

Agenda Item 84.

| Application Number | Expiry Date | Parish | Ward |
|--------------------|-------------|-----------|-----------------|
| 222906 | EXT | Shinfield | Shinfield South |

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| Applicant | Shinfield Studios Ltd |
| Site Address | Land south of Cutbush Lane Shinfield (West of Oldhouse Farm) and Gateway Plot 4 TVSP |
| Proposal | Full planning application for the proposed erection of a temporary Film Studio Backlot (for a period of 5 years). |
| Type | Full application |
| Officer | Benjamin Hindle |
| Reason for determination by committee | Major Application by virtue of site area (3.74HA) |

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| FOR CONSIDERATION BY REPORT PREPARED BY | Planning Committee on Wednesday, 8 th of February 2023 Assistant Director – Place and Growth |
| RECOMMENDATION | <p>That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following three-tiered recommendation:</p> <p>A. Completion of a legal agreement (S106) to secure the following HoTs (Heads of Terms):</p> <p>Biodiversity Net-Gain 1 .20% Biodiversity Net Gain (above the Biodiversity Net Gain Target agreed at assessment) to be delivered on and off-site and retained in situ for a 30 year fixed period.</p> <p>Sustainability Uplift 2. 5% uplift in sustainability above existing provision through the addition of photovoltaics to the main Shinfield Studios site.</p> <p>Skylark Mitigation Measures 3. The approved Skylark Mitigation Strategy, Shinfield West: Skylark Mitigation, EPR Ltd, 16 December 2014 (linked to the O/2010/1432 development as varied by VAR/2014/0624) requires revision to demonstrate how adequate Skylark mitigation will continue to be delivered.</p> <p>B. Conditions and informatives as set out in Appendix 1 (subject to any additions and updates agreed with the Assistant Director – Place and Growth between the date of the resolution and the issue of the decision):</p> |

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| | <p>C. Alternative recommendation: That the committee authorise the Head of Development Management to refuse planning permission in the event of an S106 agreement not being completed to secure the bio-diversity net gain, off-site sustainable energy contributions and sufficient Skylark mitigation via the resubmission of the Shinfield West Skylark Mitigation strategy within six months of the date of the committee resolution (unless a longer period is agreed by the Head of Development Management in consultation with the Chairman of Planning Committee) for the following reason:</p> <p>1) In the absence of a planning obligation to secure suitable contributions / on site and off works for the following:</p> <ul style="list-style-type: none"> • 20% on and off-site Biodiversity Net Gain • 5% off-site sustainability uplift above existing provision (25% total) to the main Shinfield Studios site via the provision of photovoltaic panels. • Adequate Skylark Mitigation measures linked to O/2010/1432 (as varied by VAR/2014/0624) which relies on the application site to provide sufficient mitigation. <p>It has not been possible to secure the adequate mitigation put forward to justify the development and the proposal could have a detrimental impact on landscape, the countryside and ecology. This is contrary to the principles of policies CP1, CP3, CP11 and TB23.</p> |
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| SUMMARY |
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The application relates to land south of Cutbush Lane East and a wider area broadly to the south and east of this adjacent to the South of the M4 SDL as outlined in Core Strategy Policy CP19 and the Thames Valley Science Park as outlined in Core Strategy Policy CP16. In terms of the detail of the application, this seeks full planning approval for a 5-year temporary outdoor filming backlot and associated facilities on land south of Cutbush Lane East and west of Oldhouse Farm. The site broadly adjoins the wider Shinfield Studios development parcel approved by Members of The Planning Committee on 17/21/2021 under application reference: 211841, the proposal supports and contributes to the delivery of a world class filming institute in this location via the provision of additional outdoor filming space to meet growing demand. The relationship of the land within the application site and its adjoining land users are shown below within figure 1.



Figure 1: The application site's relationship with the wider area

The site would be used for a space that supports temporary outdoor filming for various film productions as such, the application formally consists of no fixed floor space and essentially is a land use. Each film production that would operate within the space will have differing requirements for sets and props given that each movie / tv production is in general unique in nature. As such, the sets and props together with the supporting workshops will not be fixed by this application although the site has been separated into 4 independent zones in which the built form varies in respect to agreed parameters for building heights. Area A proposes a maximum structure height of 8 metres on account of the listed buildings at Oldhouse Farm with a minimum c100m buffer, Area B proposes a maximum structure height of 15 metres (majority of the site), Area C proposes an ecological mitigation zone including additional planting and Area D proposes a dense landscape buffer as shown in Figure 2 below.

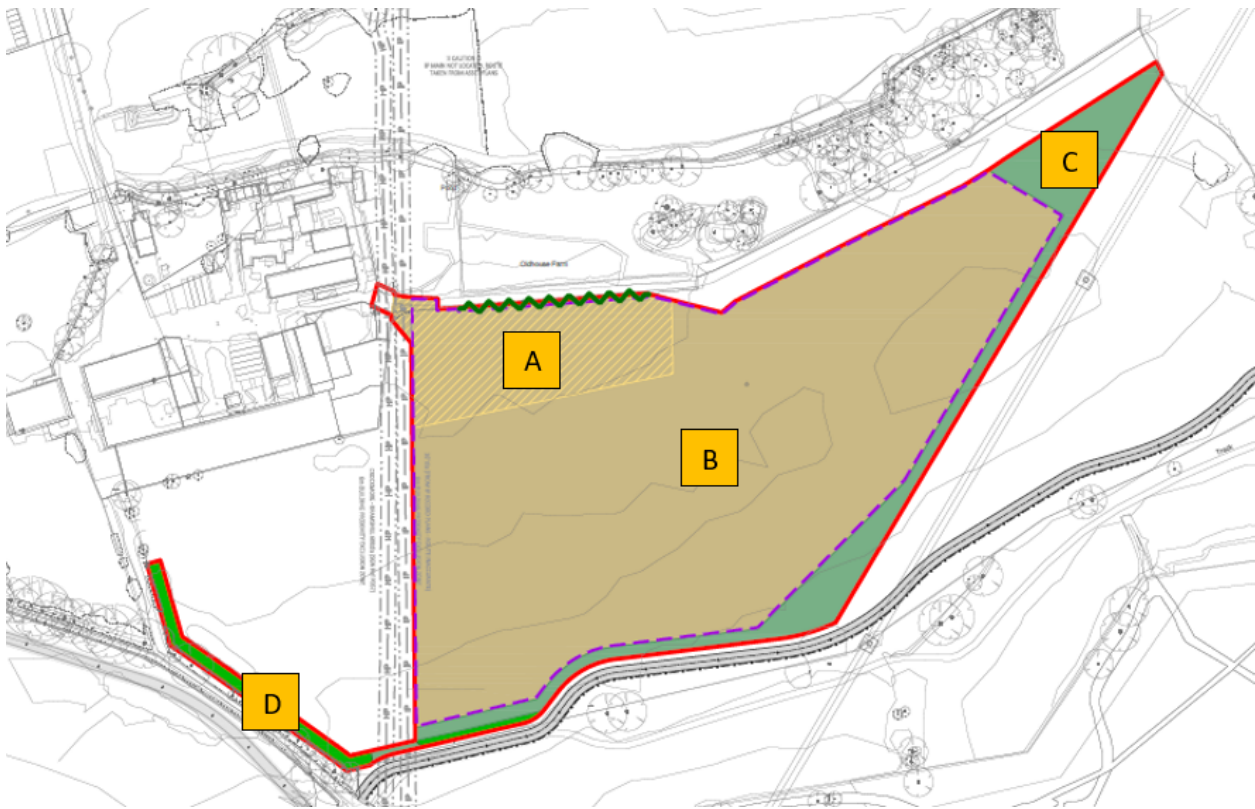


Figure 2: Application site building height and area key

Though no fixed built form is proposed due to the transient nature of the sets and ancillary production areas, the applicant has provided an indicative layout of the site to provide indication on what may feature of site at any time, though Members are advised that this will be constantly changing, over the 5-year temporary approval period for film uses only.

The temporary outdoor filming facility would be accessed via Cutbush Lane East and Oldhouse Farm Lane (accessible from the wider Eastern Relief Road) as well as the previously approved access adjacent to and via Oldhouse Farm which was approved under Prior Notification Class E submission 221645 in July 2022, this offers refuse, motorist, cyclist and pedestrian access into site from within the wider Shinfield Studios development parcel. The main infrastructure to facilitate the access to the temporary outdoor filming has already been delivered under permitted development and no further internal roads are required to serve the application site.

The Council has significant experience working with studio sites, which include Arborfield, Winnersh and Shinfield Studios. In addition, temporary consent was granted for part of the application site under the prior approval ref 221645 for the use of a backlot. The proposed use would be essentially the same as that proposed albeit on a larger area of land for a longer period of time. It is important to note that the site is located adjacent the existing studios however is within a reasonably isolated location and the form of use is one which does not cause significant noise or disturbance given from the separation to neighbouring dwellings and the careful site layouts. It is of note, that within the existing 7 month period of use,, that the site has operated under the Prior Notification consent, the backlot has received no direct complaints/queries both in terms of noise and disturbance or the impact

on the character of the area. As such, it is evident there are limited impacts from the operation.

The application is before the Planning Committee as it is a major development by virtue of site area that is recommended for approval. In policy terms, whilst in principle the facility is located within the countryside, therefore could be considered contrary to policy CP11 (development within the countryside), the application must be assessed on its merits regarding the circumstances put forward by the applicant together with the planning balance of material considerations, taking into account the temporary use of the site and off-site enhancements secured via S106. For the reasons set out in the report, it is considered that the benefits of this temporary facility and other material considerations outweigh the development plan conflict.

The delivery of the temporary outdoor backlot will contribute to the significant economic benefits that the Shinfield Studios offer and will provide a greater site area and variety for filming and set production which in turn aids job creation, economic generation locally. The proposals also include environmental benefits over the existing agricultural use. The combination of direct and indirect enhancements to the local and sub-regional area are considered to outweigh any harm from departing (in part) from the relevant policies and the proposal does not undermine the existing development plan or future update to this extent.

The development would not have a significant detrimental impact on the character of the area or the landscape setting and it includes significant landscape enhancements to screen the facility. The location of the site away from residential development, together with the level of use and activities within the facility together with such a degree of established use (211841) would not cause significant harm to existing residents. In addition, the proposal would secure biodiversity enhancements in the form of 20% off-site Bio-diversity net gain (in additional to the ecological buffer zone provided on site) and 5% carbon savings to the main Shinfield Studios site via the provision of photovoltaic panels. This would take the total provision of renewable energy to 25% for the studio facility. These measures will be secured via S106 in tandem with the determination of the application and shall achieve above minimum policy requirements for sustainability and biodiversity. It is acceptable in terms of traffic, highway safety and flood risk.

The recommendation is that the application is approved subject to conditions outlined below and subject to the prior completion of the S106 agreement to secure on and off-site bio-diversity net gain, off-site sustainability enhancements through the provision of photovoltaic panels and Skylark mitigation connected with the VAR/2014/0624 outline approval (as varied) for the Shinfield West planning unit.

| PLANNING HISTORY | | |
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| Application ref | Description | Outcome |
| Science and innovation park and ancillaries | | |
| O/2009/1027 | Outline application for phase 1 development of Science & Innovation Park (Access to be considered) plus full application for the construction of access road foot and cycle ways M4 overbridge and associated works including landscaping and engineering works plus erection of boundary wall and fence adjoining Shinfield Road/Access Road. Part demolition and | Approved 27/10/10 |

| Application ref | Description | Outcome |
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| | reformation of facade of Stable Buildings at Lane End Farm and demolition of existing farm buildings. | |
| RM/2015/0630 | Reserved Matters application pursuant to Outline Planning Consent O/2009/1027 for the development of phase 1A of proposed Thames Valley Science Park comprising the construction of a gateway building and all associated landscaping and ancillary works plus temporary car parking arrangements – Appearance, Landscaping, Layout and Scale to be considered. | Approved 26/08/15 |
| 162841 | Reserved Matters in relation to the development of Phase 1b of the proposed Thames Valley Science Park (TVSP) for a new cancer treatment centre, all associated landscaping, access and ancillary works | Approved 8/12/18 |
| 162818 | Reserved Matters application for the car park for phase 1 of the Science Park | Approved 8/12/18 |
| 163609 | Outline planning application for Phase 2 of the Thames Valley Science Park comprising up to 57,110 sqm research and development and innovation floor space (with occupancy restricted by a Gateway policy) inclusive of up to 5,711 sqm of amenity and supporting uses and an energy centre (all matters reserved except access to the site). | Approved 06/07/18 |
| 173287 | Reserved Matters application pursuant to Outline Planning Consent O/2009/1027 (as extended under planning permission 152330) for the development of phase 1 of Thames Valley Science Park, comprising the construction of building 2 of the gateway building and all associated landscaping and ancillary works, plus temporary car parking arrangements - Appearance, Landscaping, Layout and Scale to be considered. | Approved 14/02/18 |
| 210387 | Full application for the erection of Film studio stages and workshops (for a temporary period of 5 years). To include access to the site via Old House Lane / Cutbush Lane, car parking, ancillary buildings to support the use of the site and landscaping, with a workshop to be included on Gateway 4 plot at Thames Valley Science Park. | Approved 25/03/21 |
| 210210 | Full application for the erection of TV Studio Building including studio space, workshop/storage area and production/office along with parking facilities. | Approved 14/07/2021 |

| Application ref | Description | Outcome |
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| 211841 | Full planning permission for the Science Park Creative Media Hub comprising the erection of film stages and associated workshops and office space; and ancillary uses including equipment stores, café. Formation of associated access, decked and surface parking, and landscaping at the Thames Valley Science Park (TVSP). | Approved 13/12/2021 |
| 221645 | Prior approval submission for use of a backlot for external filming including temporary film sets (PN Class E) Oct 2022 until April 2023 | Approved 12/07/2022 |
| 222223 | Prior approval submission for the proposed formation of an agricultural farm track. | Approved 12/08/2022 |
| Eastern Relief Road | | |
| F/2010/1428 | Full application for the construction of an Eastern Relief Road (ERR) to Shinfield including the construction of road foot and cycleways an M4 over-bridge. Re-grading of embankments landscaping utilities creation of flood compensation areas and associated works including engineering and other operations. Erection of replacement boundary wall and fence adjoining Shinfield Road/ ERR part demolition of existing farm buildings at Lane End Farm and demolition/deconstruction of two poly tunnels south of Cutbush Lane. – Delivered and open | Appeal approved 03/06/11 |
| British Museum | | |
| 182059 | Hybrid planning application in respect to: 1) Full planning application for a 15,628sqm research and storage facility (Sui Generis Use for the British Museum); 80 parking spaces; landscaping and surface water drainage. 2) Outline planning application for up to 15,000sqm research and storage facility (Sui Generis Use for the British Museum) all matters reserved. 3) Demolition of two existing residential dwellings. | Approved 14/02/19 |

| DEVELOPMENT INFORMATION | |
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| Previous land use(s) | Mixed, agriculture and previously developed land for the element of the proposal relating to the temporary studios site. Part of the site (c50%) has extant prior approval permission for an outdoor filming backlot. |
| Proposed parking space(s) | Parking spaces of the approved main Studio development – The approved details state the provision of: 1375 spaces including 79 blue badge spaces, 77 active and 77 passive EVC spaces, 64 motorcycle spaces |

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| | and 160 cycle spaces which are sufficient to cater for this development. |
| CONSTRAINTS | <p>Adjacent to Strategic Development Location (SDL) as identified on the Core Strategy (South of the M4 Strategic Development Location SPD)</p> <p>Countryside Development Location – Shinfield, as identified in Core Strategy Policy CP11.</p> <p>Accessed via the Thames Valley Science Park</p> <p>Mineral consultation zone</p> <p>Potentially contaminated land consultation zone</p> <p>Area of archaeological potential</p> <p>Listed buildings located to the south 180m Oldhouse Farm and Cutbush Manor and Barn Grade 2 located 55m to the common boundary of Office A.</p> |

| CONSULTATION RESPONSES | |
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| Royal Berkshire Fire and Rescue | No comments received |
| Southern Gas Networks | No comments received |
| SEE Power Distribution | No comments received |
| WBC Ecology | No objection subject to conditions and planning obligations |
| WBC Drainage | No objection subject to condition |
| WBC Environmental Health | No objection subject to condition |
| WBC Highways | No objection subject to condition |
| WBC Tree & Landscape | No objection subject to conditions |
| WBC Conservation | No objection |
| WBC Cleaner & Greener (Waste Services) | No comments received |
| WBC Public Rights of Way | No objection |
| Berkshire Archaeology | No objection subject to conditions |
| Environment Agency | No comments received |
| Natural England | No comments received |
| SDL Growth and Delivery | No objection |

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| REPRESENTATIONS |
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Town/Parish Council: No comments received by Shinfield Parish Council

Local Members: No comments received from any Local Members

Neighbours: No comments received from any neighbours

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| PLANNING POLICY |
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National Planning Policy Framework

National Design Guide

National Planning Practice Guidance

Core Strategy (CS)

CP1 – Sustainable Development
CP2 – Inclusive Communities
CP3 – General Principles for Development
CP4 – Infrastructure Requirements
CP5 – Housing Mix, Density and Affordability
CP6 – Managing Travel Demand
CP7 – Biodiversity
CP8 – Thames Basin Heaths Special Protection Area
CP9 – Scale and Location of Development Proposals
CP11 – Proposals Outside Development Limits (Inc Countryside)
CP15 – Employment Development
CP16 – Science Park

MDD Local Plan (MDD)

CC01 – Presumption in Favour of Sustainable Development
CC02 – Development Limits
CC03 – Green Infrastructure, Trees and Landscaping
CC04 – Sustainable Design and Construction
CC05 – Renewable Energy and Decentralised Energy Networks
CC06 – Noise
CC07 – Parking
CC09 – Development and Flood Risk
CC10 – Sustainable Drainage
TB13 – Science and Innovation Park
TB20 – Service Arrangements and Deliveries for Employment and Retail Use
TB21 – Landscape Character
TB22 – Sites of Urban Landscape Value
TB23 – Biodiversity and Development
TB24 – Designated Heritage Assets
TB25 – Archaeology

Shinfield Parish Neighbourhood Plan

Policy 1 - Location of Development
Policy 2 - General Design Principles
Policy 3 - Sustainable Development
Policy 4 - Accessibility and Highway Safety
Policy 5 - Parking
Policy 6 - Trees, Hedgerows and Woodlands

Policy 7 - Biodiversity
Policy 8 - Flooding
Policy 9 - Community Assets
Policy 10 - Community and Sports Facilities
Policy 11 - Commercial Development
Policy 12 - Broadband Provision

Replacement Minerals Local Plan for Berkshire

Policy 1 - Husbanding resources
Policy 2 - Sterilisation and prevention of adjacent working of deposits
Policy 2a - Prior extraction

Central and Eastern Berkshire Joint Minerals and Waste Plan 2021 (submission)

Policy M2 - Safeguarding sand and gravel resources

Other

Borough Design Guide Supplementary Planning Document
Sustainable Design and Construction Supplementary Planning Document
South of M4 SDL SPD

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| PLANNING ISSUES |
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Site and Proposal description:

1. The application site is located south-east of Cutbush Lane East and west of Oldhouse Farm in the quasi-rural, countryside location of Shinfield as defined by Core Strategy Policy CP11. The site is further situated adjacent to the South of the M4 Strategic Development Location as outlined within Core Strategy Policy CP19. The site is located within the Loddon Valley Area of Valued Landscape, featuring adjoining verdant landscape, however the site itself consists of moderate quality agricultural land (non-grazing) and grassland which is of moderate to low ecological value. The site is reasonably close to footpaths 3 and 4 although views towards the site are well filtered by established vegetation which will be enhanced via condition 11 to mitigate against any potential significant impacts to the setting and character of Shinfield footpath 3 and 4.
2. The application proposes a temporary backlot on existing agricultural land to serve as an outdoor filming area to cater for the growing demand of the existing Shinfield Studios. The application site comprises of 3.74 HA of agricultural land and would include transient set production and erection for filming purposes. The site would be used for a space that supports outdoor filming for various film productions as such, the application formally consists of no fixed floor space and essentially is a land use. Each film production that would operate within the space will have differing requirements for sets and props given that each movie / tv

production is in general unique in nature. The sets would be constructed on site and on the neighbouring studio site. As such, the sets and props together with the supporting workshops will not be fixed by this application although the site has been separated into three independent zones in which the built form varies in respect to agreed parameters for building heights. The structure heights have been limited on site through a zoning plan (subject to condition 2) and condition 5 to a maximum of 15 metres, and 8 metres where they are within c100 metres (minimum) of any sensitive receptors (Oldhouse Farmhouse and Barn, Grade II listed buildings) to ensure the development has no significant impact on adjoining occupiers.

Description of development:

3. The proposal relates to the temporary development of a film studio backlot of 3.74ha for a 5 year period. The backlot would be formed by the construction of a geosynthetic sub-base topped with crushed aggregate following topsoil removal. This will then be used to facilitate the erection of temporary buildings and film sets for the purpose of outdoor filming. It is proposed that the height of any erected structures will be limited to 15m with a restriction of 8m in proximity to the Oldhouse Farm Listed Buildings which echoes the requirements under Prior Notification (PN) Class E of the General Permitted Development Order. Condition 5 (structure heights) has been appended to the permission to ensure no structures are greater than 15m in height or 8m where it nears Oldhouse Farmhouse Grade II Listed Building in accordance with the zoning plan.
4. The proposed development would be linked to the existing Shinfield Studios located roughly 300m to the north-west of the application site. Shinfield Studios comprises existing film stages and workshops initially granted 5 year temporary permission through application 210387 and which now benefits from permanent permission as part of the more comprehensive development approved through application 211841.
5. Part of the application site already benefits from PN Class E prior approval (application reference 221645) for external filming including erection of temporary film sets. This prior approval is for the period October 2022 until April 2023. The current proposals, in effect, would be to extend this prior approval over a wider site area and for a longer period of time (limited to 5 years via condition 4) to provide certainty on the timescale of development, echoing the principles of the extant prior approval.

Background to need for facility / Economic benefits:

6. The applicant / directors for Shinfield Studios have previous experience in delivering successful studio spaces within the Borough. The site selection for the current application much alike the main Studio development has been driven in part due to its location in terms of ease of access to London and Heathrow, links to other regional studio hubs in the south-east such as Winnersh, Shepperton and Pinewood Studios as well as feature adjoining the existing Shinfield Studios which ensures easy transition from workshop/ sound stage to backlot via sustainable modes of transport. The benefits associated with the delivery of such a facility in

Shinfield would act to further contribute to cluster studio space within the region. In addition, the studios will foster collaboration with the Wokingham Borough Council, the University of Reading who have an established Department of Film, Theatre & Television and help create additional employment and skills opportunities locally.

7. In terms of the economic benefits of the proposed temporary backlot, the filming industry has been and continues to be a major contributor to the UK economy and has grown rapidly in recent years with the same projection of growth within the Wokingham Borough. This reflects global growth in the sector due in part to new digital platforms which have generated significant changes in how we watch television together with a more advanced gaming sector. These together with other innovations such as virtual reality and 5D has bolstered consumer demand and thereby demand for suitable studio space to support the production of media products.
8. As the UK is at the forefront of the film industry, the growth in the media sector has however outpaced provision of studio and filming space available. In 2018 analysis published by Price Waterhouse Coopers and Lambert Smith Hampton, showed that there will be the requirement of between around 140,000m² and 175,000m² of dedicated stage space by 2025. To support the filming activities, the proposed studio backlot and ancillary structures are required, hence this submission of a full temporary application in order to provide certainty. It can be demonstrated that there is significant pent-up demand for studio space within the UK. There is high demand for sites that are within easy reach of London together with the other film studios located in the south-east. The opportunity presented by the scale of the proposed backlot filming space, will contribute to the delivery of the current shortage of this form of facility in the UK.
9. The NPPF also support clustering of industries and the application should be read in the context of the permitted and largely construction permanent Shinfield Studio as well as the British Museum Archive and Thames Valley Science Park creative media hub. The scale of the development will allow for significant collaboration across the creative media hub.

Principle of development within the countryside:

10. The application site was not identified for development by the existing Spatial Framework Plan. This lies just outside of the South of the M4 SDL boundary although is located immediately adjacent to Science Park site and approved permanent studios allocated for employment/commercial. The application site itself, however, does fall within the site proposed for allocation via the Local Plan update. The proposed uses are, Housing (C3 Planning Use Class). Offices (B1a Planning Use Class). Non-residential institutions (D1 Planning Use Class). Assembly and Leisure (D2 Planning Use Class).
11. The general thrust of the policies and supplementary planning guidance is that development within these parcels of land is not normally permitted unless the criteria within policy CP11 are met. The proposal does not fall specifically into these categories and therefore is in principle not strictly in accordance with planning policy. As such, an assessment needs to be made as to whether special circumstances apply to the scheme.

12. Whilst Core Strategy policy CP11 has a presumption against development in the countryside, which is echoed by CC02 of the MDD, these policies should not be read in isolation. Regard should also be made in respect to the objectives of the policies which are to maintain the separate identity of settlements through preventing urban sprawl and to protect the countryside. The proposal therefore needs to be considered on its merits and within the context of the development plan as a whole.
13. The principle objective of Core Strategy Policy CP11 is to protect the separate identity of settlements and maintain the quality of the environment. The site is relatively well contained from other settlements by the Film Studio / Science Park and British Museum developments to the north and west and tree coverage and flood plain to the south and east. Existing and proposed landscaping further limits this impact and better integrates the application site to its surroundings. Therefore, whilst the development is not specifically supported by CP11, the proposals need not necessarily contravene the aim of protecting the separate identity of settlements or quality of the environment.
14. It should also be kept in mind that the principle of development associated with film production in this countryside location has been generally established by permissions close by and nationally. The current proposals are also for a temporary period of 5 years, during which time film sets and structures will come and go as they are required by virtue of the proposal's transient nature as required by the film industry. This would limit the extent of any impacts on character on both a temporary basis and in perpetuity. Condition 6 (as agreed by the applicant) secures the remediation of the land forming the application site, to ensure it is left in the same condition it was prior to occupation which further limits in any impacts to the settlement gap in perpetuity. The site is however currently well screened from the main footpaths surrounding the site by vegetation from Footpath 4 and the cluster of buildings at Oldhouse Farm which buffer views from Footpath 3. Landscaping is proposed to strengthen screening along the main view receptors for Footpath 4.
15. Policy 1 of Shinfield Neighbourhood Plan (which has been adopted since the Core Strategy and MDD) supports development within settlement limits and adjacent to these where the benefits of the development outweigh its adverse impacts. As part of this application the Parish have been consulted and no comments were received in objection by the LPA. The Shinfield Neighbourhood Plan was adopted after the MDD and Core Strategy was adopted and essentially can be seen as the most up to date planning policy for the area. For the land to the east outside the application site, this is directly adjacent to the development limits.
16. The application should also be read in conjunction with national planning policy. Section 2 of the NPPF outlines three interdependent objectives regarding sustainable development and promotes a presumption in favour of sustainable development. The objectives set out in paragraph 8 are:
- a. *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and*

improved productivity; and by identifying and coordinating the provision of infrastructure.

- b. a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c. an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

These principles are broadly echoed by policy CP1 of the Core Strategy.

17. The NPPF puts a high emphasis on the weight that should be applied to support business need together with the wider opportunities for development and innovation. Footnote 42 of the recently updated NPPF (2021) refers to the Industrial Strategy: Building a Britain fit for the future White Paper (2017), and this identifies the Creative Industries (which includes film, video games and TV) as a sector that the Government are keen to develop given the significant GVA contribution that it makes. Whilst the White Paper is not adopted planning policy, it does set out the governments agenda for growth and the footnote in the NPPF provides a direct link to this.
18. The NPPG Housing and economic needs assessment also places a high emphasis on policy support for different forms of employment use. This recommends clustering certain industries which include digital and creative industries to support collaboration, innovation, productivity and sustainability. It also recommends that there may be the need for: *policy-making authorities will need to develop a clear understanding of such needs and how they might be addressed taking account of relevant evidence and policy within Local Industrial Strategies. For example, this might include the need for greater studio capacity, co-working spaces or research facilities.*
19. In addition to the above, Wokingham Borough Council's Community Vision for the Borough is to be '*A great place to live, learn, work and grow and a great place to do business*' and is underpinned by the Vision for Wokingham Borough as set out in the Core strategy. This therefore places a high emphasis on delivering employment within the borough as well as strengthening existing opportunities to which the temporary proposal contributes to.
20. Whilst the proposal does not strictly accord with the countryside aspects of the development plan, regard needs to be made to the development plan as a whole, together with the NPPF and NPPG. A judgement therefore needs to be made as to whether material considerations which support the proposals are sufficient to outweigh development plan conflict. In regard to this and adopted policies, further analysis is outlined below in discussion of the enhancements the proposal provides for the site and wider area via biodiversity net gain and carbon savings

as secured by S106. The delivery of this supporting development to the main studios is considered to bring significant economic and skill benefits to the local area.

Layout, Design and Landscaping:

21. Core Strategy Policies CP1, *Sustainable Development* and CP3, *General Principles for Development* requires high quality design that respects its context. This requirement is amplified by MDD LP Policies CC03, *Green Infrastructure, Trees and Landscaping* and TB21, *Landscape Character* and South of the M4 SPD which requires development proposals to protect and enhance the Borough's Green Infrastructure, retaining existing trees, hedges and other landscape features and incorporating high quality - ideally native – planting as an integral part of any scheme, within the context of the Council's Landscape Character Assessment.
22. Policy 2 of Shinfield Parish Plan sets out general design principles and requires that development is complementary to the built environment surrounding the development site and layouts should acknowledge existing landscape constraints. Policy 6 is concerned with Trees, Hedgerows and Woodland in new development and sets out a landscape led design approach with retention and appropriate buffers to existing important vegetation.
23. The adopted SPG, Wokingham Borough Design Guide sets out overarching principles for development and sets out guidance in section 7 regarding non-residential development.
24. A perimeter fence and 5m wide landscaping (ecological mitigation 'belt') would ensure that the backlot facility would be secure and only obliquely visible from the adjoining Footpath 4. As the site is located within the River Loddon Valued Landscape as discussed in a Topic Paper produced to support the emerging Local Plan, the landscaping scheme proposed must address the site-specific circumstances and respond positively to this existing surrounding character.
25. In terms of parking, the outdoor backlot will be served by the existing Studio parking provision located to the north of the application site. Trip generation and parking impacts resulting from the proposal would be minimal as the applicant has proposed to use sustainable on-site transport in the form of minibuses to transfer actors/ workers from site which is welcome. This is discussed further in paragraph 40-44 below.
26. The scheme does not include the removal of any significant trees or hedgerows. Moreover, additional landscaping is proposed on the perimeter of the site and within the facilities. A good landscaping buffer is provided adjoining Shinfield Footpath 4. The landscaping and impact of the facility on the wider countryside setting is discussed in further detail in paragraphs 29-32 below.

Design and appearance:

27. The proposed temporary backlot would involve the transient erection of various set/production buildings, some of which being required for a single scene which means rapid construction and de-construction and no formally fixed site layout over the temporary period.
28. The height of these ranges from 8m to 15m in height, which has been appended as condition 2 and 5 to the approval within the areas defined by the zoning plan. This variation in structure height takes the location of the adjoining Grade II Listed Buildings, the Oldhouse Farm Farmhouse and Oldhouse Farm Barn. The structures themselves will be constructed from a variety of materials which is dependent on the needs of the client and the filming requirements.
29. Temporary security fencing is proposed to run around the perimeter of the site, and other than the location provided via the submitted boundary plan, no details have been provided of this. To ensure adequate and well-designed boundary treatments are proposed, condition 17 has been appended in which details of boundary treatment are to be submitted and approved following the consideration of the Local Planning Authority prior to the hereby approved use commencing.

Landscaping:

30. Due to the topography of the site and intended use, the temporary backlot would be formed by the construction of a geosynthetic sub-base topped with crushed aggregate following topsoil removal. This is to provide similar levels across site and is necessary for the operation of the site as equipment and sets moves across the site from the workshops and studios to the proposed temporary backlot.
31. Heavy soft landscape buffering and tree planting is also proposed within the site, in the highest density in 'Area C' and 'Area D' (as mentioned above) and shown in figure 1 to screen views of site operations from Shin FP4 and to provide on-site landscaping and ecological enhancements which respects the aims of Policy 6 of the Shinfield Neighbourhood plan. This buffering and landscape enhancement is secured by condition 11, appended to the decision.
32. An Arboricultural Method Statement accompanies the application which indicates that the all the existing trees surrounding the site will not be impacted and protection provided during the groundworks and erection of security fencing, which has been added as a condition 10 to the approval.
33. In summary, the layout and temporary design approach is well articulated and functional for the proposed use and is in accordance advice provided by the NPPF, policies CP1 and CP3, Policy 2 and 6 of the Shinfield Parish Neighbourhood Plan together with the Supplementary Planning Guidance and is therefore acceptable. The proposal will in fact provide additional benefits in terms of landscaping to the local area.

Residential amenity: the impact upon existing neighbouring properties:

34. Core Strategy policy CP3 requires that new development should be of a high quality of design that does not cause detriment to the amenities of adjoining land users. Policy 2 of the Shinfield Parish Plan seeks to ensure that new development does not harm existing residential amenity.
35. Policy CC06 (Noise) states noise impacts of the development must be assessed. Where there is no adverse impact (No Observed Effect Level) then noise will not be a material consideration. The development is shown to have a minor impact on nearby sensitive receptors with a +3dB change in background noise levels where activity occurs at night in the Western part of the site (which is nearest residential receptors) however, this has been predicted to be within noise tolerances (below the lowest observed adverse effect level) and therefore is acceptable when considering CC06 following consultation with Environmental Health. Given the levels of background noise (M4 and Eastern Relief Road) and as the application site is located c400metres from the nearest residential dwelling as occupied, and therefore, the degree of separation is one that would mitigate noise or lighting impacts potentially arising from the development from this dwelling together with the others located on Cutbush East. Notwithstanding the above, to prevent any significant noise impacts from arising, condition 13 has been appended to the permission to ensure all equipment enclosed and/or attenuated that noise therefrom does not exceed at any time a level of 5dB[A]. Reduction of noise levels on sensitive receptors can be accommodated during filming through the orientation of sets or other forms of screening.
36. The application site further is self-serving and utilises the existing Studios parking provision and access which will not be at the detriment of surrounding occupiers. The temporary backlot itself will be accessed via minibuses and the increase in trip generation is not one considered to have any significant impact on congestion which may impact adjoining occupiers. The principal access to the Studio site is via the Science Park and works to restrict vehicular movement from the Eastern Relief Road Via Cutbush Lane East directly have been completed.
37. There are no overlooking, overbearing or overshadowing issues regardless of structure height by virtue of the large separation distances as mentioned above.
38. With the above factors considered, and due to the fact that during the existing period of use for the temporary backlot as approved under PN Class E application 221665 no complaints have been received by the LPA with respect to the operation of the facility, the proposal is considered to be acceptable on neighbouring amenity grounds.

Sustainable Design and Construction:

39. Core Strategy Policy CP1 requires development to contribute towards the goal of achieving zero carbon development by including on-site renewable energy features and minimising energy and water consumption. MDD LP policies CC04, CC05 and the Sustainable Design and Construction Supplementary Planning Document (May 2010) also emphasise this. Policy 3 of the Shinfield Parish

Neighbourhood Plan also echoes these principles. Zero carbon contributions weigh heavily in the planning balance, which is crucial to be considered for this submission due to the minor policy conflict in part.

40. Due to the temporary proposal's nature as one that includes no fixed site layout, the ability to provide on-site renewables is limited, however in order to weigh the planning balance in favour of the application, this is effectively mitigated by a 5% off-site sustainability increase to the main Shinfield Studios site above existing provision, which is a significant increase considering the scale and energy consumption of the main Shinfield Studios site when compared to the application site. This is to be secured via S106 and will be delivered by an overprovision of photovoltaic panels to the main Shinfield Studio site's sound stages/ workshops and offices. The 5% uplift will be in addition to the 20% secured to the main studio site thereby delivering on quarter of energy demand through renewables.

Access and movement:

41. The NPPF seeks to encourage sustainable means of transport and a move away from the reliance of the private motor car. Core Strategy policies CP1, CP4, CP6 and CP10 broadly echo these principles and indicate that development should mitigate any adverse effects on the existing highway network. The applications are accompanied by a Transport Assessment (TA) which assesses the impact of development in respect to the site itself and wider highway network including the South of the M4 SDL.
42. Policy 4 of the Shinfield Parish Neighbourhood Plan requires development to provide good accessibility by car, cycle and foot and ensure highway safety. Encouragement of use of public transport is also promoted. Policy 5 of the Shinfield Parish Neighbourhood Plan sets out parking standards. These should be in line with WBC standards and well set out with good surveillance to parking courts.
43. This application has been supported by a transport statement which is welcome. Following consultation, WBC Highways are content that any traffic generated by this temporary application would not have an adverse impact on the highway network and would be part of the traffic generated by the entire site.
44. To effectively mitigate any neighbouring amenity concerns arising from construction, any construction and remediation would need to follow the principles of the approved Construction Environmental Management Plan (CEMP) (Abbey Letchford partnership Ltd, Reference A282-R015/F dated 23/01/2023) submitted alongside this application. Condition 9 has been recommended to secure compliance with this document.
45. The route from the studio to the backlot would be via the Science Park / Cutbush Lane East and then Oldhouse Lane. There are no alternative routes as direct access from the ERR via Cutbush Lane East has now been restricted. It has been stated that minibuses (a mode of sustainable transport) will transfer staff and actors from the parking from the main studio sites to the backlot which is acceptable.

Flooding and Drainage:

46. Core Strategy Policy CP1 and MDDL Policies CC09 and CC10 establish that new development should avoid increasing and where possible reduce flood risk (from all sources) by first developing in areas with lowest flood risk, carrying out a Flood Risk Assessment (FRA) where required and managing surface water in a sustainable manner. Policy 8 of the Shinfield Parish Neighbourhood Plan echoes these principles and looks to retain existing watercourses in new development.
47. Paragraph 5.0 of the submitted Flood Risk Assessment states that *“The underlying soils are mainly clay and thus have a poor infiltration capacity in their natural state.”* In response to this, the Temporary Backlot proposals involve removing a layer of topsoil and replacing with a layer of geo-synthetic gravel (Type 3 material or similar). Given that this operation will not significantly increase ground levels, there is no loss of flood storage currently provided onsite.
48. There is no flood compensation requirement due to impacts on Flood Zone 2 or 3. The constructed Backlot granular surface would be considered as being of similar porosity as the removed existing soils, therefore there is no need to provide surface water mitigation to attenuate any increased surface water runoff from the proposals. With the submission, the applicant provided drawing no. ALP Backlot Location Plan drawing A282-092, ALP Backlot Boundary Plan drawing A282-086, Barton Willmore/Stantec Site Plan 30845 RG-LP-04. According to paragraph 4.22 The proposed development is situated predominantly within Flood Zone 2. A small proportion (1.7%) lies within Flood Zone 3. The main encroachment into Flood Zone 3 relates to areas set aside for proposed landscaping.
49. Following consultation with WBC Flooding and Drainage, as the development is not a habitable development and low vulnerability, there would be no objection to the principle of the development subject to the condition 14 appended to the permission.
50. By reason of the site’s location within Flood Zone 3 in part, the Environment Agency are the governing board of fluvial impacts. Though no comments were received despite an extended 6-week consultation period being granted by the LPA, the application site does not fall within 20 metres of a main watercourse, is not classed as vulnerable development and any development within Flood Zone does not contain any built form (landscape buffer only). With the above in mind, the proposal would have no significant impact on any watercourses, nor flood zone 3. As such there is no objection to the proposals.

Ecology:

51. Core Strategy Policy CP7, carried forward by MDD LP Policy TB23, requires appropriate protection of species and habitats of conservation value. Policy 7 of the Shinfield Parish Neighbourhood Plan seeks mitigation and measures to enhance biodiversity. Design Principle 1b of the South of the M4 SPD (i-ii) is concerned with protection of ecological habitat and biodiversity features, together with mitigation of any impacts that do arise. A detailed Ecological Impact

Assessment and addendum to this has been submitted and demonstrates that the site layout has considered impacts on ecological permeability.

52. In terms of existing vegetation, the applicant has demonstrated that there would be an adequate buffer zone from the proposed development to these features.
53. The field that this application site sits within is one of several that are relied on to fulfil a commitment to which the University of Reading has agreed to provide Skylark mitigation for the Shinfield West (O/2010/1432) development. The proposed development will make this field unsuitable for Skylark. The submitted and approved mitigation strategy – Shinfield West: Skylark Mitigation, EPR Ltd, 16 December 2014 – will need to be revised to show how adequate Skylark mitigation will continue to be delivered. To secure the protection and enhancement of habitats for Skylarks, a planning obligation is applied via S106 to resolve the submission, agreement and implementation of a revised strategy.
54. There are a package of ecological mitigation measures including on and off-site enhancements and the Ecology Officer supports the approach as proposed subject to conditions and planning obligations as outlined in S106. The delivery of the enhancements will be controlled via S106, and this will ultimately deliver a biodiversity net gain of 20% (above the agreed Biodiversity net gain target agreed on assessment) which weighs heavily in the planning balance as though it is encouraged, WBC currently have no mandatory policy requirement to provide any fixed level of biodiversity net gain. In line with the Defra consultation of the amended Environment Act 2021 (yet to be published), it was stated that developments should look to provide 10% biodiversity net gain on, or off-site. Notwithstanding the fact that it is not yet a policy requirement to provide any fixed level of Biodiversity Net Gain, the applicant following negotiation with Officers has provided twice the expected Biodiversity Net Gain via on and off-site enhancements and mitigation measures as well as sufficient mitigation measures of Skylark protection. This would enhance the wider area and have a larger impact on the Loddon Valley Valued Landscape and the species within it for a 30 year period, which would outlive the permission by a significant 25 years.

Heritage:

55. Policy TB24 of MDD Local Plan policy seeks to ensure that development conserves and, where possible enhances the important character and special architectural or historic interest of listed buildings. The nearest listed buildings to the development site are within Oldhouse Farm, including the Oldhouse Farmhouse and Oldhouse Farm Barn. The curtilage of these buildings is located over c67m from the nearest aspect of the development (access) and therefore the proposal would have a minimal impact on their character and amenities.
56. The Heritage Officer has assessed the application and concurs with the submitted Heritage Statement that the overall harm to all aspects would be less than substantial. For the reasons set out in the planning balance section of the report, any harm is considered to be outweighed by the benefits that the proposal would deliver. It is therefore in accordance with the heritage considerations of the NPPF including paragraph 202 and Managing Development Delivery Document (Local Plan) 2014 Policy TB24 Designated Heritage Assets.

Archaeology:

57. Core Strategy Policy CP3 and MDD LP Policy TB25 require the archaeological impact of development to be taken into consideration. The application includes an archaeological assessment which has been reviewed by the Archaeology Officer.
58. The site is one with some archaeological potential, lying on the edge of the Loddon valley, and with archaeological features and finds having been made in surrounding fields. The proposed works will involve minimal below ground impacts: the Planning Statement describes the removal of topsoil and creation of a sub-base – this may impact previously undiscovered buried archaeological remains.
59. Subject to the inclusion of condition 15 to secure an archaeological programme of works and written scheme of investigation the Archaeology Officer did not object to the application.

Public Rights of Way:

60. The proposal runs adjacent to Shinfield Footpath 4 and would be sufficiently screened by a mixture of circa 5 metre wide green, landscaped buffering. Though the proposal would change the outlook from Footpath 4 which currently provides filtered views onto the existing backlot site, the application site is in existing use as a temporary backlot (by virtue of approved prior approval) and therefore, the proposed screening is considered to enhance the footpath, creating a more attractive route with no diversion proposed.
61. Due to the temporary nature of the backlot recommended for approval, any impacts on the views to users utilising Footpath 4 is limited by the existing relationship and will be further enhanced by the strengthening of the landscape buffer. It is therefore not considered to significantly impact any Public Rights of Way to the extent that an alternative recommendation is made.

Minerals:

62. The application site is an area of potential sand and gravel reserves. The Central and Eastern Berkshire Joint Minerals and Waste Plan (Joint Plan) is at an advanced stage of preparation, having been subject to examination and main modifications consultation. It should be afforded appropriate weight in accordance with NPPF paragraph 48.
63. The Joint Plan identifies site allocations and extensions to provide a future supply of sand and gravel extraction. However, despite these allocations, there remains a shortfall of supply during the plan period. The policy response to address the shortfall is the identification of a 'Minerals Safeguarding area' (MSA), where Policy M2 of the plan applies, and also an 'Area of Search' where policy M4 applies.

This approach is to demonstrate the potential for, in effect, windfall provision within the Plan area.

64. Policy M2, as proposed to be modified, states: *“1. Sharp sand and gravel and soft sand resources of economic importance, and around active mineral workings, are safeguarded against unnecessary sterilisation by non-minerals development. 2. Safeguarded mineral resources are defined by the Minerals and Waste Safeguarding Area illustrated on the Policies Map. 3. Non-minerals development in the Minerals and Waste Safeguarding Area may be permitted if it can be demonstrated through the preparation of a Mineral Resources Assessment, that the option of prior extraction has been fully considered as part of an application, and: a. Prior extraction, where practical and environmentally feasible, is maximised, taking into account site constraints and phasing of development; or b. It can be demonstrated that the mineral resources will not be permanently sterilised; or c. It would be inappropriate to extract mineral resources in that location, with regard to other policies in the wider Local Plans.”*
65. Policy M4(3) provides qualified support for extraction of sand and gravel in the Area of Search. Policy M4(3), as proposed to be modified, states: *“3. Proposals for new sites not outlined in Policy M4 (1 and 2) will be supported, in appropriate locations which comply with all relevant policies in the Plan, where: a. They are situated within the Area of Search (as shown on the Policies Map); and b. They are needed to maintain the landbank; and/or c. Maximise opportunities of existing infrastructure and available resources; or d. At least one of the following applies: i. The site contains soft sand; ii. The resources would otherwise be sterilised; or iii. The proposal is for a specific local requirement.”*
66. The ‘Sand and Gravel Safeguarded Resource’ (effectively the MSA) and ‘Area of Search for Sand and Gravel’ are shown on the emerging policies map. The map below (Figure 3) details the MSA:

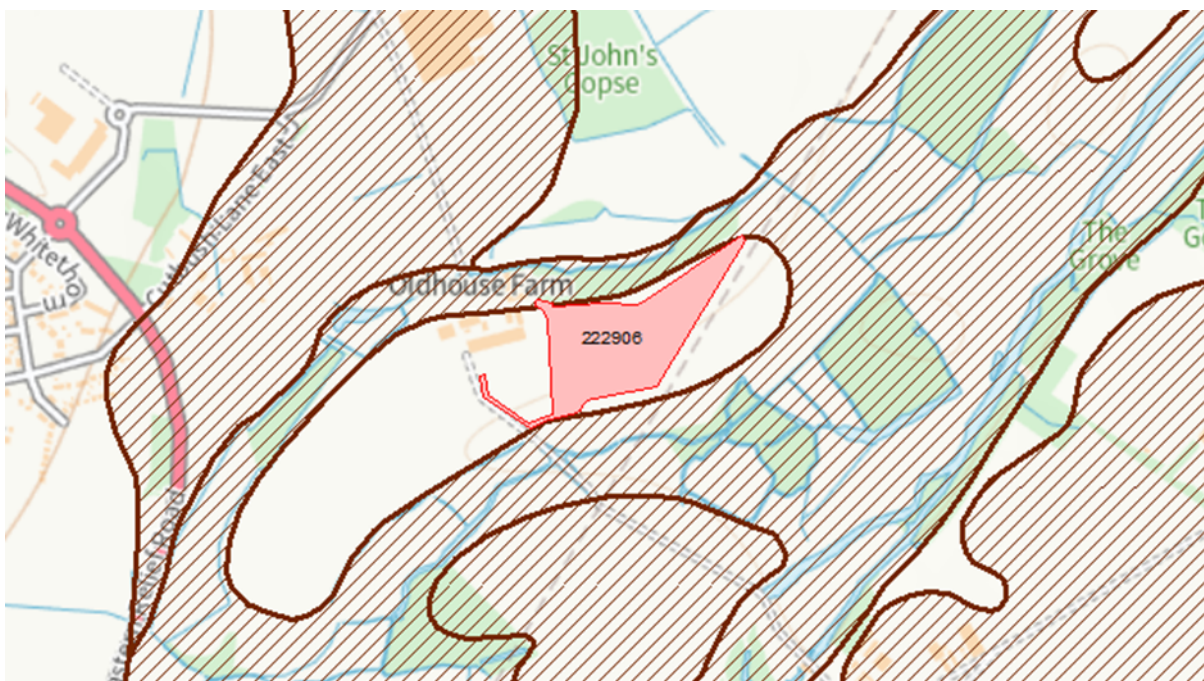


Figure 3 – Minerals Safeguarding Area

67. Whilst the majority of the application site lies outside of the MSA, it should be noted that this is based on high level British Geological Society data. Given the identification of resource in the vicinity, it is likely the application site itself also contains sand and gravel resource. Policies M2 and M4 ensure that sand and gravel resources are safeguarded against unnecessary sterilisation. There is a clear policy presumption, therefore, that non-minerals development which sterilises future extraction should not occur in this location unless there is sufficient and robust justification.
68. The application seeks a change of use for a temporary 5-year period. On that basis, even if sand and gravel deposits are present that are viable for prior extraction (given the site area and extent of these it is unlikely), it would not lead to the permanent sterilisation of resource as the site would subsequently be returned to agricultural use. Additionally, while the proposals would involve a degree of excavation for the laying of a gravel base, this would amount to topsoil removal only which would not allow for any incidental sand and gravel extraction to occur as part of the development. In any case it is considered that given the scale of the proposal would not mean that extraction from the site would be viable whether it was temporary or permanent. The emerging Joint Minerals and Waste Plan also identifies a minimum plot size of 3Ha where prior extraction is considered to be economical, and it is noted that the size is only slightly larger than this threshold. In this instance, the proposal is not considered to be contrary to emerging minerals policy or the requirements of the NPPF paragraph 210.

Planning Balance:

69. In terms of the planning balance, the decision maker needs to take in to account the extent that development plan policies are material to an application for planning permission and the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. As advised above, there will be considerable benefits that will be delivered through the granting of the planning permission as well as adverse impacts. These are identified below and the degree of weight that should be applied is identified.

Benefits:

70. The site is located within a sustainable location and adjacent to the South of the M4 SDL boundary (although not identified for development). Significant improvements have been delivered through the Eastern Relief Road, South of the M4 Public Transport Strategy and access through the Science Park which means that the facility can be delivered with minimal disruption to the local road network and therefore local residents. These together with connections to a variety of transport modes to the wider region and Heathrow Airport means that the site is well served in terms of access. The sustainable nature of the site and existing access provision should afford modest weight for supporting the proposal.
71. The applicant has agreed to providing a significant uplift in biodiversity net gain. The existing site has limited ecological value given the intensive agricultural nature of the site. Though there is no formal policy requirement to provide Biodiversity Net-Gain, in consultation with Officers, the applicant has agreed to provide a 20% Biodiversity Net-Gain (above the Biodiversity Net Gain Target

agreed at assessment) on and off-site for a 30-year agreement period, which outlasts this temporary permission for 25 years. The enhancements will be secured by the S106 and are expected to be delivered in the local area. On this basis significant weight should be afforded to the additional habitats that the proposal will provide in the long run.

72. The development will support the function and activities of the main studio site. The site will be located together in a cluster which will limit external trips away from the main studio complex in order to access an alternative outdoor facility. As this reduces vehicle movements associated with the use of both complexes, limited weight can be afforded to clustering these activities in one location and reducing the need for external trips by supporting staff.
73. Whilst the proposal will not directly generate demonstrable additional jobs than those projected from the studio site itself, there will be construction jobs generated in the short term and the addition of this facility to the wider site will mean that more filming is achievable at the Shinfield Studios site thus creating greater economic and workforce opportunities locally. However, it is considered limited weight should be afforded to construction jobs generated from this element in isolation.

Impacts of the proposal:

74. The site would result in the loss of agricultural land and countryside by the nature of the proposed activities. The use is however temporary and controlled by conditions 3, 4 and 6 to which land would be required to be restored at the end of the temporary consent to its former condition. On this basis, given the temporary use, limited to moderate weight should be afforded to the impact on the character of the countryside and agricultural land.
75. In terms of trees and landscape, the trees surrounding the site would be retained and the application seeks to strengthen this buffer. No trees have been identified for removal and tree protection plans have been submitted to retain the existing landscape features to which condition 10 has been suggested to secure this. The existing trees filter views through to the site reducing views from the wider footpath network (namely Shinfield Footpath 4) which provide the main public vantage points. On this basis, given that the trees would be retained and strengthened, limited weight should be afforded to the impact on trees and landscape.
76. In terms of noise and neighbour amenity, for the construction and operational phase of the development, it is acknowledged that there will be a degree of noise and disturbance associated with this. The construction activities are however very limited to support the use of the site and would not be for a significant amount of time. Construction activities will be controlled by the CEMP secured via condition 9 and hours controlled by conditions 7 and 8. In respect to the use of the site, limited by condition 3 given the onsite relationships together with the level of separation, it is not considered that there would be significant harm to neighbouring dwellings. As advised the site has been operating under the Prior Notification application and no complaints have been received. On this basis limited harm would arise to surrounding residents and limited weight should be afforded to this element of the proposal.

77. For minerals, as advised there is limited resource identified in the area and the significant majority of the application site lies outside potential deposits and the Minerals Safeguarding Area (MSA). Moreover, any deposits would not be viable to remove given the scale. The application is temporary in nature and given these factors, very limited weight should be afforded to this element of the proposed use of the land.

78. In respect to heritage, the application has been assessed by the Conservation Officer who has raised no objections to the impact on the listed buildings adjoining the site. It is therefore not considered that there would be significant harm to these heritage assets and limited weight is afforded to this aspect of the development.

79. The site is not expected to generate more jobs than those envisaged in the long run for the studios although as mentioned above, it would support the clustering of the studio uses in the area. On this basis the development would not significantly increase trip rates and the impact on the highway network would be low, therefore limited weight should be afforded to element of the use of the site.

Planning Balance Summary:

80. For the reasons discussed above, on balance, it is considered in this case that material considerations - notably the 20% Biodiversity Net Gain, 5% uplift in the main Shinfield Studios site sustainability (above the 20% previously secured) via the provision of photovoltaics, Skylark protection measures and wider economic contributions to the borough, outweigh the minor policy conflict and the proposals would represent sustainable development in the context of the NPPF and the development plan as a whole that would not be at the detriment of adjoining occupiers, the character of the area nor the countryside.

CONCLUSION

When weighing up the overall impact of the temporary use of the facility and associated temporary structures, it is considered that the proposal will contribute to the substantial economic and social benefits offered to the Borough by Shinfield Studios LTD. In addition, the ecological enhancements will assist in reducing the environmental impact of the development, and in fact enhancing it and the wider local to sub-regional area.

These together with a sound layout and temporary period proposed will outweigh any significant harm to the countryside or minerals and waste and thereby the objectives of Policy 1 of Shinfield Parish Neighbourhood Plan, Policy CP11 of the Core Strategy and Paragraph 48 of the NPPF.

The special circumstances that have been demonstrated by the applicant and will be secured through the S106 / conditions, together with the same end user identified as the permanent Shinfield Studios as well as the ability to restrict the use and built form within the site area for film use only, taking into account the site constraints. The above, combined with land remediation weighs heavily in favour of supporting the application.

The application can therefore be recommended for approval subject to the conditions outlined above and securing the planning obligations outlined above by way of a S106 legal agreement to secure 20% (above the Biodiversity Net Gain Target agreed at

assessment stage) on and off-site biodiversity net gain, 5% sustainability uplift over the existing 20% provision for the main Shinfield Studios site via the provision of photovoltaics (to a total of a quarter of all energy used by the Studios coming from sustainable sources) and adequate Skylark mitigation via the re-submission of the previously approved Skylark Mitigation strategy in conjunction with the VAR/2014/0624 (as varied) Shinfield West Outline approval.

The Public Sector Equality Duty (Equality Act 2010)

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.

APPENDIX 1 - Conditions / Informatives

Conditions and informatives:

Conditions:

Timeframe for implementation

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

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

Approved details

2. This permission is in respect of the following submitted application plans, documents and drawings received by the Local Planning Authority:
 - Backlot Location Plan – DRG NO. A282-092 Revision P2
 - Backlot Boundary Plan – DRG NO. A282-088 Revision P7
 - Backlot Site Plan – DRG NO. RG-LP-04J
 - Flood Risk Assessment, prepared by ALP – 23 September 2022 - A282-R034B
 - Transport Statement, prepared by ALP – 7 September 2022 - A282-R033/A
 - Arboricultural Report, prepared by FLAC – September 2022 - CC41-1001
 - Shinfield Studios: Backlot for External Filming and Temporary Film Sets (Temporary Permission) - Revised Ecology Statement
 - Landscape & Visual Statement, prepared by Barton Willmore, now Stantec – August 2022 - 30845/A5
 - Heritage Statement, prepared by Barton Willmore, now Stantec – August 2022 - 30845/A5/P3/ES/SO
 - Acoustic Statement, prepared by Sharps Redmore – 23 September 2022 – 2221357
 - Temporary (for a period of 5 years) Film Studio Backlot, Land South of Oldhouse Farm: Landscape and Visual Technical Note Addendum Prepared on behalf of Shinfield Studios - November 2022
 - Construction Environmental Management Plan (CEMP) (Abbey Letchford partnership Ltd, Reference A282-R015/F dated 23/01/2023)

The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

Use

3. The application site as outlined in the approved plans, shall be used only for activities in connection to the production of media and filming activities and the associated uses including the offices hereby approved and other uses identified within the planning application and for no other purpose.

There shall be no live audiences for media and filming activities without the prior approval in writing of the Local Planning Authority and requests for such events shall be made 10 working days prior to the event.

Reason: Significant weight has been applied to the economic benefits of the merits of the proposed development and another form of use may not be acceptable in the countryside and to ensure that there are no adverse impacts on highways. Relevant policy: NPPF, Core Strategy policies CP1, CP3 and CP6.

Temporary Use:

4. The temporary backlot hereby approved is to cease operation no later than 5 years from the date of the permission issued with the land reverting back to its existing agricultural use immediately after this period.

Reason: To protect the Borough's existing provision of agricultural land and to accord with the temporary permission hereby approved. Relevant Policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

Structure Heights:

5. The temporary buildings associated with the use detailed in condition 3 shall not exceed 8 metres in height where they are within the vicinity of Oldhouse Farm or 15 metres in height for the remainder of the site as defined in the approved 'Site Plan - RG-LP-04 Revision J' forming a part of condition 2, 'Approved Plans' unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the setting of the Grade II Listed Oldhouse Farmhouse and Barn and limit impacts on the landscape character of the Loddon Valley. Relevant Policy Managing Development Delivery Local Plan policy TB21 and TB24.

Land Remediation:

6. Upon the 5-year temporary period hereby approved lapsing, the land forming the temporary backlot is to be cleared and remediated to the previous condition and use prior to the approved change of use.

Reason: To protect the Borough's existing provision of agricultural land, ensure sufficient remediation measures are undertaken and to accord with the temporary permission hereby approved. Relevant Policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

Hours of construction work

7. No construction work or set creation and erection relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 07:30 and 18:30 Monday to Friday and 08:00 to 15:00 Saturdays and at no time on Sundays or Bank or National Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

Hours of operation

8. No deliveries shall take place including loading and unloading between the hours of 01:00 and 06:00 Monday to Sunday inclusive. Within these hours, no plant or machinery shall be operated within the site area hereby approved.

Reason: To safeguard residential amenities. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

Construction Environmental Management Plan

9. The construction and remediation of this site is to follow the principles set out in the Construction Environmental Management Plan (CEMP) (Abbey Letchford partnership Ltd, Reference A282-R015/F dated 23/01/2023)

Reason: To minimise the environmental impacts of construction and to protect residential amenity. Relevant policy CP1 and CP3

Tree Protection

10. a) No development or other operations shall take place except in complete accordance with the Arboricultural Method Statement (AMS) by FLAC dated September 2022 and associated Tree Protection Plans (hereinafter referred to as the Approved Scheme).
- b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.
- c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.
- d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all external works including set production have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

Reason: In the interests of visual amenity and tree protection. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

Landscaping

11. Planting shall be carried out in accordance with the Planting Plan (RG-LD-50) and Planting Schedule (RG-LD-51) in the first planting and seeding seasons following the occupation of the site. Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with

others of similar size and species or otherwise as approved in writing by the local planning authority.

Reason: In the interests of visual amenity and landscape protection. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

Environmental Health

12. Should any unforeseen contamination be encountered during the development, the developer shall inform the Local Planning authority immediately. Any subsequent investigation/remedial/protective works deemed necessary by the LPA shall be carried out to agreed timescales and approved by the LPA in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the LPA upon completion of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Relevant policy CP1 and CP3.

13. All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not exceed at any time a level of 5dB[A] above the existing background noise level [or 10dB[A] if there is a particular tonal quality] when measured at a point one metre external to the nearest residential or noise sensitive property, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that no nuisance or disturbance is caused to the occupiers of neighbouring properties. Relevant policy: NPPF Section 15 (Conserving and Enhancing the Natural Environment), Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

Flooding and Drainage:

14. Development hereby permitted shall be carried out in accordance with the Flood Risk Assessment Ref: A282-R034B dated September 2022 prepared by Abley Letchford Partnership Limited. It is the responsibility of the applicant to inform the LLFA if there is any change at construction and /or operational use stage.

Reason: To prevent the increased risk of flooding and to protect water quality. Relevant policy: NPPF Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Technical Guidance on the NPPF (Flood Risk), Core Strategy Policy CP1 and Managing Development Delivery Local Plan Policy CC09.

Archaeology

15. No development shall take place (outside of the area already in use subject to Prior Approval 221645) until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work (which may comprise more than one phase of works) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: The site lies within an area of archaeological potential. The condition will ensure that any archaeological remains within the site are adequately investigated and recorded in order to advance our understanding of the significance of any buried remains to be lost and in the interest of protecting the archaeological heritage of the Borough.

Ecology

16. Prior to occupation, a “lighting design strategy for biodiversity” for the backlot shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and badgers and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) A strategy that displays the maximum level of external lighting that will be installed on site which may affect the sensitive areas of the site as identified within part (a) of this condition so that it can be clearly demonstrated that areas to be lit will not significantly disturb or prevent the above species using their territory or having access to their breeding sites and resting places. the use of external lighting of the site shall thereafter be in accordance with the strategy unless otherwise subsequently agreed in writing with the Local Planning Authority.

Reason: to ensure that the development is not detrimental to protected species and retain ecological permeability as per MDD policy TB23.

17. Prior to the use hereby permitted commencing, details of all boundary treatment(s), including detail of protected species measures as outlined within the submitted “EPR Shinfield Studios: Backlot for External Filming and Temporary Film Sets (Temporary Permission) Ecology Statement (revision pending)”, shall first be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of amenity and highway safety. Relevant policy: Core Strategy policies CP1, CP3 and CP6 and MDD Policy TB23.

Informatives:

1. The applicant is advised that the planning approval should be read in conjunction with the S106 dated INSERT.
2. Adequate precautions shall be taken during the construction/ set up period to prevent the deposit of mud and similar debris on adjacent highways.
For further information contact Corporate Head of Environment on tel: 0118 974 6302.

3. Any trees planted in connection with the development should be done so in accordance with the SGN tree planting guidelines, as outlined in section 20 of SGN document referenced SGN/PM/MAINT/5.

Appendix 2 – Parish Council Comments

As of the completion of this report, no comments have been received from Shinfield Parish Council.