to be provided to the south-west of the studio buildings and would comprise of an area of some 17,300m<sup>2</sup>. The term 'backlot' is typically used to describe an area behind or adjoining a movie studio, where outdoor scenes are filmed and temporary sets erected.

10.21 Two further backlot areas are proposed in the southern quarter of the site – one on the area of hardstanding currently used by Wendy Fair Markets on Saturdays (approx. 19,300m<sup>2</sup>) and the other to the immediate east (approx. 5,930m<sup>2</sup>).

10.22 The formation of the backlot space would necessitate the removal of large areas of bunding (with the exception of the market site, which does not have any bunding), restoring the land to its natural level and increasing the sense of visual openness from within the site.

10.23 Given the requirement for the use of mechanical machinery and the amount of soil that would need to be removed, the works to the earth bunds are considered to constitute engineering operations.

10.24 Reducing the land level at the specified areas within the site would not adversely affect the openness of the Green Belt. On the contrary, it would, in fact, improve openness by removing an artificial sloped barrier. There is also no reason to conclude that such an operation would in any way conflict with the purposes of including land within the Green Belt.

10.25 Changes of use in the Green Belt are required to preserve the openness of the Green Belt; which, as has already been outlined above, should be understood in the sense of keep safe from harm.

10.26 Two of the three proposed backlot spaces currently comprise of areas of bunding and, accordingly, are not in productive use. The backlot space would be available for outdoor filming and temporary buildings, intensifying the use of this particular part of the site. Whether or not the change of use for backlot space would preserve the openness of the Green Belt is a matter of planning judgement.

10.27 There may be times when no temporary buildings are present, but the backlot area is likely to be used more intensely than the market. This needs to be balanced against the removal of the bunding and the equalisation of the land level with that of the runway.

10.28 The removal of large sections of bunding, which is essentially semi-permanent, would improve intra-site openness, and be replaced by backlot areas that will not be permanently occupied by one particular structure or building. Temporary buildings are unlikely to be present during gaps between film production, and even where the space is essentially booked for months or years ahead, the logistics of organising contractors, securing materials and then bringing them to site is likely to result in periods of time when the land is devoid of buildings. However, in order to ensure that openness is protected as much as possible, it is considered that it would be reasonable to include a condition requiring all temporary sets and buildings to be removed from the land following the completion of filming in respect of any particular production.

10.29 The NPPG refers to a number of matters which may need to be taken into account when assessing the impact of a proposal on the openness of the Green Belt. One such matter is the duration of the development and its remediability. While it is acknowledged that granting the change of use for backlot space would essentially be a permanent change, there is a degree of impermanence in so far as any buildings constructed will exist only so long as filming of the particular film with which they are associated continues. Some temporary buildings could be large while others could be modest. As outlined above, there are likely to be periods of time between film production when no buildings are present. As a result, it is considered that weight should be given to the inherent level of remediability implied in the nature of the proposed change of use.

10.30 In summary, as a matter of planning judgement and having taken all the relevant facts into account, it is considered that the change of use and engineering operations would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.

#### Assessment of Harm

10.31 The NPPF is clear that inappropriate development is, by definition, harmful and should not be approved except in very special circumstances.

10.32 Case law has established that, following confirmation that the proposed development is 'inappropriate development' (i.e., development not identified at Paragraphs 149 and 150 of the NPPF), then whether there is 'any other harm' to Green Belt must be established through an assessment of:

1. The performance of the Green Belt in question, having regard to the five purposes of the Green Belt identified at NPPF Paragraph 134;
2. The harm to the openness of the particular area of Green Belt as a result of existing development; and

3. The direct harm caused by the proposed development (i.e. new buildings).

10.33 Once the level of harm is quantified, the extent of 'other considerations' necessary to overcome that harm can be established. Reference to 'any other harm' should be taken to mean non Green Belt harm (e.g. highways, biodiversity etc). Whether there is any other harm will be assessed in the relevant sections of this report.

#### *Impact on openness and Green Belt purposes*

1. Performance of Green Belt:

10.34 The Council commissioned SKM to carry out a Green Belt Review Purposes Assessment in November 2013. The SKM assessment established a number of zones for assessment, with the land at Bovingdon Airfield forming part of Zone GB12. The SKM assessment provides the following supplementary data regarding GB12:

**Description** The Parcel located to the north of Bovingdon and extends to along the A41 to Feldon (south Hemel Hempstead). To the east the boundary follows the B4505 and extends south to the edge of the study area. It is 890 ha in size and forms a flat upland chalk plateau which falls strongly to the north towards the Bulbourne valley across undulating dry valleys slopes.

**Land use** Predominately arable farmland, plus rough grassland, Bovingdon Airfield, Bovingdon Prison (MDS), education, recreational uses including Little Hay Golf Course.

#### **Principal Function / Summary**

Significant contribution toward safeguarding the countryside and maintaining the existing settlement pattern. Partial contribution towards preventing merging (of Berkhamsted and Hemel Hempstead). Overall the parcel contributes significantly towards 2 out of 5 Green Belt purposes.

10.35 Zone GB12 was assessed against the five Green Belt purposes and was stated to perform as follows:

<b>Purpose No.</b>	<b>Purpose</b>	<b>Performance</b>
1	Check unrestricted sprawl of built-up areas	Limited or no contribution
2	To prevent neighbouring towns from merging	Limited or no contribution
3	To assist in safeguarding the countryside from encroachment	Significant
4	To preserve the setting and special character of historic towns	Limited or no contribution
5	To maintain existing settlement pattern	Significant

10.36 Guidance prepared by the Local Government Association and The Planning Advisory Service (*Planning on the Doorstep: The Big Issues – Green Belt*) states that, since all Green Belt assists in safeguarding the countryside from encroachment, '*The most useful approach is to look at the difference between urban fringe – land under the influence of the urban area – and open countryside, and to favour the latter in determining which land to keep open...*'

10.37 It is important to consider the scale of the parcel being assessed and that, whilst one part of the parcel may be strategically important or sensitive, another part may be considerably less so. Indeed, in the case of the application site, it is already partially developed and used for a range of activities (i.e. extensive areas of hardstanding, historic WWII control tower, motor car racing, filming, and a Saturday / Bank Holiday market, which attracts large number of market traders on customers).

10.38 It is also contiguous with the substantial built form of HMP The Mount. On this basis, it is considered that the eastern side of the airfield constitutes urban fringe rather than open countryside. It follows, therefore, that application site – in particular, the specific area on which new buildings are proposed to be constructed – is less sensitive and is not as effective in safeguarding the countryside from encroachment as the Green Belt Review suggests.

10.39 It is noted that purpose five of the Green belt review does not tally with that of the NPPF. Paragraphs 5.2.20 and 5.2.21 of SKM report provide the following explanation:

*The fifth national purpose has been screened out. Assisting urban regeneration, by encouraging the recycling of derelict and other urban land is considered to be more complex to assess than the other four purposes because the relationship between the Green Belt and recycling of urban land is influenced by a range of external factors including local plan policies, brownfield land availability and the land / development market. Due to the fact that the local policy review demonstrates that there is a limited supply of available or unallocated brownfield land in St Albans, Dacorum and Welwyn Hatfield it is considered that the Green Belt as a whole has successfully and uniformly fulfilled this purpose. Therefore all parcels would perform equally well and any attempt to differentiate would be meaningless.*

*This local purpose was identified as a planning objective in the 1998 Hertfordshire Structure Plan and continues to be articulated within local policy. The Green Belt maintains the existing settlement pattern by providing a range of spaces and gaps between all settlements. Therefore the assessment criteria has followed those questions applied to the second purpose, but focuses on land between non-1st tier settlements. Though not specifically defined as such in local policy, these spaces have been considered to represent 'primary' or 'secondary' local gaps*

10.40 *Planning on the Doorstep: The Big Issues – Green Belt* also grapples with purpose five of including land within the Green Belt:

*With this one, it must be the case that the amount of land within urban areas that could be developed will already have been factored in before identifying Green Belt land. If Green Belt achieves this purpose, then all Green Belt does so to the same extent and hence the value of various land parcels is unlikely to be distinguished by the application of this purpose.*

10.41 It is agreed that including this land within the Green Belt serves the purpose of encouraging urban regeneration.

## 2. Existing Openness

10.42 Whereas views to the north and west from the public footpath are relatively unobstructed, views to the east and north-east are circumscribed by earth bunds and associated trees. Furthermore, views from the vicinity of the control tower – on the far eastern edge of the site – are severely restricted by the close proximity of HMP The Mount and the earth bunds. Thus, whilst the site contains a relatively limited amount of above ground development, intra-site openness is limited.

10.43 Views from the site from within the wider landscape are also somewhat limited. Inter alia, the site is visible from the public footpath to the north and the vehicular accesses on Chesham Road.

## 3. Proposed Development

10.44 The primary studio buildings are confined to the north-western section of the site and are to be sited proximate to the site perimeter with HMP The Mount, thereby concentrating the bulk of built form in one location. The effect is that the remainder of the site remains relatively free from above-ground built development

10.45 The proposal would result in the construction of studio space equating to approximately 7,130m<sup>2</sup>. However, taking into account the limited field of view within which the development would be visible (i.e. the northern section of Public Footpath 29 and glimpsed views of one studio from within site entrance), as well as the similar heights of the studio buildings, it is unlikely that all three buildings would, in fact, be visible, noting their heights and the proposed positioning shown on drawing no. 101 (Rev. 3). Indeed, it should be noted that the presence of earth bunds and trees would effectively screen much of the development, limiting visibility to the northern section of the footpath, while a green finishing material would, as is evident from viewing the existing temporary studio structures on the site, be visually recessive

10.46 Studio I would be the most prominent building, situated as it is in the far north-western corner; however, it would effectively shield studio II from view (Studio I is one metre higher than Studio II). The bunding and trees would ensure that Studio II is not visible from the west. Studio I would also partially, if not totally, shield Studio III from view owing to it being two metres higher, and the way in which it is interposed between the footpath and Studio III. The parts of the studios which would be visible would be seen against the backdrop of the retained trees and the proposed new tree planting. Thus, notwithstanding their size, the limited amount of visible above ground development would, it is submitted, blend into the landscape to a reasonable degree.

10.47 Whilst there would be an undeniable increase in footprint / floor area, in visual terms the quantum of development that would be actually visible is likely to be considerably more limited than the numbers would otherwise suggest.

10.48 Turning to the entrance / security building, this would reduce the level of openness along the site frontage, introducing built development where there was previously none. The visibility of the building would be reduced by the proposed tree planting, although it is acknowledged that, while positive from an environmental perspective, in and of itself, the tree planting will also reduce openness. Regard does, however, need to be had to the single-storey nature of the building and the fact that it would be seen in the context of the existing boundary treatment – i.e. walls and fencing – while the large areas of glazing would give it a degree of permeability, thereby reducing its impact on the Green Belt. There may be a potential for the glazing to result in some glare; however, this would be minimised by the proposed landscaping to the frontage.

10.49 Taking account of the three areas of assessment above, it is considered that the development would result in some limited harm to the Green Belt in terms of encroachment into the countryside, and definitional harm as per paragraph 147 of the NPPF.

10.50 In determining the level of harm to the countryside, it is important to note that not all countryside is the same. In this case, and as acknowledged in the land use description of GB12, Bovingdon Airfield is a significant land use within the area. Furthermore, the airfield is a developed site which contains substantial areas of hardstanding. As a result, the site is not 'open countryside' in the sense that many would understand it. Added to this is the fact that the development is essentially limited to the area of the site adjacent to substantial built form of HMP The Mount. Encroachment into this less than pristine countryside is therefore limited. The harm attributed to it is also considered to be relatively limited.

10.51 In terms of the Green Belt purpose of encouraging urban regeneration, this will be the case for all Green Belt land; and, as identified by the review, all parcels assessed would achieve an equal score. There will therefore always be a level of harm attributable to this Green Belt purpose. As established by case law, the weight given to harm is a matter for the decision maker. In determining the level of weight attributable to the harm, it is important to consider the nature of the proposed use of the site and whether a site within an urban area could reasonably be used (recycled) for this function. The areas within which filming can take place are relatively limited owing to size constraints,

the requirement that development be located away from residential development (in order to avoid harm to residential amenity), and where the location is acceptable on highways grounds. It is considered that such sites are few and far between, with no alternative sites having been identified.

10.52 National planning policy states directs that “*substantial weight is given to any harm to the Green Belt*”. The factors outlined above are such that the bar at which very special circumstances are reached is lower than a situation in which the Green Belt serves multiple purposes and thus is harmed by numerous factors.

#### Very Special Circumstances

10.53 The proposed development includes the construction of new buildings which would have a greater impact on the openness of the Green Belt. As such, the proposed development constitutes inappropriate development which is, by definition, harmful and should not be approved except in very special circumstances.

10.54 Paragraph 148 of the NPPF states that: “*‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*”

10.55 Case law has clarified that it is not necessary for each individual circumstance to be sufficient to justify the development in its entirety; rather, in many cases a combination of circumstances will comprise the very special circumstances required to justify the development.

10.56 The Planning Statement and Statement of Very Special Circumstances outline the positive benefits arising from the proposed development, each of which shall be considered in turn.

#### Economic Spin-Off Benefits:

10.57 Paragraph 83 of the NPPF advises that “*Planning policies and decisions should recognise and address the specific locational requirements of different sectors*” and “*...includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries...*”.

10.58 Paragraph 84 of the NPPF provides general support for development that supports a prosperous rural economy. It is submitted, however, that the rural economy need not relate to what is typically considered to be a rural enterprise; indeed, paragraph 84 (a) confirms that planning policies should support the sustainable growth and expansion of all types of businesses in rural areas.

10.59 Creative England, a national agency funded by Central Government via the British Film Institute, who support the film industry in England by working with the British Film Commission to attract inward investment in film and TV production, have provided a letter of support in respect of this application. The letter quantifies some of the economic benefits generated by the film and TV industry in the UK:

*The film and TV industry in the UK generates significant value for the UK economy. In 2019 film production in the UK generated a total spend of J1.95 billion, a 17% increase on the previous year's J1.84 billion and the second highest figure since statistics were first recorded. 2019 also saw the second highest level of spend by international filmmakers ever recorded, reaching J1.77 billion. 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 UK film tax relief. On a more local level, Creative England estimate the average amount a production would spend when filming on location per day is in excess of J42,000*

*on a major feature film and in the region of J22,000 for a high-end television drama. The impact to both the national and local economy is clear to see.*

*Against the backdrop of the COVID-19 pandemic, the UK Government has made sector specific intervention by announcing a new UK-wide J500 million Film and TV Production Restart Scheme to help domestic film and TV productions which are struggling to get coronavirus related insurance which they need in order to get back up and running. In the UK, the film and TV production industry supports more than 180,000 jobs and showcases the best of British creativity and innovation. As the UK moves to recovery, the UK film & TV industry will play a key role in kickstarting jobs and the economy.*

10.60 The recent lockdowns during the COVID-19 pandemic have resulted in an increased demand for high quality television and film productions, which has positive benefits for both the local and national economy.

10.61 In terms of the local economy, it is anticipated that production companies would utilise local shops and services– e.g. overnight accommodation, dining, petrol, groceries and provisions from local supermarkets; waste management supplies, refuse and waste disposal, and local plant and machinery hire.

10.62 A condition attached to a five-year temporary planning permission (4/01152/18/MFA), which provided studio space for ITV's *Dancing on Ice* and *The Masked Singer*, required the annual submission of a statement outlining the benefits of production to the local area (Bovingdon and Hemel Hempstead). This is relevant to the application currently under consideration, for it quantifies the actual benefits that have, in the past, accrued to the local economy. The headline figures have been outlined below:

10.63 *Dancing on Ice*, filmed between January and March 2019, contributed approximately £1.13 million to the local economy:

£829,000 on local filming related suppliers.

£211,000 on local hotels.

£76,000 on local crew.

10.64 *The Masked Singer*, filmed between September and December 2019, contributed approximately £229,000 to the local economy:

£194,000 on local hotels.

£21,000 on local filming related suppliers.

£14,000 on local transport.

10.65 It is not unreasonable to assume that similar economic benefits will continue to accrue to the local economy should this application be approved.

10.66 The establishment of a permanent facility in Bovingdon also has the potential to be a catalyst for growth in the service sector – an important source of employment in the post-industrial age. Indeed, paragraph 6.22 of the Planning Statement identifies that:

*...‘location filming’ enhances supply chain relationships, safeguarding jobs, and it is estimated that more than 6,700 people work in film and associated sectors in Hertfordshire alone. For every job supported in the core UK film industry a further job is supported through indirect and induced multiplier effects.*

10.67 Furthermore, it is considered that a permanent studio complex may encourage associated knowledge-based supporting industries – e.g. special effects studios, costume and / or set

manufacturers – to relocate or set up additional facilities in the area, all to the benefit of the local economy.

10.68 It is acknowledged that Bovingdon Market, which would cease within a set time-frame should planning permission be granted (see 'Removal of Bovingdon Market' below), makes a modest contribution to the local economy, and clearly this loss needs to be balanced against the benefits of the proposed filming use.

10.69 Operation of the market is limited to Saturdays and bank holiday Mondays. It is not, therefore, unreasonable to conclude that economic activity would be limited to those particular days. No positive spin-off benefit have been advanced by the legal counsel acting on behalf of Wendy Fair Markets.

10.70 Whilst it is conceivable that there may be some linked trips to the market which benefit the local economy, this is by no means guaranteed. It is submitted that it is far more likely that those visiting the market would limit their spending to within the market itself; indeed, it is understood that mobile catering facilities regularly trade from within the market, thereby obviating the need for customers to make use of local facilities within Bovingdon or the surrounding towns and villages. Further, given that most, if not all, of the traders and customers would be travelling to the market on the day it is held, there would be no need for overnight stays.

Demand for Studio Space:

10.71 The letter from Creative England also highlights that the provision of studio space has not risen sufficiently fast to satisfy demand:

*Despite the UK's success in attracting international productions in film and high-end TV, the supply of studio space is not fully in-step with demand. 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 plans would also ensure that the UK remains internationally competitive by ensuring sufficient infrastructure to support inward investment.*

*Bovingdon's proximity to the M25, Central London and the largest Studios in the UK in addition to the site's unique attributes such as its clear horizon, unrivalled amount of hardstanding and provision of privacy it is unsurprising that it has been home to some of the biggest productions to shoot in the UK over the recent years such as Universal Pictures' Fast & Furious 9, Amblin Entertainments' 1917, Warner Bros.' Wonder Woman 1984 and Justice League. This validates Bovingdon Airfield's importance as a filming facility in the UK.*

10.72 A lack of space has implications for the future competitiveness of the UK film industry. Notwithstanding the relative success of the industry in recent times, film production companies may look elsewhere if they cannot secure the necessary space.

10.73 Filmmaking inevitably has very specific requirements, and as alluded to in the letter from Creative England, the proximity of Bovingdon Airfield to strategic transport links, such as the M25, and other large film studios in the south-east, has, in large part, contributed to its success in attracting big budget films. The potential noise and disruption arising from filming also reduces the number of possible locations for filming. Former airfields, however, lend themselves to such functions, but are relatively few and far between and often, although not always, located in areas of development restraint (such as the Green Belt).

10.74 It is acknowledged that there has been expansion at other film studios in the south-east; therefore, consideration needs to be given to whether this is sufficient to satisfy latent demand. In response to a request for further information on this point, correspondence has been received from

respective Heads of Production at the British Film Commission and Creative England, outlining the current situation with regard to the availability of studio space. Pertinent paragraphs have been reproduced below:

*Since we last wrote in support of the Bovingdon proposal, we have continued to experience unprecedented levels of production and production enquiries regarding available studio space. The total spend on film and High-End TV (HETV) production in the UK in the first three months of 2021 was the highest on record and 11% higher than the same three-month period in 2020 i.e. pre-pandemic.*

*Research addressing the levels of future studio space demand, based on confidential consultations with key inward investment film and TV clients, was first carried out in 2018 and updated in the Autumn of 2020. This research identified the square footage that would be required to meet planned demand – a figure that far outstrips the current supply pipeline. This research contributed to a business case that was sufficiently compelling to secure endorsement from a cross-Government panel including HM Treasury, DCMS, DIT and No.10 for the British Film Commission's Stage Space Support and Development initiative. The Chancellor of the Exchequer announced this support in Spring 2020, as outlined in BFC's previous letter of support.*

*The south east of England, in particular Hertfordshire and the other western Home Counties, continues to host some of the highest-profile and most commercially successful film and TV productions of all time. The region benefits from the UK's largest crew base, leading creative talent, iconic locations, and access to cutting-edge production, post-production and visual effects facilities. As a result, studio and stage space in Herts and the surrounding areas are the focus of many of our clients' studio and stage space availability enquiries.*

*Whilst very positive for local economies, the majority of studios in the region are at capacity, many with long term leases – Disney at Pinewood, Netflix at Shepperton, Warner Bros. at Warner Bros. Studios Leavesden and Comcast (NBC Universal and Sky) at Sky Studios Elstree which is now under development. Whilst you have correctly identified planning approvals for existing studio expansions, these only go part-way to meeting the demand outlined here. Although significant, much of the additional capacity at these existing facilities, plus other announcements over recent months, has already been assigned to specific content producers. As a result, a requirement to establish further stage space exists to meet wider inward investment film and TV demand, both from these same clients whose current leases cannot satisfy their space needs, and from dozens of other film and TV clients, both from the UK and US.*

*It is important to note, too, that many productions are already having to adapt short-term 'meanwhile use' industrial space, to meet existing production demand. This is not a viable long-term solution. Critical to growth is the development of additional purpose-built stage space, such as that proposed at Bovingdon. As a location with a history of supporting production, including current and pending production activities, and a film-friendly local authority, Bovingdon continues to contribute to the region's reputation as one of the best places in the world to produce high-end content.*

10.75 It is clear, therefore, that, notwithstanding recent planning approvals, there remains a considerable unmet need for studio space, the provision of which is vital if the industry is to flourish and ultimately reach its full potential.

Removal of Bovingdon Market:

10.76 Due to high traffic numbers at peak times, such as, although not necessarily limited to, the weeks running up to Christmas, the market has caused severe highways issues, necessitating joint interventions from Hertfordshire Constabulary and the Highway Authority.

10.77 Although the Council granted planning permission in 2015 (4/01889/14/MFA) for the relocation of the market, external factors have materially changed in the intervening years. It is understood that other markets further afield have closed (either due to lack of demand locally or for other reasons), and this has meant that Bovingdon Market has increased in popularity thereby attracting a much higher number of visitors at peak times.

10.78 A Community Protection Warning was issued by Dacorum Borough Council, which related directly to the impact of the cars/traffic on Chesham Road, as well as side roads in the local area. The issues extended to people being turned away from the airfield due to capacity issues, parking on grass verges, blocking driveways etc.

10.79 In 2020, the Council applied to the Courts to close the market due to traffic concerns and the fact that a satisfactory solution in relation to the highway impacts had not been reached (the Community Protection Order required that a traffic management plan be agreed). The Closure Order application was refused, but due to COVID 19 concerns the market was, for a time, closed temporarily, although has since reopened.

10.80 The closure of the market would also result in the removal of the market stalls, which extend the length of the North-West-South East runway and remain in situ during the week (albeit devoid of their boards and awnings), and therefore have a limited but positive impact on the openness of the Green Belt.

10.81 The applicant is prepared to enter into a Section 106 agreement and covenant that he will not allow the land to be used by the market no later than 18 months from the date of a grant of planning permission. The purpose of the delay is twofold. Firstly, income from the market will fund the construction of the film studios. Secondly, there is a requirement to give the market operators an appropriate notice period.

10.82 The above approach is considered to be reasonable. However, should planning permission be granted, it would be appropriate to include a condition precluding the use of the site for filming on any day that the market is in operation (so as not to exacerbate the highway issues). Although there are currently no restrictions preventing the operation of the temporary uses on market days, it is considered that the greater concentration of filming uses at the site could, cumulatively, result in unacceptable highways impacts. Following cessation of the market there would be nothing to prevent filming on the weekend; subject, that is, to any restrictive conditions in terms of hours of operation.

10.83 In light of the highways impacts at peak times; in particular, the sheer volume of cars attempting to access the airfield, to the detriment of the local highway network and, by extension, the residents of Bovingdon, it is submitted that moderate weight should be given to the benefits accruing from the removal of the market use. As already outlined above, other benefits include the removal of infrastructure associated with the market i.e. awnings, market office and toilet block.

Restoration of Historic Control Tower:

10.84 Although not referred to in the statement of VSCs, the applicant has confirmed that he would be willing to undertake a project to sympathetically restore the original World War II control tower.

10.85 The Council's Conservation and Design Officer was consulted and provided the following comments with regard to this particular aspect:

*The control tower is one of the few surviving elements of the historic airfield which had an impact on Bovingdon and wider national/ international events. Therefore we would consider it to be as a heritage asset (although note its rather poor condition). If the applicant is needing to provide planning gain/ conservation gain the restoration of the tower would be a useful addition to the heritage of the borough. We would highlight that double glazed crittall windows could be used as could insulating render both of which could enhance the environmental performance of the structure. We would be happy to advise further perhaps on site if this avenue is to be explored.*

*Recommendation: We would not object to the proposals but the restoration of the aircraft control tower to its original form would be beneficial to the historic environment of the borough.*

10.86 As there are a relatively limited number of control towers remaining from this era, it is considered that the full and sympathetic restoration of the control tower would result in positive heritage benefits to the borough. Should planning permission be granted, a scheme of works would be secured by an appropriately worded condition.

#### Bio-Diversity and Landscape Enhancement:

10.87 The site appears to be of limited ecological interest, being largely comprised of a concrete hardstanding. The agent has advised that landscaping works to improve biodiversity form part of the application. Be that as it may, the application has not been supported by a biodiversity metric and, as such, there is no way to quantify the exact benefits of the proposed landscaping. While improvements to landscaping and, by extension, biodiversity are of course welcomed, the ecological value of the site is likely to be limited and, furthermore, planning policies (e.g. CS26) in any case require, inter alia, *“the conservation and restoration of habitats and species”* and *“the strengthening of biodiversity corridors”*.

10.88 As such, it is considered reasonable to attribute no weight to this particular element of the VSC package.

#### Permitted Development Rights:

10.89 Whilst it is acknowledged that it is possible to carry out some forms of temporary filming without the need for planning permission, this is a right which the government has seen fit to afford site operators and landowners. Bovingdon Airfield has and continues to be used for temporary filming. There is no suggestion that this would stop should planning permission be granted. Therefore, the permanent filming would potentially be in addition to a number of temporary uses; subject, that is, to them fulfilling the relevant criteria in the Town and Country Planning (General Permitted Development) (England) Order 2015.

#### **Quality of Design / Impact on Visual Amenity**

10.90 Policy CS11 and CS12 of the Dacorum Core Strategy state, inter alia, that development should preserve attractive streetscapes, protect or enhance significant views within character areas and integrate with the streetscape character.

10.91 The proposed studio buildings are unremarkable in design terms and are clearly designed with utility in mind. They are, as a result, neither aesthetically pleasing or unaesthetically pleasing.

10.92 The visibility of the studio buildings has been discussed at length within the Green Belt section of this report. In particular, it was noted that their visibility would be limited to the northern section of the nearby public right of way. This limited field of view, coupled with the colour of the studios and provision of landscaping in the form of trees (both existing and proposed), would considerably soften

the visual appearance of the development. Furthermore, the full scale of the development is likely to be shielded by Studio I, which occupies the northern-most section of the site. Consideration also need to be given to the fact that the buildings would be seen in the context of HMP The Mount, which is a building of considerable scale.

10.93 As a result, it is considered that the development would comply with Policies CS11 and CS12 of the Dacorum Core Strategy.

### **Impact on Residential Amenity**

10.94 Policy CS12 of the Dacorum Core Strategy seeks to ensure that, amongst other things, development avoids visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

10.95 Only one objection has been received in respect of this application, and this appears to relate to vehicle movements not associated with the use proposed by this application.

10.96 The pertinent matters appertaining to residential amenity will be considered in turn.

### **Noise Disturbance**

10.97 Filming is not an inherently noisy activity; rather, excessive levels of noise are only likely to occur where special effects such as explosions and gunfire are utilised.

10.98 The nearest residential dwellings are located approximately 240 metres away and are thus unlikely to be significantly affected by filming, much of which will, in any case, be contained within the studio buildings. The nearby prison also arguably forms a type of residential use, which has the potential to be affected by outdoor filming in the backlot areas.

10.99 The Council's Environmental Health Officer was consulted on this application and has recommended that a Noise Management Plan (NMP) be submitted and approved prior to the commencement of filming. Historically, the use of the site for temporary filming has resulted in a limited number of complaints, suggesting that a more permanent use is likely to be compatible with the location. Accordingly, it is considered that a NMP would be able to suitably address any potential noise impacts and need not be submitted prior to determination of the application.

10.100 In addition to the NMP, it is also considered appropriate to include a condition which limits the construction and strike (dismantling) phases for a production to 07:30 – 19:00 Monday to Friday and 08:00 – 13:00 on Saturdays. This is to ensure that local residents are not adversely affected by the development.

### **Loss of Privacy**

10.101 The requirement that light levels be very precisely controlled dictates that the studio buildings do not contain any windows. As a result, the buildings do not afford any opportunities for overlooking of the prison; which, it should be noted, is located approximately 50 metres away.

### **Visual Intrusion**

10.102 There is no statutory planning definition of visual intrusion or whether development is overbearing. The proximity of built development, height, mass and bulk, topography, orientation and the existing layouts of adjoining dwellings are all relevant factors. As such, whether development is visually intrusive or overbearing is a matter of planning judgement.

10.103 The studio buildings will be located a considerable distance from the nearest dwellings, which are located on the opposite side of HMP The Mount. In terms of the impact on the prison, the

nearest building (Studio I) is shown as being located over 50 metres away. As such, it is not considered that there would be any significant impacts.

### **Impact on Highway Safety and Parking**

#### **Highway Safety / Capacity**

10.104 Policy 51 of the Dacorum Local Plan states that the acceptability of all development proposals will be assessed specifically in highway and traffic terms and should have no significant impact upon:

- a) The nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development; and  
.....  
.....
- e) The environmental and safety implications of the traffic generated by the development.

10.105 Policy CS12 of the Dacorum Core Strategy seeks to ensure that, amongst other things, development provides a safe and satisfactory means of access for all users.

10.106 The primary vehicular accesses are on Chesham Road to the south. These accesses would be used for entry and egress to the site, with the western access being utilised by larger articulated vehicles. No changes are proposed to these accesses.

10.107 It is acknowledged that levels of traffic will fluctuate depending on the nature of the filming taking place at any given time, and that there is the potential for conflict between the large levels of traffic generated by Bovingdon Market and that arising from the filming. Consequently, should planning permission be granted, it is recommended that a condition be included which precludes the site for filming on any day that the market is in operation.

10.108 The Highway Authority have considered the proposal and are satisfied that, subject to the inclusion of a traffic management condition to deal with instances where Bovingdon Market and the filming coincide, they have no significant objections to planning permission being granted. As already outlined above, the Local Planning Authority is proposing to include a condition which precludes the use of the site for filming on any day that the market is taking place, thus fully addressing the concerns of the Highway Authority.

10.109 Travel Plans identify opportunities for the promotion and delivery of sustainable transport initiatives in connection with proposed development, thereby potentially reducing less sustainable modes of travel. Accordingly, owing to the size and scale of the proposed development, and in line with the recommendation of the Highway Authority, it is recommended that a condition requiring the submission and approval of a travel plan be included with any grant of planning permission. The costs of monitoring the travel plan will be secured by way of a Section 106 agreement.

10.110 In summary, the access arrangements are considered to be acceptable and subject to filming not coinciding with Bovingdon Market (which will be secured by condition should planning permission be granted), highway capacity would not be adversely affected. The Highway Authority have reviewed the submission and do not have any significant concerns. The development therefore accords with Policy CS12 of the Dacorum Core Strategy and Policy 51 of the Dacorum Local Plan.

#### **Parking**

10.111 It is understood that the majority of the parking associated with the development will take place on the former runway; however, 36 spaces are also shown as being located between Studios

I and II. The application form advises that a total of 150 car parking spaces and 15 spaces for light goods vehicles are to be provided to serve the development.

10.112 In order to carry out an assessment of the proposed level of parking, it is first necessary to correctly classify the use class of the development.

10.113 Class B2 of the Town and Country Planning (Use Classes) Order 2015 (as amended) relates to a *“Use for the carrying on of an industrial process other than one falling within the uses described in Schedule 2, Class E, sub-paragraph (g).”*

10.114 Class E (g) of the Town and Country Planning (Use Classes) Order 2015 (as amended) relates to *“an industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.”*

10.115 Article 2 (Interpretation) of the Use Classes Order provides the following guidance in terms of what constitutes an industrial process:

*“industrial process” means a process for or incidental to any of the following purposes:—*

- *the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording);*

10.116 It is not considered that a film studio could operate within a residential area without causing issues in terms of noise and vibration. It thus falls within Class B2.

10.117 Paragraph 7.1 of the Parking Standards SPD states that the non-residential parking standards *‘are set as standards, with any developments seeking provision above or below these standards required to produce evidence acceptable to the council of the proposed provision (see 6.8). The standards are shown in **Appendix A.**’*

10.118 Appendix A of the Parking Standards SPD states that B2 uses are required to provide one space per 75m<sup>2</sup> (GEA). It is further stated that one space is required for each employee who is a disabled motorist. In this instance, however, no information is available as to whether any staff member would be disabled; indeed, it is likely that the persons working at the studio will vary depending on which company is leasing the space. Of relevance is paragraph 8.13, which clarifies that: *‘Blue badge parking is part of the overall total of parking required by the standards, not additional to it.’* Accordingly, whether one or more staff members were disabled or not would have no bearing on the total required provision, though adequate allocation would still need to take place; that is to say, 5% of total provision. This view is backed up by the example provided at paragraph 8.10.

10.119 Calculating the parking requirement on the totality of development (i.e. 7,128.1m<sup>2</sup> GEA) gives rise to a parking standard of 95.04; which, duly rounded to the nearest whole number, gives a total of 95 spaces

10.120 Paragraph 8.16 confirms that an additional 4% of total parking spaces for motorbikes for all non-residential development is required; therefore, four motorbike spaces would be required in addition to the 95 already calculated.

10.121 The SPD requires that 20% of all parking spaces have active EV charging provision, with a further 30% having passive provision.

10.122 The terms active provision and passive provision are defined as follows:

*Active provision for electric vehicles: an actual socket connected to the electrical supply system that vehicle owners can plug their vehicle into.*

*Passive provision for electric vehicles: the network of cables and power supply necessary so that at a future date a socket can be added easily. It is significantly cheaper and less disruptive to install the underlying infrastructure for EV charge points during construction than to retrofit later.*

10.123 Accordingly, there would be a requirement for 19 active EV spaces and 29 (28.5 spaces rounded up) passive EV spaces. A condition requiring full details of EV charge points and passive provision will be included with any grant of planning permission.

10.124 The required parking provision would thus be broken down as follows:

19 active EV spaces  
29 passive EV spaces  
42 standard spaces  
5 disabled spaces  
4 motorcycle spaces

Total: 99 spaces

10.125 As a result, there would be an overprovision of 66 parking spaces.

#### Justification for Increase in Parking Requirement?

10.126 Policy CS8 of the Dacorum Core Strategy states that:

*All new development will contribute to a well connected and accessible transport system whose principles are to:*

....

a) *provide sufficient, safe and convenient parking based on car parking standards\*: the application of those standards will take account of the accessibility of the location, promoting economic development and regeneration, supporting shopping areas, safeguarding residential amenity and ensuring highway safety.*

10.127 Policy CS12 of the Dacorum Core Strategy states that:

*On each site development should:*

...

b) *provide sufficient parking and sufficient space for servicing.*

10.128 The Council's Parking Standards Supplementary Planning Document - formally adopted on 18<sup>th</sup> November 2020 – amplifies and provides guidance in terms of the level of parking required for various forms of development. The details of provision within the SPD are set as standards, with any developments seeking provision above or below those standards being required to produce evidence acceptable to the council of the proposed provision.

10.129 Paragraph 7.7 goes on to state that:

*There may be exceptional circumstances when justification (see section 6.8) can be provided by applicants (which the Council considers to be acceptable) to vary from the parking standards.*

10.130 Paragraph 6.10 provides a list of possible scenarios whereby deviations from the parking standards can be deemed acceptable. All relate to where reductions in the parking standards are being sought and thus are not directly applicable to the matter at hand. The only reference within the SPD to allowing greater levels of parking is found in paragraph 6.8:

*In some cases, particularly where there are known on-street parking stress issues, the Council itself may require a higher standard of parking than set out in the standards, and will require robust evidence from the applicant to assess this. These cases will be considered on an individual basis*

10.131 The distance between the studio buildings from Chesham Road and the on-road parking conditions are such that it is extremely unlikely that parking would take place outside the confines of the airfield. Therefore, prima facie, there is no justification for the level of parking being proposed. That said, it is noted that no parking layout for the majority of the parking has been provided and therefore a suitably worded condition could require details of the parking layout and, in doing so, limit the number of spaces to an appropriate level.

10.132 In summary, whilst the level of parking exceeds the standard outlined in the Parking Standards SPD, the inclusion of a planning condition, effectively limiting parking to the designated areas, would be able to make the development acceptable in policy terms. It follows that the development would accord with Policies CS8 and CS12 of the Dacorum Core Strategy.

#### Other Material Planning Considerations

#### Other Considerations

##### *Flood Risk*

10.133 Paragraph 167 of the NPPF states that, where appropriate, applications should be supported by a site-specific flood risk assessment. Footnote 55 clarifies that proposals involving sites of 1 hectare or more in Flood Zone 1 should be accompanied by an assessment.

10.134 Advice is provided in the National Planning Practice Guidance (NPPG) in respect of site-specific flood risk assessments:

*The information provided in the flood risk assessment should be credible and fit for purpose. Site-specific flood risk assessments should always be proportionate to the degree of flood risk and make optimum use of information already available, including information in a Strategic Flood Risk Assessment for the area, and the interactive flood risk maps available on the Environment Agency's web site.*

10.135 A very basic flood risk assessment has been provided in the Planning Supporting Statement, which correctly identifies that the application site is located in Flood Zone 1. Studio III – the nearest building to a water source (reservoir) – is located approximately 600 metres north-north-west.

10.136 This was not considered to be proportionate to the scale of the development and therefore a more rigorous Flood Risk Assessment has been requested from the agent. Given the site location, it is not anticipated that this will engender any concerns and therefore the flood risk element of the application is considered to be acceptable. It is understood that the updated Flood Risk Assessment will be provided prior to the committee date but after this report has been published. As a result, an update will be provided to Members in the addendum or verbally on the evening of the committee.

10.137 In summary, it is considered that there is minimal risk of flooding. The development is therefore considered to be in accordance with the aims and objectives of Policy CS31 of the Dacorum Core Strategy and paragraph 167 of the NPPF.

### *Drainage*

10.138 A detailed strategy to indicate how surface water will be disposed of does not form part of the application submission. However, it is understood that BRE Digest 365 infiltration testing has taken place and the ground found suitable for infiltration – either by soakaways or boreholes.

10.139 Thames Water have provided comments in respect of the application and raised some concerns in terms of infrastructure capacity. There are, however, a couple of points to consider:

- b) Numerous applications for temporary filming have been approved over the years, none of which have been subject to input from Thames Water, and have operated with no reported issues. Indeed, the temporary buildings on site are understood to use soakaways to dispose of rainwater.
- c) Given that infiltration has been deemed a feasible option for draining the site, it is not unreasonable to assume that the discharge rate could either be attenuated to a level deemed acceptable by Thames Water or, failing this, surface water disposed of solely by way of infiltration.

10.140 As a result, since there would be a suitable mechanism of for draining the site one way or another, it is suggested that a condition requiring the submission of a drainage strategy prior to the commencement of construction of Studio II (Studios I and III already have permission to be erected on a temporary basis by virtue of application 20/03594/FPA) be included with any grant of planning permission. The particulars will be subject to assessment by the LLFA and, where discharge into the Thames Water foul water sewer is proposed, confirmation will be required that the flow rate is acceptable, thereby ensuring that there would be no adverse impacts on the existing underground infrastructure. The development would therefore be in accordance with Policy CS31 of the Dacorum Core Strategy.

### *Air Traffic Safety*

10.141 The proposed development has been examined by NATS from a technical safeguarding aspect and does not conflict with National Air Traffic Control (NATS) safeguarding criteria.

### *Contaminated Land*

10.142 The Council's Scientific Officer has been consulted and, whilst no objections are raised, given the complex site land use history, historic landfilling activities, and the site's former use as a wartime airfield, it is recommended that conditions are included with any grant of planning permission. These conditions will require a competent environmental consultancy to be engaged in order to robustly identify any potential land contamination. Subject to the inclusion of conditions, the development would comply with Policy CS32 of the Dacorum Core Strategy.

### *Ecology*

10.143 The previously developed nature of the site and the large areas of hardstanding are such that the site is considered to be of limited interest from an ecological point of view. Indicative landscaping has been shown on the proposed plans and primarily consists of new tree planting. Should planning permission be granted, it is recommended that a landscaping condition be included in order for the specifics to be scrutinised accordingly. There is no reason to believe that the proposed development would cause ecological harm. As a result, the development complies with Policy CS26 of the Dacorum Core Strategy.

### *Section 77 Direction*

10.144 The Town and Country Planning (Consultation) (England) Direction 2009 is applicable to applications received prior to 21<sup>st</sup> April 2021. It sets out the applicable criteria and arrangements that must be followed for consulting the Secretary of State once the local planning authority has resolved to grant planning permission for certain types of development.

10.145 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. The use of the call-in power allows the decision be taken by the Secretary of State rather than the local planning authority. This application meets one of the criteria in relation to Green Belt development thresholds (see below – officer emphasis).

*4. For the purposes of this Direction, 'Green Belt development' means development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which consists of or includes-*

*(a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or*

*(b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.*

....

....

*9. Where a local planning authority does not propose to refuse an application for planning permission to which this Direction applies, the authority shall consult the Secretary of State.'*

10.146 Should the committee therefore be minded to recommend approval of this application, it will be necessary to refer the application to the Secretary of State prior to any grant of planning permission.

#### *Planning Obligations*

10.147 A section 106 agreement is in the process of being drafted. In summary, it will require:

- 1) The owner to not use the land or permit the land to be used as an outdoor market following a period of 18 months from the date that planning permission is granted. Furthermore, that all existing outdoor market infrastructure, including but not limited to, awnings, stalls, office and toilet blocks, will be removed within 18 months from the date that planning permission is granted. These clauses ensure that one element of the package of circumstances considered to constitute a VSC is secured.
- 2) Submission of a Travel Plan to Hertfordshire County Council.
- 3) Payment of £6,000 to Hertfordshire County Council to cover the costs of Travel Plan monitoring.

#### Planning Balance

10.148 It has been established that the new buildings would represent inappropriate development in the Green Belt. An assessment of the performance of this specific Green Belt land against the stated purposes of including land within the Green Belt has been conducted and it is considered that the primary function of this specific land is protecting the countryside from encroachment. All

countryside is not the same and it noted that the application site constitutes previously developed and is urban fringe rather than open countryside. No none Green Belt harm has been identified.

10.149 Very special circumstances have been advanced in support of this application. In summary, these comprise of the following:

- Economic benefits;
- Demand for studio space;
- Cessation of Bovingdon Market;
- Restoration of WWII control tower;
- Biodiversity and landscape enhancement; and
- Permitted development rights.

10.150 Substantial weight is given to the economic benefits of the development and the potential for it to act as a catalyst for the growth of associated knowledge and technical industries within the area. The economic benefits to the local economy have been quantified by way of submissions required by condition in respect of previously approved development. Further economic data has also been provided by relevant stakeholders to substantiate the benefits to the national economy.

10.151 Substantial weight is given to the demand for studio space. The UK is a world leader in film production but in order for this growth trajectory to continue (along with all the concomitant economic benefits referred to above), there needs to be a sufficient supply of studio space or else, notwithstanding the UK's inherent strengths, film studios may have no choice but to choose alternative countries for studio locations. The British Film Commission and Creative England have provided up to date data which confirms that, despite recent planning approvals, there remains a considerable shortfall in studio space, with demand considerably outstripping supply.

10.152 Moderate weight is given to the cessation of Bovingdon Market and the permanent removal of associated market infrastructure. As outlined earlier in this report, the apparent popularity of the market markedly exceeds the capacity of the local transport infrastructure at peak times. This has had significant impacts locally – on residents of Bovingdon, in particular, but also for Hertfordshire Constabulary, Hertfordshire Highways and the Council, who have had to intervene.

10.153 Modest weight is given to the sympathetic restoration of the WWII control tower and the historical and heritage benefits which naturally follow.

10.154 No weight is given to the proposed biodiversity and landscape enhancement, as these are requirements of planning policy.

10.155 No weight is given to the existence of permitted development rights for temporary filming. Unless an Article 4 Direction were served, this is something outside the control of the local planning authority. It is relevant to note that the government did not see fit to preclude the exercise of the relevant permitted development rights on land located within the Green Belt. The granting of planning permission would not extinguish these rights.

10.156 In having regard to the level of harm to the Green Belt arising from the proposed development and the package of circumstances put forward in support of this application, it is considered that these are sufficient to outweigh the harm to the Green Belt and therefore constitute the very special circumstances needed to make the development acceptable in Green Belt policy terms.

## **11. CONCLUSION**

11.1 The proposed built development would have a greater impact on the openness of the Green Belt and therefore represents inappropriate development. A case has been advanced to support the development on the basis of a package of very special circumstances. The weight attributed to very special circumstances is a matter for the decision maker based on the individual facts of the case. It is considered that in this instance that there are sufficient benefits to justify approving development.

11.2 The external appearance and siting of the studio buildings is considered to be acceptable and do not give rise to any concerns.

11.3 Subject to the inclusion of a condition requiring the submission of, and adherence to, a Noise Management Plan, it is not considered that there would be any significant adverse impacts on the residential amenity of nearby residents.

11.4 Consideration has been given to the impact of the development on the local highway network. Subject to a condition requiring that no filming take place on any day Bovingdon Market is operating, it is considered that any traffic attributable to the development would be compatible with existing highway capacity. Ample parking is available on site. However, it is recommended that a condition requiring a parking layout, and parking to take place only within it, be included with any grant of planning permission. This is to ensure that there is no overprovision of parking which would otherwise conflict with the shift to more sustainable means of transport.

11.5 Based on BRE Digest 365 infiltration tests, it is understood that the underlying geology is suitable for infiltration. Therefore, there would appear to be a feasible means of disposing of surface water. Indeed, the temporary studios currently operating at the site utilise soakaways to dispose of surface water.

## 12. RECOMMENDATION

12.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to completion of a S106 agreement and referral to the Secretary of State.

### Condition(s) and Reason(s):

1. **The development hereby permitted shall begin before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

100	Rev. 03	Proposed Site Plan
101	Rev. 03	Proposed Site Plan - Northern Quarter
102	Rev.	Proposed Site Plan - Southern Quarter
103	Rev. 02	Entrance Building - Proposed Block Plan

205	Rev. 03	Entrance Building - Proposed View Plan
206	Rev. 03	Entrance Building - Proposed Front & Rear Elevations
207	Rev. 03	Entrance Building - Proposed Side Elevations

**PL-200 Studio Buildings S-I & S-II, Proposed Plan**

PL-201	Studio Building S-III, Proposed Plan
PL-300	Studio Buildings S-I & S-II, Proposed North-East & South West Elevations
PL-301	Studio Buildings S-I & S-II, Proposed N-W & S-E Elevations
PL-302	Studio Building S-III, Proposed N-E & S-W Elevations
PL-303	Studio Building S-III, Proposed N-W & S-E Elevations
PL-400	Studio Buildings S-I & S-II, Proposed Section A-A
PL-401	Studio Building S-III, Proposed Section A-A

Reason: For the avoidance of doubt and in the interests of proper planning.

3. **No development (other than that associated with Studio 1) shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:**

- a) **Construction vehicle numbers, type;**
- b) **Access arrangements to the site;**
- c) **Traffic management requirements;**
- d) **Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
- e) **Siting and details of wheel washing facilities;**
- f) **Cleaning of site entrances, site tracks and the adjacent public highway;**
- g) **Timing of construction activities (including delivery times and removal of waste).**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy 55 of the Dacorum Local Plan (2004) and Policy CS12 of the Dacorum Core Strategy (2013).

4. **No development (other than that associated with Studio I) shall commence until full details have been submitted and approved in writing by the Local Planning Authority to show an appropriate level of active and passive electric vehicle charging provision, and a timeline for their installation. The electric vehicle charging provision shall be installed in accordance with the approved particulars.**

Reason: To ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

5. **Notwithstanding the details shown on the approved plans, no development (other than that associated with Studio I) shall take place until a formalised parking layout showing the total number of parking spaces (no more than 99) has been submitted to and approved in writing by the local planning authority.**

**The parking spaces shall be provided in accordance with the approved particulars within a period of 6 months from the date the details are approved and thereafter permanently retained. No parking in connection with the film use shall take place outside of the defined parking areas.**

Reason: To ensure that an appropriate level of parking is provided, in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).

6. **Construction and strike (dismantling) phases for a production will be limited to 07:30 - 19:00 Monday to Friday and 08:00 - 13:00 on Saturdays.**

Reason: In the interests of the residential amenity, in accordance with Policy CS12 of the Dacorum Core Strategy.

7. **Within 6 months of the date of this permission, details (in the form of a planning application) of a scheme of works, including a timetable for implementation, to restore the on-site control tower to its original (WW2) appearance shall be submitted to the local planning authority.**

**The scheme of works shall be carried out in accordance with the approved particulars and in line with the timetable for implementation.**

Reason: In the interests of enhancing the borough's heritage and to provide, in part, the level of planning gain necessary to justify development in the Green Belt policy terms as part of a 'Very Special Circumstances' case, in accordance with Policies CS27 and CS5 of the Dacorum Core Strategy (2013), and paragraph 148 of the National Planning Policy Framework.

8. **Mains supply of electricity shall be provided to all filming areas within 12 months of the date of the permission hereby granted. The use of generators shall not be permitted once a mains electrical supply has been created unless additional power requirements are needed that cannot be supported by the mains supply. Only super silent generators will be permitted within filming areas, and all generators must be screened from noise sensitive receptors by means of buildings / structures / barriers where provided for evening or overnight filming, such as powering of lighting rigs.**

Reason: In the interests of the residential amenity of the nearest residential uses, in accordance with Policy CS12 of the Dacorum Core Strategy (2013).

9. **(a) No development approved by this permission (other than that associated with Studio 1) shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.**

**(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**

- i. **A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
- ii. **The results from the application of an appropriate risk assessment methodology.**

**(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.**

**(d) This site shall not be occupied, or brought into use, until:**

- i. **All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
- ii. **A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Core Strategy (2013).

10. **Any contamination, other than that reported by virtue of Condition 9 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

11. **No filming shall take place on any day that Bovington Market is operating at the airfield**

Reason: In the interests of highway capacity and to ensure a safe and satisfactory means of access for all users, in accordance with Policy 51 of the Dacorum Local Plan (2004) and Policy CS12 of the Dacorum Core Strategy (2013).

12. **No filming shall take place (other than that currently benefitting from temporary permission) until a Noise Management Plan (NMP) has been submitted to and approved in writing by the local planning authority.**

**The NMP should include, but is not limited to, details of the following:**

- **An explanation of the filming and production process and the key stages to determine potential sources of noise and when control may be needed.**
- **To then specify at which stages of production, noise could occur and how this is / will be controlled including;**
  - **A consideration of the cumulative impacts of noise having regard to neighbouring studios and how these affect the sound environment. For example filming activities taking place simultaneously which individually may not present a problem, but cumulatively lead to an adverse impact**
  - **Limits on certain types of outdoor filming - i.e. special effects which include loud audible effects - in particular, their frequency and the time at which they occur.\***
  - **Community liaison to keep residents informed of activity taking place, including active monitoring - i.e. monitoring noise impacts at residents' houses should there be a complaint, or proactive monitoring to ensure**

- noise controls for a specific set / production remain effective and measures to review - and a procedure for mail-drops
- A method statement for involvement with the Parish Council (and community) on filming, such as issues relating to filming proposals, noisy work and contact details for any time of the day or night should an issue arise.\*\*
- Noise arising from set build, including impacts on the local road network, for example the import and export of material.

The development shall be carried out fully in accordance with the approved NMP.

Any subsequent reviews of the NMP shall be submitted to and approved in writing by the local planning authority and the development thereafter carried out fully in accordance with the approved particulars.

Reason: To protect the residential amenity of nearby residents and the local community from adverse impacts arising from the filming process, in accordance with Policy CS12 of the Dacorum Core Strategy (2013).

#### INFORMATIVES

*It is suggested is that no more than three such outdoor productions take place per year, with each shoot limited to seven days and restricted to daytime filming. Where night filming is proposed, it is suggested that filming does not continue past 23:00 and limited to three days of filming. If overnight filming is required, professional support is to be engaged and demonstrate no adverse impact - i.e. off-site sound monitoring and noise control mitigation incorporated into the shoot.*

*Where filming is expected to be intrusive, a mail-drop to dwellings and businesses likely to be affected shall be undertaken prior to the commencement of filming.*

13. **No development approved by this permission (other than that associated with Studio 1) shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. A full detailed drainage design and surface water drainage assessment should include:**

- I. **A drainage strategy which includes a commitment to providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS.**
- II. **Full detailed design drainage plan including location of all the drainage features.**
- III. **Where infiltration is proposed, evidence of ground conditions/ underlying geology and permeability including BRE Digest 365 compliant infiltration tests; carried out at the location and depths of the proposed infiltrating features.**

- IV. **Detailed calculations of existing/proposed surface water storage volumes and flows with initial post development calculations and/or modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an allowance for climate change.**
- V. **Evidence that if the applicant is proposing to discharge to the local sewer network, they have confirmation from the relevant water company that they have the capacity to take the proposed volumes and run-off rates.**
- VI. **Discharge from the site should be at an agreed rate with the water company. This should be at Greenfield run-off rate; justification will be needed if a different rate is to be used.**
- VII. **An indicative maintenance plan detailing how the scheme shall be maintained and managed.**

Reason: A surface water drainage assessment is vital if the local planning authority is to make informed planning decisions. In the absence of a surface water drainage assessment, the flood risks resulting from the proposed development are unknown. This should be provided to prevent the increased risk of flooding, both on and off site. This is in order to comply with Policy CS31 of the Dacorum Core Strategy (2013).

14. **Upon completion of the drainage works, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.**

**The management and maintenance plan shall include:**

- 1) **Provision of a complete set of as built drawings including the final drainage layout for the site drainage network.**
- 2) **Arrangements for reasonable and practical measures to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent flooding by ensuring the satisfactory maintenance of the surface water network on the site and to reduce the risk of flooding to the proposed development and future occupants. This is in order to comply with Policy CS31 of the Dacorum Core Strategy (2013).

15. **Notwithstanding the details shown on the approved plans, no filming (other than in Studio III) shall take place until a soft landscaping plan that includes number, size, species and position of trees, plants and shrubs has been submitted to and approved in writing by the Local Planning Authority.**

**The planting must be carried out within one planting season of completing the development.**

**Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity.**

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

16. **The studio buildings hereby approved shall be dark green to match Studio III.**

Reason: In the interests of the visual amenity / visual openness of the Green Belt, in accordance with the Policy CS5 of the Dacorum Core Strategy (2013) and the NPPF.

17. **All temporary buildings / structures constructed within the backlot areas shall be removed within two months of the cessation of the filming to which they relate.**

Reason: In the interests of the visual amenity / visual openness of the Green Belt, in accordance with the Policy CS5 of the Dacorum Core Strategy (2013) and the NPPF.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Parish/Town Council	<p><u>23/07/21</u></p> <p>We agree to the removal of the condition regarding the south east quarter of the airfield to be maintained for agricultural purposes / open space. In addition, the parish council continue to have concerns about the green land but note the comments received from the applicant which states that he confirms that they are willing to implement the following:</p> <ul style="list-style-type: none"> <li>• Additional landscaping works to include planting on the boundary fenceline to limit views into the site and retain rural feel of the airfield surrounds.</li> <li>• We will primarily use the market runway and the areas within the redline boundary for backlot sets, reducing my requirements to utilise the grass fields (at the southern end of the runway) within my scheduling and film management plans.</li> </ul> <p><u>09/07/21</u></p> <p>Support application with the proviso that it is conditional on the market operation ceasing within a defined period and that the land (shaded green on Plan No. 102 dated 7 June 2021) in the south east quarter of the airfield is maintained for agricultural purposes / open space.</p> <p><u>19/04/2021</u></p> <p>Support</p> <p><u>18/12/2020</u></p> <p>Awaiting further comments from the Case Officer regarding a possible meeting with the applicant and agent. No decision, pending further discussion.</p>
Hertfordshire Highways (HCC)	<p>13/05/21</p> <p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the</p>

Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. No development shall commence until full details have been submitted and approved in writing by the Local Planning Authority to illustrate the following:

o An appropriate level of active and passive electric vehicle charging provision (in accordance with Dacorum Borough Council's Parking Standards Supplementary Planning Document);

o Details as to how traffic management would be planned / provided / controlled on those

occasions when filming would be on the day of Bovingdon Market.

o HCC as Highway Authority would recommend that Traffic Management Plans are used throughout any filming periods, particularly important for any larger productions when the details of such plans would need to be agreed with HCC's Network Management prior to the commencement of any such productions.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

## 2. Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

a. Construction vehicle numbers, type;

b. Access arrangements to the site;

c. Traffic management requirements

d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);

e. Siting and details of wheel washing facilities;

f. Cleaning of site entrances, site tracks and the adjacent public highway;

g. Timing of construction activities (including delivery times and removal of waste);

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

## Planning Obligations

A Full Travel Plan would be required to be in place from first use until 5 years post use. A J1,200 per annum (total of J6,000, index-linked RPI March 2014) Evaluation and Support Fee would be necessary and secured by section 106 agreement in accordance with Hertfordshire County Council's Travel Plan Guidance. This should incorporate measures to promote sustainable transport, an appointed travel plan co-ordinator and an appropriate monitoring programme. Full guidance is available at: [www.hertfordshire.gov.uk/travelplans](http://www.hertfordshire.gov.uk/travelplans) or [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk)

## Comments / Analysis

### Vehicle Access and Highway Impact

There are two existing vehicle accesses into the airfield site from Chesham Road, which are currently used to provide access for previously approved filming uses and Bovingdon Market and are also proposed to be utilised for the current proposals. Chesham Road is designated as a classified B secondary distributor road and subject to a speed limit of 60mph. The proposals do not include any new or altered vehicle accesses with larger HGVs associated with the proposed uses using the main "western" access. The design and provision of the vehicle accesses from the highway including the levels of vehicular to vehicular visibility are considered to be acceptable by HCC as Highway Authority.

As acknowledged in the submitted Planning Statement, "the type of vehicles and the level of traffic to and from the site will fluctuate with the filming phases". Following consideration of the large size of the site, existing filming uses and significant distance of the proposed permanent structures from the highway, it is unlikely that any impacts solely from the proposed use would be severe or significant enough to recommend refusal for the proposals from a highways perspective.

Nevertheless following consideration of the use of the site for Bovingdon Market on Saturdays, HCC as Highway Authority would recommend that details are provided as to how traffic management would be planned / provided / controlled on those occasions when filming would be on the day of market. This is to ensure that the cumulative effect of the traffic generated by the market and any filming is adequately assessed and to ensure that any impacts on the surrounding highway network are minimised as much as is practically achievable.

HCC as Highway Authority would also recommend that Traffic Management Plans are used throughout any larger filming productions. The details of such plans would need to be agreed with HCC's Network Management prior to the commencement of any such productions.

#### Emergency Vehicle Access

Due to the size of the proposals, as part of the highway authority's assessment of this planning application, we consider that Hertfordshire Fire and Rescue should be consulted for any comments or recommendations which they may have. Therefore, details of the proposal have been passed to them for attention.

#### Car Parking

The application includes a total provision of 150 car parking spaces and 15 proposed LGV parking spaces, provided within the existing hardstanding on the former runway. HCC as Highway Authority would not have any specific comments or objection to the total level of parking provision, although would recommend that an appropriate level of EVC provision is provided to encourage electric vehicle use in accordance with the Highway Authority's Local Transport Plan (LTP4) and Sustainability Strategy. Dacorum Borough Council's (DBC) parking standards also state that 20% of all parking spaces should provide an active charging point whilst 20% of all remaining parking spaces should provide passive provision.

Dacorum Borough Council as the planning and parking authority would ultimately need to be satisfied with the overall level and type of proposed parking.

The site of a significant size and therefore it is considered that all vehicles on site would be able to easily turn around and egress to the highway in forward gear, which would be necessary.

#### Travel Plan

Following assessment of the size and nature of the proposals, a full Travel Plan would need to be secured via a Section 106 planning agreement. Developer contributions of J6000 are sought via a Section 106 obligation towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information and guidance is available at: [www.hertfordshire.gov.uk/travelplans](http://www.hertfordshire.gov.uk/travelplans) or [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk).

This would be necessary to ensure that sustainable travel opportunities

	<p>to and from the site are promoted and maximised for all users and to ensure that the proposals are in accordance with LTP4. Due to the large size of the site, it would be prudent for the travel plan to cover all of the previously approved and proposed filming uses, if this is deemed appropriate from a planning perspective.</p> <p>The development is situated within DBC's Community Infrastructure Levy (CIL) area. Therefore contributions towards local transports schemes as outlined in HCC's South-West Herts Growth &amp; Transport Plan would be sought via CIL if appropriate.</p> <p>Conclusion</p> <p>HCC as Highway Authority has no significant objections to the granting of planning permission, subject to the inclusion of the above planning conditions and informative, specifically those recommendations in relation to traffic management plans (most importantly when any filming coincides with Bovingdon Market) and an acceptable level of EVC provision.</p>
<p>Crime Prevention Design Advisor</p>	<p>Thank you for sight of planning application 20/03194/MFA, Proposal: Use of land for film making to include earth works to remove 'bund' and construction of 3 permanent studios &amp; creation of 'backlot space' to allow for construction of temporary studios with associated support services and parking. Use of former control tower as office space and/or as film set. Construction of security building at entrance. Address: Bovingdon Airfield Chesham Road Bovingdon Hemel Hempstead Hertfordshire HP5 3RR.</p> <p>Although I am waiting for conformation from Planit Consulting, I am content that security and safety have been addressed for this application.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the application documents I am able to confirm that there is no objection to the proposed development. However, because the application site has a complex site land use history, including its use a war time airfield in addition to the landfilling activities it will be necessary to recommend the following condition.</p> <p>It is acknowledged that there is a good deal of site specific knowledge and some soil sample analysis information held by the site owner and applicant. However, it will be important for a suitably qualified and competent environmental consultancy to be engaged to support that owner/applicant through the process of robustly identifying potential land contamination liabilities associated with the landfilled material and the ground conditions at the finished site levels.</p>

Contaminated Land Conditions:

Condition 1:

(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology.

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

Condition 2:

Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to

	<p>and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 170 (e) &amp; (f) and 178 and 179 of the NPPF 2019.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
Conservation & Design (DBC)	We have no further comments to add. Please see previous comments.
Civil Aviation Authority	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
Environmental And Community Protection (DBC)	I have reviewed the new documents recently submitted in support of this application and consider that the earlier advice that I provided remains relevant and that the recommended Conditions remain necessary.

<p>Hertfordshire Property Services (HCC)</p>	<p>Thank you for your email regarding the above mentioned planning application.</p> <p>Hertfordshire County Council's Growth &amp; Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone and does not fall within any of the CIL Reg123 exclusions.</p> <p>Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.</p> <p>We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department.</p> <p>PLEASE NOTE: Please consult the Hertfordshire Fire and Rescue Service Water Officer directly at <a href="mailto:water@hertfordshire.gov.uk">water@hertfordshire.gov.uk</a>, who may request the provision of fire hydrants through a planning condition.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions.</p> <p>Comments</p> <p>Please refer to the response from HCC as Highway Authority dated 13/05/2021. No additional comments as part of the amended / supplemental information.</p>
<p>Lead Local Flood Authority (HCC)</p>	<p>Thank you for consulting the LLFA on the above application for Use of land for film making to include earth works to remove 'bund' and construction of 3 permanent studios &amp; creation of 'backlot space' to allow for construction of temporary studios with associated support services and parking. Use of former control tower as office space and/ or as film set. Construction of security building at entrance.</p> <p>In the absence of a flood risk assessment and surface water drainage assessment we object to this application and recommend refusal of planning permission until a satisfactory FRA and drainage assessment has been submitted.</p> <p>The application lies within Flood Zone 1 defined by the Technical Guide to the National Planning Policy Framework (NPPF) as having a low probability of flooding from Rivers. However, the proposed scale of development may present risks of flooding on-site and/or off-site if surface water run-off is not effectively managed.</p>

An FRA is required for sites over 1 hectare. Footnote 20 of paragraph 103 of the NPPF requires applicants for planning permission to submit an FRA when development on this scale is proposed in such locations and should assess all sources of flood risk.

A drainage assessment is required under the NPPF for all Major Planning Applications as amended from the 6 April 2015.

An FRA and surface water drainage assessment is vital if the local planning authority is to make informed planning decisions. In the absence of an FRA and surface water drainage assessment, the flood risks resulting from the proposed development are unknown. The absence of an FRA and surface water drainage assessment is therefore sufficient reason in itself for a refusal of planning permission.

Our objection can be overcome by undertaking an FRA and surface water drainage assessment which demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved, we will consider whether there is a need to maintain our objection to the application. Production of an FRA and surface water drainage assessment will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the FRA and surface water drainage assessment. We will provide you with bespoke comments within 21 days of receiving formal consultation. Our objection will be maintained until an adequate FRA and surface water drainage assessment has been submitted.

#### Informative to the applicant

For further advice on what we expect to be contained within the FRA and drainage strategy to support a full planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>

This link also includes HCC's policies on SuDS in Hertfordshire and HCCs Local Flood Risk Management Strategy

The applicant should also refer to the Local Planning Authorities Strategic Flood Risk Assessments and any relevant surface water management plans.

Please note if the LPA decide to grant planning permission, we wished

	<p>to be notified for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development.</p>
<p>Thames Water</p>	<p>Waste Comments</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application for SURFACE WATER drainage. Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any</p>

	<p>reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at <a href="http://thameswater.co.uk/preplanning">thameswater.co.uk/preplanning</a>. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.</p> <p>Water Comments</p> <p>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.</p>
<p>Conservation &amp; Design (DBC)</p>	<p>This is the site of a former military airfield. It has a variety of uses including some for filming. We would not comment on the majority of the application however would note that for any large buildings constructed careful choice of colour can minimise impact.</p> <p>One area that would be useful to consider would be the restoration of the airfield control tower for office use. At present this is in a most dilapidated state however photographs are available where it can be seen still complete and in use in the 1950s. <a href="http://www.controltowers.co.uk/b/bovingdon.htm">http://www.controltowers.co.uk/b/bovingdon.htm</a></p> <p>The control tower is one of the few surviving elements of the historic airfield which had an impact on Bovingdon and wider national/international events. Therefore we would consider it to be as a heritage asset (although note its rather poor condition). If the applicant is needing to provide planning gain/ conservation gain the restoration of the tower would be a useful addition to the heritage of the borough. We would highlight that double glazed crittall windows could be used as could insulating render both of which could enhance the environmental performance of the structure. We would be happy to advise further perhaps on site if this avenue is to be explored.</p> <p>Recommendation We would not object to the proposals but the restoration of the aircraft control tower to its original form would be beneficial to the historic environment of the borough.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>08.07.21</p> <p>As discussed it would be sensible to have an NMP which we can approve against the development rather than making it a condition for submission and approval by the LPA. Making it a condition of development could put us in a similar runways situation where we have</p>

not accepted the NMP and now in an appeal.

We know the site has benefitted from a number of temporary permissions for a number of years with limited community impact. In part this seems to be reflected by what the current occupier allows in respect of type of filming. Were the site to be sold on we could go from a situation which has little impact on the local community to one which is more significant, but no controls in place.

Given what has taken place I don't believe the NMP needs to be defined based on qualitative noise assessment, and controls can be based around maintaining the status quo and adequately defining what that is by limiting certain types of noisy production alongside other factors like where shooting takes place (indoors / outdoors), how often, for how long etc, time of day. I've detailed some of the content the NMP may consider (not exhaustive) below.

To structure the NMP this should start with an explanation of the filming and production process and key stages to identify potential sources of noise and when control may not be needed. This could include explaining different types of filming that have taken place at site and why this did or did not lead to a noise issue, e.g. Britannia - no known issues, Batman - led to some community complaint. It should specify at which stages of production noise could occur, e.g. during set build, and how this is currently controlled. This may be because the set-build took is short-lived, 10 days to construct, sets made of timber and, occurred during reasonable hours. This could be alongside other controls such as good community liaison. This can also explain how other noise is controlled / eliminated, e.g. by post-production techniques which adds features such as explosions at a later stage.

A single filming may not lead to adverse impact but noise can occur the cumulative impact of various productions taking place throughout the year. There are also other neighbours who may contribute to the sound environment and should factor in the management plan development and aspects that may factor.

Control of noise may be down to type of production allowed mirroring what has already taken place, and if this can be defined / classified by genre or similar. A limit as suggested could be placed on certain types of filming such as use of outdoor special FX (covered in your email below), which includes a large audible effect. This is where the NMP can limit this type of filming and controllable by site manager to ensure minimal impact to community.

Sound which is audible in the community is not automatically defined as unacceptable impact if it occurs infrequently. For example we are aware

of pyrotechnics used for shooting certain scenes, which if confined to a few evenings are relatively short-lived and perceived as annoyance. I am aware there has been positive community engagement in managing expectations of local residents.

The suggested control for special FX is a strict control, i.e. no more than 3 such productions (outdoor) per year, each shoot limited to 7 days, and restricted to daytime filming. Where night filming is required this would not continue beyond 23:00, and reduced to 3 days filming. If overnight filming is required then professional support is engaged to demonstrate no adverse impact, i.e. off-site sound monitoring, noise control mitigation incorporated into the shoot.

With respect to overnight shooting outside of special FX the NMP can outline what is permissible based on potential noise impact (see above). Recent examples would assist, and whether a pre-filming risk assessment would work to determine if overnight shooting should go ahead. I am aware of complaints from outside district from one filming exercise where there were a number of vehicles running up and down the runway at night. I am not aware of any other issues. The filming process should also consider power source to site. We understand that mains supply will be provided within a period of 12 months, but in the interim super-silent generators will be supplied. To be flexible in this expectation it may be that production areas nearest to residential properties are prioritised for mains power and those sites are provided with mains power over a more relaxed timescale.

The NMP can also specify a section / requirement for close liaison with the community to keep residents informed of activity taking place. This should include active monitoring, i.e. monitoring noise impact at residents should there be a complaint or proactive monitoring to ensure noise controls for a specific set / production remain effective and if they cannot be controlled allows for revision of the NMP. Similar to health and safety management system / risk assessment which should be reviewed following a change in risk magnitude or following a near miss or accident.

The NMP can incorporate the method statement for involvement with the Parish Council (and community) on filming, such as issues relating to filming proposals, noisy work and contact details for any time of the day or night. If filming is likely or expected to be intrusive to the local community a letter drop shall take place. The NMP could be a wider document around community involvement and engagement, similar to a considerate contractor scheme for a construction site. Noise will be main concern, but a method by which the site operators work with local community and allows the parish council to input.

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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
60	3	0	2	1

### Neighbour Responses

Address	Comments
3 The Osiers Business Centre Leicester LE19 1DX	Please see documents tab - 'Objection comment - Howes Percival'
13 Chesham Road Bovingdon Hemel Hempstead Hertfordshire HP3 0ED	work as already started the chesham road is a mud bath and a hazard waiting to happen lorries speeding through the village noise and pollution level are high and due to lock down