

Land to the south of Ringwood Road, Alderholt, Dorset

## **PROOF OF EVIDENCE (TRANSPORT)**

by Richard Fitter, IEng, FCILT, FICE, FIHE

Planning application Ref: P/OUT/2023/01166

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## 1.0 QUALIFICATIONS AND EXPERIENCE

- 1.1.1 My name is Richard Fitter. I am an Incorporated Engineer, registered with the Engineering Council. I am a Chartered Fellow of the Institution of Logistics and Transportation, a Fellow of the Institution of Civil Engineers and a Fellow of the Institute of Highway Engineers.
- 1.1.2 I was co-opted as a Member of the Council of the Institute of Highway Engineers and chaired their national debate on competing requirements of the Manual for Streets and the Design Manual for Roads and Bridges.
- 1.1.3 I am a Director of Entran Ltd and have 35 years' experience in traffic engineering and transport planning in both the public and private sectors. I have extensive experience of assessing the transport implications of a range of developments including mixed-use and residential developments throughout the UK.
- 1.1.4 I have prepared this proof of evidence in accordance with the guidance of my professional institutions, and I confirm that the opinions expressed are my true and professional opinions.
- 1.1.5 In preparing this proof of evidence I have adhered to the RTPI Code of Conduct and prepared evidence consistent with the rules and guidance to Part 35 of the Civil Procedure Rules and which govern the work of expert witnesses. The required affirmation concluding this evidence sets out my understanding of those duties. This includes confirmation that I am not paid under any contingency or success fee arrangements.

## 2.0 SCOPE OF EVIDENCE

- 2.1.1 Entran were appointed by Dorset Council as Local Planning Authority in December 2023 to act as expert witness on transport matters following confirmation from the appellant that they were intending to appeal against at Dorset Council's decision to refuse planning permission for a mixed-use development with reference P/OUT/2023/01166 (the "Application") on land south of Ringwood Road, Alderholt (the "Application Site").
- 2.1.2 I have visited the Application Site on a number of occasions, and I am familiar with its layout as well as the surrounding transport network.
- 2.1.3 I have been instructed by Dorset Council as Local Planning Authority to provide this proof of evidence in support of Reason for Refusal 2 and Reason for Refusal 7.

### **Reason for Refusal 2**

*The proposed development would represent significant development contrary to the settlement hierarchy, which is intended to direct development to the most sustainable locations. While facilities and transport options are proposed, it has not been demonstrated that these would be successful and viable in the long-term. It has therefore not been demonstrated that the proposal would limit the need to travel and offer a genuine choice of transport modes. Contrary to Policy KS2 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraphs 73 and 105 of the NPPF.*

- 2.1.4 My evidence will demonstrate that the appeal proposals do not direct significant development to the most sustainable locations in terms of access to facilities and a genuine choice of sustainable modes of travel. I will also show that the appellant has failed to demonstrate that the proposed facilities and transport options would be deliverable and viable in the long-term. This covers off-site highway works and public transport contributions. My evidence is limited to transport planning considerations.

### **Reason for Refusal 7**

*The submitted Transport Assessment fails through the use of an unacceptable methodology and the inclusion of insufficient information to correctly identify the highways impacts arising from the proposal and how these could be mitigated. It has not been demonstrated that there would not be an unacceptable impact on highways safety, nor that residual cumulative impacts on the road network would not be severe. Contrary to Policy KS11 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraph 111 of the NPPF.*

2.1.5 My evidence will demonstrate that the Transport Assessment (TA) (CDA.19) submitted in support of the planning application that is the subject of this appeal, was insufficient to fully identify the transport effects of the development and the necessary mitigation measures. I will show that due to the deficiencies in the Transport Assessment, the appellant failed to demonstrate that the proposed development would not have an unacceptable impact on highways safety, or that residual cumulative impacts on the road network would not be severe. Since the appeal was submitted, the appellant has provided additional information to seek to address the deficiencies of the Transport Assessment. My evidence demonstrates that the additional information has not overcome this reason for refusal.

## 3.0 POLICY CONTEXT

### 3.1 National Planning Policy Framework

3.1.1 Planning permission was refused by Dorset Council's East Planning Committee in July 2023. The Decision Notice therefore referred to policies in the National Planning Policy Framework (July 2021) (the "Framework") which was current at the time. Since that planning decision, the Framework was revised in December 2023. For this reason, the following section refers to the policies as set out in the 2021 edition of the Framework and then states whether they have changed in the 2023 revision.

### 3.2 National Planning Policy Framework (2021)

3.2.1 Section 5 of the National Planning Policy Framework is entitled 'Delivering a sufficient supply of homes' and includes a sub-section entitled 'Identifying land for homes.'

3.2.2 Paragraph 73 states that:

***"The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes)."***

3.2.3 It goes on to state at part b) that locations for such development should:

***"ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access"***

3.2.4 This paragraph of the Framework therefore directs new settlements or significant extensions to appropriate locations that will support a sustainable community. That requires good access to services and employment via a genuine choice of transport modes, or good access to larger towns.

3.2.5 My evidence will demonstrate that the appeal proposals do not have appropriate access to services and employment for the proposed scale of development, nor do they offer a genuine choice of transport modes for residents, employees and visitors, and are therefore contrary to paragraph 73 of the Framework (2021).

3.2.6 The Framework 2023 includes the same wording, but re-numbered as Paragraph 74.

3.2.7 Section 9 of the Framework is entitled 'Promoting sustainable transport' and includes a sub-section entitled 'Considering development proposals.'



3.2.8 Paragraph 105 states that:

***“Significant development should be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”.***

3.2.9 Paragraph 105 of the Framework specifically relates to choosing the most appropriate locations for significant developments so that the location itself enables development to be carried out in a way that limits the need to travel and offers a genuine choice of transport modes. Importantly, Paragraph 105 is not simply stating that developers should seek to make significant developments as sustainable as possible, irrespective of their location; it is stating that such developments should be directed to those locations which best enable sustainable travel behaviour. My evidence will demonstrate that the measures proposed to promote sustainable travel behaviour as part of the appeal proposals, do not overcome the fact that the remote and rural location of the appeal site is inappropriate for a significant development of this scale and would therefore fail to comply with Paragraph 105 of the Framework (2021)

3.2.10 The Framework 2023 includes the same wording, but re-numbered as Paragraph 109.

3.2.11 Paragraph 114 of the Framework (2023) states when considering development proposals, it should be ensured that:

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

3.2.12 This requirement should be read together with Paragraph 73 and Paragraph 105.

3.2.13 Paragraph 114 also states that development proposals should ensure:

***“b) safe and suitable access can be achieved for all users”***

3.2.14 All matters, including layout, are reserved as part of the Application, except access. Means of access from the public highway will be determined as part of this application but internal routes for pedestrians and cyclists are illustrative and will be determined as part of layout and landscaping reserved matters applications. Somewhat unusually, the description of development states “Outline Application with all matters reserved apart from access off Hillbury Road”. Taken literally, this would suggest that means of access remains a reserved matter with the sole exception of the access of Hillbury Road; however, I am working on the basis that the Inspector will expect all access from the public highway to be considered in detail as is normally the case. It is therefore incumbent on the appellant to demonstrate safe and suitable access to the development for all users.

- 3.2.15 Paragraph 114 further provides that development proposals should ensure:  
***“d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree”***
- 3.2.16 Paragraph 114 d) of the Framework is very important when considering the effects of development on the local transport network. All development by its very nature will have some form of effect on the transport network. It does not follow that those effects will always be adverse. Furthermore, if the development is found to cause adverse effects, then mitigation measures to be delivered by the development will often negate these effects to a greater or lesser degree. Importantly, paragraph 114 d) states that those mitigation measures should be cost effective. It also states that adverse effects should be mitigated ‘to an acceptable degree’. This clearly requires a level of professional judgement by the local planning and highway authorities as some level of residual effects may still be considered acceptable when judged against the benefits delivered by the proposed development.
- 3.2.17 The measures by which mitigation can be considered acceptable or not, will include highway capacity and congestion, but also highway safety. These are addressed further in Paragraph 115.
- 3.2.18 Paragraph 115 of the Framework (2023) states that:  
***“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”***
- 3.2.19 The extent of effect that could result in planning permission being refused, differs depending on whether that effect relates to safety or operational capacity. Any unacceptable impact on highway safety would be sufficient to prevent development, but the effect on operational capacity (after mitigation) must be considered severe to warrant refusal. There is no agreed definition of ‘severe’ in this respect but must be judged for each individual development and each location, on the site-specific conditions.
- 3.2.20 Paragraph 116 states that developments should give priority to pedestrians and cyclists, both within the scheme and with neighbouring areas, and facilitate access to high quality public transport. It is important to note that the requirement is not to accommodate pedestrians and cyclists, or simply to make provision for them, but to give priority to pedestrian and cycle movements above all other modes of transport. My evidence will demonstrate that the proposed development fails to do so and is therefore contrary to Paragraph 116 of the Framework.

3.2.21 Paragraph 116 also requires the development to facilitate access to high quality public transport and to maximise the catchment area for bus or other public transport services. Again, the requirement is not simply to allow for public transport use or to demonstrate that public transport is available to those travelling to and from the development, but to actively facilitate high quality public transport, to maximise the catchment and to implement facilities that will encourage public transport use. My evidence will demonstrate that the proposed development fails to do so and is therefore contrary to Paragraph 116 of the Framework.

3.2.22 Paragraph 131 of the Framework (2023) refers to the need for good design to be a key aspect of sustainable development, creating better places in which to live and work and making development acceptable to communities. With regard to matters of highway and transportation, this paragraph is relevant to the illustrative layout, means of access, and the proposed off-site improvements for pedestrians, cyclists and public transport passengers. If priority is to be given to walking and cycling above other modes of transport, then the design of the development, and the routes to and from other facilities and destinations need to firstly be functional but also be attractive, intuitive, and pleasant places so that residents and employees choose walking and cycling as their preferred mode of travel. My evidence will demonstrate that location of the site and the proposed illustrative layout fails provide high quality design, sufficient to promote sustainable travel choices and is therefore contrary to Paragraph 131 of the Framework.

### **3.3 Christchurch and East Dorset Local Plan: Part 1 (2014)**

3.3.1 Policy KS2 (RR1) is entitled 'Settlement Hierarchy and states that the location, scale and distribution of development should conform with the settlement hierarchy. It describes Alderholt as a Rural Services Centre which has the following function:

***“Main providers for the rural areas where residential development will be allowed of a scale that reinforces their role as providers of community, leisure and retail facilities to support the village and adjacent communities”***

3.3.2 It is therefore important that any development at Alderholt reinforces the function as a Rural Service Centre and is not of a scale that would detract from or compromise that function.

3.3.3 The settlement hierarchy also describes Christchurch, Wimborne Minster, Ferndown and West Parley, Verwood and Corfe Mullen as Main Settlements; it describes the function of main settlements as:

***“The settlements which will provide the major focus for community, cultural, leisure, retail, utility, employment and residential development. This will include infill development as well as options for some greenfield development.”***

- 3.3.4 The distinction between Rural Service Centres and Main Settlements is quite clear in terms of their intended function and informs the appropriate location and scale of development. Inappropriate scale and form of development has the potential to undermine the settlement hierarchy and have a detrimental effect on the function of Alderholt as a Rural Service Centre. It is clear that in order to reduce the need to travel and to promote sustainable travel behaviour major development should be located within or adjacent to Main Settlements.
- 3.3.5 Policy KS11 (RR7) is entitled 'Transport and Development' and states that Councils will:
- “influence development so that it reduces the need to travel, provides improved access to key services and facilities and promotes alternative modes of travel.”***
- 3.3.6 The ability of a development to reduce the need to travel relates to two things; the location of the development and the mix of uses. A development in a remote location, some distance from key services and facilities will, by its very nature, result in a greater level of travel than a similar development better located close to existing facilities. The necessary journeys for a development in a remote location will be longer. This results in a greater reliance on vehicular travel (and a failure to prioritise walking and cycling) and also means that the effect is not only a greater number of vehicle journeys, but a greater number of vehicle kilometres travelled. A better located development would be able to maximise walking and cycling, minimise vehicle journey numbers and minimise vehicle kilometres. The other part of reducing the need to travel relates to a well-considered development mix that provides a good quality mix of services and facilities as part of the development, thereby reducing the need for new residents to travel elsewhere.
- 3.3.7 When policy KS11 refers to 'alternative' modes of travel, it may be more appropriate to refer to sustainable modes of travel. This means prioritising walking and cycling as the first choice of travel and then facilitating high quality public transport across a wide catchment, consistent with the policies set out in the Framework. This is further stated in KS11 in the statement:
- “Development should be in accessible locations that are well linked to existing communities by walking, cycling and public transport routes.”***
- 3.3.8 My evidence will demonstrate that the location of the proposed development will not minimise the need to travel, especially when compared to a better located development with good access to facilities and services and that journeys outside the development will longer and with greater reliance on the private car than a better located site. Furthermore, my evidence will demonstrate that the proposed mix of uses will not minimise the need for new residents to travel for essential services and facilities, contrary to Policy KS11.

### **3.4 Draft Dorset Council Local Plan (Reg 18)**

3.4.1 Dorset Council undertook Regulation 18 consultation on a Draft Dorset Council Local Plan (DDLPL) in January 2021. This set out a draft development strategy for Dorset and also looked at options for expansion at Alderholt. At the time of the decision, the Council was progressing the DDCLP under the Town and Country Planning (Local Planning) (England) Regulations 2012, with the plan having reached Regulation 18. Ms Fay's evidence brings the position up to date and addresses the weight to attribute to that document.

### **3.5 Bournemouth, Poole and Dorset Local Transport Plan 2011 to 2026 (LTP3)**

3.5.1 Chapter 6 of LTP3 is entitled 'Reducing the need to travel' as Key Strategy Measure 1. It promotes two primary objective; namely, encouraging and supporting new development to be located and designed in ways that people can meet their day to day needs with less overall need to travel, and by sustainable means; and, supporting and promoting ways of delivering key services that encourage more sustainable travel patterns.

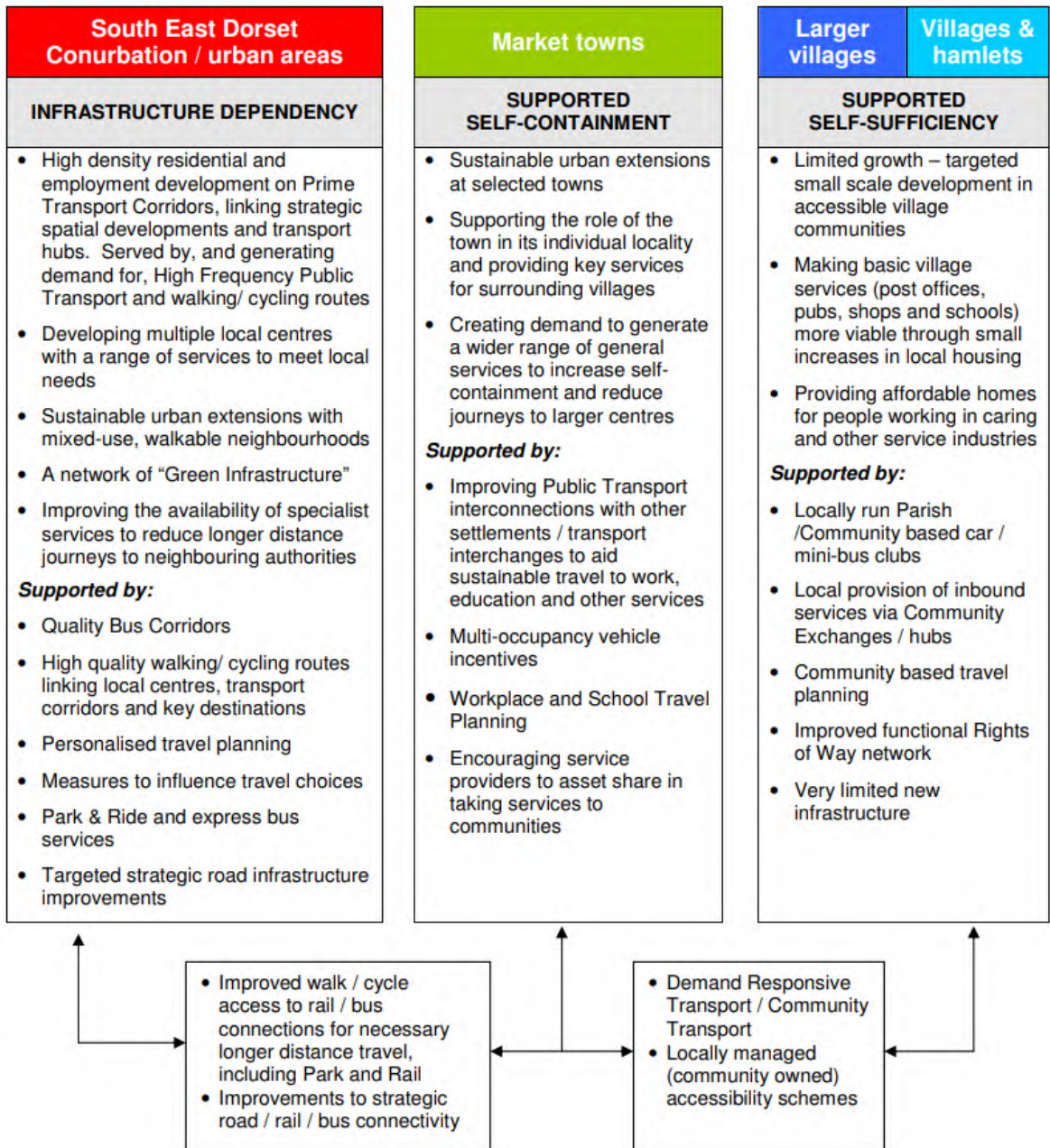
3.5.2 Paragraph 6.1 of LTP3 is entitled 'Strengthening the links between land use planning and transport and states:

***“The location and nature of development affects the amount and method of travel, and the pattern of development is itself influenced by transport infrastructure and transport policies. The co-ordination of land use planning and transport provision is therefore a fundamental requirement if the dominance of the private car is to be reduced and alternative means of travel encouraged.”***

3.5.3 Figure 6.1 of LTP3 demonstrates how the LTP is integrated with, and supports, strategic spatial planning approaches across Dorset to encourage more sustainable travel patterns within, and between, different types of settlement. Future expected growth within Dorset, and the implications for major transport infrastructure necessary to support it.



Figure 3.1 – The integrated approach to spatial planning and transport in Dorset (LTP3 Fig 6.1)



3.5.4 In order to meet the objectives of LTP3 and an integrated approach to land use planning and transport, high density residential and employment development should take place on prime transport corridors within or adjacent to the major South East Dorset conurbation areas. Only limited growth should take place in or adjacent to targeted larger villages making village services more viable through small increases in local housing. This is intended to achieve supported self-sufficiency. The scale and nature of the appeal proposals to not conform to the LPT key strategy of reducing the need to travel through strategic land use planning.

## 4.0 EXISTING TRANSPORT CONDITIONS

### 4.1 Existing uses

- 4.1.1 A description of the existing uses contained within the Application Site is set out in the planning evidence of Ursula Fay.

### 4.2 Existing transport conditions

- 4.2.1 The site is located north and south of Ringwood Road and west of Hillbury Road. The site is located 4.3km travelling distance from the centre of Fordingbridge, 8km from the centre of Verwood, 10km from the centre of Ringwood and 22km to the centre of Wimborne Minster.
- 4.2.2 Ringwood Road runs generally north-west to south-east between Station Road (B3078) to the north and Hillbury Road to the south. It currently forms the southern settlement boundary for Alderholt.
- 4.2.3 At its northern end, Ringwood Road meets Station Road at a three-arm priority junction. From Station Road to Earlswood Drive, the speed limit is 30mph and the area is generally suburban in nature, with footways and a system of street lighting. South of Earlswood Drive the character changes somewhat with a single-sided footway and then no footways. Some 120m south of Earlswood Drive, at the extent of the existing residential area, the speed limit increases to 40mph, and the character of Ringwood Road becomes rural.
- 4.2.4 The southern section of Ringwood Road has no street lighting or footways; it provides direct access to a number of residential properties, Alderholt Recreation Ground, Foxhill Farm and Warren Park Farm campsites and a consented residential development of 45 dwellings (REF: 3/16/1446/OUT) which is currently under construction. Ringwood Road then joins Hillbury Road in the form of a simple priority junction.
- 4.2.5 Hillbury Road runs from north to south and provides connections from Alderholt towards Ringwood and the A31 approximately 8km to the south.
- 4.2.6 Hillbury Road can also be broadly categorised into two sections. From the edge of the settlement northwards, the speed limit is 40mph, reducing to 30mph just before Windsor Way. Within Alderholt, Hillbury Road provides access to a number of residential side roads and direct access to residential properties. A footway is provided on the western side of the carriageway and further north, occasional street lighting is provided. At its northern end, Hillbury Road meets Station Road (B3078) at a priority junction.
- 4.2.7 South of Alderholt, Hillbury Road is rural in nature; it measures approximately 6m in width and is subject to the national speed limit. It has no street lighting or footways.

- 4.2.8 Station Road forms part of the B3078 which runs between Cranborne to the west and Fordingbridge to the east. Within Alderholt, Station Road has direct frontage access to a number of residential properties as well as via residential side roads. It measures approximately 6m in width, is subject to a 30mph speed limit, has street lighting and footways along both sides of the carriageway for the majority of its length.
- 4.2.9 Between Alderholt and Fordingbridge, the B3078 is an inter-urban rural road, with no footways or street lighting and is subject to the national speed limit.
- 4.2.10 The TA submitted in support of the application provides further details of Fordingbridge Road, Daggons Road/Cranborne Road and Batterley Drove.
- 4.2.11 The following roads close to the appeal site lead into, or through the Cranborne Chase area of outstanding natural beauty (AONB).
- Sandleheath Road
  - Wimborne Street (north of Cranborne)
  - B3078 (south of Cranborne)

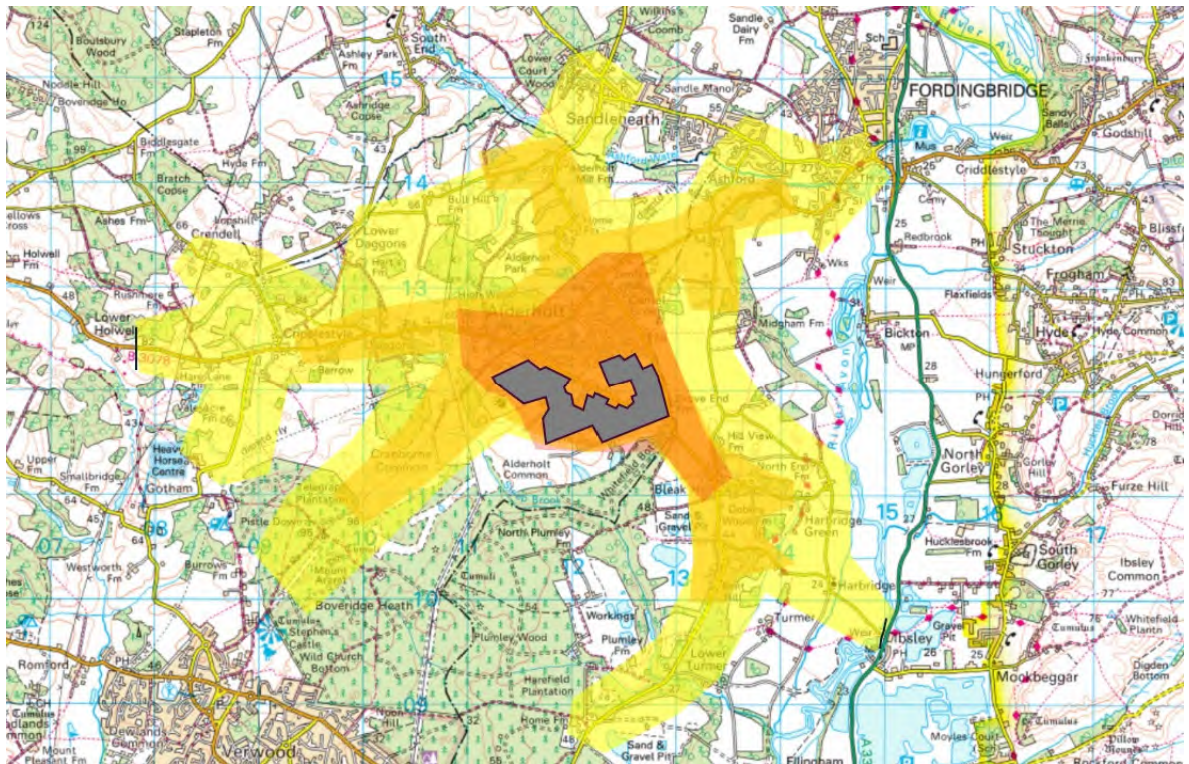
#### Cycling

- 4.2.12 To the west of the site, bridleway E34/10 provides a route between Blackwater Grove and Verwood via Cranborne Common. This route provides a more direct route between Alderholt and Verwood than the equivalent journey by road. The TA claims the route is approximately 4km (para 3.22) but a more accurate measurement from the centre of the site to the centre of Verwood measures just in excess of 6km. This route would be available for pedestrians and cyclists. There are also a series of forestry tracks crossing the bridleway which have an aggregate surface. The bridleway and forestry tracks do not have a bound surface, run through a wooded area and do not benefit from street lighting. They are suitable as leisure routes but would not be considered all-weather routes and would not be suitable for many solo cyclists, particularly after dark. It should also be noted that any material increase in pedestrian and cycle activity through Cranborne Common has the potential result in environmental impacts and loss of tranquillity; however, this matter (reason for refusal 8) is addressed by others.
- 4.2.13 The TA acknowledges that with the exception of the bridleway and forestry tracks, there is no dedicated cycle infrastructure available within the vicinity of Alderholt and any cycling therefore takes place on carriageway. Ringwood Road, Hillbury Road and Station Road are classified as C, D and B roads respectively. The TA suggests that they may be suitable for on-carriageway cycling but beyond the settlement of boundary of Alderholt all local roads are subject to the national speed limit which is likely to act as a deterrent to all but the most experienced cyclists.



4.2.14 Unusually, the TA does not include a cycle isochrone plan to illustrate the areas within a 5, 10 and 15 minute cycle ride to and from the site. Figure 4.1 below provides a suitable isochrone plan.

**Figure 4.1 – Cycle isochrones (5, 10 and 15 minutes)**



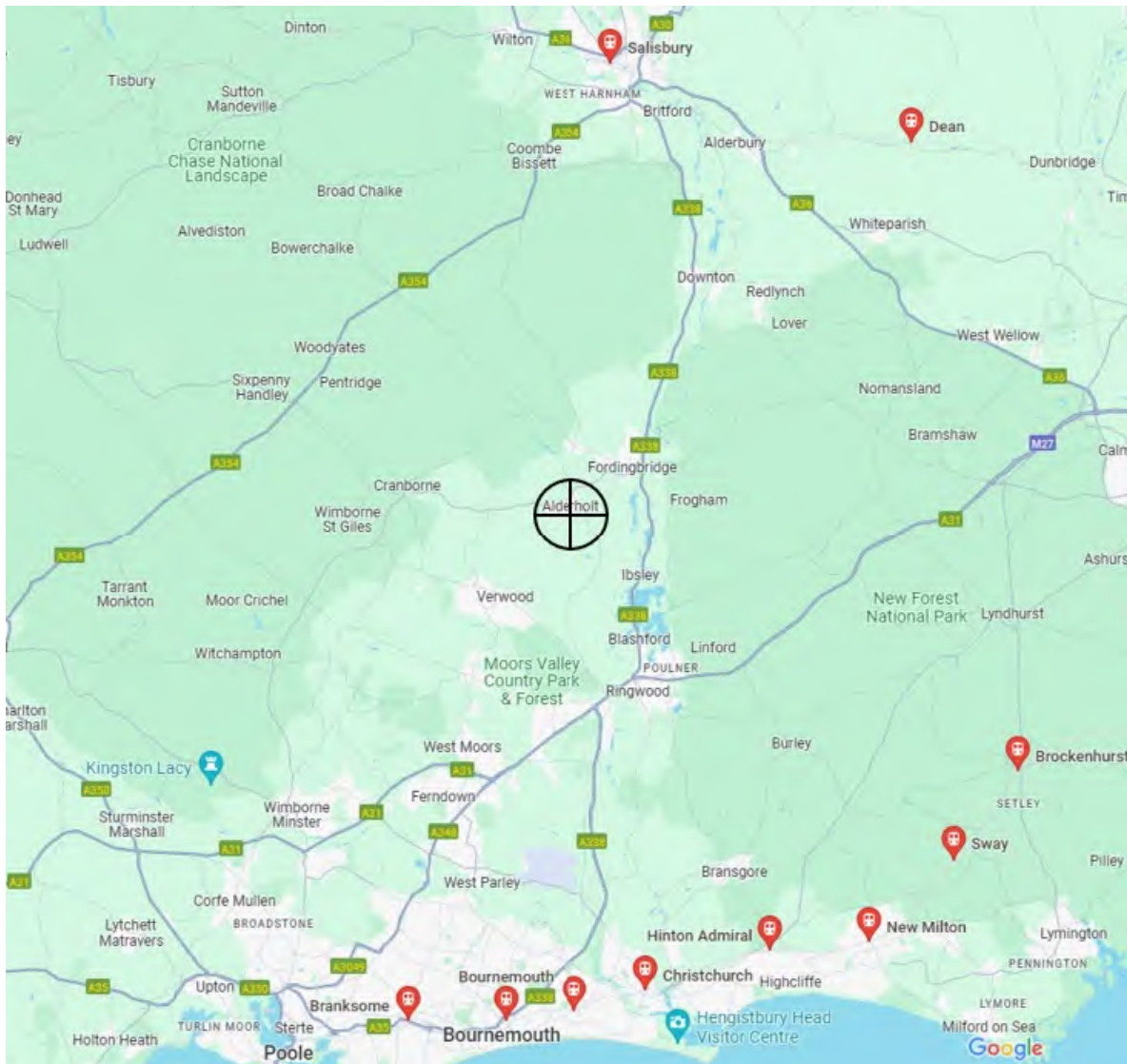
4.2.15 The remote location of the site is not well placed to promote journeys by bike without significant improvements to cycling infrastructure, and even with a network of quality cycle routes, the distance to Main Settlements means that cycling is likely to be a secondary choice and not the first choice of transport for journeys outside the settlement of Alderholt.

#### Public transport

4.2.16 The TA states that the local area is currently served by a single bus service number 97 which runs along Station Road, Ringwood Road and Hillbury Road, using Earlswood Drive to connect between Ringwood Road and Hillbury Road (TA para 3.29). The bus service is funded by Alderholt, Knowlton and Cranborne Parish Councils. This bus service only runs every two hours between 0934 and 1342 and does not run on Saturdays or Sundays. The existing level of bus provision can be classed as poor as is it insufficient in frequency and duration to provide a viable option for travelling to and from work during the week, or to any main town for shopping or leisure at the weekends.

4.2.17 The TA is silent on travel by rail. This is a significant omission as rail travel plays a critical role in reducing vehicle kilometres for long distance journeys. Figure 4.2 below shows the railway stations closest to the site.

Figure 4.2 – Railway stations



4.2.18 Figure 4.2 illustrates that the nearest stations are in Christchurch or Salisbury, some 18-20km from the site. There are no direct bus services to either station so it would be necessary to drive and pay to park. It is therefore highly likely that travel by rail would not be an attractive prospect for those living or working at the proposed development, and such journeys would be ‘lost’ to the car.

### 4.3 Proposed transport provision

#### Means of access

- 4.3.1 The Proposed Development includes a new four-arm roundabout junction onto Hillbury Road and a new three-arm priority junction onto Ringwood Road. The layout of the Hillbury Road roundabout is shown in Appendix G of the TA and the Ringwood Road/Spine Road junction is shown in Appendix I of the TA. Both junction designs have been subject to a Stage 1 Road Safety Audit (RSA1). The Road Safety Audit process requires a Designer's Response to be submitted, demonstrating how the RSA1 issues have been addressed. No Designer's Responses have been submitted and therefore the RSA1 cannot be considered complete, and the junction designs cannot be agreed.
- 4.3.2 The new spine road within the development will provide a link between the two access points, thereby reducing the status of the southern section of Ringwood Road. The TA states that the spine road does not form part of the application, which I understand to mean that it forms part of the illustrative masterplan which informs the outline application. The traffic distribution set out within the TA relies on an internal link road and therefore, whereas the design and alignment of the spine road are reserved matters, the principle of an internal road linking the two accesses must be considered an integral component of the means of access.
- 4.3.3 The TA states that the application will safeguard a corridor sufficient to accommodate a 6.5m wide carriageway and adjoining footway/cycleway. The point at which the spine road crosses Ringwood Road is shown in Appendix H of the TA and shows a 6.5m wide carriageway with a 3m wide shared cycleway/footway on one side. It should be noted that a shared footway/cycleway would be unlikely to comply with the requirements of LTN 1/20 and a minimum 2m wide footway should be provided on both sides of the Spine Road, so the reserved corridor width would need to be wider to accommodate segregated routes for pedestrians and cyclists. DC have stated that the spine road would need to be 6.7m wide in order to accommodate two-way bus flows. The spine road corridor would therefore be 13.7m wide, comprising a 7.7m wide carriageway, a 3m wide cycle route and 2x2m footways.
- 4.3.4 The proposal is to make Ringwood Road a no-through-road with turning heads provided either side of the point where it is severed by the Spine Road. It would still be open to traffic to the existing properties, the sports and social club and recreation ground but would be comparatively lightly trafficked as any 'through traffic' would use the spine road. The TA suggests that speed control measures and a reduced speed limit would be applied to Ringwood Road. The TA describes the Ringwood Road cul-de-sac as being akin to a 'quietway' and therefore an attractive route for pedestrians and cyclists. The TA suggests two possible options at Appendix K for treating the down-graded Ringwood Road; the first being a 3m wide carriageway with 4.8m wide passing places along its length, and the second being



a 4.8m wide carriageway with a single-sided footway. In both cases it appears that cyclists would share the carriageway with general traffic. This would not be acceptable with a 3m wide carriageway, but it is unclear how speeds could be satisfactorily reduced on a long, straight 4.8m wide length of road. The appellant considers this is a layout issue and therefore a reserved matter, but it would be reasonable for this to need to be resolved in order for means of access to be determined. Paragraph 114 of the Framework requires the development to ensure that safe and suitable access to the site can be achieved for all users and Paragraph 116 states that the development should give priority first to pedestrian and cycle movements. Full details have been provided for the vehicle accesses into the site, but the main pedestrian and cycle collector road is unresolved. The appeal proposals therefore fail to demonstrate compliance with Paragraphs 114 and 116 of the Framework.

4.3.5 Figure 10 of the TA, entitled 'Proposed Site Connectivity' (replicated below as Figure 4.3) shows a range of internal and external links for pedestrians and cyclists.

**Figure 4.3 – Proposed Site Connectivity (TA Figure 10)**



4.3.6 Within the development, Figure 10 refers to the downgraded Ringwood Road as 'Pedestrian and Cycle Priority'. This seems to be over-stating the nature of the shared space which, even with a reduction in traffic and reduced vehicle speeds, would give equal priority to all road users.

4.3.7 Figure 10 also shows a number of 'proposed links' in dark blue but without any clarity as to what form these links would take. The figure shows an existing bridleway as well as existing and proposed public footpaths. The existing public footpaths (yellow) are all unsurfaced and

unlit and are therefore suitable as leisure routes but unsuitable for some general journeys depending on the weather and daylight conditions.

- 4.3.8 The proposed development includes a new 2m wide footway on the west side of Hillbury Road between the proposed roundabout and Hillbury Park, joining to the existing footway. The TA states that the proposed development would fund a Traffic Regulation Order to reduce the speed of this length of Hillbury Road from 40mph to 30mph. It should be noted that the TRO process is separate from planning and therefore the reduction in speed limit cannot be guaranteed at this stage.
- 4.3.9 The TA refers (para 4.18) to an existing undefined footpath between the site boundary and Birchwood Drive. This is a grass margin between the rear of properties on Saxon Way and Hillbury Park. The TA states that this route would be opened as a pedestrian route but does not state whether it would be surfaced or lit, or left as a grass margin. Dorset Council advise me that this is in the ownership of Dorset Council and maintained as open space; however, as it is not within the application site boundary, it not an existing public right of way and is not public highway, its delivery cannot be secured through planning condition or a S78 highways agreement.
- 4.3.10 The TA states that a new 2m wide footway is proposed on the northern side of Ringwood Road generally between the exiting footway at No31 to No47 Ringwood Road. This is illustrated in Appendix I of the TA. It is unlikely that such a footway could be provided without removing significant lengths of existing boundary hedges, and potentially affecting a number of very mature trees. The existing hedges and trees are shown in Figures 4.4 and 4.5 below.

**Figure 4.4 – Existing hedges on the north side of Ringwood Road**





**Figure 4.5 – Existing hedges and mature trees on the north side of Ringwood Road**



4.3.11 In the absence of a continuous footway on at least one side of Ringwood Road between the site and Station Road, this significant pedestrian desire line would not be suitable as a primary pedestrian route. This further demonstrates that the application fails to demonstrate safe and suitable access to the site for all users and fails to give priority first to pedestrians and cyclists.

4.3.12 Other than altering Ringwood Road to a lightly trafficked shared route, the proposed development makes no dedicated provision for cyclists. As stated above, the description of the spine road includes reference to a footway/cycleway, but no details have been provided and no reference is made in the TA to whether cycle facilities would continue northwards into Alderholt or terminate at the site boundary.

4.3.13 LTN 1/20 sets out five principles which represent the core requirements for people wishing to travel by cycle or on foot. Accessibility for all is a requirement that should always be considered in relation to each of the principles. Pedestrians and cyclists need networks that are:

- Coherent
- Direct
- Safe
- Comfortable, and
- Attractive

4.3.14 The TA does not include a movement strategy for the development, demonstrating safe and suitable access for all and how priority has been given to pedestrians and cyclists. It does

not demonstrate that a coherent network can be achieved and that direct, safe, comfortable and attractive routes can be provided to and within the proposed development. The TA does not include a qualitative assessment of any of the routes demonstrating whether these five core principles have been considered and how (or if) they could be achieved. In the absence of such an assessment, the appellant has failed to demonstrate that the proposed development would comply with the requirements of national and local policy.

#### Off-site works

- 4.3.15 The proposed development includes the introduction of advisory cycle lanes either side of Station Road between the Churchill Arms to Down Lodge Close on the approach to Pressey's Corner, and the removal of the centre line (TA para 4.28). For clarity, advisory cycle lanes are bounded by a broken white line meaning that motor traffic can enter the cycle lane when safe and legal to do so. The appellant hopes that the removal of the centre white line will reduce vehicle speeds on Station Road.
- 4.3.16 In their consultation response dated 19<sup>th</sup> May 2023 DC stated that *"this would be acceptable subject to the details being agreed and secured through the appropriate agreement"*. No further design details were submitted with the application and the proposed advisory cycle lanes have not been subject to an independent Road Safety Audit.
- 4.3.17 The TA states that Station Road (B3078) has a 6m wide carriageway and 1.5m wide footways on both sides. There are no waiting restrictions on this length of Station Road and on-street parking takes place variously along this length.

#### **Figure 4.6 – Station Road (B3078) existing conditions**



- 4.3.18 The TA states that Station Road is one of the more heavily trafficked roads in Alderholt. The link flow diagrams in Appendix N of the TA show baseline (2021) two-way traffic flows on Station road of 410 trips in the AM peak and 387 in the PM peak, including HGVs. Traffic flows would increase materially on this lengths of Station Road as a result of the proposed development.



4.3.19 LTN 1/20 states that one-way on-carriageway cycle lanes should have a desirable minimum width of 2.0m and an absolute minimum width of 1.5m. It is evident that the desirable 2m wide cycle lanes on either side would only leave a residual 2m running lane down the middle of the carriageway whereas the absolute minimum 1.5m wide cycle lanes would leave a single 3m wide running lane for general traffic. Manual for Streets (Figure 7.1) states that two cars require 4.1m to pass slowly and 4.8m to pass comfortably. At 4.8m a car can pass a larger vehicle with care but a carriageway width of 5.5m would be required for two large vehicles to pass. It should be noted that DC does not accept 4.8m wide carriageways; 5.0m is the minimum. It is evident that cars and HGVs would be required to enter the cycle lanes to pass all and any vehicle coming in the opposite direction. It may be that this scheme would have the effect of slowing traffic down but the constant and necessary incursion of motor traffic into the cycle lanes would severely compromise cyclist safety. The TA does not include a design for this proposed scheme but suggests that it would be secured by S106 or S278 agreement. No Stage 1 Road Safety Audit has been undertaken. I severely doubt whether this proposal would be deliverable.

**Figure 4.7 – Proposed cycle scheme for Station Road (min cycle lane widths)**

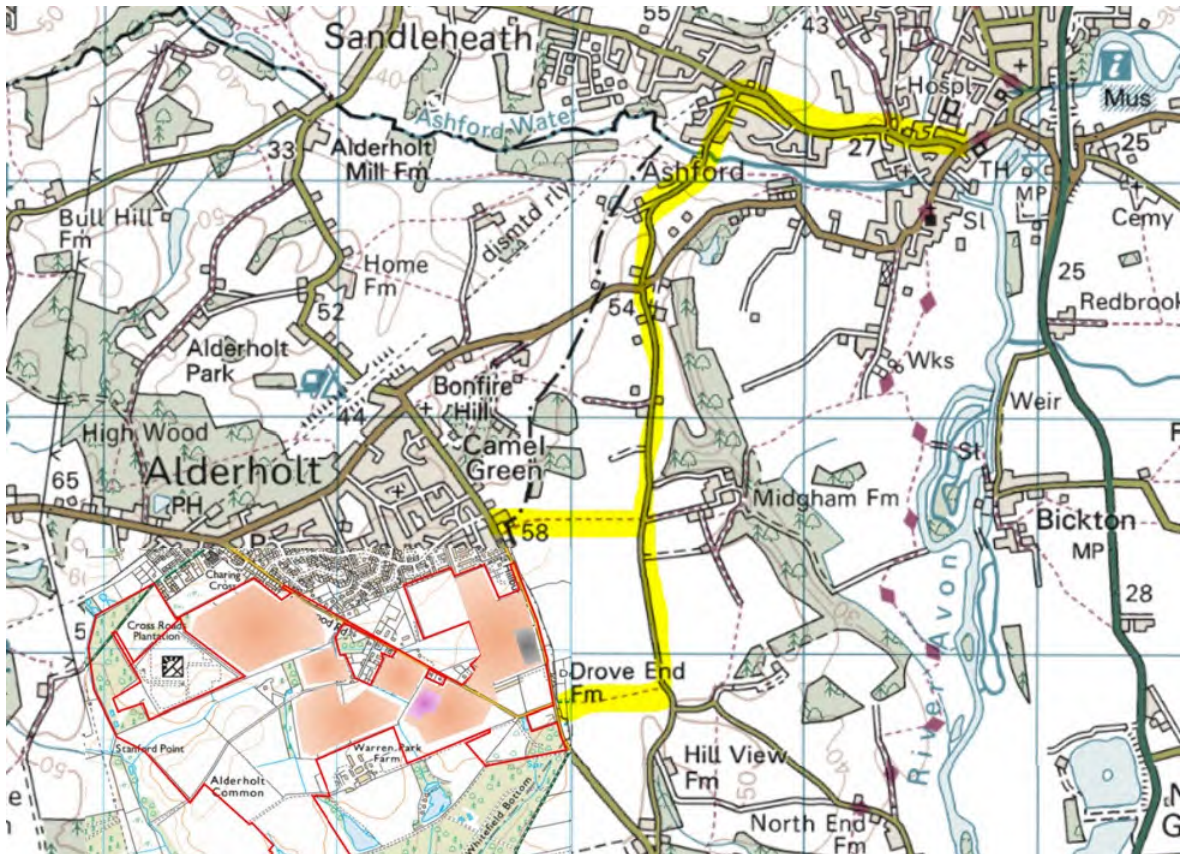


4.3.20 The TA also recommends a similar scheme with advisory cycle lanes on Ringwood Road between Station Road and the new Spine Road (para 4.30). The same concerns regarding safety and deliverability therefore apply to Ringwood Road as to Station Road.

4.3.21 At paragraph 4.31, the TA states that a number of public footpaths to the east of Hillbury Road join Midgham Lane which is comparatively lightly trafficked. The TA states that there is potential to upgrade the footpaths to make them suitable for cyclists, thereby providing an alternative route to Fordingbridge via Midgham Lane and Ashford Road, avoiding the B3078. This suggested cycle route is highlighted yellow in Figure 4.8 below.



**Figure 4.8 – Alternative cycle route**



4.3.22 No feasibility assessments were included in the TA to assess whether such works would be feasible or viable. The TA merely states that the routes would be explored, and any works delivered by means of a S106 contribution. The minimum requirement would be to upgrade the footways to bridleways to allow cycle use if sufficient corridor width is available. But for these paths to be viable cycle routes between the site and Fordingbridge, they would need to be properly surfaced. The suggested route crosses the B3078 on a stretch of road that is subject to the national speed limit. This is a potential point of conflict between cyclists and drivers and would need to be considered in detail before the principle of the route could be accepted.

4.3.23 Irrespective of the above, the highlighted route is neither coherent or direct and demonstrates that the appellant has not given priority to pedestrians and cyclists when considering the scale, location and design of the proposed development.

4.3.24 At paragraph 4.33, the TA refers to the forestry trails and bridleway (E34/10) that lead through Cranborne Common towards Verwood. The proposed development would include connections to the bridleway, but no improvements are proposed to that route. The TA includes two images of the bridleway, replicated below as Figure 4.9.

**Figure 4.9 – Bridleway E34/10**



4.3.25 Most of the bridleway is unsuitable for road cycles and parts of it are only suitable for gravel bikes or mountain bikes. This is an attractive leisure route but not a suitable all-weather cycling route between the site and Verwood.

#### Public transport

4.3.26 The TA acknowledges that the existing bus service in Alderholt is sub-standard. The appellant therefore proposed to make a financial contribution to increase the frequency of buses between Cranborne, Alderholt, Fordingbridge and Ringwood. The appellant spoke to one local operator who considered that an hourly service between 0700-1900 on weekdays, and every two hours on Saturdays, would be feasible. The TA states that buses would route through the development via the proposed spine road; however, no routing plan was provided but this would suggest the buses would divert away from Station Road, down Ringwood Road, through the development and then back up Hillbury Road, thereby missing the centre of Alderholt. The indicative timetable at Figure 11 of the TA, shows buses continuing to route along Earlswood Drive.

#### 4.4 Proposed mitigation measures

- 4.4.1 The Proposed Development includes a number of proposed off-site highway works intended to mitigate the adverse transport effects.

##### South – Harbridge Drove

- 4.4.2 In some areas, the OS mapping suggests two large vehicles are unable to pass each other. In these locations, the TA included indicative highway widening. The TA states at paragraph 10.10 that there are some discrepancies between the OS mapping and the situation ‘on the ground.’ The TA therefore states that :

***“the proposed widening is reviewed at a later stage, through a topographical survey. It is suggested that this is secured through planning condition.”***

- 4.4.3 In their consultation response, DC stated that:

***“The issue here is that we need a definitive certainty that they can all be delivered. Details of the individual works to be carried out, on an accurate survey base (rather than a small-scale OS plan), showing that they can be accommodated within the existing highway is essential to confirm their deliverability and to provide the Authority with the necessary surety to be able to support the proposal.”***

- 4.4.4 Since the application was refused, the appellant has commissioned a LIDAR survey of the roads to be widened. This additional information is addressed in Section 8 of my evidence.

##### B3078 – Alderholt to Batterley Drove

- 4.4.5 The TA states that there are several areas on this route in which two buses could not pass. A review of potential widening works which could be implemented was therefore undertaken. The TA states that:

***“the need for the widening will be confirmed at a later stage once a topographical survey has been complete. If the topographical survey shows that widening is necessary, it will be delivered within the public highway.”***

- 4.4.6 The observations from DC regarding the need to be certain that the works can be delivered, also apply here.

##### B3078 – Batterley Drove to Cranborne

- 4.4.7 With regards to this road link, the TA states that although there are passing places, vehicles have to give way at particular points along the link. The swept path analyses show that are some locations where two large vehicles cannot pass, according to OS mapping. Again, the TA states that the necessity for the proposed widening is reviewed at a later stage, through a topographical survey. It is suggested that this is secured through planning condition.



#### Batterley Drove – Verwood

- 4.4.8 In the central part of Batterley Drove there is a series of ‘S’ bends in the carriageway, at which point there is a history of collisions. The TA states that the majority of these were as a result of driver error, that there is suitable width around these bends, and that there are warning bollards on the bends with slow road markings present. The appeal proposals include additional signage in this location to enhance the safety of this route. The appellant proposes that this is delivered through contributions secured through a S106 agreement.

#### East – B3078 to Fordingbridge

- 4.4.9 The swept path analysis appended to the TA shows there are several lengths of this road link where two buses could not pass, in addition to the pinch point at the centre of the link. In these locations, indicative highway widening has been shown in the TA. As with the other links, it is proposed to undertake a topographical survey at a later stage to determine whether widening is necessary in each location, secured through condition.
- 4.4.10 Two buses could not pass at the pinch point to the centre of the link. The TA states that although this is typical of rural links there is the potential to manage the flow of vehicles in this location through the introduction of priority give way markings with advance signage. Priority would be given to vehicles travelling uphill, i.e. westbound. The design would be finalised upon undertaking of a Topographical Survey as part of the detailed technical work following planning consent.
- 4.4.11 There is one further point where two buses are unable to pass; a 90-degree bend on the approach to Fordingbridge which is restricted due to retaining walls adjacent to the footways which flank the carriageway. The TA states that whereas some carriageway widening is proposed at this location, it is not possible to provide sufficient width for two large vehicles to pass at all points through the bend, whilst maintaining pedestrian facilities. The position taken in the TA is that two large vehicles are relatively unlikely to regularly meet at this location and therefore it is considered more important to maintain suitable pedestrian footway. As for all the off-site highway works, the TA states that the detailed design will be finalised upon the undertaking of a Topographical Survey at a later stage.
- 4.4.12 I concur with DC’s consultation response in that sufficient information needs to be submitted with the planning application to provide the highway authority and planning authority with appropriate certainty that the proposed works can be delivered. The full detailed design would be carried out as part of a legal agreement pursuant to Section 278 of the Highways Act 1980, but the need for those works to be delivered would be secured by planning condition. If a condition is in mind, there needs to be at least some prospect of the condition being fulfilled and at present the information is insufficient to reach that conclusion. It was therefore insufficient for the TA to simply state that the design of the off-site highway works would be

based on a measured, to be undertaken after planning permission had been granted. On this basis, the TA failed to demonstrate that the necessary off-site mitigation measures could be secured and delivered as part of the appeal proposals.

## 5.0 INFORMATION SUBMITTED IN SUPPORT OF THE PLANNING APPLICATION

### 5.1 Pre-application discussions

- 5.1.1 In July 2021 Paul Basham Associates (PBA), the appellants' transport consultants, submitted a Trip Internalisation Technical Note to Dorset Council as local highway authority (LHA) to set out the method by which they would assess the multi-modal trips that would be retained within the development, those that would be generated externally to and from the development and any existing trips currently generated to and from Alderholt that would become internal trips. The note was referred to as the Trip Internalisation Report (TIR). PBA submitted a revised TIR in November 2021.
- 5.1.2 The LHA provided an initial response in January 2022, followed by a meeting with PBA in February 2022. Following the meeting, PBA issued a pre-application scoping note including a further revised TIR in May 2022.
- 5.1.3 In June 2022, the LHA responded to the applicant's pre-app scoping note and TIR. The LHA stated that an amended TIR had been provided with certain updated assumptions and that *"The updated TIR has taken these adjustments into account, and I can confirm that we agree in principle to the methodology used in the report. However, we have not commented on any other scoping for Transport Assessment work required in advance of a planning submission, the outputs of any transport work or the adherence (or otherwise) to current planning policy, other than maintaining our position of concern regarding the accessibility of Alderholt for significant housing development."*
- 5.1.4 This statement is clear in that the LHA had not stated that they considered the predicted mode share to be sustainable or acceptable, nor had they agreed any part of the TA scope of methodology other than the method by which the trip internalisation had been agreed.

### 5.2 Original submission

- 5.2.1 The outline planning application was supported by a Transport Assessment (TA) dated March 2023 together with a Framework Travel Plan (CDA.20) and Access and Movement Plan.

### 5.3 Proposed transport conditions

- 5.3.1 The Proposed Development include a new roundabout junction onto Hillbury Road and a new priority junction onto Ringwood Road. The new road within the development will provide a link between the two access points, thereby reducing the status of the southern section of Ringwood Road.

5.3.2 Section 8 of the TA is entitled 'Highway Impact Methodology'. This sets out the baseline traffic surveys that were used to inform the traffic impact assessment. It then describes the assessment scenarios being:

- 2021 Base Year
- 2027 Forecast Year
- 2027 Forecast Year plus 500 dwellings)
- 2033 Forecast Year
- 2033 Forecast Year plus Development

5.3.3 These assessment scenarios were agreed by DC.

5.3.4 Section 8 described the methodology for determining traffic growth and committed development and sets out a series of traffic flow diagrams. I would have expected daily flows to be included in the traffic flow diagrams to inform wider areas of environmental effects, but only peak hour flows were included in the TA for the purposes of assessing peak hour highway capacity.

5.3.5 The TA uses appropriate proprietary junction modelling software to assess junction capacities and sets out the findings at Section 9. Paragraph 8.14 states that the Provost Street link is considered in greater detail, but this is not as a link capacity study, but rather as part of a junction capacity analysis of the Provost Street / Shaftesbury Street / High Street Junction.

#### Pedestrians and cyclists

5.3.6 The proposed infrastructure for pedestrians and cyclists is described in the TA under Section 4 as part of the proposed development rather than as mitigation. Table 5 in the TA includes predicted multi-modal trip generation, but again only for the peak hours; no daily trips are included. Paragraphs 6.16 and 6.17 of the TA address trip distribution and trip assignment, but only for vehicles. The pedestrian and cycle trips are not distributed onto the surrounding network. No information is therefore provided to demonstrate the net increase in pedestrians and cyclists on any of the existing or proposed routes as set out in the TA.

5.3.7 LTN 1/20 has 300 trips per hour as a threshold in a number of locations, relating to appropriate forms of pedestrian and cycle infrastructure. Of course, bus passengers start their journeys as pedestrians, so Table 5 of the TA shows combined walking and cycling trips of 1298 in the AM peak and 768 in the PM peak. Based on these numbers, it is unlikely that any one route within, or surrounding the development would experience more than 300 trips in an hour, but it would have been useful for the TA to include pedestrian and cycle distribution in the same way as it does for vehicles. This is best practice in terms of the assessment of pedestrian and cycle routes and assists masterplanning if priority is genuinely being given to pedestrians and cyclists.

## Public transport

- 5.3.8 Table 5 of the TA shows a predicted 273 trips by bus in the morning peak hour and 78 trips by bus in the evening peak hour. Again, no daily figures are provided. The appellant proposes to make a S106 contribution to secure an hourly bus service. No public transport capacity analysis has been undertaken and the TA does not explain how the predicted increase in bus passengers could be accommodated by the proposed hourly service.

## **5.4 Consultation responses**

- 5.4.1 The officer's report to committee summarised the consultation responses from Dorset Council as local highway authority, Hampshire County Council (HCC) as neighbouring highway authority and National Highways (NH) as the body with jurisdiction over the trunk road network. Their consultation responses are summarised below:

### Dorset Council (LHA)

#### **Objection (initial consultation)**

- i. Alderholt is a village in a rural area, the nearest small towns are Fordingbridge, Verwood and Ringwood – major towns and urban centres are much further away
- ii. This dispersed pattern of settlements means that most car journeys are longer compared to an edge of town/settlement development
- iii. Alderholt has very few alternatives to the private car – no rail service, no bus service, very limited community bus
- iv. The village is not close enough to walk or cycle to nearby settlements nor is there the provision of safe, all-weather routes to these settlements
- v. The NPPF supports sustainable travel which is needed to assist in meeting net zero targets
- vi. Significant /majority numbers of trips from the development would be longer distance and car based to dispersed urban centres
- vii. Information on phasing needed to understand how travel behaviours might be embedded with new residents. Early delivery of employment, education and services would be needed to encourage new residents to use alternative travel modes to the car from the beginning.
- viii. The feasibility of 100% trips to secondary school by bus is not accepted



- ix. Proposed hourly bus service not consistent with Dorset's Bus Service Improvement Plan (BSIP) – a regular connection to Fordingbridge would be preferable (where existing links can be connected to)
- x. Evidence is needed to demonstrate a bus service can become self-sufficient after 5 years
- xi. Bus service is not frequent enough to meet the needs of commuters
- xii. Rural character of roads makes them unsuitable to carry increased traffic
- xiii. Existing PRoWs are not suitable for use during inclement weather and would only be used for fair weather leisure trips
- xiv. Cycling on B, C and D class roads will only be for keen and competent cyclists and is outside of recommended cycling distances
- xv. Details of the access are not reserved. The submitted Road Safety Audit (RSA) identifies issues which need to be resolved as part of this application.
- xvi. The swept path analysis does not demonstrate that all vehicles can safely undertake manoeuvres
- xvii. The spine road is too narrow (4.8m) for the entrance to a development of this scale, the internal spine road (a reserved matter) would need to be 6.7m to accommodate a bus route
- xviii. Pedestrian footway improvements and advisory cycle lanes are proposed which would be acceptable if LTN1/20 compliant
- xix. A TRO will be needed (at the developer's expense) to extend the 30mph limit along Hillbury Road
- xx. The trip internalisation assumptions are flawed and have not been fully agreed with the Highways Authority
- xxi. The assumed levels of trip internalisation will impact on the assessment of impacts on junctions which will require reassessment
- xxii. The low level of submitted details (no topographic surveys) mean there cannot be complete confidence that proposed widening, and mitigation can be delivered
- xxiii. There is no consideration of impacts of construction traffic in the TA – a Construction Environmental Management Plan (CEMP) would be required

- xxiv. Travel Plan needs to take realistic impacts into account e.g. trip internalisation may not be as high as assumed hence greater traffic generation. The Travel Plan will need to include mitigation measures to ensure that new residents are not totally car dependent and are fully aware of the alternative travel modes available to them
- xxv. Overall TA provides insufficient detail to consider impacts fully and seeks to resolve these matters at a future date – this approach is unacceptable

**Objection (re-consultation)**

- i. Submitted Infrastructure Delivery Plan further confirms reliance on private car
- ii. Residential occupancies completed in advance of facilities will embed travel behaviour with new residents
- iii. Construction Traffic Management Plan (CEMP) and Travel Plans could be conditioned
- iv. Access is not a reserved matter and road safety audit issues for Hillbury Road Roundabout need to be considered now. There is not surety that safe and appropriate access can be achieved
- v. Ringwood Road priority junction is overly complicated, priority junction would be safer and more legible Off-site highways works acceptable in principle, but surety is needed that they can be delivered. Details of individual works on an accurate survey base needed to demonstrate this
- vi. Concerns regarding sustainability were explained in the previous response
- vii. Regardless of level of self-containment, a large proportion of trips will be external, car-based and medium to long distance. This is because the development is not in a sustainable location from a transport perspective. These problems would not exist if the development location was closer to a larger settlement with a greater range of services which people could access via a choice of modes
- viii. Extra evidence of operator engagement for public transport is noted however concerns remain around the bus service
- ix. Dispersed nature of trip patterns resulting from the isolated situation mean that peak hours would be difficult to cater for through public transport
- x. Hourly frequency and limited destinations will be unattractive alternative for majority of frequent regular trips. If the hourly service cannot be maintained a two-hourly service would be even less acceptable
- xi. One operator's view from a bus company without a proven track record of delivering commercial services locally

- xii. Estimated £704,911 contribution for 5 years is insufficient to support service as described. 7-year support would be more appropriate to length of build-out
- xiii. Contributions would be needed to bus stop infrastructure
- xiv. Welcome the commitment to provide a free annual pass to each household and discounted pass thereafter
- xv.** Discussions regarding transport of school children to schools in other settlements should be undertaken with the Education service and Dorset Travel

#### Hampshire County Council

- i. Provision of a good standard cycle route between the development and Fordingbridge, to allow year-round cycling, should be confirmed as deliverable. The HHA maintains Midgham Lane and Ashford Road are unsuitable for year-round utility cycling in their current form. In the absence of acceptable cycle routes to nearby amenities, the development is considered unsustainable. The limited existing facilities within Alderholt, improvements to sustainable mode infrastructure within Alderholt and the proposed improvements to the bus service are not sufficient for HCC Highway Authority (HA) to consider the site sustainable.
- ii. PIA data from Hampshire Constabulary gives is most up to date and is required. This has not been provided and as such a robust assessment of any accident clusters the proposed development may exacerbate cannot be completed.
- iii. HCC do not consider the trips rates robust. As set out in HCC's response dated 9th May 2023, the trip rates proposed, and hence the forecast traffic generation, are substantially lower than those agreed for other developments in the area, which are all closer to town centres with a broader range of amenities than the Alderholt site. As such, we believe the development impact is underreported.
- iv. Justification of the trip distribution has not been provided and as such, may lead to underreporting of the development impact in some locations.
- v. An assessment with revised TEMPRO traffic growth factors, has not been completed. As such, we believe the development impact is underreported.
- vi. The mitigation proposals at Provost Street/High Street junction are not considered adequate to address the site impact, particularly given the development impact is underreported, with significant congestion and delays resulting from the proposed development representing an unacceptable and a severe impact on Hampshire's highway network. Furthermore, regarding the proposed highway works to mitigate this impact, no Road Safety Audit (RSA) has been provided reviewing these and it

therefore has not been confirmed that the mitigation is either safe or deliverable. While an RSA will be required as part of the S278 process for delivering the works, this does not guarantee the works will be deliverable in line with the principle proposed. HCC request updated modelling to ascertain a robust forecast impact and a subsequent revised design to mitigate the development impact, including an RSA at this stage to ensure the mitigation proposed is safe and can be delivered.

- vii. Capacity modelling has not been provided at Salisbury Road/Bridge Street mini roundabout and Station Road/Normandy Way junctions. The unmitigated impact at these locations could be severe; further investigation is required.
- viii. No topographical survey of the proposed widening of Harbridge Drove/Alderholt Road and the B3078 Fordingbridge Road/Bowerwood Road has been provided. While the required land to facilitate this appears to be within the highway boundary, there could be severe engineering, arboriculture, environmental and/or ecological reasons the widening is unacceptable.
- ix. Regarding the pinch point towards the centre of the B3078 between Alderholt and Fordingbridge, no RSA or modelling of the proposed priority arrangement has been provided. The proposal in this location could represent a severe impact on capacity grounds and an unacceptable impact on safety grounds. Further investigation is required.

#### 5.4.2 National Highways

- i. Primary concern relates to the A31 trunk road, particularly the A31/Verwood Road junction
- ii. Since the Transport Assessment was written in October 2022 the Department for Transport (DfT) Circular 02/2013 has been superseded by DfT Circular 01/2022, this should be referred to within any updated assessment
- iii. Agree that the majority of everyday needs are currently met by car travel to neighbouring settlements
- iv. The current infrequent 2 hourly community bus service does not assist in reducing private car travel
- v. It is noted that an hourly bus service is proposed however a more frequent bus service should be considered, particularly during the weekday peak hours
- vi. Collisions at the A31/Verwood Road junction all occurred in a similar manner which highlights the importance of ensuring that the proposed highways works are sufficient and suitable

- vii. Assumed residential trip generation is low and the weekday peaks would be expected to be 0.5-0.65 per dwelling rather than the assumed 0.3-0.35
- viii. A robust sensitivity test is needed for the A31/Verwood Road junction including only minimal levels (5-10%) of internalisation flows within the site
- ix. The Transport Assessment shows 252 bus trips in the morning peak hour however it is not clear how this would be achieved with the proposed hourly bus service
- x. Reduction in car trips appears to be overly optimistic
- xi. Trip distribution and assignment are accepted
- xii. Model files for the junction operation assessments undertaken for the A31/Verwood Road junction are required
- xiii. Assessment of the A31/Verwood Road junction for the development year of opening is needed. Further information on traffic growth and flows may also need to follow on from this
- xiv. Further evidence needed to demonstrate that the proposed A31/Verwood Road junction layout is compliant and acceptable to National Highways
- xv. Detailed design comments on the A31/Verwood Road junction scheme design plan are provided which need to be addressed (11 issues identified which can be read in full within the response saved on the planning portal)
- xvi. Modelling files and a revised scheme and required before the scheme can progress to a Road Safety Audit
- xvii. Recommend Dorset Council do not grant permission for a period of 6 months

5.4.3 All three highway authorities concur that the existing village of Alderholt is generally reliant on travel by car to neighbouring settlements.

5.4.4 All three highway authorities consider the vehicle trip generation predictions in the TA to be low and the predicted internalisation assumptions to be overly optimistic.

5.4.5 DC and HCC consider the level of information submitted in the TA with regards to off-site transport improvements to be insufficient to provide the necessary level of certainty that those works can be delivered.

5.4.6 Even with low vehicle trips and high trip reduction assumptions, HCC still object to the level of traffic impact in Fordingbridge and do not accept the proposed mitigation measures,

## 6.0 MATTERS IN DISPUTE

### 6.1 Reason for refusal 2

#### 6.1.1 Reason for refusal 2 states:

*“The proposed development would represent significant development contrary to the settlement hierarchy, which is intended to direct development to the most sustainable locations. While facilities and transport options are proposed, it has not been demonstrated that these would be successful and viable in the long-term. It has therefore not been demonstrated that the proposal would limit the need to travel and offer a genuine choice of transport modes. Contrary to Policy KS2 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraphs 73 and 105 of the NPPF”*

#### 6.1.2 As stated in Section 2 of my evidence, the Local Plan and Framework policies require the development to:

- Be located so as to reduce the need to travel;
- Be of a scale that does not have an adverse effect of the function of Alderholt as a Rural Services Centre;
- Prioritise walking and cycling above other modes of transport;
- Facilitate high quality public transport services and maximise the catchment area;
- Provide a high-quality design both on and off-site that will actively enable and encourage sustainable travel choices.

#### 6.1.3 The proposed scale and form of development is contrary to the objectives of the settlement hierarchy. The location is remote from any Main Settlement in Dorset. The nearest Main Settlement is Fordingbridge which is 4.3km travelling distance along the B3078, an inter-urban rural road subject to the national speed limit.

#### Walking

#### 6.1.4 The Chartered Institute of Highways and Transportation (CHIT) guidance document ‘Providing for journeys on foot’ states that:

***“Acceptable walking distances will obviously vary between individuals and circumstances. Acceptable walking distances will depend on various factors including:***

- **An individual's fitness and physical ability**
- **Encumbrances, e.g. shopping, pushchair**
- **Availability, cost and convenience of alternatives transport modes**
- **Time savings**
- **Journey purpose**
- **Personal motivation**
- **General deterrents to walking."**

6.1.5 However, it states that an average walking speed of approximately 1.4 m/s can be assumed, which equates to approximately 400m in five minutes. The guidance includes a table of suggested acceptable walking distances, replicated below:

**Table 6.1 – Suggested acceptable walking distance (CIHT T3.2)**

	Town centres (m)	Commuting/school/ sight-seeing (m)	Elsewhere (m)
Desirable	200	500	400
Acceptable	400	1000	800
Preferred maximum	800	2000	1200

6.1.6 This provides useful objective guidance in order to quantify the distances that new residents or employees are likely to choose walking as their preferred mode of travel. This would indicate that very few, if any pedestrians would choose walking as their preferred mode of travel between Alderholt and Fordingbridge. The distance is too great and the high-speed nature of the B3078 would be a general deterrent to walking. Walking is only a realistic first choice for journeys within Alderholt itself.

6.1.7 The TA includes a diagram purporting to show the 5, 10 and 15-minute walking isochrones (400m, 800m and 1200m respectively), centred on the proposed local centre. However, these have been drawn 'as the crow flies' rather than based on actual walking routes.

**Figure 6.1 – Pedestrian isochrones from TA( Fig12)**

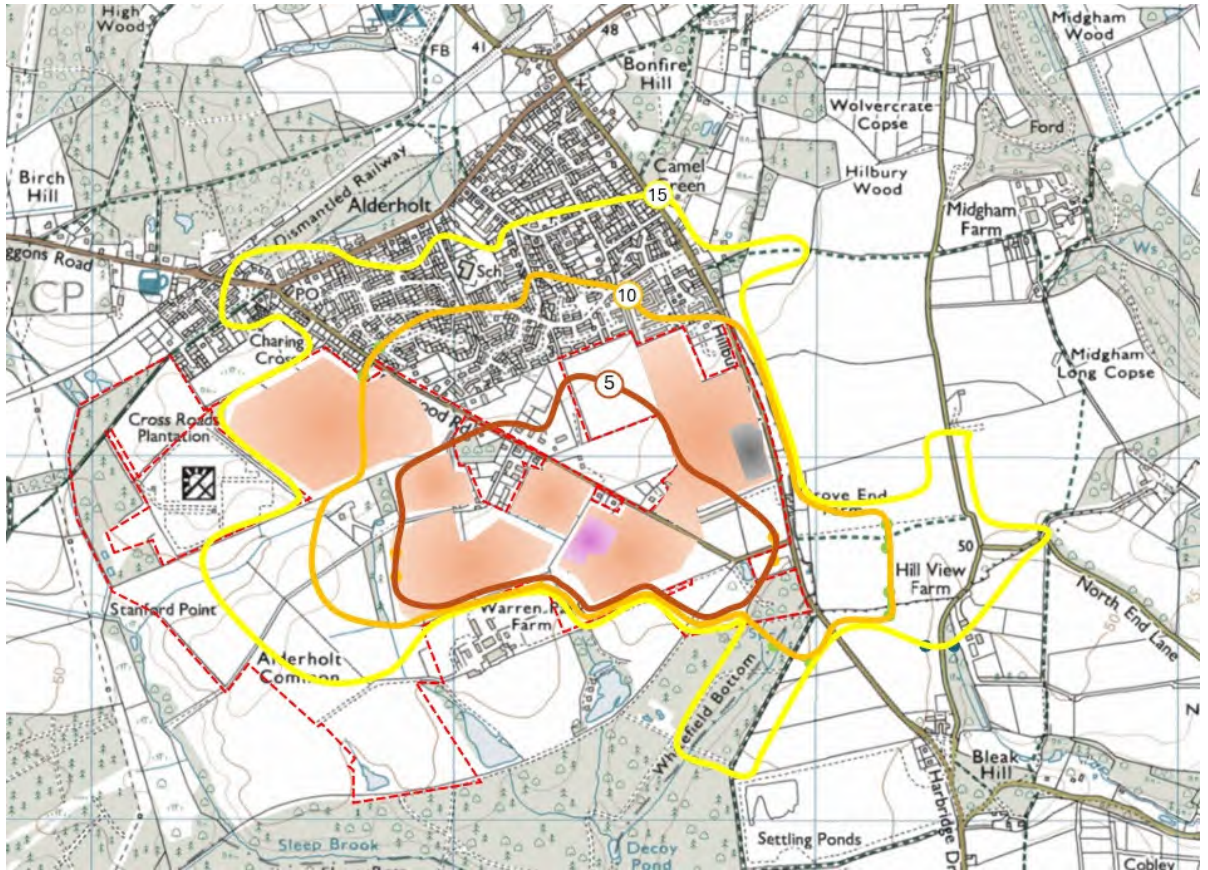


6.1.8 Even based on radii rather than walking distances, the diagram shows that the desirable 400m would include a small part of the proposed development and the acceptable 800m would include most of the development and part of the existing village.

6.1.9 If the isochrones are based on actual walking distances, the isochrones would be as shown in Figure 6.2 below:



**Figure 6.2 – Pedestrian isochrones based on walking routes (5, 10 and 15 minutes)**



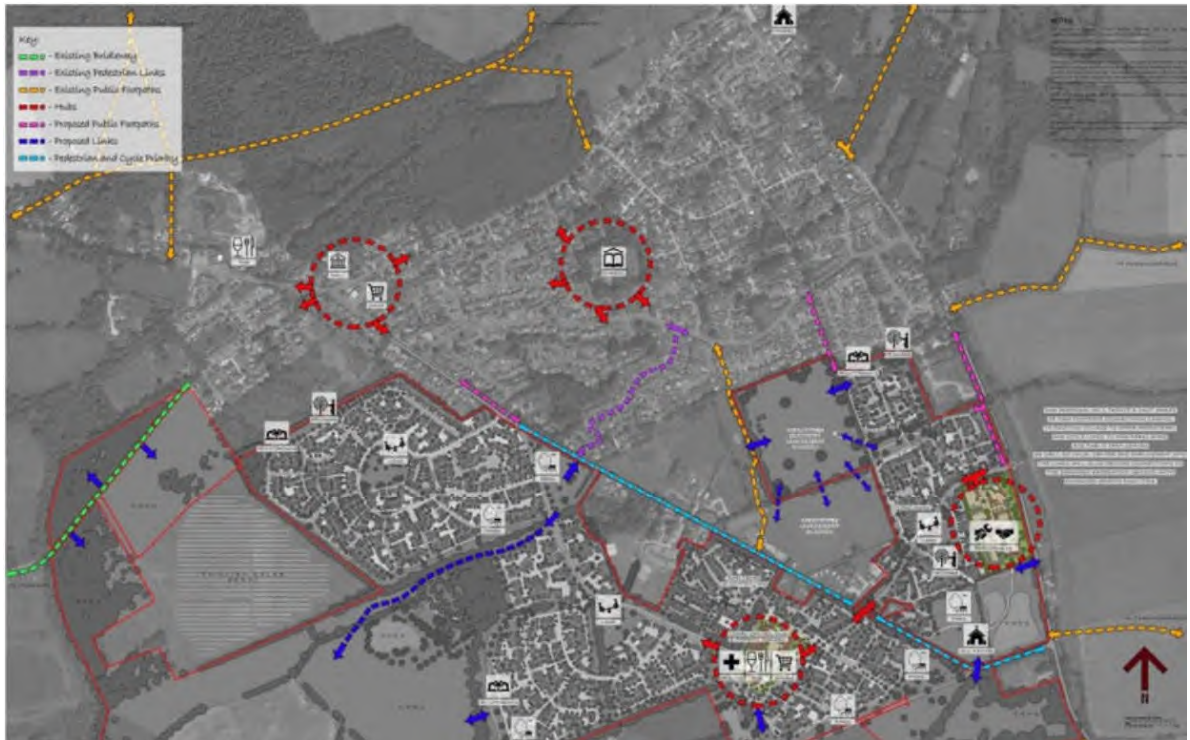
6.1.10 The walking times shown in Figure 5.1 above are based on the existing and proposed walking routes, including unlit and unpaved public footpaths. Some of those routes may not be suitable for all journeys depending on weather and daylight conditions. The walking routes exclude any roads subject to the national speed limit.

6.1.11 This demonstrates that the location of the local centre towards the south of the proposed development limits the catchment and results in much of Alderholt (and some of the development) being beyond the desirable 800m walking distance and some parts of Alderholt being beyond the preferred maximum walking distance. This does not prioritise walking as the preferred mode of travel to the new local centre.

6.1.12 The TA includes a diagram illustrating proposed connectivity for pedestrians and cyclists. This shows the southern part of Ringwood Road, still functioning as a vehicle access but intended as a pedestrian and cycle friendly route. A shared space of this nature could only be described as pedestrian-friendly if it was very low speed and very low traffic, and the proposals do not include any details as to how this could be achieved.

6.1.13 There are a number of proposed links (dark blue) and additional footways (pink), but all within Alderholt. Beyond the site, the diagram shows existing public footpaths (yellow), but these are best suited to leisure journeys rather than as routes to facilities and services.

**Figure 6.3 – Proposed connectivity**



6.1.14 It is significant that the connectivity diagram does not show clear pedestrian and cycle desire lines between journey origins (homes) and destinations (non-residential uses). The walking and cycling routes are indirect and convoluted to many parts of the development and Alderholt as a whole. It is evident that the illustrative layout has not been designed around a Movement Strategy that gives priority to pedestrians and cyclists, instead the layout shows a series of estate roads with limited pedestrian links between them.

6.1.15 The appellant's description of the proposed uses within the local centre differs across a number of the submitted documents. The TA (para. 1.6) refers to:

- New square/town centre totalling c. 4,200 sqm with shops, café, new convenience supermarket and pub; ·
- New 21st century healthcare facility; ·
- New recreation space and potential LTA outdoor tennis centre; ·
- New Library.

- 6.1.16 Christine Reeves (CR) of Lambert Smith Hampton is providing evidence for the Council in respect of retail impact and has assessed the information provided by DPDS on behalf of the appellant.
- 6.1.17 The appellant's Statement of Case simply refers to a more generic Village centre with associated retail, commercial, community and health facilities (4,000sqm of Class E Commercial, Business and Service uses). CR is recommending appropriate planning conditions in order to define the precise nature of the local centre. However, the need for new and existing residents to travel outside Alderholt remains uncertain until that definition has been agreed by all parties.
- 6.1.18 The approach adopted by DPDS to justify the scale of floorspace proposed within the local centre by reference to the available expenditure in the area [RITSA, paras 3.18 – 3.20]. They assess the expected uplift in expenditure from the occupation of the new housing and compare that with the expected turnover of the proposed retail units.
- 6.1.19 CR has reviewed these figures used and has a number of concerns regarding a number of the inputs/assumptions made. More fundamentally, however, the RITSA does not consider the existing provision in Alderholt [ARITSA, para 2.12], nor does it consider whether the expenditure available would be spent in a local centre.

#### Convenience provision

- 6.1.20 CR's evidence in terms of convenience provision suggests that the scale of convenience floorspace proposed in the local centre, is likely to be the maximum that can be supported by the Alderholt population in 2032, although the market will continue to increase as the housing development progresses and there will be a small increase in additional top-up spend by 2040.
- 6.1.21 However significantly, the local centre is not intended to meet the main food shopping needs of the existing or new population and significant trade leakage can therefore be expected. This will result in regular (likely weekly) food shopping trips being undertaken to Fordingbridge, Verwood and/or Ringwood.
- 6.1.22 This assessment indicates that even with a local centre forming part of the development, retail trips for everything other than local convenience shopping would be in Fordingbridge or further afield. Such journeys would not be undertaken on foot. The location of the development and proposed retail provision cannot be described as prioritising pedestrian journeys.



### Cycling

- 6.1.23 The TA failed to demonstrate that the proposed cycle routes can be delivered to an adoptable standard within land under the control of the applicant, or public highway.
- 6.1.24 No cycle isochrones were included within the TA based on distance travelled. As a result, the cycling distances between the residential dwellings and key services (employment, education, healthcare, retail) have not been submitted and agreed. Similarly, the cycle catchment for the proposed employment use has not been submitted and agreed.
- 6.1.25 In addition to distance travelled, the attractiveness of the cycle routes is an important consideration in determining whether cycling is a genuine option for the residents and employees of the proposed development. This includes the key considerations set out 4.3.13 above. The TA does not include either a qualitative or quantitative assessment of the proposed cycle routes within the development or proposed on the surrounding highway network.
- 6.1.26 The TA fails to demonstrate whether the proposed cycle provision within the development or on the surrounding highway network would comply with the requirements of LTN1/20.

### Public transport

- 6.1.27 The isolated nature of the appeal site would mean that journeys to main settlements such as Salisbury, Ringwood, Blandford Forum, Wimborne, Ferndown, Bournemouth, Christchurch and Poole, would be very difficult to undertake by public transport;
- 6.1.28 The site location would also result in a limited catchment able to travel to the proposed employment uses by public transport;
- 6.1.29 The proposed hourly frequency and limited catchment would be unattractive to for many of the proposed regular trips and therefore those trips would be 'lost' to the private car;
- 6.1.30 The TA fails to demonstrate how the predicted additional bus passengers could be accommodated on an hourly bus service;
- 6.1.31 The appellant proposes to fund a bus service for up to 7 years, but the viability and long-term future of bus service provision cannot be guaranteed. A service every 2-hours would be even less attractive and would therefore be expected to significantly reduce the predicted bus mode share;
- 6.1.32 Insufficient information has been provided to satisfy DC that the proposed S106 bus contribution would be sufficient to deliver the proposed hourly service for a period of 7 years.

## Education journeys

6.1.33 The original planning application suggested introducing a two-tier education system where currently, children living in Alderholt have a three-tier education system. The distinction between the two is shown below.

**Table 6.2 – Two and three tier education system**

Year group	Key stage	Two tier system	Three tier system	
1	KS1	Primary school	First school	
2				
3	KS2			Middle school
4				
5				
6	KS3		Secondary school	
7				
8				
9				
10	KS4	Upper school		
11				
12	KS5 (6 <sup>th</sup> form)			
13				

6.1.34 Dorset Council as local education authority objected to the developer's proposal to fundamentally alter the education system for Alderholt from three-tier to two-tier. Since lodging the appeal, the appellant has stated that the proposal is now to follow the existing three tier system. If that is the case then the change in education strategy would not affect the number of children travelling to school, but would affect the location of the schools and the means by which the children travel.

6.1.35 Under the two-tier system, St James First school would have been converted to a Primary school, adding Y5 and Y6 pupils. The TA assumed that Primary school children would walk to school and Secondary school children would take the bus or be dropped off by a parent/guardian as part of a linked trip. However, as a three-tier system, St James would remain a First school (Y1-Y4) and Middle school children would travel to Cranborne. Importantly, children attending Middle school in Cranborne would then go on to Upper school



in Wimborne. The resultant vehicle kilometres would therefore be significantly higher than the assumptions tested in the TA and the proportion of children able to walk to school would be lower. This is significantly exacerbated by the remote location of the proposed development and the vehicle kilometres and proportion of children able to walk to school would be better in a more accessible location, close to a Main Settlement.

6.1.36 It should be noted that the reason for refusal 6 states that it is not possible to accommodate the projected increase in first-school age children within the existing St James First School and therefore the development would not ensure a sufficient choice of school places is available to meet the needs of the existing and new communities. If that is the case, then any pupils who cannot be accommodated within the existing school or within the development, would be required to travel elsewhere to school. The transport effects of this have not been assessed by the appellant but further migration outside Alderholt would clearly support reason for refusal 2.

#### Settlement hierarchy

6.1.37 The Settlement Hierarchy Background Paper for the draft DCLP includes at Figure 2.2 a list of larger settlements within the Green Belt in the South Eastern Dorset Functional Area including the Large built-up areas of Corfe Mullen and Upton, and the following six towns and main settlements.

- Ferndown
- Wimborne Minster / Colehill
- Verwood
- West Moors
- St Leonards and St Ives
- Wareham

6.1.38 Figure 2.3 includes a further two towns and main settlements beyond the Green Belt:

- Blandford
- Swanage

6.1.39 Alderholt is listed as a 'Tier 3' Larger Village beyond the Green Belt. Paragraph 7.10.1 states that Tier 3 larger villages:

***“will have a settlement boundary within which windfall and infilling development will be generally supported. Proposals for development outside the identified settlement boundaries will be assessed against countryside and, where relevant, Green Belt policy”***

6.1.40 The DCLP Options Consultation, Sustainability Appraisal considers and compares eight sites

surrounding Alderholt, referenced ALD A to ALD H. The appeal proposals fall within ALD B, ALD C and ALD D.

6.1.41 The Options Stage Appendix sets out the sustainability considerations for each of these sites and rates them as poor in the short, medium and long-term under the category of Community. The comment attributed to this rating is:

***“Development is more than an hour from a primary, secondary or tertiary settlement by public transport. The lack of accessibility and connectivity is likely to greatly discourage social interaction and contribute to rural isolation.”***

6.1.42 Table 5.1 below summarises the Community rating for each of the towns and main settlements listed above:

**Table 6.3 – Sustainability Appraisal: Options Stage – Community rating**

Location	Impact				Comment
	ST	MT	LT	P/T	
Ferndown/West Parley	+	+	+	P	Development in this area would provide access to a primary, secondary or tertiary settlement within 30 minutes by public transport, with this connectivity encouraging social interaction, a more inclusive society and preventing rural isolation.
West Moors	+	+	+	P	
Blandford	+	+	+	P	
Wimborne /Colehill	+	+	+	P	
Verwood	++	++	++	P	Development in this area would provide access to a primary, secondary or tertiary settlement within 15 minutes by public transport, with this connectivity encouraging social interaction, a more inclusive society and preventing rural isolation.
St Leonards and St Ives	++	++	++	P	
Wareham	++	++	++	P	
Swanage	0	0	0		Within 45 mins of a Tier 1 or 2 settlement by public transport, enabling some accessibility to and connectivity with neighbourhood centres.
Alderholt	--	--	--		Development is more than an hour from a primary, secondary or tertiary settlement by public transport. The lack of accessibility and connectivity is likely to greatly discourage social interaction and contribute to rural isolation.

6.1.43 This demonstrates that Alderholt compares poorly with all the towns and main settlements in the South Eastern Dorset functional area in terms of access to facilities and connectivity. This informs the settlement hierarchy which focuses larger developments on the more sustainable locations in terms of access to facilities, infrastructure and opportunities to travel by sustainable modes of transport.

#### Comparative appeal decisions

6.1.44 Following planning permission being refused, but prior to the appeal being lodged, the appellant's transport consultants PBA produced a note in December 2023 entitled 'Dorset Council Highways Response – Appeal'. That note has not been formally submitted as part of the appeal process but did inform my discussions with PBA as part of the appeal process. The note stated that:

- “National and local planning policy does not require *all* trips to be possible via sustainable modes
- Hypothetical development in most locations in Dorset would generate external vehicle trips
- Development in this location significantly improves the sustainability of Alderholt.”

6.1.45 I expect these three points to be the main arguments made by the appellant against Reason for Refusal 2.

6.1.46 I concur with the statement that current policies would not require 100% of journeys to be possible by sustainable modes; however, as demonstrated in Section 2, national and local policies to require developments to give priority to walking and cycling and to be located in a way to offer good access to a range of facilities and services and offer a genuine choice of modes of transport. The appeal proposals fail to do so.

6.1.47 I also concur that development in most locations would generate some external vehicle trips. The question is the number and length of such trips.

6.1.48 I do not agree that the appeal proposals would significantly improve the sustainability of Alderholt. The appellant's Trip Internalisation Report included some very ambitious predictions for the proportion of existing residents that would divert away from external journeys to work in major settlements and would now live and work in Alderholt; but even with these ambitious diverted journeys, the appeal proposals would still result in a material increase in journeys by private car on the local highway network.

6.1.49 In order to provide a benchmark against which the appellant's assertions can be measured, I would refer to two appeal decisions for comparative forms of development where the Inspector has concluded that even with significant investment in infrastructure for walking

and cycling and contributions towards improved public transport, the location of the site is inherently unsustainable for the scale of development. Of course, each case will be decided on its merits. However, there must be a difference between the Appellant's experts and myself in terms of what acceptable benchmark is being applied. On this, it seems helpful and appropriate to have regard to other decisions where they can provide a meaningful comparison. Full details are included as **Appendix RF-A** and summarised below.

*Project Pinewood (secretary of State call-in)*

*[APP/N0410/A/10/2126663]*

- 1400 dwellings
- 8000sqm employment
- 3000sqm filming and screen craft
- 2000sqm local retail provision

6.1.50 The Project Pinewood development is of a similar scale to the appeal proposals at Alderholt, located adjacent to an existing village with limited facilities and somewhat remote from the nearest major settlement.

6.1.51 In October 2011, the Inspector recommended that the appeal be dismissed and in respect of sustainable development, stated:

***“The appeal site is in an inherently unsustainable location, as recognised in the CS settlement hierarchy. Access to work, shops, schools and essential facilities or services substantially means travel to the larger settlements, and which would not be overcome by the measures proposed as part of the development. While the concept of a living/working community is an attractive one, in this case neither the level of facilities on-site or nearby, nor the transport measures proposed, would significantly reduce the need to travel or render the development acceptable against the objectives of national, regional and local policies aspiring to key sustainability principles”***

6.1.52 In January 2012, the Secretary of State agreed with the Inspector and stated:

***“The Secretary of State agrees with the Inspector’s reasoning and conclusions on sustainable development, as set out in IR13.5.1-13.5.12. He agrees that locating Project Pinewood adjacent to Iver Heath and in the Green Belt runs counter to the settlement hierarchy of the CS and to the South East Plan’s approach of directing development to built-up areas (IR13.5.3).***

***The Secretary of State notes that a number of measures would serve to enhance the sustainability of the proposal, such as the improved potential for residents to use cycles, buses and trains in place of cars to access their workplace (IR13.5.7) and that***

***the community centre and school delivered through the s106 planning obligation would reduce the need for travel to access such facilities (IR13.5.8). However, he agrees with the Inspector that the appeal site is an inherently unsustainable location (IR13.5.10). Like her, he considers that while the concept of a living/working community is an attractive one, in this case neither the level of facilities on-site or nearby, nor the transport measures proposed, would significantly reduce the need to travel or render the development acceptable against the objectives of national, regional and local policies aspiring to key sustainability principles namely PPS1, PPS3, PPG13, the South East Plan's spatial planning principles and CS Core Policy 7 (IR13.5.10)."***

6.1.53 This decision demonstrates that both the Inspector and Secretary of State considered that an unsustainable and remote location ran contrary to the settlement hierarchy approach of directing development to more sustainable locations. This principle is at the heart of the Alderholt reason for refusal 2. The Inspector and Secretary of State also considered that the simple principle of providing a mixed-use development and some level of transport improvements does not necessarily overcome a poor location, nor does it reduce the need to travel to an acceptable degree or make the development acceptable in policy terms.

*Broke Hill Golf Course, Sevenoaks*

*[APP/G2245/W/21/3273188]*

- 800 dwellings
- 180 retirement units
- Primary school
- Sports hub
- 2ha employment land
- Local centre

6.1.54 In January 2022, this appeal was dismissed. The Inspector considered, among other things, private transport, rail, bus services, and active travel modes. The Inspector's conclusions and their relevance to Alderholt are discussed below.

6.1.55 The Broke Hill Golf Course development is smaller than the appeal proposals at Alderholt but comprises a major mixed-use development with residential, employment education and leisure facilities as well as a local centre. Despite having fewer dwellings than the appeal proposals, there are many similarities between the Broke Hill Golf Course development and the appeal proposals at Alderholt. The site is located adjacent to an existing village with an existing convenience store, pub and Primary school and is somewhat remote from the



nearest major settlement of Orpington. It should be note that Orpington is significantly more substantial and offers a wider range of facilities and services than Fordingbridge.

6.1.56 An important difference between the Broke Hill Golf Course development and the appeal proposals at Aderholt is that it would have been located immediately adjacent to Knockholt railway station, with direct trains to Sevenoaks and London Charing Cross. That sort of facility is not available in Alderholt and could not be delivered by the appeal proposals.

6.1.57 The Broke Hill Golf Course planning application was supported by a Transport Assessment, prepared by Peter Brett Associates which included an assessment of multi-modal trips; these are shown in Table 5.1 below:

**Table 6.4 – Broke Hill Golf Course mode share**

	Walk	Cycle	Bus	Rail	Car Pas	Driver
AM	487	118	118	152	0	459
PM	457	93	105	125	0	504
	36%	8%	9%	11%	0%	37%

6.1.58 The TA submitted in support of the planning application that is the subject of this appeal, also included a multi-modal trip assessment, summarised at Table 5 (of the TA). That information is included below in Table 5.2, presented in the same format as Table 5.1 for comparative purposes.

**Table 6.5 – Aderholt mode share**

	Walk	Cycle	Bus	Rail	Car Pas	Driver
AM	791	234	273	0	82	842
PM	516	174	78	0	120	1052
	31%	10%	8%	0%	5%	46%

6.1.59 This demonstrates that the larger development at Alderholt would generate a greater proportion of journeys by car than the refused Broke Hill Golf Course development. A lower proportion of journeys would be on foot and by bike, there would be a lower proportion of bus journeys and no journeys by train. On the basis of this comparison it can be seen that the Alderholt predicted mode share would place greater reliance on the private car and less active travel than Broke Hill Golf course development. This can (and I suggest should) be taken into account when considering the sustainability of the appeal proposals at Alderholt.

6.1.60 Paragraphs 52 to 82 of the Inspector’s decision dated 31<sup>st</sup> January 2022 cover transport

infrastructure. The following comments from the Inspector are directly relevant to the appeal proposals at Alderholt:

***“Given the limited services available on site there would be a considerable demand for services located beyond the site requiring a large number of trips”*** (para 53)

***“The TA assumes a proportion of linked trips between the different uses on the site and that the primary school would serve the proposed scheme involving few if any trips by car. However, whilst the assessment does not account for the extent of modal adjustment which may arise from the measures included in the S106 agreement, the figures included in the TA are indicative of the relative scale of private transport compared to other modes likely to be generated from the site. This would be considerable”*** (para 54)

6.1.61 This indicates that the TA assumed an element of internalisation and a high proportion of walking and cycling to the Primary school, similar to the TA for Alderholt, but that the mode share set out in Table 5.1 does not take account any modal shift arising from sustainable transport improvements.

6.1.62 The Inspector remarks that:

***“The proposed residential areas across the site would lie between 3-11 minutes walking distance of Knockholt Station. The appellant’s research demonstrates that the site’s Green Belt location is almost unique given its proximity to this station”*** (Para 59), and .

***“The station is served by 2 services an hour rising to 3 in each direction during the peak hours to/from central London allowing a door to door travel time of around 40 minutes. Services to Sevenoaks would take around 8 minutes or a door to door time of around 27 minutes assuming a location in the centre. Travelling to Bromley via rail would take between around 33 or 28 minutes depending on the R6 and appellant’s evidence respectively. At peak times these journeys compare favourably with travel by car”*** (para 60) and

***“It is likely that private transport would still be the dominant form of transport for commuters to destinations other than central London given the reliance on the car by residents in the District to local centres<sup>24</sup> . This is demonstrated by the peak hour figures included in the TA”*** (para 64).

6.1.63 The appeal proposals at Alderholt would not benefit from travel by rail for long distance journeys and it is therefore likely that those journeys would be undertaken by private car.

6.1.64 In the case of Broke Hill Golf Course, the Inspector remarked that there were just 4 bus services operating twice a day and that the development would plan to introduce an hourly bus service during the peak hours after the 100<sup>th</sup> dwelling was occupied. This level of investment in bus infrastructure is commensurate with the Alderholt proposals. Based on this, the Inspector concluded that;

***“The appellant has given some consideration to the route of the new service which would run between Sevenoaks and Orpington<sup>26</sup> , connecting to other stations, services and amenities. Given that the proposed service could be a substitute for that withdrawn (which the TA assumed was still in operation), its impacts would be unlikely to significantly reduce dependence on private transport”*** (para 70)

6.1.65 An element of the Broke Hill Golf Course decision that is directly comparable to the appeal proposals at Alderholt is that of active travel modes (walking and cycling). The Inspector states that:

***“Whilst the commercial centre would be developed as part of the first phase of development, residents would require a broader range of services than could be offered on site or in Pratts Bottom and Halstead . There are few services within the 800m -2km of the site defined by Manual for Streets as ‘walkable’, although this would be determined by quality of footways and street lighting.”***

6.1.66 This statement directly reflects the objection to the Alderholt proposals on the basis that the existing and proposed non-residential uses in Alderholt would not cater for the broad range of services required by residents. The Inspector also said of the Broke Hill Gold Course site:

***“Accordingly, a broad variety of services would continue to be accessed in the main centres of the District, including Sevenoaks but this is around 5 miles from the appeal site”*** (para 72) and.

***“The proposed investment in cycleways included in the S106 Agreement would have only a localised impact being unconnected to routes which connect to settlements which include a broader range of services. Many of the roads in the local area do not have footways on each side and/or are unlit. This situation will not change markedly despite the capital investment included in the S106 agreement.”*** (para 73)

6.1.67 These statement could also be said in general of the Alderholt proposals.

6.1.68 In their conclusions, the Inspector stated that the main advantage of the Broke Hill Golf Course location was its proximity to the rail station, and advantage not shared by the Alderholt site. The Inspector also stated that the S106 agreement would result in measures to improve the attractiveness of the station for commuters, public transport and active travel and as a result a larger proportion pf commuting trips would be made by train from the site when

compared of the rest of the district. Despite this significant benefit attached to the Broke Hill Golf Course site, the Inspector concluded that:

***“However, the typical household makes many more journeys than the daily commute. Under cross examination the appellant’s witness agreed that genuine choice requires a qualitative assessment of issues such as journey times, convenience, reliability and frequency”.*** (para 76)

6.1.69 This is an important statement because it makes clear that offering a *genuine choice* of sustainable modes of transport, as required by paragraphs 73 and 105 of the Framework, requires a qualitative appraisal of those modes, not just a quantitative assessment. In that regard, the Inspector states that:

***“In my view, it is doubtful whether an hourly bus service would be sufficient to create the right conditions to increase patronage to such an extent that it would be an attractive option when compared to the convenience of the car”*** (para 80)

6.1.70 This is directly relevant to the Alderholt appellant’s proposal to fund an hourly bus service to Fordingbridge for a period of seven years.

6.1.71 In conclusion, the Inspector states that:

***“The obligations included in the S106 agreement would, in my view, be insufficient to overcome the site’s poor location in relation to existing services and facilities. Although Paragraph 105 of the Framework identifies that different conditions can apply between rural and urban locations in how ‘genuine choice’ should be measured, the appeal scheme represents a major urban development which is counter to Paragraphs 73 and 105 of the Framework which require the active management of patterns of growth to ensure that new housing is well located to allow a genuine choice”.***

6.1.72 For clarity, the references to paragraphs 73 and 105 relate to the 2021 Framework and should be read as paragraphs 74 and 109 of the 2023 Framework. This is an important conclusion because the Inspector has considered the scale of development, the level of travel demand, the likely mode share and the proposed transport improvements, and drawn the conclusion that the S106 obligations would not overcome the site’s poor location, nor would it allow for a genuine choice of sustainable modes of travel. For these reasons, the Broke Hill Golf Course development was deemed to be harmful to the active management of patterns of growth and in my view, for similar reasons, the same conclusion can be drawn in relation to the appeal proposals at Alderholt.

### Section conclusion

- 6.1.73 The evidence demonstrates that the location of the local centre towards the south of the proposed development limits the catchment and results in much of Alderholt (and some of the development) being beyond the desirable 800m walking distance and some parts of Alderholt being beyond the preferred maximum walking distance. In addition, the appellant has failed to demonstrate whether key proposed pedestrian infrastructure such as a new footway along Ringwood Road could be delivered. This does not prioritise walking as the preferred mode of travel to the new local centre.
- 6.1.74 The TA failed to demonstrate that the proposed cycle routes can be delivered to an adoptable standard within land under the control of the applicant, or public highway, and in a manner that would be attractive to cyclists as a first choice of transport for local journeys.
- 6.1.75 The TA fails to demonstrate whether the proposed cycle provision within the development or on the surrounding highway network would comply with the requirements of LTN1/20.
- 6.1.76 This does not prioritise cycling as the preferred mode of travel alongside walking.
- 6.1.77 The isolated nature of the appeal site would mean that trips to main settlements would be very difficult to adequately cater for on public transport;
- 6.1.78 Insufficient information has been provided to satisfy DC that the proposed S106 bus contribution would be sufficient to deliver the proposed hourly service for a period of 7 years. The viability and long-term future of bus service provision cannot be guaranteed. The TA fails to demonstrate how the predicted additional bus passengers could be accommodated on an hourly bus service; a service every 2-hours would be even less attractive and would therefore be expected to significantly reduce the predicted bus mode share;
- 6.1.79 The local centre is not intended to meet the main food shopping needs of the existing or new population and significant trade leakage can therefore be expected. This will result in regular food shopping trips being undertaken to Fordingbridge, Verwood and/or Ringwood. These journeys are unlikely to be undertaken on foot and trips to Verwood and Ringwood are unlikely to be undertaken by bike and some cannot be undertaken by bus. Most of those journeys are therefore likely to be undertaken by private car, contrary to the objectives of the settlement hierarchy and the Framework.
- 6.1.80 A comparative assessment demonstrates that Alderholt compares poorly with all the towns and main settlements in the South Eastern Dorset functional area in terms of access to facilities and connectivity. This supports Reason for Refusal 2 in that the appeal proposals fail to direct a major development to the most sustainable locations.
- 6.1.81 Recent appeal decisions by PINS and the Secretary of State for similar mixed-use development, demonstrate the importance of integrating transport planning and land use



planning in order to ensure major development is located on the most accessible sites where a genuine choice of transport is available.

6.1.82 Based on the above, it is my professional opinion that the appeal proposals would represent significant development contrary to the settlement hierarchy, would not limit the need to travel and would not offer a genuine choice of transport modes. The development would therefore be contrary to Policy KS2 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraphs 73 and 105 of the NPPF.

## **6.2 Reason for refusal 7**

6.2.1 Reason for refusal 7 states:

*“The submitted Transport Assessment fails through the use of an unacceptable methodology and the inclusion of insufficient information to correctly identify the highways impacts arising from the proposal and how these could be mitigated. It has not been demonstrated that there would not be an unacceptable impact on highways safety, nor that residual cumulative impacts on the road network would not be severe. Contrary to Policy KS11 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraph 111 of the NPPF”*

6.2.2 In their consultation response dated 19<sup>th</sup> May 2023, DC as local highway authority stated that:

***“Alderholt is a village in a rural area; the nearest small towns are Fordingbridge, Verwood and Ringwood – major towns and urban centres are much further away. This dispersed pattern of settlements means that most car journeys are longer compared to an edge of town/settlement development. Alderholt has very few alternatives to the private car – no rail service, no bus service, very limited community bus. The village is not close enough to walk or cycle to nearby settlements nor is there the provision of safe, all-weather routes to these settlements. The NPPF supports sustainable travel which is needed to assist in meeting net zero targets.”***

6.2.3 As Alderholt is located close to the County boundary with Hampshire, HCC were consulted as the neighbouring highway authority. HCC objected to the application for two reasons:

***“The proposal is likely to generate an unacceptable increase in vehicular traffic on the local highway network in Fordingbridge. The proposed development would lead to increased queuing and delay and the deterioration of highway safety resulting in a severe cumulative impact on the highway network. The proposal is considered in this regard to be contrary to both NPPF and Development Plan policies KS11”, and***

***“In the opinion of Hampshire County Council as Local Highway Authority, the proposal involves development that cannot be reconciled with the National Planning Policy Framework and Development Plan policies in that there is insufficient evidence***

***submitted to demonstrate that the proposed cycling and public transport infrastructure serving the site is adequate to promote sustainable transport modes and provide safe and suitable access to the site to the development. This would also result in the users of the development being unable to make use of sustainable transport opportunities and would result in a greater number of trips by private car which will exacerbate the severe impact on the local highway network and environment contrary to the NPPF and Policy KS11 of Christchurch and East Dorset Local Plan***".

6.2.4 Due to the appeal site's proximity to the trunk road network (A31), National Highways were consulted and recommended that DC did not grant planning permission for a period of 6 months to provide the applicant time to undertake further assessment to allow National Highways to understand the impact of the development on the safe and efficient operation of the A31 junction with the B3081 Verwood Road.

6.2.5 All three highway authorities identified deficiencies with the original TA, all of which are captured in the following list of reasons:

#### Location

- Significant /majority numbers of trips from the development would be longer distance and car based to dispersed urban centres
- The development is not in a sustainable location from a transport perspective. These problems would not exist if the development location was closer to a larger settlement with a greater range of services which people could access via a choice of modes

#### Walk/cycle

- Existing PRoWs are not suitable for use during inclement weather and would only be used for fair weather leisure trips
- Cycling on B, C and D class roads will only be for keen and competent cyclists and is outside of recommended cycling distances
- Deliverability of a suitable Cycle route to Fordingbridge (HCC)

#### Public transport

- The feasibility of 100% trips to secondary school by bus is not accepted
- Proposed hourly bus service not consistent with Dorset's Bus Service Improvement Plan (BSIP) – a regular connection to Fordingbridge would be preferable (where existing links can be connected to)

- Evidence is needed to demonstrate a bus service can become self-sufficient after 5 years
- Bus service is not frequent enough to meet the needs of commuters
- The current infrequent 2 hourly community bus service does not assist in reducing private car travel. It is noted that an hourly bus service is proposed however a more frequent bus service should be considered, particularly during the weekday peak hours. (NH)
- The Transport Assessment shows 252 bus trips in the morning peak hour however it is not clear how this would be achieved with the proposed hourly bus service (NH)

#### Traffic generation

- Use of unacceptable trip rates, netting off trips, trip generation, trip distribution and trip assignment (HCC)
- The trip internalisation assumptions are flawed and have not been fully agreed with the Highways Authority
- The assumed levels of trip internalisation will impact on the assessment of impacts on junctions which will require reassessment
- Assumed residential trip generation is low and the weekday peaks would be expected to be 0.5-0.65 per dwelling rather than the assumed 0.3-0.35 (NH)
- A robust sensitivity test is needed for the A31/Verwood Road junction including only minimal levels (5-10%) of internalisation flows within the site.(NH)
- Reduction in car trips appears to be overly optimistic (NH)

#### Traffic impact

- Modelling of Provost Street/High Street junction unacceptable as low trip rates/ committed development/ background growth. Still shows excessive queuing (HCC)
- Mitigation of Provost Street/High Street junction unacceptable (HCC)
- Modelling of additional junctions required (HCC)
- Road widening/ priority working required to accommodate the additional traffic/ bus service (HCC)
- Rural character of roads makes them unsuitable to carry increased traffic

- Details of the access are not reserved. The submitted Road Safety Audit (RSA) for Ringwood Road identifies issues which need to be resolved as part of this application
- Access is not a reserved matter and road safety audit issues for Hillbury Road Roundabout need to be considered now. There is not surety that safe and appropriate access can be achieved
- The low level of submitted details (no topographic surveys) mean there cannot be complete confidence that proposed widening, and mitigation can be delivered
- Overall TA provides insufficient detail to consider impacts fully and seeks to resolve these matters at a future date
- Off-site highways works acceptable in principle but surety is needed that they can be delivered. Details of individual works on an accurate survey base needed to demonstrate this
- Collisions at the A31/Verwood Road junction all occurred in a similar manner which highlights the importance of ensuring that the proposed highways works are sufficient and suitable (NH)
- Further evidence needed to demonstrate that the proposed A31/Verwood Road junction layout is compliant and acceptable

6.2.6 To seek to address to the consultation responses, the appellant's Transport Consultants provided a note entitled 'Dorset Council Highways Response Note dated May 2023. The note provided further information on the following subjects:

- Public transport provision
- Construction traffic
- Hillbury Road roundabout
- Ringwood Road priority junction, and
- Trip generation

6.2.7 DC as local highway authority provided a further consultation response stating that the Infrastructure Delivery Plan – Project schedule demonstrated dependence on the use of the private car with a substantial number of dwellings due to be occupied before appropriate facilities such as the school have been provided to reduce the need to travel outside the settlement. This is likely to lead to embedded travel behaviour, contrary to the stated objectives of the Travel Plan.

6.2.8 DC also commented that the matters raised by the Stage 1 Road Safety Audit with regards to the Hillbury Road roundabout had not been resolved and were necessary before means of access could be determined. They also identified that the Ringwood Road priority junction design was overly complex and required further amendment.

6.2.9 DC re-stated the fact that insufficient information had been provided to give sufficient certainty that the proposed off-site highway works could be delivered.

6.2.10 With regards to trip generation, and the Trip internalisation Report specifically, DC clarified their position by stating:

***“we agreed in principle to the methodology only. We did not comment on any other scoping for the Transport Assessment, including the data used or the results of the analysis. Regardless of the level of self-containment that can be reasonably agreed for this development, a large proportion of trips will be external, car-based and of medium to long distance. We want to reiterate that in our opinion these problems exist because the development is not in a sustainable location, from a transport perspective. These problems would not exist if the development location was closer to a larger settlement with a greater range of services which people could access via a choice of modes other than the private car”***

6.2.11 It should be noted that HCC did not agree the vehicle trip rates, the predicted level of trip internalisation or the degree to which existing trips by Alderholt residents would be contained within the development.

6.2.12 In response to the additional information provided regarding public transport, DC maintained their objection as stated below:

- The dispersed nature of trip patterns from this location, resulting from its isolated situation to locations including Salisbury, Ringwood, Blandford Forum, Wimborne, Ferndown, Bournemouth, Christchurch and Poole, mean that peak hour journeys would be very difficult to adequately cater for with public transport.
- The hourly frequency and limited destinations served will be an unattractive alternative for the majority of frequent regular trips and will, therefore, do little to offset the car-based trips to and from the proposed development. A higher frequency service would be required to provide a reasonably attractive level of service. If following the 5-year period the hourly service cannot be maintained, a two hourly service would be considered even less acceptable.
- This is only one operator’s view, from a bus company very recently new to the area that does not have a proven track record of delivering commercial services locally. We recommend that engagement with more than one bus operator is undertaken.



- Based on recent contract prices for comparable supported routes, we are concerned that the estimated £704,911 for 5 years bus service support is insufficient to deliver the service as described.
- In the Council's view, a new service from this development should be tendered by the Council, forming part of the wider supported route network. Considering the length of build out we would want to secure 7 years of support for the bus service.
- If the development were to be granted, we would expect that the developer should also contribute to the provision of bus stop infrastructure in the local area. This may include the provision of new or replacement waiting shelters or bus stop poles and flags, and real time information screens. This infrastructure should comply with the Council's standard bus stop shelter and flag design.
- Discussions regarding the transport of school children to the Burgate school and significant school flows to other destinations, such as QE in Wimborne, should be undertaken with the Education service and Dorset Travel.

6.2.13 I concur with the concerns raised by HCC and DC and their reasoning behind them. The deficiencies of the TA and the lack of certainty regarding the deliverability of the off-site works could not be addressed by planning conditions and resolved prior to commencement. Given the above, it is my view that that the submitted information was insufficient to demonstrate the predicted transport effects of development and whether the proposed mitigation measures could be delivered. Accordingly, the application failed to demonstrate that the residual cumulative impacts on the road network would not be severe, contrary to Policy KS11 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraph 111 of the NPPF.

## **7.0 FURTHER INFORMATION SUBMITTED AFTER THE APPEAL HAD BEEN LODGED**

### **7.1 Additional information**

7.1.1 Since the appellant submitted their appeal to the Planning Inspectorate, their transport consultant has provided the following additional information:

- Road Safety Audits (various)
- Road Safety Audit Briefs (various)
- Infrastructure Delivery Plan
- Personal Injury Accident (PIA) data for HCC
- Education Trip Generation Technical Note
- Transport Assessment Addendum
- Information on PROW between Hillbury Road and B3078

### **7.2 Transport Assessment Addendum**

7.2.1 In May 2024, the appellant submitted a Transport Assessment Addendum (TAA) (CDA.98) that sought to address the three Highway Authorities' outstanding concerns.

7.2.2 The TAA differs from the original TA in the following regards:

- Introduces the transport effects of a 3-tier school approach
- Advises on a 7-year bus approach with an expanded timetable
- Introduces a new approach to assist cycling and walking between Hillbury Road to Ashford Road the provision of financial contributions to Dorset Council to improve and upgrade footpath E34/6 and/or E34/4 & BOAT E34/42 to make them suitable for cycling
- New shared pedestrian and cycle route alongside the B3078 with a financial contribution towards a TRO to reduce the speed limit from 60mph to 40mph
- Hillbury Road Roundabout has been further developed to address the RSA comments and has been provided to DC alongside a Designer's Response. Furthermore, the applicant proposes to fund a TRO to amend the speed limit on Hillbury Road.
- Ringwood Road access has been reduced to a simple priority junction and provided to DC with swept path analysis and a Designer's Response to the RSA.

7.2.3 As a result of this additional information and as it relates to reason for refusal 7 only, the Appellant has addressed the concerns raised by NH.

7.2.4 Both DC and HCC have agreed the revised vehicle trip rates but no other matters.

Hampshire County Council response

7.2.5 HCC's formal response to the TAA dated 23/5/2024 is included as Appendix RF-B.

7.2.6 I concur with HCC that there are no specific existing accident patterns / clusters that require mitigation works to the existing highway network.

7.2.7 A walking, cycling and horse-riding assessment and review (WCHAR) has been submitted; however, it has failed to assess the condition of cycling provisions / infrastructure along Ashford Rd and within the town centre of Fordingbridge and identify any required improvements.

7.2.8 Regarding the proposed speed limit reduction from 60mph to 40mph along the B3078 Fordingbridge Road, I agree with HCC that the required Traffic Regulation Order (TRO) process is open to public consultation and the outcome cannot be guaranteed. I understand that both DC and HCC are willing to progress a TRO should planning permission be granted.

7.2.9 I note that within the TAA, Drawing 132.0024-P02 shows a safety margin of 0.5m; for a 40mph speed limit, this safety margin width does comply with HCC's Technical Guidance TG10 (Section 5.3) for an absolute minimum width on a shared use route. However, this is entirely reliant on the successful implementation of a reduction of the speed limit from 60mph to 40mph.

7.2.10 I agree with HCC's position that without further details, doubt remains over the deliverability of various elements of the proposed footway / cycleway scheme and that clarification on these points needs to be provided before the proposed route can be considered to provide an attractive well-designed walking and cycling route or providing safe and suitable access to the site for all users thus being compliant with LTN 1/20 and NPPF.

7.2.11 I acknowledge that Road Safety Audits have been commissioned covering the length of the proposed shared footway / cycle way scheme and will comment further in due course if that information is provided.

7.2.12 With regard to public transport, there are a number of matters that I consider have not been fully addressed including long-term commercial viability. As a result, I consider that there remains doubt over the proposals' ability to deliver long term reduction in use of the private car beyond the funding period.

- 7.2.13 I acknowledge that through discussions with the Appellant and via the TAA, the Appellant has proposed a sensitivity test, using higher trip rates and lower internalisation in line with the National Highways (NH) request and this lower trip rate is accepted as being appropriate.
- 7.2.14 However, the Appellant has used different levels of trip reductions for NH modelling when compared to that used for the modelling of Dorset Council's & Hampshire County Council's highway network.
- 7.2.15 Despite repeated requests for the same methodology to be applied to all modelling when undertaking the 'sensitivity tests' this clearly has not been done. I therefore consider that the modelling undertaken to date remains flawed and could significantly underestimate the impact of the development particularly in Fordingbridge.
- 7.2.16 I note that HCC have requested additional modelling and I agree with their request.
- 7.2.17 I agree with HCC's position that the trip distribution and assignment cannot be agreed as currently proposed.
- 7.2.18 I have reviewed the submitted modelling and identified, as did HCC, errors when modelling the roundabout junction of Salisbury St/ Bridge St and Station Road/ Normandy Way junction. Until such time as these errors are corrected, I am of the opinion that the modelling undertaken to date cannot be relied upon.
- 7.2.19 I agree with HCC regarding the lack of information on the deliverability of the carriageway widening proposals within the Hampshire boundary. In the absence of the requested information, doubt remains over the deliverability of the proposals.
- 7.2.20 I have been advised that HCC considers the proposed one-way system in Fordingbridge is not acceptable for the reasons set out in their response to the TAA. As this is HCC's highway network, I have nothing to add.
- 7.2.21 With regards to reason for refusal 2, it remains that the Appellant has not demonstrated that the proposed off site mitigation measures are viable, nor can they be satisfactorily and safely delivered, such that the site becomes more accessible by residents wishing to travel on foot, by bike or via public transport.
- 7.2.22 As this is the case, the application site remains unsustainable for all but the most basic of travel needs, contrary to policies set out in Section 3 and discussion put forward in Section 6.

### **7.3 Off-site pedestrian/cycle works**

- 7.3.1 On 17<sup>th</sup> May 2024, the appellants' transport consultants provided further information regarding the proposed works to the existing public right of way (PROW) E34/6 between Hillbury Road and the B3078, including photographs of the existing public footpaths and a plan showing the extent of public highway and public rights of way (included here as Appendix RF-C.)
- 7.3.2 In their email, the appellant's transport consultant states that they consider, subject to a detailed survey, that the existing footpath could be widened to approximately 2.0m to 2.5m and that regular vegetation maintenance would be required to maintain the effective width. They cite LTN 1/20 chapter 8 as well as Sustrans guidance (unspecified) in order to claim that 2.0m to 2.5m would be sufficient width for a shared footway/cycleway. However, LTN 1/120 states at paragraph 8.2.3 that where space and budget allow, the most effective way to minimise conflict between pedestrians and cyclists and increase comfort is to provide separate routes for walking and cycling. It goes on to state at 8.2.4 that where there is insufficient space to separate the pedestrian and cycle paths, a level difference (preferably 60mm or more) and/or different surface texture should be used to clearly indicate separate surfaces intended for either cycle or pedestrian use. However, there is insufficient width to provide a separated route along E34/6 and so a shared route is proposed. LTN 1/20 states at paragraph 8.2.8 that a fully shared surface is preferable to creating sub-standard widths for both pedestrians and cyclists where the available width is 3.0m or less. This allows users to walk or cycle side by side and negotiate the space when passing.
- 7.3.3 However, table 5-2 of LTN 1/20 states that the desirable minimum width for a 2-way cycle track with <300 peak hour trips, should be 3.0m and the absolute minimum at constraints should be 2.5m. Importantly, Table 5-3 then states that an additional width of 500mm should be provided where there are vertical features above 600mm to the side of the track. This indicates that where a shared track passes between fences or hedges, the preferred corridor width should be 4.0m but absolute minimum width at constraints should be 3.5m, comprising 2.5m usable surface with 500mm margins on either side. The appellant's proposed route of 2.0m to 2.5m falls below the absolute minimum width prescribed by LTN 1/20.
- 7.3.4 DC's Transport Planning team were consulted on the proposed shared route widths and their response is also included at Appendix RF-C. I concur with their view that for a path that is proposed to be functional part of the active travel transport network (rather than purely recreational), LTN 1/20 is the appropriate guidance, not that of Sustrans. I agree with the officer that a shared use route would be a sensible compromise rather than sub-standard segregated provision (given that usage is unlikely ever to exceed 300 pedestrians or cycles per hour); however, only where an appropriate width can be provided. I also concur with the



officer's view that where the proposed route runs along a vehicle track, it is likely that the minimum widths can be achieved.

#### **7.4 Section conclusion**

- 7.4.1 Based on the above, it is my view that the second reason for refusal which states *“The proposed development would represent significant development contrary to the settlement hierarchy, which is intended to direct development to the most sustainable locations. While facilities and transport options are proposed, it has not been demonstrated that these would be successful and viable in the long-term. It has therefore not been demonstrated that the proposal would limit the need to travel and offer a genuine choice of transport modes.”*, remains valid on all matters.
- 7.4.2 It is also my view that reason for refusal 7 which states *“The submitted Transport Assessment fails through the use of an unacceptable methodology and the inclusion of insufficient information to correctly identify the highways impacts arising from the proposal and how these could be mitigated. It has not been demonstrated that there would not be an unacceptable impact on highways safety, nor that residual cumulative impacts on the road network would not be severe”*, remains valid on all matters.

## 8.0 MATTERS NOT IN DISPUTE

### 8.1 Dorset Council

8.1.1 Following receipt of additional information since the appeal was submitted, Dorset Council as local highway authority considers that the following matters are not in dispute:

#### Transport Assessment

- Vehicle trip distribution
- Trip Internalisation
- Traffic counts
- Junctions to be tested (study area within Dorset)
- The use and outcome of the PARAMICS modelling
- The use of TEMPRO
- Committed development
- Junction modelling scenarios
- Sensitivity assessments

### 8.2 Hampshire County Council

8.2.1 Hampshire County Council as neighbouring highway authority considers that the following matters are not in dispute:

#### Transport Assessment

- Committed development assumptions
- Use of Temprow

### 8.3 National Highways

8.3.1 National Highways as strategic transport authority wrote to PINS on 23/5/2024 (Appendix RF-D) and confirmed that, subject to appropriate conditions and obligations, all matters would be resolved in respect of the strategic road network.

### 8.4 Transport Topic Paper

8.4.1 Any undisputed transport matters between the Appellant and the three highway authorities will be set out in a Transport Topic Paper. I have discussed this with the Appellant's transport consultants, and they have agreed to prepare the initial draft.

## 9.0 SUMMARY AND CONCLUSIONS

9.1.1 My name is Richard Fitter. I am an Incorporated Engineer, registered with the Engineering Council. I am a Chartered Fellow of the Institution of Logistics and Transportation, a Fellow of the Institution of Civil Engineers and a Fellow of the Institute of Highway Engineers.

9.1.2 I have been instructed by Dorset Council as Local Planning Authority to provide this proof of evidence in support of two of the reasons for refusal of Application P/OUT/2023/01166 which sought planning permission for a mixed-use development including up to 1700 dwellings, employment use and a local centre. The two reasons for refusal are:

### Reason for Refusal 2

*The proposed development would represent significant development contrary to the settlement hierarchy, which is intended to direct development to the most sustainable locations. While facilities and transport options are proposed, it has not been demonstrated that these would be successful and viable in the long-term. It has therefore not been demonstrated that the proposal would limit the need to travel and offer a genuine choice of transport modes. Contrary to Policy KS2 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraphs 73 and 105 of the NPPF.*

9.1.3 My evidence demonstrates that the appeal proposals do not direct significant development to the most sustainable locations in terms of access to facilities and a genuine choice of sustainable modes of travel. I also show that the appellant has failed to demonstrate that the proposed facilities and transport options would be deliverable and viable in the long-term. This covers off-site highway works and public transport contributions. My evidence is limited to transport planning considerations.

### Reason for Refusal 7

*The submitted Transport Assessment fails through the use of an unacceptable methodology and the inclusion of insufficient information to correctly identify the highways impacts arising from the proposal and how these could be mitigated. It has not been demonstrated that there would not be an unacceptable impact on highways safety, nor that residual cumulative impacts on the road network would not be severe. Contrary to Policy KS11 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraph 111 of the NPPF.*

9.1.4 My evidence demonstrates that the Transport Assessment submitted in support of the planning application that is the subject of this appeal, was insufficient to fully identify the transport effects of the development and the necessary mitigation measures. I show that due to the deficiencies in the Transport Assessment, the appellant failed to demonstrate that the proposed development would not have an unacceptable impact on highways safety, or that

residual cumulative impacts on the road network would not be severe. Since the appeal was submitted, the appellant has provided additional information to seek to address the deficiencies of the Transport Assessment. My evidence demonstrates that the additional information has not overcome this reason for refusal.

### **Planning Policy**

9.1.5 The development plan policies relevant to the determination of the appeal are set out in the Statement of Common Ground. The following are relevant in terms of the transport effects of the proposed development and the need for major development to reduce the need to travel and promote sustainable travel choices.

- Policy KS2 - Settlement Hierarchy
- Policy KS11 – Transport and Development

9.1.6 It is also agreed that the NPPF is a material consideration, particularly paragraph 73 and Section 9 'Promoting sustainable transport'.

9.1.7 The Application is in outline only with all matters reserved except for access. The matters of layout and landscaping would therefore be determined as part of any reserved matters or full planning applications.

### **Reason for Refusal 2**

9.1.8 My evidence demonstrates that the location of the local centre towards the south of the proposed development limits the catchment and results in much of Alderholt (and some of the development) being beyond the desirable walking distance and some parts of Alderholt being beyond the preferred maximum walking distance. In addition, the appellant has failed to demonstrate whether key proposed pedestrian infrastructure such as a new footway along Ringwood Road could be delivered. This does not prioritise walking as the preferred mode of travel to the new local centre.

9.1.9 The TA failed to demonstrate that the proposed cycle routes can be delivered to an adoptable standard within land under the control of the applicant, or public highway, and in a manner that would be attractive to cyclists as a first choice of transport for local journeys.

9.1.10 The TA fails to demonstrate whether the proposed cycle provision within the development or on the surrounding highway network would comply with the requirements of LTN1/20.

9.1.11 This does not prioritise cycling as the preferred mode of travel alongside walking.

9.1.12 The isolated nature of the appeal site would mean that trips to main settlements would be very difficult to adequately cater for on public transport;

9.1.13 Insufficient information has been provided to satisfy DC that the proposed S106 bus

contribution would be sufficient to deliver the proposed hourly service for a period of 7 years. The viability and long-term future of bus service provision cannot be guaranteed. The TA fails to demonstrate how the predicted additional bus passengers could be accommodated on an hourly bus service; a service every 2-hours would be even less attractive and would therefore be expected to significantly reduce the predicted bus mode share;

- 9.1.14 The local centre is not intended to meet the main food shopping needs of the existing or new population and significant trade leakage can therefore be expected. This will result in regular food shopping trips being undertaken to Fordingbridge, Verwood and/or Ringwood. These journeys are unlikely to be undertaken on foot and trips to Verwood and Ringwood are unlikely to be undertaken by bike and some cannot be undertaken by bus. Most of those journeys are therefore likely to be undertaken by private car, contrary to the objectives of the settlement hierarchy and the Framework.
- 9.1.15 A comparative assessment demonstrates that Aderholt compares poorly with all the towns and main settlements in the South Eastern Dorset functional area in terms of access to facilities and connectivity. This supports Reason for Refusal 2 in that the appeal proposals fail to direct a major development to the most sustainable locations.
- 9.1.16 Recent appeal decisions by PINS and the Secretary of State for similar mixed-use development, demonstrate the importance of integrating transport planning and land use planning in order to ensure major development is located on the most accessible sites where a genuine choice of transport is available.
- 9.1.17 Based on the above, it is my professional opinion that the appeal proposals would represent significant development contrary to the settlement hierarchy, would not limit the need to travel and would not offer a genuine choice of transport modes. The development would therefore be contrary to Policy KS2 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraphs 73 and 105 of the NPPF.

#### **Reason for Refusal 7**

- 9.1.18 I concur with the concerns raised by HCC and DC in their consultation responses and their reasoning behind them. The deficiencies of the TA and the lack of certainty regarding the deliverability of the off-site works could not be addressed by planning conditions and resolved prior to commencement. It is therefore my view that the submitted information was insufficient to demonstrate the predicted transport effects of development and whether the proposed mitigation measures could be delivered. Accordingly, the application failed to demonstrate that the residual cumulative impacts on the road network would not be severe, contrary to Policy KS11 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraph 111 of the NPPF.



## **Additional information**

9.1.19 Since the appellant submitted their appeal to the Planning Inspectorate, their transport consultant has provided additional information.

### Transport Assessment Addendum

9.1.20 In May 2024, the appellant submitted a Transport Assessment Addendum that sought to address the three Highway Authorities' outstanding concerns.

9.1.21 The TAA differs from the original TA in the following regards:

- Introduces the transport effects of a 3-tier school approach
- Advises on a 7-year bus approach with an expanded timetable
- Introduces a new approach to assist cycling and walking between Hillbury Road to Ashford Road the provision of financial contributions to Dorset Council to improve and upgrade footpath E34/6 and/or E34/4 & BOAT E34/42 to make them suitable for cycling
- New shared pedestrian and cycle route alongside the B3078 with a financial contribution towards a TRO to reduce the speed limit from 60mph to 40mph
- Hillbury Road Roundabout has been further developed to address the RSA comments and has been provided to DC alongside a Designer's Response. Furthermore, the applicant proposes to fund a TRO to amend the speed limit on Hillbury Road.
- Ringwood Road access has been reduced to a simple priority junction and provided to DC with swept path analysis and a Designer's Response to the RSA.

9.1.22 Both DC and HCC have agreed the revised vehicle trip rates but no other matters.

9.1.23 In my professional opinion, the additional information has not demonstrated that the proposed development that is the subject of this appeal would reduce the need to travel and offer a genuine choice of sustainable modes of travel. The additional information fails to demonstrate that the proposed facilities and transport options would be deliverable and viable in the long-term. I am therefore of the view that the additional information does not overcome reason for refusal 2.

9.1.24 As a result of the additional information and as it relates to reason for refusal 7 only, the Appellant has addressed the concerns raised by NH. However, the additional information does not overcome the concerns raised by DC and HCC and has not overcome reason for refusal 7.

# Appendix RF-A

Comparison appeal decisions



OT100-075-596

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community, opportunity, prosperity

Mr Peter Weatherhead  
DTZ  
125 Old Broad Street  
London  
EC2N 2BQ

Our Ref: APP/N0410/A/10/2126663  
APP/N0410/A/11/2152595  
APP/N0410/A/11/2152591

19 January 2012

Dear Mr Weatherhead,

**TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 78)  
APPEALS BY PINWOOD STUDIOS LIMITED.  
APPLICATION REFS: 09/00706/OUT, 09/00708/FUL, 09/00707/FUL  
LAND ADJACENT TO PINWOOD STUDIOS, PINWOOD ROAD, IVER HEATH  
(APPEAL A - PROJECT PINWOOD).  
DENHAM ROAD/SEVENHILLS ROAD JUNCTION, IVER, BUCKS (APPEAL B).  
FIVE POINTS ROUNDABOUT, IVER HEATH, BUCKS (APPEAL C).**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, Ava Wood, DIP ARCH MRTPI who held a public local inquiry which opened on 5 April 2011, into your client's appeal under Section 78 of the Town and Country Planning Act 1990 against the decision of South Bucks District Council to refuse outline planning permission for a development of a living and working community for the creative industries comprising: external streetscapes for filming, employment uses, education provision, residential development, landscaping and re-profiling of a former landfill area, formal and informal recreation provision, local retail and community facilities, an energy centre, access road, car parking and ancillary facilities, on land adjacent to Pinewood Studios, Pinewood Road, Iver Heath, Buckinghamshire, SL0 0NH (Project Pinewood (Appeal A)). Also against the failure of South Bucks District Council to give notice within the prescribed period of decisions on applications for highway improvements to the Denham Road/Sevenhills Road junction (Appeal B); and highway improvements to the Five Points Roundabout (Appeal C).

2. Project Pinewood was recovered for the Secretary of State's determination on 28 April 2010, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990, because it involves a proposal for significant development in the Green Belt, and proposes over 150 units on a site of more than 5 hectares, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities. Appeals B and C were recovered for the Secretary of State's determination on 17 May 2011, because they are most efficiently and effectively decided alongside the appeal relating to the outline application for Project Pinewood.

Christine Symes  
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Email: PCC@communities.gov.uk

### **Inspector's recommendation and summary of the decision**

3. The Inspector, whose report is enclosed with this letter, recommended that Project Pinewood be dismissed and planning permission refused, and that Appeals B and C be allowed and planning permission granted. For the reasons given in this letter, the Secretary of State agrees with the Inspector's recommendation. All paragraph references, unless otherwise stated, refer to the Inspector's report (IR).

### **Procedural Matters**

4. In reaching his decision, the Secretary of State has taken into account the Environmental Statement submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (IR2.1). Like the Inspector (IR13.1.5) he considers that the environmental information as a whole meets the requirements of these regulations and that sufficient information has been provided for him to assess the environmental impact of the application.

5. Following the close of the Inquiry, the Secretary of State received written representations from those organisations and individuals listed at Annex A to this letter, which he has carefully considered. However, he does not consider that this correspondence raises any new issues which would affect his decision or require him to refer back to parties prior to reaching his decision. Copies of this correspondence are not attached to this letter but may be obtained on written request to the above address.

### **Policy considerations**

6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the Regional Spatial Strategy for the South East of England (South East Plan), the saved policies in the South Bucks District Local Plan, and the South Bucks District Core Strategy. The Secretary of State considers that the development plan policies most relevant to the appeal are those set out at IR4.2.2-4.2.17.

7. Other material considerations which the Secretary of State has taken into account include those documents listed at IR4.1.1-4.1.2; Circular 11/95: *Use of Conditions in Planning Permission*; Circular 05/2005: *Planning Obligations*; and the Community Infrastructure Levy (CIL) Regulations (2010 and 2011).

8. The draft National Planning Policy Framework which was published for consultation on 25 July 2011 is a material consideration. However, as this is a consultation document and is subject to change, the Secretary of State has afforded it little weight.

9. The Secretary of State considers that the revocation of Regional Strategies has come a step closer following the enactment of the Localism Act on 15 November 2011. However, until such time as the South East Plan is formally revoked by Order, he has attributed limited weight to the proposed revocation in determining this appeal.

## **Main Issues**

### **Appeal A – Project Pinewood**

10. The Secretary of State agrees with the Inspector that the main issues are those set out in IR13.1.3-13.1.4. He notes that there is no dispute that the proposal amounts to inappropriate development in the Green Belt and is therefore harmful to it (IR13.1.2).

#### **General matters**

11. The matters addressed in this section have been dealt with above.

#### **Effect on openness, on the purposes of including land in the Green Belt and on Green Belt objectives**

12. The Secretary of State agrees with the Inspector's reasoning and conclusions on the effect on openness, on the purposes of including land in the Green Belt and on Green Belt objectives, as set out in IR13.2.1-13.2.15. He agrees; that the loss of openness would not only be visually apparent, but would all but destroy the concept of the site as part of open Green Belt land (IR13.2.3); that the proposal would amount to urban sprawl of the type the Green Belt is seeking to contain (IR13.2.6); that it would undermine the specific purpose of preventing merger of neighbouring towns or settlements (IR13.2.7); that the Green Belt purpose of preventing encroachment into the countryside would be considerably compromised (IR13.2.8); and that the effect that the proposal would have on assisting urban regeneration is less clear cut (for the reasons given in IR13.2.9-13.2.10). The Secretary of State agrees with the Inspector's conclusions that the proposal would fail when considered in the light of LP Policies GB1 and GB4 designed to protect the Green Belt from inappropriate development and from proposals injurious to the Green Belt (IR13.2.15).

13. On the matter of precedent set out in IR13.2.14, the Secretary of State agrees that, given the unique circumstances of Project Pinewood, the weight of policy considerations applicable to proposals for development in the Green Belt would not be diminished should planning permission be granted.

#### **Effect on the character and appearance of the area, and on protected trees and biodiversity of the site**

14. The Secretary of State agrees with the Inspector's reasoning and conclusions on the effect on character and appearance, protected trees and biodiversity, as set out in IR13.3.1-13.4.4. He agrees that the proposal would significantly alter the landscape character and appearance of the area to its detriment, that it would run counter to the aims of the Colne Valley Park and that it fails against the aims of RS Policy WCB5 and CS Core Policy 9 (IR13.3.6). He also agrees that, whilst it is difficult to reconcile the inevitable loss of trees and hedgerows with the policy protection afforded to such features under CS Core Policy 9, if the circumstances of the importance of Project Pinewood, and its propensity to clearly outweigh the harm to the Green Belt, is accepted, the loss of trees, hedgerows and effect on The Clump would not of itself justify turning away the appeal (IR13.4.4).

## Sustainable Development

15. The Secretary of State agrees with the Inspector's reasoning and conclusions on sustainable development, as set out in IR13.5.1-13.5.12. He agrees that locating Project Pinewood adjacent to Iver Heath and in the Green Belt runs counter to the settlement hierarchy of the CS and to the South East Plan's approach of directing development to built-up areas (IR13.5.3).

16. The Secretary of State notes that a number of measures would serve to enhance the sustainability of the proposal, such as the improved potential for residents to use cycles, buses and trains in place of cars to access their workplace (IR13.5.7) and that the community centre and school delivered through the s106 planning obligation would reduce the need for travel to access such facilities (IR13.5.8). However, he agrees with the Inspector that the appeal site is an inherently unsustainable location (IR13.5.10). Like her, he considers that while the concept of a living/working community is an attractive one, in this case neither the level of facilities on-site or nearby, nor the transport measures proposed, would significantly reduce the need to travel or render the development acceptable against the objectives of national, regional and local policies aspiring to key sustainability principles namely PPS1, PPS3, PPG13, the South East Plan's spatial planning principles and CS Core Policy 7 (IR13.5.10).

17. The Secretary of State agrees with the Inspector's analysis and conclusions about energy performance and greenhouse gas emissions at IR13.5.11-13.5.12.

## The Highways Congestion and Safety Implications and Parking issues

18. For the reasons given in IR13.6.1-13.6.11 the Secretary of State agrees with the Inspector that the limited period during each day that congestion on certain sections of the local highway network is likely to occur should not by itself be held against the proposal (IR13.6.5) and that the parking standards proposed are acceptable, as recognised by the Council (IR13.6.11).

## Residents' living conditions

19. The Secretary of State agrees with the Inspector's reasoning and conclusions on residents' living conditions, as set out in IR13.7.1-13.7.2. He agrees that if the benefits and gains alleged clearly outweigh the harm identified so far, the effect on individual householders is unlikely to be of such consequence as to cause the project to fail (IR13.7.2).

## Other material considerations, including social and cultural benefits of, and the economic case for, Project Pinewood

20. The Secretary of State agrees with the Inspector's reasoning and conclusions on those other material considerations set out in IR13.8.1-13.8.49. In reaching his decision, the Secretary of State, like the Inspector (IR13.8.2), fully recognises the value of the creative and screen-based industries to the UK, and the importance of Pinewood Studios within that industry.

21. The Secretary of State agrees with the Inspector that, in the absence of tangible data or evidence of demand, it would be imprudent to conclude positively on the



cultural or economic benefits of the streetscapes (IR13.8.18). He also agrees that in the absence of a proven demand for the employment floorspace, and because the facility could be accommodated at Pinewood Studios, little weight can be accorded to the claims with regard to the employment benefits of Project Pinewood (IR13.8.26).

22. Like the Inspector, the Secretary of State has had regard to the fact that the CS is a recently adopted document and that it includes policies to deliver housing growth beyond that required of it in the South East Plan (IR13.8.35). Furthermore, he has taken account of the Inspector's comment that the Council is able to demonstrate a housing land supply of about 11.5 years (IR13.8.35). In common with the Inspector he concludes that the development would deliver new homes in quantities far exceeding levels expected to be accommodated in the CS, at the risk of dismantling the overall spatial pattern (IR13.8.37) and that it would depart from the strategy for the District to such a degree that future options for meeting needs in the sustainable manner expected would be materially compromised.

23. As for the economic case put forward, the Secretary of State agrees that the advantages of economic growth said to flow from the job creating elements of the project, individually or collectively, are either overstated or reliant on the weight invested in the housing need case put forward by the appellant (IR13.8.46).

#### Other matters

24. The Secretary of State agrees with the Inspector's consideration of those other matters addressed in IR13.10.1-13.10.6.

#### Overall conclusions

25. The Secretary of State agrees with the Inspector's overall conclusions as set out in IR13.11.1-13.11.2. Furthermore, he has concluded that the appeal site is an inherently unsustainable location and that the housing element of the scheme would depart from the strategy for South Buckinghamshire to such a degree that future options for meeting needs in the sustainable manner expected would be materially compromised. Having weighed up all of the material considerations he concludes that the benefits of the proposal do not clearly outweigh the harm to the Green Belt and that very special circumstances to justify development in the Green Belt do not exist. He considers that the proposal conflicts with the development plan and national planning policies as set out above, and that there are no material considerations of sufficient weight which would justify granting planning permission.

#### **Appeals B and C**

26. The Secretary of State agrees with the Inspector's reasoning and conclusions on Appeals B and C as set out in IR15.1.1-16.2. He agrees that, in the circumstances of this case, the safety improvements forthcoming from Appeal B's proposed junction alterations are sufficient to clearly outweigh the totality of the harm caused by the inappropriateness of the development, and its effect on the area (IR15.2.3). In respect of Appeal C, like the Inspector (IR15.2.5), he considers that the scale of improvements in the operation of the roundabout alone is weighty enough to endorse the Council's view that the harm caused to the Green Belt and to other interests would be clearly outweighed. He also agrees that without Project Pinewood there is sufficient evidence

to point to material benefits of the highways works proposed, and that as discrete applications there is no valid reason for withholding permission (IR15.3.2)

### **Conditions and obligations**

27. The Secretary of State agrees with the Inspector's assessment of conditions and obligations as set out in IR12.1.1-12.3.3. For the reasons given by the Inspector at IR12.1.18 and 15.3.1, he also agrees with her that the wording on highway works in the planning obligation (ID7E Schedule, Part 1 clause 1.1) would not be sufficiently robust to ensure the effective operation of Project Pinewood. However, given that he has decided to dismiss Appeal A, this is no longer a concern and condition 65 is unnecessary. The Secretary of State is satisfied that the proposed conditions are reasonable and necessary and that they meet the tests of Circular 11/95. However, he does not consider that they overcome his reasons for dismissing Appeal A. For the reasons given by the Inspector, he is also satisfied that the obligations would meet the CIL Regulation 122 tests and the provisions of Circular 5/05 and he accords them significant weight (IR12.1.19).

### **Formal decision**

28. Accordingly, for the reasons given above the Secretary of State agrees with the Inspector's recommendations. He hereby:-

Dismisses Appeal A and refuses outline planning permission for a development of a living and working community for the creative industries comprising: external streetscapes for filming, employment uses, education provision, residential development, landscaping and re-profiling of a former landfill area, formal and informal recreation provision, local retail and community facilities, an energy centre, access road, car parking and ancillary facilities, on land adjacent to Pinewood Studios, Pinewood Road, Iver Heath, Buckinghamshire, SL0 0NH, in accordance with application Ref: 09/00706/OUT, dated 1 June 2009.

Allows Appeal B and grants planning permission for highway improvements to the Denham Road/Sevenhills Road junction, Iver, Buckinghamshire, in accordance with application Ref: 09/00708/FUL, dated 16 February 2011, subject to the conditions set out in Annex B to this letter.

Allows Appeal C and grants planning permission for highway improvements to the Five Points Roundabout, Iver Heath, Buckinghamshire, in accordance with application Ref: 09/00707/FUL, dated 16 February 2011, subject to the conditions set out in Annex C to this letter.

29. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the Local Planning Authority fail to give notice of their decision within the prescribed period.

30. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

### **Right to challenge the decision**

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

32. A copy of this letter has been sent to South Buckinghamshire District Council. A notification letter has been sent to other parties who asked to be informed of the decision.

Yours sincerely

Christine Symes

Authorised by the Secretary of State to sign in that behalf

## **Annex A**

Rt Hon Jeremy Hunt MP, Secretary of State for Culture, Olympics, Media and Sport

Rt Hon Dominic Grieve QC MP

Rt Hon Don Foster MP

Kwasi Kwarteng MP

The Lord Puttnam of Queensgate CBE

Sir Sydney Samuelson CBE

Sir Ridley Scott

Alex Pratt OBE JP, Buckinghamshire Business First

Dinah Caine OBE, Skillset

John Cridland CBI

Peter Oillataguerre, MGM Studios Inc

Adrian Wootton, Film London

Nik Powell, NFTS

Gill Clipson, Amersham & Wycombe College

Martin Spence, BECTU

A Gears

L Jeffery

Ms Payne

Mr Newman

Travers Smith LLP

Ian Urquhart

M J Edwards

Kevin Francis

Nick Brain

Jaskarn Randhawa

John West

## **Annex B – Conditions (Appeal B) Denham Road/Sevenhills Road**

### **Timing/ Phasing**

1. The development to which this permission relates shall begin not later than the expiration of five years beginning from the date of this decision notice.

### **Design**

2. The development to which this planning permission relates shall be undertaken solely in accordance with the drawings hereby listed:-

PP-SP-701 01  
PP-LP-701 01  
PP-TR-701 01  
SHS-7951 04  
SHS-7950 04  
SHS-7920 02  
SHS-7903 01  
SHS-7902 04  
SHS-7901 04  
SHS-7900 04  
SHS-7001 02  
SHS-7000 04  
SHS-7920 01

### **Junction Visibility**

3. No development shall commence until details of a visibility splay at the junction of the access to Round Coppice and the A412 measuring 2.4m (x distance) by 120m (y distance) shall have been submitted to the Local Planning Authority and approved in writing. The details shall be implemented as approved prior to the junction hereby permitted being brought into operation and the visibility splay thereafter retained.

### **Trees / Landscape**

4. The existing trees and hedgerows to be retained on the site, as shown on drawing No. PP-TR-701 01 shall not be removed, felled, topped, lopped or disturbed in any way without the prior consent of the Local Planning Authority in writing. Similarly, no damage shall be caused to the roots of the trees and/or hedgerows. Any trees and hedgerows removed, felled or damaged or destroyed shall be replaced by another tree or shrub of the same species at the same location, at a time agreed in writing by the Local Planning Authority.

5. No works or development shall take place until a tree constraints plan and method statement (in accordance with British Standard B.S. 5837:2005 'Trees in Relation to Construction' (or any replacement thereof or EU equivalent)) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide, as required, details of phasing of construction operations; siting of work huts and contractor parking; areas for the storage of materials and the siting of skips and working spaces. Protective fencing detailed in the method statement shall consist of a vertical and horizontal scaffold framework, braced to resist impacts, with vertical tubes spaced at a maximum level of 3m. On to this, weldmesh panels shall be securely fixed with wire scaffold clamps. The fencing shall be erected to protect existing trees and other vegetation during construction and shall conform to British Standard 5837:2005 'Trees in Relation to Construction' or any replacement thereof or EU equivalent. The approved fencing shall be erected prior to the commencement of any works or development on the site. The approved fencing shall be retained and

maintained until all engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without prior written agreement from the Local Planning Authority.

6. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years from the date of the implementation of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation.

### **Operational / Management**

7. No development shall take place until details of the provision to be made to accommodate all site operatives, visitors and construction vehicles loading, offloading, parking and turning within the site during the construction period, has been submitted and approved in writing by the Local Planning Authority. These details shall thereafter be implemented as approved before the development begins and be maintained throughout the development.



## **Annex C – Conditions (Appeal C) Five Points Roundabout**

### **Timing/ Phasing**

1. The development to which this permission relates shall begin not later than the expiration of five years from the date of this decision notice.

### **Design**

2. The development to which this planning permission relates shall be undertaken solely in accordance with the drawings hereby listed:-

A068065-35-18-03B

A068065-35-18-07

A068065-35-18-02A

PP-SP-501 01

PP-LP-501 01

PP-TR-501 01

### **Archaeology**

3. No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to the Local Planning Authority for approval in writing. Thereafter the development shall be implemented in accordance with the approved scheme.

### **Trees/Landscaping**

4. The existing trees and hedgerows to be retained on the site, as shown on drawing No. PP-TR-501 01, shall not be removed, felled, topped, lopped or disturbed in any way without the prior consent of the Local Planning Authority in writing. Similarly, no damage shall be caused to the roots of the trees and/or hedgerows. Any trees and hedgerows removed, felled or damaged or destroyed shall be replaced by another tree or shrub of the same species at the same location, at a time agreed in writing by the Local Planning Authority.

5. No works or development shall take place until a tree constraints plan and method statement (in accordance with British Standard B.S. 5837:2005 'Trees in Relation to Construction' (or any replacement thereof or EU equivalent)) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide, as required, details of phasing of construction operations; siting of work huts and contractor parking; areas for the storage of materials and the siting of skips and working spaces. Protective fencing detailed in the method statement shall consist of a vertical and horizontal scaffold framework, braced to resist impacts, with vertical tubes spaced at a maximum level of 3m. On to this, weldmesh panels shall be securely fixed with wire scaffold clamps. The fencing shall be erected to protect existing trees and other vegetation during construction and shall conform to British Standard 5837:2005 'Trees in Relation to Construction' or any replacement thereof or EU equivalent. The approved fencing shall be erected prior to the commencement of any works or development on the site. The approved fencing shall be retained and maintained until all engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without prior written agreement from the Local Planning Authority.

6. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years from the date of the implementation of the development has been submitted

to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation.

**Operational / Management**

7. No development shall take place until details of the provision to be made to accommodate all site operatives, visitors and construction vehicles loading, offloading, parking and turning within the site during the construction period, has been submitted and approved in writing by the Local Planning Authority. These details shall thereafter be implemented as approved before the development begins and be maintained throughout the development.



The Planning  
Inspectorate

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# Report to the Secretary of State for Communities and Local Government

by **Ava Wood DIP ARCH MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 10 October 2011

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**Town and Country Planning Act 1990**

**South Bucks District Council**

**Appeals by**

**Pinewood Studios Limited**

Inquiry opened on 5 April 2011

Land adjacent to Pinewood Studios, Pinewood Road, Iver Heath, Buckinghamshire SL0 0NH,  
Denham Road/Sevenhills Road Junction, Iver, Buckinghamshire and  
Five Points Roundabout, Iver Heath, Buckinghamshire

File Refs: APP/N0410/A/10/2126663, APP/N0410/A/11/2152595 & APP/N0410/A/11/2152591

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**Appeal A: APP/N0410/A/10/2126663**

**Land adjacent to Pinewood Studios, Pinewood Road, Iver Heath, Buckinghamshire SLO ONH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Pinewood Studios Ltd against the decision of South Bucks District Council.
- The application Ref: 09/00706/OUT, dated 1 June 2009, was refused by notice dated 22 October 2009.
- The proposal is for a development of a living and working community for the creative industries comprising: external streetscapes for filming, employment uses, education provision, residential development, landscaping and re-profiling of a former landfill area, formal and informal recreation provision, local retail and community facilities, an energy centre, access road, car parking and ancillary facilities.

**Summary of Recommendation: That the appeal be dismissed.**

**Appeal B: APP/N0410/A/11/2152595**

**Denham Road/Sevenhills Road Junction, Iver , Buckinghamshire**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Pinewood Studios Ltd against South Bucks District Council.
- The application Ref: 09/00708/FUL is dated 16 February 2011
- The development proposed is highway improvements to the Denham Road/Sevenhills Road junction.

**Summary of Recommendation: That the appeal be allowed and planning permission granted.**

**Appeal C: APP/N0410/A/10/2152591**

**Five Points Roundabout, Iver Heath, Buckinghamshire**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Pinewood Studios Ltd against South Bucks District Council.
- The application Ref: 09/00707/FUL is dated 16 February 2011
- The development proposed is highway improvements to the Five Points Roundabout.

**Summary of Recommendation: That the appeal be allowed and planning permission granted.**

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**1. PROCEDURAL MATTERS**

- 1.1 On 28 April 2010 the Secretary of State for Communities and Local Government announced that he would determine Appeal A (hereafter referred to as Project *Pinewood*), because it involves a proposal for significant development in the Green Belt and proposes over 150 units on a site of more than 5 hectares, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable mixed and inclusive communities.

- 1.2 Appeals B and C replace appeals<sup>1</sup> against refusal of the South Bucks District Council (SBDC) to approve applications for highway improvements at the Denham Road/Sevenhills Road junction and Five Points Roundabout. The earlier appeals were withdrawn<sup>2</sup> and replaced by the proposals forming the subject of the appeals considered in this Report. These appeals were recovered by the Secretary of State on 17 May 2011, because they are most efficiently and effectively decided alongside the appeal relating to the outline application for Project *Pinewood*.
- 1.3 SBDC withdrew its highways objections to Project *Pinewood*, as expressed in Reason for Refusal 5 (see Statement of Common Ground CDG/9), following agreements between Buckinghamshire County Council (BCC) and Pinewood Studios Ltd (PSL). Their respective position statements were issued on 21 April 2011<sup>3</sup>, after Mr Macaulay for SBDC gave evidence on highways and traffic matters on 6 April. Given the agreements reached, Mr Macaulay's evidence was withdrawn in its entirety. His proofs and appendices therefore are not relied upon in my conclusions or recommendations. They are included in the documents lists (Annex G), but only as matters of record.
- 1.4 A pre-inquiry meeting was held on 15 October 2010 by Mr Steve Amos, the Inspector initially appointed to conduct the Inquiry. Notes of the meeting are included as Inquiry Document (ID) 66A. I was appointed in place of Mr Amos and issued a note on 31 March 2011 (ID66B) identifying the main areas for consideration on the Project *Pinewood* and junctions appeals.
- 1.5 The Inquiry initially sat for 15 days in accordance with the Inquiry Programme attached as ID68. It was adjourned on 12 May with a view to reconvening on 14 September, during which time Appeals B and C were validated by the Planning Inspectorate and a timetable agreed for considering the new appeals. The scope of the resumed Inquiry was limited to the proposals for highway improvements at the Denham Road/Sevenhills Road junction and Five Points Roundabout, as confirmed in the letter issued by the Planning Inspectorate on 25 May 2011.
- 1.6 I carried out an accompanied visit to the appeal sites and their surroundings on 4 April 2011. The visit included an inspection of Pinewood Studios. A tour of Shepperton Studios was undertaken on 5 May. During the evening of 19 April, I viewed the Project *Pinewood* site from Nos. 60 and 94 Pinewood Green. On 6 May I retraced the route of the unaccompanied visit and walked or drove to other locations to see features and points of interest referred to in the evidence, and those indicated on ID27 (Agreed Plan of Viewpoints).
- 1.7 Stop Project Pinewood (SPP) was granted Rule 6(6) status under the Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000.

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<sup>1</sup> APP/N0410/A/10/2126665 & APP/N0410/A/10/2126667

<sup>2</sup> ID67 – Letter from Pinewood Studios Ltd dated 18 May 2011

<sup>3</sup> ID32 – Statement from BCC on Transport Issues and ID32B – Position Statement by Mr Bird for PSL



- 1.8 The proposal for Project *Pinewood* is in outline with all matters of detail, except access, reserved for further approval. The application plans (P\_001 – P\_006) comprise Core Document (CD) CDG/1, Document 12. Illustrative or Information plans are referred to under CDG/1 Document 13. The plans for Appeals B and C comprise CDG/11 and CDG/12 respectively.

## **2. ENVIRONMENTAL IMPACT ASSESSMENTS (EIA)**

- 2.1 The Project *Pinewood* development falls within the scope of Schedule 2 Paragraph 10 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (EIA Regulations). The planning application was accompanied by an Environmental Statement (ES) and a non-technical summary. Mitigation measures where required are proposed and secured through conditions or planning obligations.<sup>1</sup>

## **3. THE SITES AND THEIR SURROUNDINGS**

- 3.1 Although the sites are described in the Statements of Common Ground (SoCG) (CDG/9 & CDG/16), I include brief descriptions to enable this Report to be self-contained. The descriptions additionally provide the reader with references to documents or images to assist with understanding of the sites and the local environment.
- 3.2 Iver Heath is a community of some 1,500 dwellings. The nearest major towns are Slough to the south west and Uxbridge to the east. The M25/M40 motorways junction is close by, to the north of the Project *Pinewood* site<sup>2</sup>.
- 3.3 The Project *Pinewood* site comprises 46 hectares of undeveloped land of mainly semi-improved or improved grassland with some trees, hedgerows, scattered scrub and woodland. The southern boundary of the site marks the boundaries of the established residential development at Pinewood Green, and the edge of the built-up extent of the residential neighbourhood at Iver Heath<sup>3</sup>. Part of the northern area of the site was previously extracted for minerals and used for landfill<sup>4</sup>. The area was capped, restored and subsequently used as pasture land.
- 3.4 Features of interest within the body of the site include a semi-circular area of mature, mixed broadleaf woodland known as The Clump. This is the subject of a Woodland Tree Preservation Order (TPO) (CDF/4). A recent TPO covers the whole of the site with the exception of The Clump (CDF/1). Lines of mature hedgerow criss-cross the site and mark its boundaries<sup>5</sup>.
- 3.5 Pinewood Road and Pinewood Studios lie to the east of the Project *Pinewood* site. The Studios land covers an area of some 37 hectare<sup>6</sup>. It is occupied

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<sup>1</sup> ID21 – Description of mitigation measures proposed in the ES

<sup>2</sup> CDG/1 Document 6 – ES Appendix 5.1: Shows wider context and relationships to Slough and Uxbridge. Also see CDG/1 Document 3 Design and Access Statement pages 50 and 51

<sup>3</sup> CDG/1 Document 6 – Appendix 5.1: Aerial photograph with the 3 sites identified and Viewpoints 4, 8 and 9. PSL/AW/1.2 Mr Williams' appendices - Viewpoints 4, 8, 9, 11 and 13.

<sup>4</sup> CDG/1 - Document 6, ES Volume 2 – Main Report, paragraph 11.6.2

<sup>5</sup> CDG/1 Document 6, ES Volume 2 – Main Report, Figure 4.1 on page S4-6 and ID5

<sup>6</sup> CDH47 – Knowledge on the Lot, page 4: Plan of Pinewood Studios

by an array of buildings in a variety of styles offering over 100,000 sqm of accommodation serving the screen industries. There are 18 stages, including the "007" stage (the largest stage on the site at about 5,500 sqm), an underwater stage, a number of recording theatres, workshops, commercial premises, offices space, mobile units and back lots used for the construction of sets. ID45 documents the main categories of land uses at Pinewood studios and the range of services provided. Images contained within ID45A give some measure of the scale of the Studios operations and illustrate the variety in buildings types and network of internal road systems.

- 3.6 Black Park Country Park is to the west of Pinewood Studios. Iver Heath Fields, at the south eastern corner of the Project *Pinewood* site, comprises open land owned by SBDC and managed by Iver Heath Parish Council. Sevenhills Road forms the north eastern boundary of the site. This road extends to and over the M25 to the east. The three appeal sites lie within the Metropolitan Green Belt and the Colne Valley Regional Park<sup>1</sup>.
- 3.7 The Sevenhills Road junction with Denham Road is located to the east of the Project *Pinewood* site<sup>2</sup>. The site area totals 1.6 hectares. The junction is surrounded by well established belts of mixed native roadside vegetation. Well established and mature trees with dense shrubby edges face onto Denham Road, with younger trees and a less dense understorey adjacent to Sevenhills Road.
- 3.8 The Five Points Roundabout (south of the Project *Pinewood* site) is a large un-signalised roundabout providing the intersection between Pinewood Road, A412 Uxbridge Road, A412 Church Road, Slough Road and Wood Lane. The appeal site covers an area of about 4 hectares<sup>3</sup>.
- 3.9 The roundabout is bound by belts of mixed native woodland. TPOs cover two areas of trees to the north and east of the roundabout (CDF/2 & 3). A large part of the land required for highways improvements is in highways use and the remaining areas of the land are in the appellant's or BCC's ownership.
- 3.10 The SoCG describes the existing transport network in the area, including the footpath routes and local rail and bus services<sup>4</sup>. The existing highway network is also described at some length.

## **4. PLANNING POLICY**

### **4.1 National Policy and Ministerial Statements**

- 4.1.1 The national policy documents directly relevant to considering the planning merits of the appeals, and referred to in evidence, comprise Planning Policy Guidance (PPG) 2 and 13, Planning Policy Statements (PPS) 1, 3, 4, 7 and 9. Further policy documents and guidance are listed in the SoCG (CDG/9).

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<sup>1</sup> CDE23 – Adopted Proposals Map

<sup>2</sup> PSL/AW/5.2 – Mr Williams' Figures – Figure 1 Site location and CDG/11: Site Location plan

<sup>3</sup> PSL/AW/5.2 – Mr Williams' Figures – Figure 1 Site location and CDG/12: Site Location plan

<sup>4</sup> Also see CDG/1 – Document 3: Design and Access Statement, page 130 "Pinewood and its Transport Context" plan

- 4.1.2 The Chancellor's March 2011 Budget speech and Report, together with subsequent Ministerial statements, feature prominently in the parties' cases. Those of note include:
- CDH/50 - The Plan for Growth (HM Treasury, March 2011),
  - CDH/51 - Planning for Growth, Speech of Greg Clark, Minister of State (Decentralisation), Communities and Local Government, 24 March 2011,
  - CDH/52 - George Osborne's Budget Speech, 23 March 2011,
  - CDH/53 - 2011 Budget Report (HM Treasury, March 2011),
  - CDH/54 - Planning and the Budget (Department for Communities and Local Government) March 2011, and
  - CDH/55 - Planning For Growth (Chief Planning Officer Letter dated 31 March 2011)
- 4.1.3 The draft National Planning Policy Framework (NPPF) was issued for consultation on 25 July 2011. The main parties written responses to the draft NPPF were submitted during the adjournment and comprise IDs 72, 73 and 74. Broadly, the responses confirm that the document is a material consideration and the weight given to it needs to take into account its status as a consultation draft. The written submissions also confirm that evidence heard at the Inquiry, and presented in writing, addressed the Ministerial Statements listed above, the broad contents of which are echoed in the draft NPPF.

## 4.2 The Development Plan

- 4.2.1 At the time of the Inquiry, and the writing of this Report, the Development Plan comprised the Regional Spatial Strategy for the South East of England (CDE/29), the saved policies in the South Bucks District Local Plan (CDE/25)<sup>1</sup> and the South Bucks District Core Strategy (CDE/23). The last was adopted in February 2011 following the Inspector's Report of January 2011 assessing the soundness of the Core Strategy. Development Plan policies of relevance to these cases are listed in the SoCG. The section below focuses on those directly pertinent to the arguments presented for or against the proposals.

### ***Regional Spatial Strategy for the South East of England (The South East Plan or RSS) – CDE/29***

- 4.2.2 The South East Plan sets a long term spatial planning framework for the period 2006-2026. The focus for new development will be land within built-up areas and specifically within the identified regional and sub-regional hubs, with protection of the identified Green Belt.
- 4.2.3 The RSS reaffirms commitment to the Green Belt through Policy SP5. The existing broad extent of the Green Belts in the region is considered

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<sup>1</sup> Inspector's note: a number of previously saved LP policies cited in the SoCG have been superseded by the CS which was adopted after the SoCG was drawn up and submitted. Thus, LP Policies E1, E6, L6, L7, R4, H5 and H7 are no longer extant.

appropriate, to be retained and supported, save for the selective reviews in the defined limited areas; none falls within the South Bucks District. Although Green Belt policy remains central to the South East Plan, it explains that the current boundaries of the Green Belt, *"...should not be considered inviolate if the economy is to be supported and a step change in housing achieved"* (paragraph 21.6) – adding that *"....all authorities will need to demonstrate via their Core Strategies that all necessary development can be accommodated up to and beyond the Plan period without the need to revise their Green Belt boundaries"*.

- 4.2.4 The RSS recognises the importance of supporting regionally important sectors and clusters in the South East. It supports innovation and the role of knowledge driven industry in realising sustainable economic development. Local authorities are urged to promote significant and important sectors as they evolve. Policy RE2 specifically states that *"...the development of nationally and regionally important sectors and clusters will be supported through collaborative working between local authorities, local strategic and economic partnerships, SEEDA and the business community"*. Local development documents are encouraged to include policies that, among other matters, *"....ensure that land and premises are available to meet the specific requirements of nationally and regionally important sectors and clusters"*.
- 4.2.5 The particular challenges faced by the Western Corridor and Blackwater Valley sub-region, where the appeal sites are located, are described. These include: realising the economic potential of the area, without compromising residents' quality of life; delivering sufficient decent homes, including affordable homes; achieving a better balance between the location of growth of jobs and homes, within the constraints of protecting the area's environmental assets and managing demands on transport networks.
- 4.2.6 South Bucks is expected to allocate sufficient land to enable delivery of 1,880 dwellings (average completions of 94 dwellings per year) and thus contribute to the total of 102,100 to be delivered in the sub-region between 2006 and 2026 (Policy WCBV3).
- 4.2.7 The short-term employment needs of the sub-region will be met through existing and allocated land for employment purposes. But authorities are advised to look beyond 2016, protect employment land and identify new sustainable location and sites. Policy WCBV2 is worded accordingly, and goes on to promote the identification of new areas of employment land in development plan documents, in line with sustainable extensions identified in the CS, should existing land be judged to be insufficient.
- 4.2.8 Policy WCBV5 cites the four agreed aims of the Colne Valley Park which look to maintain and enhance its landscape, resist urbanisation, conserve nature conservation resources and provide accessible opportunities for countryside recreation<sup>1</sup>.

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<sup>1</sup> The Colne Valley Regional Park Action Plan 2009-2012 (CDE/11) adds a fifth aim of achieving a vibrant and sustainable rural economy.

### ***South Bucks District Local Plan (LP) – CDE/25***

- 4.2.9 With the exception of 12 settlements and several larger employment sites (including the Pinewood Studios site), the whole of the South Buck District lies within the Metropolitan Green Belt. LP Policy GB1 provides the overarching restraint on development in the Green Belt. Proposals for employment generating or commercial developments in the Green Belt would be contrary to long established Green Belt policies and not permitted under LP Policy GB4.
- 4.2.10 The supporting text to LP Policy E2 recognises the national and international significance of the Pinewood Studios site for the production of films. Its retention for that purpose is regarded as an "*extremely desirable*" aim. Accordingly, the policy applies a permissive approach to extensions, new buildings and conversions within the site for film production or associated uses. A more stringent set of criteria apply to proposals for redevelopment or re-use of the studios.
- 4.2.11 Policy EP3 seeks high quality designs for buildings and their settings. Landscaping of development proposals is covered by Policy EP4 and Policy L10 sets out the procedure to be adopted for applications involving protected trees.

### ***South Bucks District Core Strategy (CS) – CDE/23***

- 4.2.12 Part 2 of the CS sets the overall approach to accommodating future development in the District. The strategy aims to protect the Green Belt, by focusing new development on previously developed land within existing settlements. It goes on to say that there are no proposals to amend the Green Belt boundary and that the evidence base demonstrates that future development needs to 2026 can be accommodated without the need to release Green Belt land. To maintain local economic prosperity, existing employment sites and the Principal Settlements of Beaconsfield, Gerrards Cross and Burnham provide the focus for new, high quality employment generating developments.
- 4.2.13 Core Policies 1-3 establish the level of housing for which provision is made, commit to delivering mixed and sustainable communities and to provide 350-500 affordable homes in the District between 2006 and 2026. Developments above the 5 units threshold are expected to yield 40% affordable homes. Core Policy 6 deals with local infrastructure needs. New residential development is expected to be supported by adequate open space and recreational facilities, under Core Policy 6.
- 4.2.14 Core Policy 7 looks to rebalance the transport system in favour of more sustainable modes of transport, while recognising that in rural areas the car will remain the primary mode of travel. The rebalancing is sought by a range of measures, including the focusing of new transport movement generating developments to locations accessible by alternative modes.
- 4.2.15 The text to Core Policy 9 recognises the importance of the Colne Valley Park, as it provides the first taste of countryside to the west of London. The policy commits support to initiatives in the Colne Valley Regional Park Action Plan (CDE/11). More generally, Core Policy 9 looks to conserve and

enhance the landscape characteristics and biodiversity resources within the District.

- 4.2.16 In its employment section of Part 2, the CS points to the number of residents (two thirds) in the District commuting out and a similar number commuting into the area. This is a likely consequence of the inter-relationship between the South Bucks economy and neighbouring larger employment centres. To maintain local employment prosperity, the employment strategy aims to accommodate the needs of existing and new businesses (while recognising the Green Belt constraints) and encourage a greater proportion of people to live and work locally. Thus, Core Policy 10 seeks to retain existing employment sites and accommodate new employment development in existing centres, Opportunity Sites and through appropriate intensification of existing employment sites excluded from the Green Belt.
- 4.2.17 Best practice in sustainable design and construction is promoted in Core Policy 13.

## **5. THE PROPOSALS**

### **5.1 Project *Pinewood* (CDG/1)**

- 5.1.1 Project *Pinewood* is intended to create a purpose-built living and working community for film, television and the creative industries. The project would complement Pinewood Studios through opportunities for film and television production, with related creative businesses and training.
- 5.1.2 Development within three-dimensional building envelopes and density ranges are shown on application plan P\_004, with accompanying schedule P\_004A and P\_005. Construction is expected to be phased over a period of 10 years<sup>1</sup>. There would be 5 phases, the first three of which would include 300 dwellings each.
- 5.1.3 Although the outline status of the application restricts detailed assessment of the proposal, the Project *Pinewood* concept warrants some elaboration to understand the cases being presented.

#### ***Extent of Development***

- 5.1.4 The parameters of the application are based on the following quantum of development<sup>2</sup>:
- Up to 1,400 residential units in a mix of unit sizes, ranging from one bedroom apartments to five bedroom houses, and variety of tenures (anticipated resident population of up to 3,100).
  - Up to 8,000 sqm gross external area (GEA) of employment floorspace for the creative industries – a mix of incubator and start up commercial units is envisaged.

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<sup>1</sup> CDG/1 Document 3 – Design and Access Statement: Section 5.3 Masterplan Phasing

<sup>2</sup> Also see Plan P\_003: Land Use Parameter Plan



- Up to 1,000 sqm (GEA) of ancillary filming accommodation/service space, predominantly B1 uses.
- A Screen Crafts Academy of up to 2,000 sqm (GEA) that would focus on training practical skills, offering one year foundation courses with capacity for training about 120 students per year<sup>1</sup>.
- Up to 4,000 sqm (GEA) community facilities to include a 1.5 form entry primary school, a 52 place pre-school and a multi-purpose community building.
- Up to 2,000 sqm (GEA) of local retail provision (A1-A5).
- Up to 2,200 car parking spaces.
- An open air theatre.
- An energy centre.
- A water treatment facility.
- 25.7 hectares of open space

### ***The Masterplan***

5.1.5 The Masterplan<sup>2</sup> is structured with four primary character areas<sup>3</sup>:

- Area 1: The Core Area is the central mixed use district, forming the highest density sector at 100-200 dwellings per hectare (dph)<sup>4</sup>. Alongside residential units and community facilities, this area would house the employment floorspace (intended to provide small working spaces for the creative industries), the Screen Crafts Academy and a range of retail or other town centre uses. The highest buildings, at 3-6 storeys, are to be located in this area (see Plan P\_004: Building Plot Heights and Location Parameter Plan).
- Area 2: This is the built zone providing living and working areas with a range of street types. Neighbourhoods of low density ranges of 30-50dph would be located towards the northern and south western sections of the built-up areas.
- Area 3 is 'The Fields'<sup>5</sup> - a landscaped park located in the former landfill area. It would be designed with undulating terrain and a variety of open spaces for recreational and filming uses. An open air theatre would occupy part of the land.

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<sup>1</sup> Written Representation (WR) 23 – A Proposal for the National Film and Television School, dated February 2011

<sup>2</sup> CDG/1 Document 13 – Plan P\_014: Illustrative Masterplan

<sup>3</sup> CDG/1 Document 3 – Design and Access Statement: Section 4.1.3 and Application Plans P\_003, 004 and 005

<sup>4</sup> CDG/1 Document 3 – Design and Access Statement: Image on pages 206 and 207 and Plan P\_005: Building Plot Densities Parameter Plan

<sup>5</sup> CDG/1 Document 3 – Design and Access Statement: Image on pages 4 and 5 and Section 4.2.9

- Area 4 is the ecological zone (also referred to as the Wildlife Buffer in the Open Space and Landscape Strategy<sup>1</sup>) which would contain The Clump, new habitats and links with the wider area.

### ***The streetscapes and building types***

- 5.1.6 The proposal includes 15 generic streetscapes replicating period or contemporary European and North American generic streets<sup>2</sup>. They are intended to provide adaptable settings for use by film and television productions. An open air theatre and The Fields would provide two additional opportunities for outdoor filming. A range of building typologies and street scales are intended to reproduce the architectural styles, proportions and ambience of the original locations.
- 5.1.7 CDG/1 Document 8 - *Living and Working with Filming: Architectural Typologies Study* illustrates how the technical requirements of film and television would be integrated into the living and working environment, and explains the innovations developed to facilitate use of the dwellings with the filming streetscapes. *The Management and Operational Strategy* (CDG/1 Document 6 – ES Volume 3 Appendix 2.7) sets out proposals for pro-actively managing issues arising from filming and living on the same streets.
- 5.1.8 Street lengths, building lines and layouts would be determined by the need to create convincing locations while providing configurations for a wide range of camera angles and views<sup>3</sup>. Power and IT services would be provided as part of the in-built infrastructure to enable links to Pinewood Studios with minimal intrusion to the street<sup>4</sup>.
- 5.1.9 Building types would be designed to enable people to live and work without disruption from on-location filming. Each residence would have twin frontages and/or two separate points of access to avoid loss of amenity during filming. The different types of residences would allow for private amenity space to be used at all times and without disturbance from filming<sup>5</sup>. Authentic materials such as Venetian render, Parisian plaster and Amsterdam bricks would be used to add to the realism of the streetscapes.
- 5.1.10 Within the development area there would be active public spaces and quiet residential areas<sup>6</sup>. Public areas would include streets and squares. Each square<sup>7</sup> would be linked to a filming streetscape. Private spaces would

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<sup>1</sup> CDG/1 Document 3 – Design and Access Statement: Section 4.2.9

<sup>2</sup> CDG/1 Document 3 – Design and Access Statement: The 15 streetscapes and their intended location within the framework of the Masterplan are shown in Section 4.1.4.

<sup>3</sup> CDG/1 Document 3 – Design and Access Statement: Section 4.1.9 Working in Pinewood Section 6.2 General Principles and PSL/DH/1.1 - Mr Height's proof – page 11 " How the filming environment works within the street of Project *Pinewood*" and Figure 8

<sup>4</sup> CDG/1 Document 3 – Design and Access Statement: page 90.

<sup>5</sup> CDG/1 Document 3 – Design and Access Statement: Section 6.2 General Principles and PSL/DH/1.1 - Mr Heights proof – page 11 " How the living environment at Project *Pinewood* works during filming".

<sup>6</sup> CDG/1 Document 3 – Design and Access Statement: pages 136-141

<sup>7</sup> Application Plan P\_005: Building Plot Densities Parameter Plan shows likely positioning of the squares

include roof gardens and terraces, courtyards and communal gardens. The Masterplan also indicates on-street, on-plot, undercroft or garage parking, with provision for temporary overspill to compensate for loss of parking when filming takes place.

- 5.1.11 Project *Pinewood* is planned as a low carbon, sustainable community and filming location, complying with Code for Sustainable Homes and BREEAM standards, as well as the screen industry's own standards for carbon emissions<sup>1</sup>.

### ***Transport, access and parking***

- 5.1.12 Access to the site would be from Pinewood Road and Sevenhills Road (Plan P\_006 – Access and Circulation Parameter Plan) to the west and east respectively. Sevenhills Road would be improved (road widening and new footways) to the east of the M25. The internal road layout hierarchy is illustrated on Plan P\_006. Primary and secondary routes would be designed to accommodate buses. The main route between Pinewood Road and Sevenhills Road is intended to be adopted, and the main spine road would be built to adoptable standards. Pedestrian and cycle routes within the site are to be provided.
- 5.1.13 Up to 1,780 residential parking spaces are proposed. This equates to an average of 1.29 parking spaces per household, including visitors. There would be 220 non-residential spaces and 200 overspill spaces to be dispersed across the site.
- 5.1.14 Off-site improvements to the footpath and cycling network (ID33), as well as improved bus services would be secured through a planning obligation (ID7E). The SoCG confirms that the junction works forming the subject of Appeals B and C are a necessary part of the Project *Pinewood* scheme<sup>2</sup>.

## **5.2 Denham Road/Sevenhills Road Junction (CDG11)**

- 5.2.1 The proposed works are intended to improve the operational capacity and safety of the junction<sup>3</sup>. The broad extent of the works are as follows:
- Signal control of all movements around the junction.
  - Widening of the Sevenhills Road over a length of 30m to accommodate separate left and right lanes for vehicles turning into Denham Road.
  - Separately signalled lane for vehicles turning right from Denham Road southbound onto the Sevenhills Road.
  - Widening of Denham Road to two lanes on the southbound carriageway over a length of 350m north of the junction.
  - Widening of Denham Road to two lanes on the northbound carriageway from 120m south of the junction to 120m north of the junction.

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<sup>1</sup> CDG1 – Document 9: Energy Statement

<sup>2</sup> CGG/17 – Paragraph 4.7 6<sup>th</sup> bullet point

<sup>3</sup> CDG11 – 9 no. Transport drawings for Approval

- Development of a controlled crossing to assist equestrian users.
- 5.2.2 The works would require removal of 27 trees and would include planting of a mixed native tree belt (planting height of between 1.25 and 4.25m), located in front of native shrub understorey planting (planted height of between 300 and 600mm)<sup>1</sup>.
- 5.3 **Five Points Roundabout (CDG12)**
- 5.3.1 The key features are:
- Signal control of all movements, except for the A4007 Slough Road approach.
  - Widening of the A412 Uxbridge Road approach to four lanes.
  - Widening of the A412 Church Road approach to three lanes.
  - Creation of a two lane exit approach to Wood Lane.
  - Widening of the Wood Lane approach to three lanes.
  - Priority controlled entry from the A4007 Slough Road.
  - Reduction of the westbound circulatory approach to the A412 Uxbridge Road and Pinewood Road to two lanes.
  - Provision of pedestrian crossing facilities on each entry and exit road to the junction.
- 5.3.2 Of the 61 trees to be removed, 53 are protected by TPOs<sup>2</sup>. New landscaping includes the planting of 80 mixed native species trees, and a native shrub understorey of around 3000 sqm<sup>3</sup>.

## **6. PINEWOOD STUDIOS AND RELEVANT PLANNING HISTORY**

### **6.1 Pinewood Studios<sup>4</sup>**

- 6.1.1 Pinewood Studios' history<sup>5</sup> dates back to 1936 when Heatherden Hall was purchased by the building tycoon Charles Boot who aspired to create film studios to rival Hollywood. He teamed up with J Arthur Rank. In 2000, the Studios was purchased by investors led by Michael Grade and Ivan Dunleavy. The following year Pinewood and Shepperton Studios merged. In 2005, Pinewood acquired Teddington Studios. Today, the Pinewood Studios Group is the leading operator of film facilities in the UK and Europe, comparable in scale to facilities in Hollywood. In 2009, Pinewood's

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<sup>1</sup> CDG11 – 3 no. Landscape Drawings for Approval

<sup>2</sup> PSL/AW/5.2 – Mr Williams' Figure 2

<sup>3</sup> PSL/AW/5.2 – Mr Williams' Figure 4

<sup>4</sup> PSL/ID/1.1 – Mr Dunleavy's proof, Aerial Photo of Pinewood Studios and PSL/ID/1.2 – Mr Dunleavy's Appendix 7: DVD – presentation of what goes on at Pinewood Studios

<sup>5</sup> CDG/1 – Document 2, Very Special Circumstances, Appendix 2: A brief history of Pinewood Studios and Pinewood Studios today

contributions to the screen industries were recognised in the BAFTA award for 'Outstanding British Contribution to Cinema'<sup>1</sup>.

- 6.1.2 Pinewood and Shepperton Studios between them have 34 sound stages used for feature films, television dramas, music videos, animation and photo shoots. Of the stages, 18 are at Pinewood, including Europe's largest stage (the "007" stage). The underwater stage at Pinewood is the only purpose-built studio-based underwater filming facility of its kind in Europe. There are numerous post-production facilities and Pinewood Studios accommodates some 200 independent, specialist businesses, enterprises and suppliers, all working in the screen and media industries<sup>2</sup>.
- 6.1.3 There is capacity at Pinewood and Shepperton Studios to cater for blockbuster films<sup>3</sup>. US backed films made at Pinewood include the 22 Bond films and all 8 Harry Potter films. Typically, the Studios hosts three to five blockbuster films in a year and many smaller productions.

## 6.2 Planning History

- 6.2.1 Details of planning permissions granted for sand and gravel extraction and subsequent restoration on the Project *Pinewood* site are set out in the SoCG.
- 6.2.2 In March 2006 SBDC granted outline planning permission for a Masterplan redevelopment on the Pinewood Studios site<sup>4</sup>. Work on the approved plan has commenced; the permission is therefore extant. The total permitted floorspace under the approved plans is 94,700 sqm, of which there is a net increase over the existing floorspace of 67,260 sqm<sup>5</sup>.
- 6.2.3 The approved redevelopment proposal would allow for additional film and television accommodation to include studios, stages, workshops, post-production facilities and ancillary accommodation. A new roundabout and entrance to the site were proposed. These have been implemented. A building of some 4,028 sqm, approved under reserved matters has been constructed and occupied by Technicolor (See ID24).

### **Denham Road/Sevenhills Road Junction and Five Points Roundabout Planning History<sup>6</sup>**

- 6.2.4 The applications supersede application nos. 09/0070/FUL and 09/00708/FUL refused by the Council on 22 October 2009. The subsequent appeals were withdrawn on 18 May 2011 (ID67).

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<sup>1</sup> PSL/ID/1.1 – Mr Dunleavy's proof, Section 2: Contribution to global cinema

<sup>2</sup> CDH/47 – The Knowledge on the Lot 2010, Directory listing companies based at Pinewood, Shepperton and Teddington Studios

<sup>3</sup> PSL/ID/1.1 – Mr Dunleavy's proof, page 8 lists the Hollywood films using the studios in the last two decades

<sup>4</sup> CDG/4 – Planning Permission 04/00660/OUT and CDG/4B – Pinewood Studios Masterplan

<sup>5</sup> ID24 – Agreed summary of the floorspace situation on the Pinewood Studios site

<sup>6</sup> CDG/17 – SoCG: section 4, Planning History and (and Chronology of Application)

- 6.2.5 The current applications were considered at Planning Committee on 6 July 2011 with a recommendation to approve both applications<sup>1</sup>. The Planning Committee agreed with the recommendations.

## **7. THE CASE FOR SOUTH BUCKS DISTRICT COUNCIL**

### **APPEAL A – Project *Pinewood***

*The material points are:*

#### **7.1 Context and Approach**

- 7.1.1 The proposal for Project *Pinewood* constitutes inappropriate development in the Green Belt<sup>2</sup>. There is no serious dispute over the extent of policy conflict which the appeal proposal gives rise to and so the appellant's case is reliant on the Secretary of State buying into the concept of 'Film Town'<sup>3</sup> and its claimed benefits to the screen industry, and/or accepting that housing need justifies development of this large Green Belt site.
- 7.1.2 On the evidence, the Film Town concept is not compelling. The utility of the built fabric to the activities of the screen industries is not adequately evidenced and the claimed screen industry cluster benefits of 1,400 dwellings, the employment floorspace and the Screen Crafts Academy unproven. As a result of the paucity of evidence, the screen industry case is advanced now as one of opportunity rather than need and it is no part of the appellant's case that Pinewood Studios would fail or cease to be successful without Project Pinewood.<sup>4</sup>
- 7.1.3 The opportunistic nature of the appeal proposal is also reflected in the housing need case. Initially, housing need was not advanced as in itself capable of amounting to very special circumstances,<sup>5</sup> but the Ministerial Speech 'Planning for Growth' (CDH/51) is now claimed to place such emphasis on growth that the plan-led process should be set aside, because policy does not expect to defer what is necessary.
- 7.1.4 To override the presumption against inappropriate development on the basis of the Ministerial Statement would be the antithesis of localism. This is particularly the case in circumstances of the evidence base having been recently considered and a locally devised strategy to make provision towards meeting need independently endorsed<sup>6</sup>, and where the Council can demonstrate that its recently adopted CS is wholly compliant with all extant housing policy and other guidance.
- 7.1.5 There is nothing in 'The Plan for Growth' (CDH50) document that justifies exposing the appeal proposal to less rigorous scrutiny than Green Belt proposals prior to the Budget. Equally, the importance of PSL as a local

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<sup>1</sup> CDG/17 – SoCG: Officer's reports to committee

<sup>2</sup> CDG/9 – SoCG: Section 7

<sup>3</sup> PSL/ID/1.1- Mr Dunleavy's proof paragraph 6.1: Origins of Project *Pinewood* is in a concept paper for the Pinewood Shepperton plc board entitled "Film Town".

<sup>4</sup> ID11 - Mr Dunleavy's speaking notes, page 9.

<sup>5</sup> PSL/JR/1.1 - Mr Rhodes' proof, paragraph 6.4

<sup>6</sup> CDE/24 – Inspector's report into the CS



employer, with a national and international reputation, does not lessen its onus to justify inappropriate development in the Green Belt. The scale of the development proposed and the implications of the scheme more generally are such that it should only be granted if a compelling case is made out, and the benefits said to clearly outweigh the harm.

- 7.1.6 An important component of the analysis is identifying the nature, extent and weight to be accorded to those benefits which would result from the appeal proposal over and above those which would result from any housing-led mixed use development of this scale within the District. Notwithstanding the documentation presented, how the scale and composition of the scheme was arrived at remains unclear. It appears to be viability driven, but no evidence of viability is advanced to demonstrate that it is properly justified<sup>1</sup>. If the Secretary of State does not accept the housing need case, and is not persuaded by the cluster benefits of housing in this location, then the case for 1,400 dwellings cannot be advanced.
- 7.1.7 The allegation by PSL that justifying each element of the proposal represents a "*disappointingly conservative response*"<sup>2</sup> should be rejected. It downplays risk in favour of the claimed "*exciting concept*". The notion that weight should be given to the potential embarrassment to the appellant should permission be refused, amounts to emotional blackmail and has no place in the planning system.

## 7.2 **Effect on Openness and on the Purposes of Including Land in the Green Belt**

### ***Openness***

- 7.2.1 The effect of the appeal proposal would not be a minor or technical breach of the Green Belt protection policies. Due to the sheer quantum of development involved, a gross built area of some 21.6 ha<sup>3</sup>, it would result in a substantial loss of openness.
- 7.2.2 The appeal site possesses that most important attribute of the Green Belt. It is entirely free of development save that associated with Saul's Farm to the north. If developed in the manner proposed, the built-up area of the site is likely to be removed from the Green Belt on any subsequent review of boundaries<sup>4</sup>. The openness of the site would be destroyed.
- 7.2.3 Even with 25.7 hectares kept as formal or informal open land, that space would be within or adjacent to a backdrop of substantial urban development, including high density development with buildings up to six storeys in height. This would be a dense urban development, with any

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<sup>1</sup> PSL/ID/1.1 – Mr Dunleavy's proof, paragraph 11.14. *Inspector's note: In response to my question Mr Dunleavy confirmed that the viability of the project had been undertaken to a high level of detail. However, no detailed appraisal was placed before the Inquiry due to commercial sensitivity. Reference to viability can be located in Mr Dunleavy's proof (paragraphs 7.4 and 11.14) plus the Design and Access Statement Section 5.1 first paragraph.*

<sup>2</sup> Mr Rhodes in evidence in chief

<sup>3</sup> CDH/9 - SOCG paragraph 1.7.

<sup>4</sup> Mr Rhodes' evidence in chief and Mr Williams in cross-examination

retained openness limited to the peripheries of the site. The core area would have a density within the range of 100-200 dph, as well as the greatest building heights<sup>1</sup>. Views into the core would be down avenues of tall urban buildings fronted by 'city' style streetscenes.

- 7.2.4 None of the analyses carried out by the appellant has properly weighed the impact of the proposal on openness. The only fair assessment of the impact on the openness of the Green Belt comes not in the Planning Statement or Very Special Circumstances Document (CDG/1 Documents 1 & 2) but in the Landscape and Visual Effects section of the ES<sup>2</sup>. The conclusion is reached that the effect of the development would be a "Major Adverse" one<sup>3</sup>, because *"...the effects would be a contravention of the fundamental principles of the Green Belt<sup>4</sup>."* By contrast the Planning Statement advanced the proposition that *".....the openness of the Green Belt will remain safeguarded through the continued Green Belt status of the site as a whole"<sup>5</sup>.*

### ***Purposes of Green Belt***

- 7.2.5 The appellant's analysis of the appeal proposal having regard to the five Green Belt purposes is no more robust. Mr Williams' analysis focussed on *"....the visual experience of the proposed development in the context of the Green Belt<sup>6</sup>"*, assessed from a limited number of viewpoints identified for the purposes of analysing the landscape and visual impact of the appeal proposal. This methodology is flawed for a number of reasons. It assumes that there is no impact on Green Belt purpose if the development cannot be seen in the given view, or if the context could not be seen even if the development is visible. It also assumes that the countryside has already been encroached upon if the urban edge is visible and therefore the need for protection is reduced. The methodology is additionally flawed because it assumes that the purpose of preventing settlement merger does not arise, unless two separate settlements can be seen and the land concerned lies between them. The Council's analysis is preferable.
- 7.2.6 The Council's case is that the Green Belt in South Bucks serves the five purposes of Green Belt land and the proposal would contravene four of these<sup>7</sup> as follows:

#### *Checking the unrestricted sprawl of large built up areas*

- 7.2.7 The need for a firm Green Belt in South Bucks is evidenced by the expansions in the post-war period of Slough (eastwards onto the former Langley airfield and westwards towards Burnham), of Heathrow Airport and of Greater London in the area now covered by the London Borough of

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<sup>1</sup>CDG/1 - Document3: Design and Access Statement, page 123

<sup>2</sup>CDG/1 - Document 6: ES Volume 2, pages S5-22 section 5.9

<sup>3</sup>Ibid page S5-23 paragraph 5.9.1.6

<sup>4</sup>Ibid page S5-22 paragraph 5.9.1.3

<sup>5</sup> CDG/1 - Document 1: Planning Statement, paragraph 7.24

<sup>6</sup>PSL/AW/1.1 – Mr Williams' proof, paragraph 5.1.1

<sup>7</sup> Inspector's note: the purpose of preserving the setting of historic towns is not relevant to this case.

Hillingdon<sup>1</sup>. As the LP stresses "...the whole of the Green Belt is important in order to keep these larger urban areas in check, not just those parts of it immediately adjacent to them"<sup>2</sup>.

- 7.2.8 The appeal proposal would contribute significantly to cumulative erosion of the urban sprawl purpose in this highly pressurised and seriously fragmented<sup>3</sup> part of the Green Belt. It would extend the built-up area beyond the current northern edges of Iver Heath and link it to the Pinewood Studios site, thus creating a significant area of urban sprawl.

Preventing neighbouring towns from merging

- 7.2.9 The importance of the Green Belt as a whole is acknowledged in the LP. It also recognises the particular sensitivity of the Green Belt between Greater London and Slough (at Iver) and between Slough and Maidenhead (at Taplow)<sup>4</sup>. The settlements of Iver Heath, Iver, Richings Park and Stoke Poges are tightly constrained by the Green Belt and consistent application of the policy framework prevents their merger into one another and into larger conurbations nearby.

- 7.2.10 That the appeal proposal in itself will not result in merger, as argued by the appellant, is irrelevant. Only rarely does a decision on a single application result in visual or physical coalescence. What is important to this purpose is the cumulative effect of many schemes eroding the Green Belt and threatening the separate identity of settlements.

Assisting in safeguarding the countryside from encroachment

- 7.2.11 The appellant accepts that the appeal proposal would contravene the purpose of safeguarding the countryside from further encroachment, although the extent of the impact is at issue. Open countryside would be lost; to be replaced by a tight urban development at high density set within an urban parkland setting. The Council maintains that the scale of the loss is substantially harmful.

Assisting in urban regeneration

- 7.2.12 If the appellant's cluster arguments are not accepted, disaggregated elements of the proposed development could and should be used more effectively to regenerate brownfield land. Through disaggregation of elements of the scheme, the development could be spread between the three opportunity sites/areas identified in the Council's Core Strategy<sup>5</sup> to positive effect. The appellant's Green Belt release approach to meeting housing need flies in the face of this purpose and risks undermining the regeneration strategy of the CS, whilst also setting a harmful precedent for development in the Green Belt.

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<sup>1</sup>CDE/25 - South Bucks District Local Plan, page 13 paragraph 3.7

<sup>2</sup>Ibid

<sup>3</sup> Ibid paragraph 3.9

<sup>4</sup>CDE/25 - South Bucks District Local Plan, page 13 paragraph 3.11

<sup>5</sup>CDE/23 – Core Strategy pages 83-88 Core Policies 14, 15 and 16 Wilton Park, Mill Lane, Taplow and South of Iver

### ***Green Belt objectives***

7.2.13 The appeal site additionally makes an important contribution to the land use objectives in the Green Belt. Improving access to this privately owned land does not require construction of this major development. In any case, the character of the land would change from open countryside to open space against an urban backdrop<sup>1</sup>. Equally, to create opportunities for outdoor sport or recreation, it is not necessary to develop the site in the manner proposed to achieve this Green Belt aim. The land is not damaged or derelict. The proposal would not be consistent with the objectives of retaining or enhancing attractive landscapes, of securing nature conservation interests or retaining land in agricultural use.

7.2.14 It is true that the appeal scheme would perform as well as can be expected against two of the Green Belt objectives, given the likely quantum of development. However, that approach ignores the harm that would arise because development of the land would no longer perform the functions it currently performs.

### **7.3 Effect on the Landscape, Conservation Value and Amenity of the Colne Valley Park and on the Visual Amenity of the Green Belt**

7.3.1 The varied scenery of the Colne Valley Park, ranging from fragmented urban fringe to areas of unspoilt countryside, has informed the main aims for the Park. These were drawn up by the Colne Valley Partnership and included within the Colne Valley Regional Park Action Plan 2009-2012 (CDE/11). This is an ecologically rich area within easy reach of West London's communities, providing extensive opportunities for education and recreation in the natural environment.

7.3.2 While the appellant accepts urbanisation of the appeal site itself would be in conflict with Policy WCBV5 of the South East Plan, the Landscape and Visual Effects Assessment within the ES concluded that the appeal proposal would be "Minor Beneficial"<sup>2</sup>. That is not a credible conclusion and its sole justification appears to be that a large mixed use development would not be out of character with the area and would add to the provision of accessible open space<sup>3</sup>. That approach flies in the face of the aims of the Park of conserving and enhancing landscapes.

7.3.3 The intention of maintaining a "*naturalistic setting and open character*"<sup>4</sup> would not be realised, as the development would introduce a highly visible urban character to the area. Equally, the loss of and threat to trees and hedgerows would be detrimental to the landscape character of the Colne Valley Park.

7.3.4 In terms of visual impact, of the 10 viewpoints used in the ES<sup>5</sup> none is from Pinewood Road looking towards and across the site. The views may be

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<sup>1</sup> CDG/1 – Document 3: Design and Access Statement, Images on pages 4, 5, 206 and 207

<sup>2</sup>CDG/1 - Document 6, ES Volume 2 page S5-23 paragraph 5.9.1.16

<sup>3</sup>CDG/1 - Document 6, ES Volume 2 page S5-23 paragraph 5.9.1.16

<sup>4</sup>CDG/1 – Document 3, Design and Access Statement, section 3.6.2

<sup>5</sup>CDG/1 – Document 6, ES Volume 3 section 5.2

predominantly for car drivers, but consideration of the likely impact on the sequential views from Pinewood Road is wrongly excluded.

- 7.3.5 The many individual views obtainable across the appeal site from Sevenhills Road are not properly represented within the appellant's Landscape and Visual Effects assessment. The single viewpoint, Viewpoint 8<sup>1</sup>, and the appellant's suite of photographs<sup>2</sup> produced to respond to criticism are not representative of obtainable views. They display a consistent desire to ensure that the angle of view is oblique or obstructed by trunks or ivy and a shyness to engage with the view from the gateway in the north western corner of the site<sup>3</sup>.
- 7.3.6 Also unaddressed by the Landscape and Visual Effects Assessment is the impact on views from the Pinewood Green properties which back onto the appeal site. There are sufficient affected properties for this to be an issue of public rather than private interest, and these are sensitive receptors. The change from open countryside to a high density urban development warrants a conclusion that the change would be "Major Adverse".
- 7.3.7 Clearly some of the visual impact can be mitigated by landscaping proposals but not as much as optimistically presented in the sightlines study (PSL/AW/3.1). For instance, it is difficult to see how any amount of landscaping could mitigate the extent of the visual and landscape impact from the ambitions to link the core of the new development with the Studios site<sup>4</sup>. The residual impact, however well the scheme is landscaped, would be substantially harmful.

#### 7.4 **Effect on Protected Trees and Hedgerows**

- 7.4.1 The appellant claims that the key principles of PPS9 were followed and that "*ecological constraints have shaped the design*"<sup>5</sup> do not bear any scrutiny. Avoidance of harm necessitates a full assessment of the site's constraints. However, no British Standard<sup>6</sup> compliant tree survey was carried out until long after the scheme layout and parameters were fixed. Having fixed the development's footprint without having assessed fully the site's constraints, the appellant seeks to underplay the impact of the development.

##### ***Tree loss***

- 7.4.2 The landscape and cultural value of many of the trees have been overlooked<sup>7</sup> and the retention categories of many trees are understated. The alternative tree schedule illustrates why the landscape importance of trees in many of the hedgerows should be categorised at higher values<sup>8</sup>.

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<sup>1</sup>CDG/1 - Document 6, ES Volume 3 Section 5.2 pp43-47.

<sup>2</sup>PSL/AW/2.2 - Mr Williams' Rebuttal proof, Appendix A

<sup>3</sup>Compare Mr Williams Rebuttal proof (PSL/AW/2/2) Appendix Fig R1e with Mr Spooner's Appendix 3 (SBDC 4B) photograph 5.

<sup>4</sup> CDG/1 – Document 3, Design and Access Statement, Image on page 206

<sup>5</sup> CDG/1 – Document 3, Design and Access Statement, page 74 section 4.1.2 – Responding to Constraints and Opportunities

<sup>6</sup> BS 5837:2005 CDD/23

<sup>7</sup> SBDC/4B – Mr Spooner's Appendix 1: Tree Constraints Plan

<sup>8</sup> SBDC/4B – Mr Spooner's Appendix 2: Alternative Tree Schedule

7.4.3 Of the protected trees on the appeal site, 26 surveyed trees would be felled to make way for the appeal proposal<sup>1</sup>. Seven of the trees lost form part of important hedgerow H12, between the proposed school and its playing fields. As explained in ID53, those trees would need to be felled to create a satisfactory relationship between the two. There is some dispute about the significance of many of the trees and their categorisation. The loss of un-surveyed trees is regrettable; while individually such trees may not have amenity value, collectively they add to the value and ecology of the area.

### ***Hedgerow loss***<sup>2</sup>

7.4.4 Hedgerows H2, H3, H7, H8, H10, H12 and H13 are ancient and species-rich, and therefore important. The ES acknowledges their significance<sup>3</sup>. The development would result in the loss of some 100m of hedgerow and sever three important ones<sup>4</sup> - H7, H8 and H10. It also seems that H12 would have to be severed.

7.4.5 The ES identified hedgerow loss as permanent and a "*..significant negative effect at the District level*"<sup>5</sup>. In evidence however their importance and impact of the loss were downplayed<sup>6</sup>. When that harm is properly understood, it is clear that the development would fail the key performance indicators the ecology strategy set of "*preservation of key ecological features*" and "*maintenance of ecological connectivity*"<sup>7</sup>. Instead, the appellants must rely on off-site compensatory measures to achieve the 'no net loss' in biodiversity performance aim. PPS9 clearly identifies avoidance or failing that, mitigation, as preferable to compensation.

7.4.6 Important hedgerows and the trees within them are essential to the character of the site. The direct loss of trees and hedgerows is only one part of the harm caused by the scheme. The indirect harm caused by the scheme results from the approach adopted, to "*exploit the mature hedgerows and woodland...*"<sup>8</sup>. The mature hedgerow trees are regarded as a structure for the development to sit within; and the hedgerows are crossed occasionally by access routes<sup>9</sup>. Exploitation of the site's natural features by the very close juxtaposition of buildings and trees and hedgerows<sup>10</sup> would result in loss of one of the site's attractive and

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<sup>1</sup> ID59. That figure excludes "R" category trees which would be removed in any event, for arboricultural reasons. Note page 1 paragraph 5 which points out that there would also be some loss of un-surveyed trees in addition.

<sup>2</sup> ID5 – Figure 4.1: Location of fields and hedgerows

<sup>3</sup> CDG/1 – Document 6, ES Volume 2 Main Report, page S10-12, paragraph 10.6.1.28 and Table 10.23

<sup>4</sup> CDG/1 – Document 6, ES Volume 2 Main Report, page S10-29 Table 10.28

<sup>5</sup> CDG/1 – Document 6, ES Volume 2 Main Report, page S10-29 Table 10.28

<sup>6</sup> PSL/AW/2.1 – Mr Williams' rebuttal proof, pages 22-23

<sup>7</sup> CDG/1 - Document 6 ES Appendices volume (ii) Appendix 10.13 Ecology Strategy, paragraph 2.3.1.1

<sup>8</sup> PSL/AW/1.1 - Mr Williams' proof page 19 paragraph 4.2.2

<sup>9</sup> PSL/AW/1.1 - Mr Williams' proof page 19 paragraph 4.2.2

<sup>10</sup> For an illustration, see PSL/AW/2.2 Appendix F



characteristic features, in effect views of mature, well structured hedgerow and fine groups of native trees<sup>1</sup>.

### ***The Clump***

- 7.4.7 The Clump is a mature (potentially ancient) broadleaved woodland with a diverse age structure, a variety of tree species and varied ground flora<sup>2</sup>. It is undeniably of ecological value. Direct and indirect increase in pressures from 3,000 permanent new residents would significantly and permanently compromise its ecological functions, as acknowledged in the ES<sup>3</sup>. New proposed woodland planting would take 50 years to become established and management to improve the condition of The Clump would take at least 20 years to have effect<sup>4</sup>.
- 7.4.8 Mr Spooner for SBDC conceded in cross-examination that the appellant could not have "*done a better job*" in terms of protecting the trees, hedgerows and ecological values of the site. However, the concession must be understood in the context of the appellant's national interest argument being accepted, and to take the scale of the scheme as a given.
- 7.5 **Whether the Proposal would Compromise Key Sustainable Development Principles**
- 7.5.1 The principal settlements of Beaconsfield, Gerrards Cross and to a lesser extent Burnham are the intended main focus for new development in the CS. Development within the District's Secondary Settlements is intended to be very limited. This strategy is the outcome of a sustainability analysis: its policy making was underpinned by a settlement hierarchy study<sup>5</sup>. The Council's overall approach was judged by the Core Strategy Inspector to be sound and to carry the Council's strategic vision through to delivery, "*in an exemplary manner*"<sup>6</sup>.
- 7.5.2 Consideration of the practicalities of living on the appeal site demonstrates how remote it is. Iver Heath is described in the CS as a Secondary Settlement<sup>7</sup> which has "*....no single centre, with a very limited range of shops and no secondary school nearby.*" The only shops and services within walking distance, beyond those to be provided on the appeal site, are the limited range at Thornbridge Road and the far side of Church Road, about a 20 minute walk<sup>8</sup> (as is the Crooked Billet public house at the Five Points Roundabout).

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<sup>1</sup> For locations where the hedgerows/tree groups are visible from public views, see ID22 Hedgerow sightline drawing.

<sup>2</sup> CDG/1 – Document 6, ES Volume 2 Main Report, page S10-22 Table 10.23

<sup>3</sup> CDG/1 – Document 6, ES Volume 2 Main Report, page S10-29 Table 10.28

<sup>4</sup> CDG/1 – Document 6, ES Volume 2 Main Report, page S10-29 Table 10.28

<sup>5</sup> CDE/30B & CDE/31 - South Bucks District Council Accessibility and Infrastructure Study 2006 – main report and South Bucks District Council Accessibility and Infrastructure Study 2006 - appendices

<sup>6</sup> CDE/24 – Inspector's Report, paragraph 10.

<sup>7</sup> CDD/23 - Core Strategy page 27 Key Diagram and Spatial Strategy page 23 table 1

<sup>8</sup> CDG/1 - Document 6, ES volume 4 Transport Assessment figure 4.1 – note that the isochrones is taken from the site entrance. From the housing to the limited range of shops on Thornbridge Road would be about a 20 minute walk.

- 7.5.3 Travel to other facilities, including the Iver Heath Junior School<sup>1</sup> or any secondary school<sup>2</sup>, would require a longer journey and, realistically, that would be made by car; or bus, if available. Children may have to travel to the nearby primary school, potentially until phase 3 or 4 of the development when a primary school would be provided on site.
- 7.5.4 Pedestrian access to the south of the appeal site is poor – people living in the southern part of the site and wanting to walk, for example, to the shops at Thornbridge Road would have to walk north to the main site entrance to go south again<sup>3</sup>. The same lack of pedestrian integration would make it inconvenient for those in the existing community to access the new primary school or community facilities on foot<sup>4</sup>.
- 7.5.5 The appellant's argument that this is a sustainable location for this development rests on links with Pinewood Studios. The evidence seeks to demonstrate that 20% of those who would live at Project *Pinewood* might be expected to work on the site or at the Studios<sup>5</sup>. The assumption depends upon the availability of new jobs through the development of the Masterplan on the Pinewood Studios site<sup>6</sup>; and the delivery of jobs and homes in tandem on the appeal site. If there is doubt about the availability of those jobs, then the 20% assumption is not just optimistic<sup>7</sup> but unrealistic. It is not encouraging to note that so few people employed at or working at Pinewood Studios presently live within Iver Heath.
- 7.5.6 Whether there is a concrete sustainability benefit associated with locating creative industries floorspace and streetscapes for filming opposite Pinewood Studios depends upon whether those facilities would be in demand. If they were, whether those using them also used facilities at Pinewood Studios. Thirdly, even if they did, whether the amount of travel, or distance travelled would be reduced. There is no satisfactory evidence on any of these issues
- 7.5.7 The development would on any analysis, be a very substantial generator of travel demand<sup>8</sup> - 15,480 daily external trips. To the extent that what has driven the quantum of various aspects of the development can be discerned, it simply has not aimed to minimise out-commuting. It seems

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<sup>1</sup> On St Margaret's Close in Iver Heath – can be seen marked "Sch" on CDG/1 document 6 volume 4 Transport Assessment Figure 4.1

<sup>2</sup> The nearest secondary school The Chalfonts Community College is in Chalfont St Peter, some way to the north of the area shown on the cycling isochrone figure at CDG/1 document 6 ES Volume 4 the Transport Assessment figure 4.2 and not accessible by bicycle

<sup>3</sup> CDG/1 - Document 3, Design and Access Statement page 15 (the Master Plan) and page 115 shows the pedestrian network in blue.

<sup>4</sup> The unsustainability of the site's location was also identified by CABE as a significant weakness of the scheme, see their letter of 28 July 2009.

<sup>5</sup> CDG/1 - Document 6, ES Volume 4 Transport Assessment, paragraph 6.6.4.13

<sup>6</sup> There is "no timeline" for the development of the Masterplan on the Pinewood Studios site (Mr N Smith in cross examination).

<sup>7</sup> CDG/1 - Document 1, Planning Statement, page 48 paragraph 8.79

<sup>8</sup> PSL/DB/3.2 – Schedule attached to Mr Bird's note in response to Inspector's questions

inevitable that the development would be attractive to commuters, even before Crossrail<sup>1</sup>, which would no doubt add to its attraction.

- 7.5.8 The development is also regarded as one that would "...*significantly and dramatically reduce the carbon footprint of film and television production, particularly through the reduction in travel and transport requirements...*"<sup>2</sup>. The Carbon Footprint Study (CDG/1, Document 4) show that the 34-38% savings in greenhouse gas emissions resulting from a hypothetical film production filming at Project *Pinewood* would come from reductions in air freight and travel. The study did not address whether there might be significant air travel from those coming from abroad to film in the UK.
- 7.5.9 In any case, the study concedes that many more film projects would need to be assessed in order to have representative and reliable carbon data<sup>3</sup>. The sustainability measures grafted on to the appeal proposal, including improvements to bus services, a car club and measures to encourage cycling<sup>4</sup>, would make only a relatively minor difference to the carbon footprint of the development<sup>5</sup>, given the limited public transport connections to the site.
- 7.5.10 The PPG13 objective of reducing the need to travel, especially by car, would not be met by locating 1,400 residential units, together with employment floorspace and supporting uses, on the appeal site. Given its relatively remote location, and "*excellent access to the strategic highway network*"<sup>6</sup>, siting a strategic scale development here would also be contrary to PPS1, paragraph 27. Properly understood, national policy requires decision makers to assess the characteristics of a location before sustainable transport measures are grafted onto a scheme, as well as afterwards.

## 7.6 The Traffic and Highways Safety Implications and Parking Issues

- 7.6.1 On 21<sup>st</sup> April 2011, the County Council presented a statement to the Inquiry<sup>7</sup> which indicated that it had reached agreement on revised assessments carried out by the appellant (as explained in Mr Bird's position statement)<sup>8</sup>. As a result, it was satisfied that a revised strategy proposed by the appellant would satisfactorily mitigate the effects of the development. On that basis, and with immediate effect, the County Council withdrew its objection to the scheme and the evidence of Mr Macaulay (for SBDC). In consequence, SBDC stated that it would not pursue the highways reason for refusal but maintained its own independent objection to the unsustainable location of the site.

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<sup>1</sup> PSL/DB/3.1.

<sup>2</sup> CDG/1 - Document 2 "Very special circumstances for development in the Green Belt" page 3 penultimate paragraph

<sup>3</sup> CDG/1 - Document 4, Carbon Footprint Study, page 39 last paragraph

<sup>4</sup> PSL/DB/1/1 - Mr Bird's proof section 4 page 13 and ID7E - the S106 Agreement

<sup>5</sup> See CDG/1 document 4 p19 section 4.2.1 fourth para; p21 which compares the scenarios; and Mr Rhodes xx.

<sup>6</sup> PSL/DB/1.1 - Mr Bird's proof, page 3 paragraph 2.3

<sup>7</sup> ID32 - Statement from BCC on transport issues, dated 20 April 2011

<sup>8</sup> ID32B - Highways Position Statement from Mr Bird, dated 21 April 2011

7.6.2 It is clear from the Transport Assessment work and the sensitivity tests carried out by Mr Bird<sup>1</sup> that the network would be considerably congested either with or without the appeal development. In a District in which the opportunity for capacity improvements is likely to be limited, this underlines the importance of ensuring that the planned growth for the District is both located and designed so as to achieve the most sustainable solution.

## 7.7 **Effect on the Living Conditions of Existing Residents**

7.7.1 People that choose to live at Project *Pinewood* could be regarded as buying into living with filming. Existing residents living in close proximity to the development are in no such position.

7.7.2 Aside from noise, lights and general disruption arising from nearby filming, which would need to be addressed by condition, the principal issue for the Council in relation to neighbouring amenity is the considerable impact arising from the introduction of a dense, urban form of development next door to Pinewood Green. The development would not be in scale with what surrounds it. In design terms, as well as in terms of integration, the development would be separate and distinct from the existing community.

## 7.8 **Compliance with the Development Plan**

7.8.1 The development plan comprises the South East Plan, the South Bucks Core Strategy and the saved policies of the South Bucks District Council Local Plan. While the Localism Bill includes provision for the revocation of Regional Strategies and the Government's commitment to revocation of Regional Strategies is capable of being a material consideration<sup>2</sup>, the Bill remains at an early stage of the Parliamentary process and little weight should be attached to the prospect of revocation at this stage.

7.8.2 The extent of the conflict between the appeal proposal and the development plan is undeniable. A new settlement within the Green Belt is contrary to LP Policy GB1. The proposal would be in a location that performs poorly having regard to the principles of sustainability established by the CS, not least the focus of development on higher order centres within a settlement hierarchy which it offends. That is contrary to the CS for the WCBV sub-region and the employment land provision strategy of both the RSS and the CS.

7.8.3 The development would also come at a considerable cost to the environment. It would urbanise this part of the Colne Valley Park contrary to its key aims, and therefore conflict with RSS Policy WCBV5 and Core Policy 9 of the CS. It would have a harmful and irremediable impact on The Clump, a direct and indirect loss of visual amenity and landscape character, and result in the fragmentation of important hedgerows. It would therefore conflict with LP Policies EP3 and EP4 and L10.

7.8.4 The scheme is intended predominantly to facilitate physical and functional links with Pinewood Studios. There has been no meaningful attempt to

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<sup>1</sup> ID35 – Sevenhills Road Signalisation Assessment and PSL/DB/3.2 – Mr Bird's response to Inspector questions

<sup>2</sup> *Calahomes (South) Limited v. Secretary of State for Communities and Local Government & Winchester City Council* [2011] EWHC 97 (Admin)..

ensure that the design integrates with the existing settlement of Iver Heath. The objective has been to create a separate settlement 'with edges'. Those edges would effectively insulate Project *Pinewood* from the existing settlement. However, little can be done to protect the amenity of Iver Heath from the effects of the project, given its scale, height, form and proposed use. The appeal proposal thus performs very poorly when assessed against LP Policy EP3.

## 7.9 Other Material Considerations

### *The economic case and contribution to growth and employment*

7.9.1 The five principal facets to the appellant's case on the economic benefits are:

- That the provision of streetscapes would benefit the screen industries;
- The creative industries would benefit from the provision of employment floorspace and the Screen Crafts Academy;
- There would be significant benefit to the economy from jobs provided at Project *Pinewood*;
- Development as a whole would add beneficially to a screen industries cluster;
- Project *Pinewood* would add materially and beneficially to Pinewood Studios' reputation.

### *The streetscapes*

7.9.2 The streetscapes are promoted as a facility which will be "*very attractive*" to production companies<sup>1</sup>. Reliance is placed on the use of three streetscapes at any one time, over a thirty year period<sup>2</sup>. It is therefore reasonable to expect that their composition, the locations selected and the number and extent required, would have been informed by analysis of what the industry wants or needs and would, in due course, use. No such work has been done.

7.9.3 Instead, the design of the streetscapes was "*informed by expert practitioners in set design, to ensure that an appropriate scale and range of opportunities is created for filming*"<sup>3</sup>. The appellant has relied exclusively on the firm belief of Mr Dunleavy and Mr N Smith<sup>4</sup> that the streetscapes would prove popular with the industry. Mr Dunleavy's list of films<sup>5</sup> that used the various city locations proposed for Project *Pinewood*, does not

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<sup>1</sup> PSL/IS/1.1 - Mr Iain Smith's proof, page 3 paragraph 3.1

<sup>2</sup> Mrs Rosewell in chief explained that utilisation rate would be constrained by capacity issues such as parking, rather than industry demand.

<sup>3</sup> CDG/1 - Document 2: Very Special Circumstances for Development in the Green belt, page 27 paragraph 6.37

<sup>4</sup> Chief Executive and Commercial Director respectively of Pinewood Shepperton plc

<sup>5</sup> PSL/ID/2.2 - Mr Dunleavy's rebuttal Appendix 5: Films that used Proposed Streetscapes as Locations

provide evidence that the streetscapes were the result of any detailed analysis of need or demand.

- 7.9.4 On the contrary, the number of streetscapes and selection of typology seems to have been the outcome of a design process aimed at achieving a critical mass of housing and employment development on the appeal site or, as the Design and Access Statement terms it, "*value engineering the project and defining the viability of the scheme*"<sup>1</sup>. The quantity and range do not emerge from a response to any assessment of the likely market for filming on the streetscapes. In essence, the opportunity has been taken to provide streetscapes which can be made to work within the scheme, rather than the scheme evolving from any identified requirement.
- 7.9.5 There is also no evidence of any empirical analysis of the market for use of the streetscapes, other than the work done by Mr Gears<sup>2</sup> which indicated that there would be very limited, if any, demand to use the streetscapes for filming. Indeed, there seems also not to be a consistent industry view about what the streetscapes might be used for or their utilisation rate.
- 7.9.6 Assumptions made about utilisation differ substantially between the planning application estimate of 10%<sup>3</sup> (i.e. 25 days per annum on the basis of 5 days a week for 50 weeks of the year operation) and Mrs Rosewell's 20% utilisation rate<sup>4</sup>, with no apparent change in the market to explain the doubling of usage. Furthermore, not all the housing would incorporate filming facades<sup>5</sup>. Of those identified for filming, not all would be available for use<sup>6</sup>. It is not clear whether these exclusions affect the utilisation rates used in the economic argument.
- 7.9.7 As for their utility, on the one hand the evidence suggests that there would be a market among small to mid-budget films and television dramas<sup>7</sup>; scripts would be written around the streetscapes and duration of use by a production would be for short periods<sup>8</sup>. On the other, there is a firm belief that that the streetscapes would be attractive to a range of users - major productions<sup>9</sup>, small and medium budget films, television and computer games and advertising<sup>10</sup>.
- 7.9.8 The letters of support do not demonstrate that the assumptions about usage are reasonable. At their highest, they show that some individuals in

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<sup>1</sup> CDG/1 – Document 3, Design and Access Statement, Section 5.1 page 158

<sup>2</sup> See TP5 and TP6 to TP20 – Mr Gears' (local resident) written submissions

<sup>3</sup> CDG/1 - Document 4 Transport Assessment page 24 paragraph 6.10.1.1 and CDG/1 Document 5 Economic Impact Assessment page 21 paragraph 3.35

<sup>4</sup> PSL/BR/1.1 – Mrs Rosewell's proof, page 9 paragraph D3 and in cross examination

<sup>5</sup> ID57 – see fourth page, right hand column. See also ID 60: 13%, or roughly 182 dwellings are not part of any streetscape, "core and frontage to fields" would be excluded and the spine road would not be used for filming. Also see ID61 – Mr Height's response to ID60.

<sup>6</sup> CDG/1 – Document 3, Design and Access Statement, page 105: 876m identified as a Modern European streetscape (15% of filming façade) would only be used for filming in "exceptional circumstances".

<sup>7</sup> Mr Norris in evidence

<sup>8</sup> Mr Iain Smith in responding to a question from a third party (Mr Gears)

<sup>9</sup> PSL/IS/1.1 – Mr Iain Smith's proof, page 3 paragraph 3.1

<sup>10</sup> Mr N Smith in evidence and WR14 – Written statement from Sir Martin Sorrell

the industry are prepared to offer their support to Pinewood Studios and a handful asserts that the streetscapes would be invaluable<sup>1</sup>. The majority however are supportive of Pinewood Studios and its general ability to grow, rather than providing any meaningful guide to the likely utility of the Project *Pinewood* offer.

- 7.9.9 There is no business plan for the streetscapes and no evidence that the risks associated with the development of this concept have been properly assessed. Until Project *Pinewood* there has never been an attempt to create film sets with people living in them. Given the obvious tensions between filming and ordinary residential existence<sup>2</sup>, that is not surprising. A very high level of management would be required to make the filming and residential uses as compatible as possible<sup>3</sup>. That would come at a cost.
- 7.9.10 In addition to the risks of combining filming with living, new technology could render the streetscapes quickly obsolete. The film industry continually reinvents itself<sup>4</sup>. Use of green screen technology to create cityscapes (WR52) adds to the weighty note of caution. Artificial streetscapes could raise quality issues, due to wear and tear and paraphernalia associated with residential occupation.
- 7.9.11 Although claims are made by the appellant about the likely costs saving to the industry<sup>5</sup>, there is no evidence of the costs of using the streetscapes or whether it would be cheaper to film at Project *Pinewood* rather than on location, studios or using green screens. In fact the evidence is that studio costs are a deterrent which operate in favour of filming on location<sup>6</sup>. In place of a business plan testing the concept, the approach has been to take on board the "*compelling*" response from conversations with people in film and television. In an industry in which commercial failure<sup>7</sup> is the norm rather than the exception, assertions of that kind should be treated with caution.
- 7.9.12 The lack of a business plan or the disclosure of any details about costs or revenue associated with the streetscapes, means that the Secretary of State is left in the position of having no reliable guide as to the extent of the economic benefit to the film industry arising from their use for filming.

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<sup>1</sup> PSL/ID/1/1 – Appendix 6: Letters from Ridley Scott, Paramount Pictures and Olsberg/SPI

<sup>2</sup> PSL/ID/1.2 - Mr Dunleavy's Appendix 3: Statement from Mr Harm (freelance locations manager) in which he describes the challenges of shooting on location. And Mr Iain Smith's evidence describing the lengths he has to go to minimise disruption to residents and to ensure security.

<sup>3</sup> CDG/1 – Document 6, ES Volume 3, appendix (i), appendix 2.7

<sup>4</sup> Mr Iain Smith in response to question from Inspector

<sup>5</sup> CDG/1 – Document 1, Planning Statement, page 23 paragraph 6.7 and PSL/ID/1.1 – Mr Dunleavy's proof, page 11 paragraph 6.2.

<sup>6</sup> CDH/13 – Report: A comparison of the production costs of feature films shot in ten locations around the world (September 2008) and PSL/ID/1/2 – Mr Dunleavy's Appendix 3: paragraphs 3.4 and 3.6

<sup>7</sup> PSL/ID/2.2 – Appendix 4, Dragon Film Studios News Release



Employment floorspace

- 7.9.13 The 8,000 sq m of creative industries floorspace proposed as part of the appeal scheme equates to less than 12% of the new floorspace permitted on the Pinewood Studios site as part of the Masterplan planning permission<sup>1</sup>. Also of note is the permission granted in June 2010 to Deluxe Laboratories Ltd. for a building of 9,530 sqm within the Pinewood Studios site. Due to advancements in digital technology, they now only require a building of some 4,650 sqm<sup>2</sup>. The original permission alone would allow for more than the provision of incubator or small medium enterprises (SMEs) proposed at Project *Pinewood*.
- 7.9.14 A study produced for the appellant in August 2008<sup>3</sup> concluded that at the SME end of the market, the high level of cost sensitivity means that rents would have to be kept at a level too low to justify capital investment at Pinewood. It also recognised the preferences of creative businesses to focus on central urban locations, close to shops, cultural/leisure facilities and transport hubs. The study does not provide good evidence of an unmet need for additional creative industries floorspace over and above that permitted by the Studios Masterplan, let alone a need which would require to be met on the appeal site.
- 7.9.15 In fact, the appellant has demonstrated little confidence in the market at which the floorspace is aimed. The planning obligation only commits to marketing premises to sole-traders and SMEs for a period of 3 months<sup>4</sup>. There is no requirement that the floorspace must be suitable for their occupation or be offered on terms likely to be attractive to this end of the market. Three months is also a very short time for commercial premises. Reluctance to accept a condition linking occupation of employment floorspace with occupation of the housing reflects little confidence in the likely demand for the employment provision in what the Deluxe Laboratories example shows is an unpredictable market.
- 7.9.16 There is no evidence of unmet need for employment land locally. It is no part of the appellant's case to suggest that a need would go unmet if the employment floorspace was not provided at Project *Pinewood*, or that it could only be located on the appeal site. In reporting on the soundness of the CS, the Inspector confirmed that there was no evidence of significant qualitative or quantitative shortage of employment land and no strategic need to seek further employment land in the Green Belt (CDE/24, paragraph 30). The benefit to the creative industries in the provision of 8,000 sqm over and above the 67,720 sqm already permitted at the Studios site would be limited. Much of the extant permission is yet to be implemented and does not indicate a pressing demand for this type of employment floorspace.

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<sup>1</sup> ID24 – Agreed note on committed floorspace: Total permitted floorspace 94,700 sq m of which the net increase in floorspace is 67,260 sq m.

<sup>2</sup> ID43 - SBDC pre Application Letter regarding Denham Laboratories

<sup>3</sup> CDH/32 – Project *Pinewood* Creative Industries Research

<sup>4</sup> ID7D – S106 Agreement, Schedule 3 Part 3 Clause 8

### Screen Crafts Academy

- 7.9.17 The S106 agreement<sup>1</sup> commits the developer to deliver a Screen Crafts Academy as part of phase 1 of the development. However, there is no specification provided for the building, the nature of the courses is unsecured and the belated commitment to funding of the operation of the Academy<sup>2</sup> adds no more certainty. There is even some confusion about what type of building would be required<sup>3</sup>.
- 7.9.18 There is no Skillset funding committed to the academy<sup>4</sup>. There is still some doubt about whether the Academy is what is wanted by the industry. Insofar as there are existing skills shortages, there is no evidence that this relates to a shortage of academic courses as opposed to the draw of other industries competing for labour. There is no evidence that existing courses are failing to deliver the required skills<sup>5</sup>. Mr Smith was at the launch of the recently funded and committed Craft and Technical Skills Academy at the Hammersmith and West London College (ID48), which could meet the need identified. The evidence does not make it clear whether a further need remains in the light of this recent launch. If another academy is to be provided at Pinewood, the Studios site is an obvious location.

### Jobs

- 7.9.19 The appellant points to the benefit of "*national significance*" that would come with the direct added value of the proposal at some £1.1 billion over 30 years, plus an additional £1.6 billion via the multiplier effect - a total of some £2.7 billion<sup>6</sup>. The £1.1 billion is simply the calculated value to the economy of the claimed number of following jobs arising from the appeal proposal<sup>7</sup>:
- The construction jobs - **£170 million**
  - Jobs arising from the facilities supporting the housing: the retail jobs (£60 million), jobs in the primary school, nursery and community centre (£43 million), and those managing the scheme (£61m), which totals - **£164 million**
  - Jobs in the Screen Crafts Academy – **£3 million**
  - The jobs assumed to arise from the employment floorspace - **£407 million**
  - The equivalent full time jobs representing the production jobs of those filming on the streetscapes - **£348 million**

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<sup>1</sup> ID7D – S106 Agreement Schedule 3 part 2 Clause 1.3

<sup>2</sup> S106: Schedule 3 Part 2 paragraph 1.3

<sup>3</sup> Compare image on the front of Mr Height's proof (PSL/DH/1.1) with what the NFTS consider to be the requirements for a building in WR23 "*an industrial finish – portal frame steel sheds with mezzanines*".

<sup>4</sup> Mr Iain Smith (chairman of Film Skills Council) in cross examination

<sup>5</sup> Mr Iain Smith in cross examination

<sup>6</sup> PSL/BR/1.2 – Mrs Rosewell's Appendix D – Employment Impact of Pinewood

<sup>7</sup> PSL/BR/1.2 – Mrs Rosewell's Appendix D, D.11 and CDG/1 – Document 5, Table 3.2 plus Mrs Rosewell in cross examination

- 7.9.20 Of the above, the Academy and streetscape related jobs distinguish the appeal scheme from any other large housing scheme with a commensurate element of commercial floorspace and other supporting uses. Together, their direct added value is £351m over 30 years. When questioned, Mrs Rosewell agreed that the £407m contribution made by the employment floorspace over a space of 30 years is not of national significance. It must therefore follow that neither the contribution by the Academy or the streetscape, either individually or together, would amount to added value of national significance.
- 7.9.21 There is no evidence to suggest that if the development was refused permission, the UK would lose out on film production. The absence of streetscapes would not necessarily lead to films being made overseas. A gasworks site in south east London, for instance, was used to represent Saigon in a Stanley Kubrick film. The example of film production locating at Chiswick, due to "*lack of good urban facilities*"<sup>1</sup> shows that business does stay in the UK, if not Pinewood.
- 7.9.22 The evidence base for the £348m direct value from production jobs arising from the streetscapes is weak. Firstly, the 30 year period used for the analysis serves to inflate all the figures. The calculations also assume maximum utilisation or 20%. The figured is double that assumed in the planning application<sup>2</sup> and assumes that at each and every production unit involves 90 production staff in contrast to the 65 average indicated in the planning application<sup>3</sup> and 34 used in the Carbon Footprint Study<sup>4</sup>. There are no deductions to take account of risks, such as recession, technology change, competition or changes to incentives such as the tax credit scheme. Assumptions are made on the basis of 270 production staff engaged in filming somewhere within Project *Pinewood* and that this would be compatible with the residential amenity of occupiers. No assumptions are made for deduction due to displacement<sup>5</sup>. From understanding the components of the direct value added calculation, it is apparent that the economic impact of the streetscapes is over-estimated.
- 7.9.23 The evidence points to fiscal advantages as a key determinant in the UK's competitiveness in the film industry. Fiscal advantages, such as the film tax relief<sup>6</sup>, are more likely to persuade film makers to work in the UK than the provision of streetscapes. There is no compelling evidence to establish what further advantage the streetscapes and live/work community would give the UK economy. If it was a significant advantage, then other countries would be building more permanent streetscapes to compete in the international market. That is not happening. Tax incentives remain the most significant reasons for raising the competitiveness of the film industry worldwide<sup>7</sup>.

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<sup>1</sup> PSL/BR/1.1 – Mrs Rosewell's proof, paragraph 12.13

<sup>2</sup> CDG/1 - Document 5 Economic Impact Assessment, page 21 paragraph 3.35

<sup>3</sup> CDG/1 - Document 5 Economic Impact Assessment, page 21 paragraph 3.33.

<sup>4</sup> CDG/1 – Document 4, page 8 Table 2

<sup>5</sup> CDG/1 - Document 6 ES Volume 2 Main Report pS14-10

<sup>6</sup> CDH/40 - The Economic Impact of the UK Film Industry, page 86

<sup>7</sup> PSL/ID/1.1 – Mr Dunleavy's proof, paragraph 5.8 and ID17 – Pinewood Studios response to the House of Lords select Committee (March 2009)

### Industry Cluster

- 7.9.24 While there is academic support for the principle of increased productivity through industry clustering<sup>1</sup>, no such published research or support extends to the inclusion of housing as a necessary or valuable component of an industry cluster. This paucity of information led to the appellant commissioning its own study<sup>2</sup>. The study was "*keen to understand .....how clustering might be enhanced through the creation of live-work communities*"<sup>3</sup>. As the study was commissioned in February 2010 (after submission of the planning application in May 2009), the scheme was advanced without a full understanding of whether the live/work concept would act as a catalyst to greater economic benefit. Furthermore, it offers no conclusions on the implications of including a live/work concept and no support for the claim that inclusion of housing would benefit industry cluster.
- 7.9.25 It is apparent from almost all the published literature relating to the screen industries, that the principal screen industry cluster in the UK is centred on London<sup>4</sup>. London is the hub from which the spokes extend to important supporting facilities dispersed around the south east. As part of the successful functioning of the UK as a global "*creative hub*"<sup>5</sup>, the screen industries congregate in London and the south east<sup>6</sup>. The smaller scale clusters of Soho, Westminster and Pinewood<sup>7</sup> are part of the wider London-centric cluster. There is clear evidence of good interrelationships between key players within this cluster, notwithstanding the absence of immediate co-location<sup>8</sup>. There is therefore nothing dysfunctional in a cluster which is widely spread over a region.
- 7.9.26 This is not to deny the importance of the local cluster at Pinewood, but it casts doubt on the contention that housing at Project *Pinewood* would produce any meaningful benefit to the screen industries, even if affordable to those employed within it. The majority of those employed in the screen industries are employed in London<sup>9</sup>.
- 7.9.27 Given the substantial reliance within the screen industries on freelance labour<sup>10</sup>, the advantages of co-locating housing with film industry

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<sup>1</sup> CDH/24 - Clusters and the new Economics of Competition (Porter 1998)

<sup>2</sup> PSL/BR/1.2 – Mrs Rosewell Appendix A: The Work Foundation Report: Creative Clusters and the Changing Economy: A Review for Pinewood

<sup>3</sup> Ibid, page 3, third paragraph

<sup>4</sup> CDH/40 – The Economic Impact of the UK Film Industry – page 24 and examples of key industry clusters on pages 25-26.

<sup>5</sup> CDH/9 – Creative Britain: New Talents for the New Economy (DCMS), page

<sup>6</sup> CDH/40 – The Economic Impact of the UK Film Industry, paragraph 4.6 page 24.

<sup>7</sup> Ibid – pages 25-26

<sup>8</sup> PSL/ID/1.1 - Mr Dunleavy's proof Pinewood, Shepperton and Teddington operate synergistically as an entity (page 7 paragraphs 1.1 & 4.4). A single large budget film may be made at more than one UK Studio (page 9 paragraph 4.17) and IT connections are now such that audio visual material can be securely transmitted anywhere in the world (page 6 paragraph 4.6).

<sup>9</sup> CDH/40 – The Economic Impact of the UK Film Industry page 24 paragraph 4.6: 26,300 i.e. 55% of all those employed in the Core Film industry are employed in London

<sup>10</sup> CDH/2 - Economic Impact of the UK Screen Industries, page 56.

employment are far from obvious. This may well be the explanation for the limited number of Pinewood employees who live within Iver Heath<sup>1</sup>. Furthermore, the flexibility which the freelance workforce provides is itself a contributor to innovation and would indicate that too much proximity might be prejudicial – “freelancers who move across businesses play a significant role as a source of ideas and new knowledge for innovation”<sup>2</sup>.

- 7.9.28 The notion that Project *Pinewood* would provide an environment in which a “creative class” of “high bohemians”<sup>3</sup> would be attracted and wish to cluster is fanciful. London has the “urban buzz” and the appeal. A housing estate beside the M25 motorway, which is likely to be a building site for at least 10 years is unlikely to have the same bohemian buzz. The services and facilities within Project *Pinewood* that are unlikely to provide the environment attractive to SMEs may also struggle to attract creative types.
- 7.9.29 Furthermore, the average wage of those in the creative industries is £32,300, while the average gross income in the UK production sector is £33,700<sup>4</sup>. Based on the Strategic Housing Market Assessment entry level price of £239,950, the ratio of price to earnings would be 5.6, and therefore unaffordable<sup>5</sup>. Given the affordability issue, the cluster principle turns largely on the availability of the 150 on-site affordable units to those employed within the creative industries and the 50 ‘Targeted Rented and Target Shared Equity Units’<sup>6</sup>. While some priority would be given to Local Eligible Households<sup>7</sup>, there can be no guarantee of occupation by those employed in the creative industries. If the Target properties prove unattractive to potential screen industry workers they may be occupied by anyone and freed from any restrictions after five years in any event. At any level, both the broad cluster and local benefit claims based on housing provision are unconvincing.
- 7.9.30 As to the broader contribution of Project *Pinewood* to the Pinewood cluster. Consideration of the component elements reveals that the Screen Crafts Academy remains at concept stage only and may have been overtaken by the provision of another nearby facility with broadly the same offer. Whilst those seeking to enter the screen industries may benefit from the employment opportunities available at Pinewood Studios, that benefit is not dependent upon the Academy being located at Pinewood, not least because there is at least some doubt that sufficient employment opportunities for the predicted students would be available at Pinewood Studios<sup>8</sup>.
- 7.9.31 The 8,000 sqm employment floorspace would not make a significant difference to the Pinewood Studios offer, particularly in comparison to the

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<sup>1</sup> PSL/DB/1.2 - Mr Bird’s Appendix D, Community Travel Plan Framework Appendix A.1 Less than 1% of tenant staff live within 3km of the Studios.

<sup>2</sup> CDH/42 - Creative Clusters and Innovation, page 35

<sup>3</sup> PSL/BR/1.1 – Mrs Rosewell’s proof, paragraph 12.11

<sup>4</sup> CDH/40 - The Economic Impact of the UK Film Industry, paragraph 5.3

<sup>5</sup> CDE/1 – Bucks Strategic Housing Market Assessment – page 138

<sup>6</sup> ID7D - S106 Agreement, Schedule 2 Part 2

<sup>7</sup> Defined in S106, paragraph 1.1 and Schedule 2 paragraph 1.7

<sup>8</sup> CDG/1 - Document 11: Report on the Employee, Stakeholder and Tenant Workshops, May 2008, page 15 section 2.4. sixth bullet

existing Masterplan potential. Whether the streetscapes would prove a useful addition to Pinewood Studios depends upon whether assumptions about their filming potential are reliable, whether the combination with residential use is realistic; and whether they would prove adaptable and useful in the long term, notwithstanding the predictable onslaught of competing technology, in a fast moving industry. The benefits are unproven.

### Reputation

- 7.9.32 Part of the claimed very special circumstances case for the development is that it would enhance Pinewood Studios' capacity to withstand growing competition from international initiatives and substantially strengthen its status and reputation<sup>1</sup>. Perhaps sensitive to the claim about combating international competition while rolling out a programme of international franchises<sup>2</sup>, the appellant's approach to identifying its international competitors has not been entirely consistent<sup>3</sup>.
- 7.9.33 The appellant has chosen not to adduce evidence of anticipated financial benefit to Pinewood Studios arising from the development of the appeal scheme. The extent to which a reputational benefit would accrue depends upon the success of the scheme and in turn each of its component parts. Without any form of business plan produced in evidence, it is simply not possible to gauge to what extent Project *Pinewood* would benefit Pinewood Studios or the screen industries other than providing capital receipts. Without some form of rigorous analysis of productions likely to use the streetscapes, the regularity of that use and reasons for it and the alternative if Project *Pinewood* were not available, the nature and extent of the advantages cannot sensibly be identified, let alone weighed.

### **Cultural benefits**

- 7.9.34 Pinewood Studios plays an important part in the cultural value of the UK and in attracting and facilitating film and television production. That is supported by the Council – as is evident from the special policy relating to the site and the Masterplan permission aimed at fostering the growth and development of the company. The Council's support, however, is not uncritical. There is insufficient evidence to demonstrate that there is a significant market for using the streetscapes, and the Screen Crafts Academy is poorly conceived. There is no proven cultural benefit.

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<sup>1</sup> CDG/1 - Document 2, Very Special Circumstances for Development in the Green Belt

<sup>2</sup> PSL/NS/1.1 – Mr N Smith's proof, paragraph 1.5: "...we have exported Pinewood-branded studios to Germany, Canada, Malaysia and the Caribbean. This has meant that our commercial proposition has developed to the point where I have now set up Pinewood offices in Los Angeles, Toronto and Kuala Lumpur".

<sup>3</sup> Mr Dunleavy in evidence suggested that Toronto's market of episodic North American TV and small budget films do not travel to the UK. PSL/NS/1.1 – Mr N Smith's proof, paragraph 3.2, and in evidence, identifies Canada as being in direct competition with Pinewood and the UK.

### ***Social benefit***

- 7.9.35 The scheme makes appropriate provision for community facilities to meet the development's needs, which include on the site - a nursery, primary school and community centre. Those facilities would be available for use by local people. That is properly to be regarded as a benefit of the scheme. If access to those facilities on foot was better, greater weight could have been given to them.
- 7.9.36 Further, contributions are proposed to be made which mitigate the development's impact on local facilities and are therefore neutral in the balance. To the extent that the development would provide additional support to existing facilities, that is a benefit, albeit unquantifiable but would flow from any large scale housing scheme in close proximity to an existing secondary settlement. It can attract little weight.

### ***Absence of alternatives***

- 7.9.37 Section 10 of the Planning Statement (CDG/1, Document 1) provides the only consideration of the extent to which alternatives were considered. The absence of alternatives cannot be afforded much weight in the Green Belt balance unless the appellant's concept of Project *Pinewood* is accepted. If it is not, then disaggregation would be feasible.
- 7.9.38 Even if the appellant's resistance to disaggregation were supported, the evidence for rejecting alternative creative locations in the wider South East, which might be capable of delivering the cluster criteria, is inadequate. Project *Pinewood* could be located close to another studio (Leavesden, as an example) on previously developed land and avoiding the need to encroach on to an open Green Belt site.
- 7.9.39 The exercise of looking at alternatives largely assumes that the quantum of development is inviolate, that disaggregation of any element of the scheme is not feasible and that no alternative other than one within Pinewood's ownership would be acceptable. It is not argued that any single element of the scheme of itself could be justified in the Green Belt.
- 7.9.40 The quantum of development is not a product of a detailed assessment revealed to the Inquiry. If the dwellings were removed from the scheme then the ancillary facilities could also be omitted. The Academy of 2,000 sqm size could be accommodated on the Pinewood Studios site and the same could apply to the 8,000 sqm of creative commercial floorspace. That leaves the streetscapes.
- 7.9.41 No consideration was given to constructing streetscapes on the existing Pinewood Studios site. The concept was 'Film Town' and nothing more. With the extent of demolition anticipated as part of the Studios Masterplan, there would be sufficient space for at least some streetscapes on the site (ID10). With some redesign of the Masterplan, there would be scope for the creation of some comparable streetscapes (IDs 19 & 20). There is sufficient flexibility to accommodate the proposed 4,000m of streetscape onto the 5,518m of frontage that would be potentially forthcoming, should the Studios Masterplan be fully implemented. There is neither the demand nor

capital to build out the Masterplan, other than in the long term. So there is scope for review.

- 7.9.42 If there was a genuine commitment to make streetscapes work on the Studios site, the management and access issues raised by the appellant could be addressed<sup>1</sup>. The approved grid pattern under the Masterplan allows for maximum flexibility in this respect. The inability of Pinewood Studios to consider the options<sup>2</sup> sits uncomfortably with all that the Inquiry has heard about the creative problem solving which this industry is so expert at. Little weight should thus be afforded to the claimed absence of alternatives in the very special circumstances case.

### ***Delivery of affordable housing***

- 7.9.43 The Buckinghamshire Strategic Housing Market Assessment (CDE/1) identifies that entry level prices for housing in Buckinghamshire are over 45% higher than the average for England and Wales, and are also higher than the average for the South East region. South Bucks records the highest entry level price<sup>3</sup>. The CS recognises that house prices within the District are amongst the highest in the country and that one of the problems and issues for the District is where and how to provide more affordable housing, particularly in those parts of the District that have the greatest affordability problems and where there is little existing affordable housing<sup>4</sup>.
- 7.9.44 The annual need identified by the Strategic Housing Market Assessment within the District is for some 459 affordable dwellings per annum<sup>5</sup>. The CS acknowledges that in recent years delivery of affordable housing has been limited (45 dwellings in the period 2006-2010), largely due to the policy position on qualifying site size thresholds.
- 7.9.45 To maximise delivery of affordable homes in the District, the CS now adopts an area threshold of 0.16 ha to work alongside a dwelling threshold of 5 units<sup>6</sup>. A target of 350-500 affordable dwellings to be provided in the period 2006 to 2026 is set in the CS. Some will be delivered by market housing schemes and some on Rural Exception sites<sup>7</sup>. The CS Inspector recognised the target as challenging but regarded it achievable<sup>8</sup>, and the evidence base for that range was adjudged to be realistic<sup>9</sup>. The only material change to that evidence base, since adoption of the CS has been the approach by Deluxe Laboratories to the Council indicating that their move to Pinewood Studios is no longer required. Thus, calling into question the delivery of the 60 affordable housing units permitted as part of that

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<sup>1</sup>See ID51 – SBDC response to ID45

<sup>2</sup> ID45 – Assessment of Pinewood Studios as potential site for part of Project *Pinewood*

<sup>3</sup> Ibid page 123 paragraph 7.16 and page 138 paragraph 7.57

<sup>4</sup> CDE/23 – Core Strategy, page 13

<sup>5</sup> CDE/23 – CS, page 44 paragraph 3.2.18

<sup>6</sup> CDE/23 – pages 45&46 paragraphs 3.3.21 & 3.2.25

<sup>7</sup> Ibid - Core Policy 3

<sup>8</sup> CDE/24 – Inspector's Report, page 8 paragraph 29

<sup>9</sup> CDE/36 - Overall Affordable Housing Target – Background Paper



redevelopment scheme<sup>1</sup>. However, any potential constraints to the delivery of the Strategic Housing Land Availability Assessment sites are properly built into the targets.

- 7.9.46 As is the case for all of the constituent authorities within Buckinghamshire, save Aylesbury Vale, the annual requirement for affordable housing within the District<sup>2</sup> exceeds the South East Plan annual housing requirement. The RSS Panel accepted that this was a widespread issue and that simply building more housing would not of itself resolve the problem<sup>3</sup>. Furthermore, unless the principles of sustainable development are to be abandoned, there is no prospect of delivering the number of dwellings identified within the Strategic Housing Market Assessment, as the document itself recognises<sup>4</sup>.
- 7.9.47 To meet the affordable housing need over the period to 2026 would require between 262 and 367 hectares of housing land at Core Strategy compliant densities of 25-35 dph<sup>5</sup>. Those amounts would be likely to threaten the integrity of the Green Belt within the District. If the appeal scheme is justified having regard to housing need alone, when would any housing development in the Green Belt be unacceptable? To accept affordable housing need as sufficient in itself to outweigh Green Belt harm would open up the Metropolitan Green Belt to housing development not just in South Bucks but throughout the South East.
- 7.9.48 Had the Council considered that Green Belt release to meet affordable housing need was justified by the identified need, it would have undertaken an analysis of where the need should best be provided for, or on the basis of properly planned Rural Exception Sites, as specified in Core Policy 3. The analysis would have had regard to ensuring that such development took place in least harmful and the most sustainable locations. There is no evidence that the appeal site would be a sensible contender were that structured comparative appraisal process to be undertaken. The affordable housing contribution at Project *Pinewood* is advanced as an opportunity available now rather than either the only or the most appropriate means to address need.
- 7.9.49 A single tranche of affordable housing beyond any existing settlement is not a sensitive approach to meeting affordable housing need. It is an ad hoc, opportunistic response to need rather than reflective of an appropriate comparative assessment of options. In terms of a contribution to need, it delivers the requirement of policy and no more. It is therefore delivering only what any large scale Green Belt release could be expected to deliver. Within this overall context, the affordable housing contribution cannot be sufficiently weighty or indeed be determinative within the paragraph 3.2 PPG2 balance.

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<sup>1</sup> ID43 - Letter from SBDC to Mr Rhodes regarding the Deluxe site, dated 14 April 2011 and CDE/36 - page 8 Table B

<sup>2</sup> CDE/1 - The Buckinghamshire Strategic Housing Market Assessment, page 206 Table 9.25

<sup>3</sup> CDE/34 - SEP Panel Report, page 3 para 1.11

<sup>4</sup> CDE/1 - page 206 paragraphs 9.89 & 9.90

<sup>5</sup> 459dpa x 20 = 9180. 9180 divided by 23 & 35 is 367 and 262 respectively

### ***Contribution to the Region's housing targets***

- 7.9.50 The RSS set a minimum target of 1,880 dwellings over the Plan period to 2026<sup>1</sup>. The CS was prepared in conformity with the South East Plan and makes provision for between 2,200 and 2,800 dwellings over that same period<sup>2</sup>. The Council has therefore done precisely what the Ministerial Statement (CDH/51) encourages it to do. It has pressed ahead without delay in preparing an up-to-date development plan, and put in place a policy framework which is proactive in driving and supporting growth in a way that is consistent with the key sustainable development principles.
- 7.9.51 This proactive approach towards growth is reflected in the development control decisions of the Council. As at 1 April 2010, the total completions and commitments within the District stood at 1,855 dwellings<sup>3</sup>. That equates to an 11.5 years supply of housing land assessed in accordance with the requirements of PPS3<sup>4</sup>. The Council thus has in place a flexible and responsive supply of land for housing, as required by the Ministerial Statement and, in putting that in place, has complied with both its statutory and policy obligations.
- 7.9.52 The contention that even the lower end of the range of CS Housing Strategy cannot be met<sup>5</sup> should be dismissed. The 246 units at the Deluxe Laboratories site are not essential to meeting the target. Opportunity sites in the CS build in considerable flexibility into the housing provision<sup>6</sup>. Not a single windfall site is allowed in the Council's housing land assessment. But given the past and continuing contribution of such sites in the District, there is every prospect that the CS targets will be at least met. The CS Inspector concluded that the targets would be met and that : "*The evidence base is robust.....and no contingency sites, within or outside the Green Belt, are required to make the strategy more deliverable or more flexible*"<sup>7</sup>."
- 7.9.53 The appellant contends that the Government's 'The Plan for Growth' (CDH/50) call for action will now require the Council to undertake an early review of its CS. They further make the case that the Ministerial Statement requires the setting aside of all approved or adopted strategy in favour of the ad hoc release of strategic scale sites, even in areas heavily constrained by Green Belt in order to meet the national imperative for growth. In fact, the Ministerial Statement leaves all existing Government policy in place, most notably PPS3 and PPS4 and the CS conforms with both.
- 7.9.54 The emphasis of the Minister's Statement 'Planning for Growth' is to promote economic growth and jobs<sup>8</sup>. It seeks to do so within a plan-led

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<sup>1</sup> CDE/29 - South East Plan, pp54-55 Policy H1

<sup>2</sup> CDE/23 - Core Policy 1

<sup>3</sup> CDE/23 - CS Table 7

<sup>4</sup> CDE/22 - PPS3, page 16 paragraph 5.10

<sup>5</sup> Mr Rhodes in evidence in chief

<sup>6</sup> ID52 - Position with Wilton Park and Mill Lane Opportunity Sites. The numbers delivered on these sites would compensate for retention of the Deluxe site in employment use

<sup>7</sup> CDE/24 - Inspector's Report pp5&6 paragraphs 16-18

<sup>8</sup> CDH/51 - Second paragraph and penultimate paragraph

system<sup>1</sup>. Local planning authorities are expected to plan positively for new development, to deal favourably with applications that comply with up-to-date plans and national planning policies and wherever possible approve applications where plans are absent, out of date, silent or indeterminate. There is no out datedness, silence or absence of clarity in SBDC's development plan policy. The strategy of the CS strikes the appropriate balance within this District between protection of the environment and the need to drive growth. That balance is entirely consistent with both the strategy and the evidence base of the South East Plan which the CS had to be in general conformity with.

- 7.9.55 Whilst it is a fact that the Panel Report into the South East Plan concluded that their recommended level of housing provision was *"right at the bottom end of what our analysis of strategic factors would suggest"*<sup>2</sup>, they did not recommend a higher level of provision *"because we accept the strength of the Assembly's arguments and much of its background work"*<sup>3</sup>. To the extent that meeting need in the most sustainable locations might give rise to the need for selective Green Belt release, the Panel were *"firmly of the opinion that RSS is the right place to identify such needs"*<sup>4</sup>.
- 7.9.56 The Panel identified that South Bucks could make a contribution towards the 1,880 additional dwellings they were recommending for the sub-region as a whole, in order to meet locally generated need<sup>5</sup> *"within the urban fabric without any implications for the Green Belt"*<sup>6</sup>. This strategic approach recognises that not all Districts can, consistent with the key principles of sustainable development, make an equal contribution to growth. That is consistent with the Ministerial Statement which urges authorities to work together to ensure that needs and opportunities that extend beyond (or cannot be met within their own boundaries) are identified and accommodated in a sustainable way, such as housing market requirements that cover a number of areas, and the infrastructure necessary to support growth<sup>7</sup>.
- 7.9.57 The Government does not expect each District to make provision for its locally generated need. A cooperative approach to meeting need is entirely compliant with existing and anticipated Government policy. Recognition of that approach is important because, as the Panel itself identified, within the WCBV *"the high quality of environment in the sub-region is a key contributor to the quality of life and a major factor in making the WCBV an attractive location for investment and growth"*<sup>8</sup>.
- 7.9.58 Within Buckinghamshire, that cooperative approach has manifested itself in the joint Buckinghamshire Strategic Housing Market Assessment (CDE/1). Rather than expressing any concern as to the sustainability of its strategy,

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<sup>1</sup> Ibid - Third paragraph

<sup>2</sup> CDE/34 - Panel Report, page 2 paragraph 1.6

<sup>3</sup> Ibid

<sup>4</sup> Ibid page 3 paragraph 1.10

<sup>5</sup> Ibid page 322 paragraph 21.56

<sup>6</sup> Ibid page 330 paragraph 21.95

<sup>7</sup> CDH/51 - "Planning for Growth" - fourth paragraph

<sup>8</sup> CDE/35 - South East Plan, page 313 paragraph 21.12

the South East Plan Panel recommended increases to the high emphasis on Aylesbury Vale<sup>1</sup> as the motor of future growth within the County and constraints elsewhere.

- 7.9.59 There is no evidence that this strategy is constraining economic growth or leading to unacceptably unsustainable patterns of development. Unemployment remains well below the County and national average<sup>2</sup>. Commuting flows in and out of the District to employment are in balance<sup>3</sup>, which the Core Strategy Inspector recognised was "*not entirely sustainable*"<sup>4</sup>. However, the vast majority of the commuting movements in and out of the District are to the immediately adjoining Districts or Boroughs<sup>5</sup> rather than long distance commutes.
- 7.9.60 The addition of 1,400 dwellings from Project *Pinewood* would bring with it a resident workforce of 1,600. On the assumption that 20% of that workforce would work at Pinewood Studios or Project *Pinewood*<sup>6</sup> some 1,120 employees would be commuting elsewhere, and that is likely to be outside the District. That out-commuting from the appeal scheme would be overwhelmingly by motorised private vehicle given the location of the appeal site<sup>7</sup>.
- 7.9.61 That is the very antithesis of the approach advocated by the South East Plan Panel, which recognised that Green Belt land should remain inviolate, unless it provided the most sustainable location upon which to meet identified requirements. The appellant has undertaken no analysis of the comparative merits of locations within the District to demonstrate that, even if needed, the appeal site is in one of the most sustainable locations. Within the context of a development of clearly strategic scale, promoted outside the development plan and in the absence of any comparative sustainability assessment, the claim that it should be permitted because it happens to be on the table now, should be given little weight. The appeal proposal is so contrary to the spatial strategy for the District that no weight should be accorded to its contribution to general housing need. The appeal proposal delivers nothing which would not be delivered by any large housing scheme within the Green Belt.

#### ***Highways and transport advantages to the local community***

- 7.9.62 Whilst the County Council raises no objection to Project *Pinewood* on highways safety and capacity grounds, if the new junctions (and other mitigation measures) are delivered, it is far from clear on the basis of the evidence whether there will be any appreciable net benefit to the local community looking at the operation of the local road network overall. The

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<sup>1</sup> CDE/1 – SHMA, page 52

<sup>2</sup> CDE/2 - 2010 Employment Land Review Update, page 18 paragraph 2.52 and page 19 Table 13

<sup>3</sup> CDE/23 - CS, page 64 paragraph 3.4.2

<sup>4</sup> CDE/24 - CS Inspector's Report, page 8 paragraph 31

<sup>5</sup> See CDE/2 - 2010 Employment Land Review Update, page 19 Table 14.

<sup>6</sup> CDG/1 - Document 6, ES volume 4 Transport Assessment, paragraph 6.6.4.13

<sup>7</sup> See PSL/DB/3.2 - Mr Bird's response to Inspector's queries, Daily External Trip Totals Table (final page of Note).

intention of the highway proposals is not to provide any additional capacity as that could serve to attract more traffic to the local road network<sup>1</sup>. The benefit claimed for the new junction proposals was a safety enhancement.

- 7.9.63 That is confirmed by the analysis. With the Five Points improvement, the junction is to all intents and purposes operating at capacity at the base year in the AM peak<sup>2</sup>. The Sevenhills junction will be safer and less congested<sup>3</sup>, but the Bangors Road North/Church Road/Denham Road mini roundabout, the Thornbridge Road/Church Road mini roundabout, the Slough Road/Bangors Road North mini roundabout, the Slough Road/Bangors Road South mini roundabout and the Wood Lane/Langley Park Road junction would all operate over capacity on the bases of the assessments<sup>4</sup>. Whilst this would also be the position under the 2022 base case, it is not possible to identify any clear benefit.
- 7.9.64 As a number of third parties were keen to stress, several key attractors of travel demand could only realistically be accessed by vehicle from the development and only by means of use of these other congested junctions. The consequence is that people will adjust their journey time (if they can) or re-route their journeys. Re-routing is likely to lead to additional traffic through villages such as Fulmer, as those seeking to get to, for example, Gerrards Cross, avoid the A412. That is a disbenefit albeit one which the County Council is now satisfied can be acceptably mitigated.
- 7.9.65 If there is any benefit it is difficult to gauge the extent of that benefit and therefore not possible to attach any material weight to it in the balance. The only safe conclusion is to treat the highway safety and capacity issue as a neutral one.
- 7.9.66 The provision of enhanced public transport to both the Studios and the local community is a benefit. The principal benefit will be to the Studios who will gain most with accessibility to the two limited-stop peak hour services, in addition to the enhanced and re-routed existing Route 58 Slough to Uxbridge service<sup>5</sup>. There is no analysis of likely bus demand from either the Studios or the local community, so the extent of the benefit is not readily quantifiable but it does weigh in favour of the appeal. However, weighing against that benefit is the fact that the location of the site is such that the vast majority of trips have to be made by car and unlikely to be local trips.
- 7.9.67 Any advantage to the local community from pedestrian links is limited to the enhanced provision for pedestrian crossing at the Five Points Roundabout and Sevenhills Road for the small number of walkers likely to use them. The cycle links are of greater potential benefit for those seeking to cycle to Slough. Again the number of users is likely to be small. Overall, therefore, there is at best a small benefit from the appeal proposal in terms of access to non-car modes.

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<sup>1</sup> Mr Bird's evidence in response to a local resident

<sup>2</sup> ID35 – Summary of Assessments

<sup>3</sup> ID35 – Summary of Assessments

<sup>4</sup> PSL/DB/3.2 – Mr Bird's response to Inspector queries

<sup>5</sup> PSL/DB/1.1 – Mr Bird's Proof, pp18&19 paragraphs 4.36–4.49

## 7.10 The Overall Balance

- 7.10.1 The harm to the Green Belt and other harms when properly assessed are very substantial. The appeal proposal is not distinguishable from any other opportunistic development for housing development in an area of high demand within the South East. The film industry case is not adequately justified by the evidence. The benefit of the streetscapes is uncertain in terms of actual value even in the short term, demand for the employment floorspace inadequately demonstrated and the Screen Crafts Academy unsecured.
- 7.10.2 The very special circumstances case has been grafted on to support the already determined concept rather than the scheme being a product of a rational and objective process demonstrating very special circumstances. The rigour underlying the appellant's approach to the scheme is concerning. There is a history of those high up in the film world making what prove to be misconceived claims about what the industry needs or will benefit from<sup>1</sup>. The risk of failure of the concept underlying the appeal proposal falls entirely on the public interest, because the development can and will function perfectly well as a new settlement with absolutely no connection with the film industry whatever.
- 7.10.3 The appellant has had to be cajoled into committing to anything other than a generic new settlement proposal. In a very special circumstances case there should be no need to counteract such inertia, the commitments should have been thought through and offered at the outset<sup>2</sup>. Even now, the commitments are inadequate. The absence of commitment together with the appellant's emphasis on meeting general housing need mean that the issue of precedent cannot be dismissed lightly.
- 7.10.4 There remains nothing to prevent immediate disposal of the site to a housing developer upon grant of outline consent, in which case there would be no means of securing the relationship to Pinewood Studios. The co-management obligation is triggered only on first occupation by which time PSL may have no interest in the appeal site, in which case they are released from the provisions of the S106 agreement<sup>3</sup> and there is no adequate means of securing that relationship by an enforceable condition<sup>4</sup>.
- 7.10.5 Whilst some benefits will be secured, affordable housing and limited highways benefits, together with enhancements to public transport for instance, even when added to the uncertain benefits to the film industry these do not clearly outweigh the harm to the Green Belt and other harms. The content of the draft NPPF to the extent that it should be accorded any weight does not materially alter the planning balance<sup>5</sup>.

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<sup>1</sup> PSL/ID/2.2 – Mr Dunleavy's Rebuttal Appendix 4 Dragon Film Studios News Release "*...actor Lord Attenborough, has said previously that it could be a centre of the UK film industry*"

<sup>2</sup> The need for certainty of delivery of the benefits of the scheme was identified by CABE as early as the 28 July 2009 (last para).

<sup>3</sup> See the combined effect of clause 7 and Schedule 3 part 3.

<sup>4</sup> See the permutations of Condition 64 and their obvious weaknesses.

<sup>5</sup> ID72 – SBDC response to draft NPPF

**7.11 APPEALS B AND C: Highway Improvements to the Denham Road/Sevenhills Road Junction and Highway Improvements to the Five Points Roundabout**

- 7.11.1 The Council confirmed it would not be objecting to either of the two applications<sup>1</sup>. That is clear from the Statement of Common Ground (CDG/17) and the committee report appended to it. The Council draws a clear distinction between these applications and the Project *Pinewood* proposal which they are intended to facilitate. For the reasons set out in the Council's case, it remains firmly opposed to that development and nothing in the junctions appeals materially affects the balance which underlies that judgement.
- 7.11.2 However, the appeal proposals are the subject of discrete applications and must be considered on their own merits. If they are acceptable judged in isolation, then irrespective of the conclusion on the Project *Pinewood* application, they are entitled to permission. Only if they were unacceptable on their own merits that any benefit they bring to the Project *Pinewood* proposal would weigh in the balance.
- 7.11.3 Were the Secretary of State to conclude, contrary to the Council's case, that Project *Pinewood* would demonstrably result in the national benefit which the appellant argues for, then the Council accepts that would be sufficient in itself to justify the junction appeal proposals in the Green Belt. The junction improvements should proceed in the circumstances of Project *Pinewood* being implemented, as without the works impact on the local highway network would be significantly harmful. While the changes to the junctions may not address all the concerns raised, the capacity of the junctions would be significantly improved.
- 7.11.4 On the proposals themselves, SBDC's position is that the highway schemes would fail to maintain openness and conflict with the purposes of including land in the Green Belt. Therefore, the works amount to inappropriate development. Over and above the harm the Green Belt there would also be harm to the Colne Valley Park from the extent of tree loss and localised landscape impact. Of the 61 trees lost to the Five Points Roundabout development, 53 are protected by the TPO (CDF/2 & 3).
- 7.11.5 However, with appropriate mitigation secured by conditions, the benefits in terms of the safe and efficient operation of the highway are such that, irrespective of the Project *Pinewood* application the harm identified would be clearly outweighed. Each of the junction applications should be permitted.

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<sup>1</sup> SBDC 2D – Letter from SBDC dated 10 August 2011

## **8. THE CASES FOR STOP PROJECT PINEWOOD (SPP)<sup>1</sup>, IVER, DENHAM AND FULMER PARISH COUNCILS**

### **APPEAL A – PROJECT PINEWOOD**

*The material points are<sup>2</sup>:*

#### **8.1 Introduction**

8.1.1 The genesis of Project Pinewood is to be found in a concept paper entitled 'Film Town', written by Mr Dunleavy in 2006<sup>3</sup>. The project was conceived not to address any identified housing and employment needs of the South Bucks District, but to tackle issues confronting the Pinewood Studios' business. The issues identified are: pressure to reduce the cost of screen based production; increasing demands of the screen industry; loss of skilled people overseas and the absence of a UK centre for the creative industries. The next stages of the project saw consultation with industry experts and executives, appointment of consultants and a viability analysis before the applications were submitted.

8.1.2 The applications mirror the needs of Pinewood Studios and reflect its perception of what constitutes a new community. The approach to community development is more than a mere assemblage of urban components as proposed here. A community develops over time. As in the cases of the Parishes of Denham, Fulmer and Iver, which date back to the Domesday Book and beyond, the fabric of communities has been in a constant state of flux for over a 1000 years. Yet they do not wish to be preserved in aspic.

8.1.3 The communities recognise that change is inevitable. They have no particular antipathy to Pinewood Studios; many of the residents are proud of their association with the Studios and appreciate its contributions to community life. Objections to the proposals do not arise from knee-jerk protectionism but from genuine concerns about the day to day pressures of living and working locally and for local services. The views of the Parish Councils are those of democratically elected bodies expressing the concerns of 17,000 local people. These should not be dismissed lightly.

#### **8.2 Green Belt and Colne Valley Park**

8.2.1 The appeal site, known locally as Pinewood Fields, is an integral part of the rural village feel of Iver Heath. It has long been regarded by residents of Iver Heath as common land used for recreational purposes for more than 30 years<sup>4</sup>. Residents bought houses with gardens backing on to the fields on

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<sup>1</sup> SPP is an action group formed to fight Project *Pinewood*. It represents the residents of Iver Heath. Iver Parish Council

<sup>2</sup> In closing, counsel confirmed that, except for the highways issue, SPP fully supports the case put forward by SBDC. The Green Belt issues in particular have been dealt with by SBDC. My reporting of the SPP and Parish Council cases on topics already covered in the case for SBDC is brief and emphasises the local slant.

<sup>3</sup> PSL/ID/1.1 – Mr Dunleavy's proof, paragraph 6.1

<sup>4</sup> A Village Green Application was applied for by the local community in 2010 but failed



the understanding that Green Belt land would remain protected and unspoilt.

8.2.2 The appellant's evidence points to the CS as fundamentally flawed and in urgent need of review, despite the fact that it was adopted as recently as February 2011. It is additionally said that Government policy on the Green Belt will change in the near future<sup>1</sup>. However, the current policy position, while supportive of development and growth, is equally supportive of key sustainable development principles and protection of the Green Belt. In any event, national policy on Green Belt has not been invoked or replaced. There is nothing to indicate lessening of support for the plan-led process to development. More importantly, PSL need to show that very special circumstances exist to render this inappropriate development acceptable to the Secretary of State.

### 8.3 **Very Special Circumstances**

#### *Housing and Employment*

8.3.1 The CS recognises that the management and scale of new housing development is one of the key spatial issues facing the District. In the context of Project *Pinewood's* offer to provide a total of 560 affordable homes, the CS target of 350-500 may appear modest. However, the Inspector who examined the CS, concluded that the Council's policy on affordable housing was "*realistic and justified*", based on a robust and up to date evidence base<sup>2</sup>.

8.3.2 The CS additionally recognises a settlement hierarchy in South Bucks. Iver Heath and Iver Village are categorised as Secondary Settlements, Denham as a Tertiary Settlement and Fulmer as a Rural Settlement (CS Table 2, page 30). The Strategic Housing Land Availability Assessment (CDE/14) has identified the potential over the period 2010-2026 for 153 additional dwellings in Secondary Settlements, 28 in Tertiary Settlements and 33 in Rural Settlements. In other words, a total of 214 new dwellings will be required for the whole of the South Bucks area outside the Principal Settlements of Beaconsfield, Gerrards Cross and Burnham over the plan period<sup>3</sup>.

8.3.3 This is a reflection of the overall spatial strategy for the District which seeks to protect the Green Belt, and to focus new development on previously developed land within existing settlements, with an emphasis on new development in the Principal Settlements. The fact that the CS has been approved as sound by a Government Inspector and the Secretary of State himself should carry significant weight when Project *Pinewood* is judged against the CS. Additionally, the CS has involved community consultation, and can be safely regarded as adequately reflecting the concerns and desires of stakeholders and the wider public.

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<sup>1</sup> CDH/54 – Planning and the Budget

<sup>2</sup> CDE/24 – Inspector's Report into the CS – page 8, paragraph 29

<sup>3</sup> CDE/23 – CS: Table 6, page 38. Inspector's Note: the CS records that 1,380 dwellings will be built in the 'rest of the District' between 2006-2026, but about 1,170 have already been built or granted planning permission.

- 8.3.4 The appellant refers to the Project *Pinewood* proposal as an "*opportunity to create something special*", a "*unique proposal*", an "*extraordinary proposal*" that "*pushes the boundaries of sustainable living*"<sup>1</sup> and that as such it should effectively be allowed to override any and all relevant policies in the CS which might constrain the proposal.
- 8.3.5 There must be no doubt about what Project *Pinewood* consists in the context of the CS. It would provide up to 50% of the entire District's housing supply in one location in less than the time allowed for in the Plan period. The 560 affordable dwellings would be more than the target identified as appropriate for the entire District up to 2026. Far from contributing to the achievement of the vision of the CS, the Pinewood proposal would undermine a newly adopted spatial strategy for the District, it would wholly distort the very heart of a carefully considered spatial strategy which has addressed local issues and concerns, resulting in uneven, unbalanced and distorted development.
- 8.3.6 In addition to housing, local economic prosperity and employment are also addressed by the CS. Three significant development sites are identified in the Green Belt in the CS (Wilton Park, Beaconsfield, Mill Lane, Taplow and Court Lane in Iver) but Pinewood is not identified as a development site. The employment, housing and affordable housing benefits all conflict with adopted planning policies set out in the CS.
- 8.3.7 Of the 960 jobs anticipated to be created out of Project *Pinewood*, 50% are expected to go to those living there<sup>2</sup>. This leaves some 1120 of the total working population at Project *Pinewood* competing with existing residents for jobs in the area. That is worrying to the local community and undermines the case for the development as an employment benefit.

#### ***Screen Crafts Academy***

- 8.3.8 The Academy could comfortably be accommodated at the existing Studios, and would probably be better located there in closer proximity to film production. It does not need to have a Green Belt location.
- 8.3.9 The proposal for an Academy would set an unwelcome precedent. If Tesco, for example, were to propose the development of a hyper-mega store with associated residential development on this site; it could be argued that provision of an Academy of Retail Skills constitutes a very special circumstance. Similarly, Lloyds TSB Bank plc could propose the construction of a major financial centre, with housing, in the Green Belt, and argue that provision of an Academy of Creative Accounting should tip the balance in favour of the scheme.

#### ***Pinewood Studios at the forefront of the international film industry***

- 8.3.10 Project *Pinewood* is a commercial venture seeking commercial returns<sup>3</sup>. PSL is a private company, not a publicly owned industry, whose primary responsibility is to its shareholders, whose primary aim is to maximise its

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<sup>1</sup> Mr Rhodes in evidence in chief

<sup>2</sup> CDG/1 – Document 1, Planning Statement: paragraph 8.78

<sup>3</sup> PSL/ID/1.1 – Mr Dunleavy's Proof page 16 paragraph 11.2

profitability. In this context it is therefore perfectly valid to ask whether assisting a private company to maintain its dominant position in its particular industrial sector by means of the destruction of Green Belt land in itself is of sufficient weight to override the harm.

- 8.3.11 Pinewood Studios do not make films. They are landlords and rent out studio space, firm lots, and stages. A variety of different businesses involved in the film industries operate from the Studios site. Project *Pinewood* is a thinly disguised opportunity for the company to build a housing estate and boost their flagging shares.
- 8.3.12 A great deal of evidence was provided on the macro-economics of the British Film Industry as a sector of the UK economy. However, there is no disaggregated evidence of Pinewood's specific contribution to that sector. Nor is there evidence about the company's annual turnover, profitability, asset value, or income generated investment. There is no objective economic data at all. The assumption is that all of these data fall within the category of "*commercial sensitivity*", and therefore not available to the Inquiry.
- 8.3.13 The only economic calculation produced is that the scheme will generate added value of £1.1 billion (or £2.7 billion with the multiplier effect) over a 30 year period<sup>1</sup>. But there is no cost-benefit or risk analysis, no independent audit of the data or indication as to what element of that global total will remain in the UK. The assumptions on which the projection is based has itself not been tested.
- 8.3.14 In summary, there is no reliable objective economic data on which any confidence can be placed. There is no basis upon which the viability and deliverability of the scheme can be assessed. This perfunctory approach may be successful within the film industry, but it is no basis upon which to grant planning permission for a major development within the Green Belt. In the absence of this evidence, the first very special circumstances cannot be established with any degree of confidence and consequently should be rejected.

#### 8.4 **Transport and Highways**

- 8.4.1 Transport issues have been, and remain, a particular concern of SPP at this appeal, not just in respect of the junction appeals, but, more importantly, in respect of the likely impacts of the proposed scheme on the local network and the compliance of the scheme with transport planning policy as set out in PPG13, the South East Plan and the CS.
- 8.4.2 BCC maintained its objections to the junction appeals until Day 9 of the Inquiry. There is no detailed expert evidence as to the reasons for the late withdrawal of the objection and no indication as to whether the Officers maintained their objections but were overruled by the Council Cabinet. Given these circumstances, little weight should be afforded to BCC's position, and more significant weight given to the actual evidence on transport matters before the Inquiry.

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<sup>1</sup> PSL/BR/1.1 – Mrs Rosewell's proof, paragraph 15.11

### ***Impact on local highway network***

- 8.4.3 As accepted in the appellant's evidence, Project *Pinewood* would generate substantial travel demand and this would largely be met by motorised vehicle. There is no evidence that grant of permission to Project *Pinewood* would reduce overall vehicle kilometre travel, as that comparative work has not been undertaken.
- 8.4.4 Much of the project's compliance with transport policy depends on the success of presumptions regarding the number of people living and working at Project *Pinewood*. The project will do no more than provide people with the opportunity to do so. There is not the specific evidence to show that people actually want to live where they work.
- 8.4.5 Specific evidence of the total daily trips generated by the development is absent and the outputs of traffic modelling are intended to demonstrate that all would be well in the post-development scenario<sup>1</sup>. The inputs to the models were not based on either estimated modal shares of car trips generated by the development, or actual trips likely to be generated. Instead the modelling added growth to base flows recorded in March 2008, and then reduced that to take account of on-site living and working and the effects of the sustainable transport package<sup>2</sup>. The conclusions produced by this exercise are as confusing and contradictory as the methodology applied. Production staff was found to have a significant bearing on the potential level of traffic generated<sup>3</sup>. However, little is known regarding the operation of Pinewood.
- 8.4.6 For example, the model originally predicted for the Bangors Rd North/Slough Road mini roundabout junction for the AM peak a queue of 386 vehicles<sup>4</sup>. After application of the 2<sup>nd</sup> sensitivity test this is reduced to a queue of 263 vehicles<sup>5</sup>. Mr Bird (for PSL) agreed that it was highly unlikely that Bangors Road North could physically accommodate a queue of that length, and that the modelled output was clearly an overestimate. It was observed by Mr Bird that this overestimate was a function of the model outputs themselves becoming increasingly unreliable once the predicted range of congestion moved beyond flow to capacity ratios (RFC) of 0.95 and 1.1.
- 8.4.7 The assumption is that despite the output of the model, congestion will not occur in practice because of "*trip reassignment*". In other words, people will leave for work half an hour earlier, make appointments to avoid peak periods, or find alternative routes to avoid pinch points. An alternative scenario, is, however, the gridlock of Iver Heath and Pinewood Green during morning and afternoon peaks<sup>6</sup>. Furthermore, no attempt has been made to

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<sup>1</sup> PSL/DB/1.1 – Mr Bird's proof Tables 6.1-6.14 and PSL/DB/3.2 – Arcady Assessments

<sup>2</sup> ID32 – Position Statement from Mr Bird and PSL/DB/3.2 – Mr Bird's response to Inspector's question (ID47)

<sup>3</sup> ID32 – Position Statement from Mr Bird

<sup>4</sup> PSL/DB/1.1 - Mr Bird's main proof, Table 6.10

<sup>5</sup> PSL/DB/3.2 - Table paragraph 5

<sup>6</sup> SPP 1 – Mrs Lowe's proof Section 3, SPP4 - Mr Wilson's proof (Iver PC), page 5, Mr Graham's proof (Denham PC), Section 3,

assess the alternative routes that may be taken by people to avoid the pinch points, and what impact that in turn may have on the wider highway network<sup>1</sup>.

- 8.4.8 The local road network is unable to cope with current levels of traffic<sup>2</sup>. Even small increases in traffic would exacerbate already congested roads. Local roads around Fulmer and other villages are narrow with few passing spaces. These roads cannot carry more traffic. Additional traffic generated by Project *Pinewood* would cause unacceptable levels of inconvenience to local residents, add to safety concerns and to pollution in the area.

***Alternative modes of transport***

- 8.4.9 Much reliance is placed by PSL on the provision of improved public transport links, cycleways and walkways to promote accessibility to jobs, shops and services. The transport model itself relies heavily on the validity of assumptions regarding reductions in employment trips and Pinewood Studios Masterplan traffic. Consequently these assumptions and the likely success of the encouragement of alternative modes of travel warrant closer scrutiny. Local people should not be expected to alter their travel patterns or day to day activities to counter the effects of the new development.
- 8.4.10 The pedestrian isochrone<sup>3</sup> purports to show what areas are accessible from the development site within units of a 5, 10, 15 and 20 minute walk. However, the walk-times were calculated from the entrance to the development site, and not from the actual dwellings on the site. Due to the lack of permeability between the development site and Pinewood Green, an additional 4 minutes walk time or so needs to be added to any pedestrian journey from the site. Consequently, the nearest primary school to the site, St Margaret's, falls well outside a 15-20 minute walk, as does the nearest infant school. Infants and primary school children will not happily walk such a distance every day, as assumed by the appellant.
- 8.4.11 Equally unreliable is the evidence that the weekly supermarket shop in Slough, Uxbridge or Gerrards Cross will be done by residents using the new improved bus services and not the private car, or by internet shopping, utilising the locker-storage facilities provided on-site. It is clear that certain difficulties might be experienced with perishable goods when residents could not take delivery during film shoots.
- 8.4.12 PSL's assumptions come from the belief that the residents of the new development will differ from that of the wider community and would be far more amenable to using sustainable modes of travel, and innovations such as internet shopping and storage lockers. The basis for this is the Pinewood Studios Travel Survey which shows that the largest proportion (36.5%) of the respondents to the survey is in the age range of 25-34 years old<sup>4</sup>.

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<sup>1</sup> SPP 6 – Mrs Vahey's proof (Fulmer PC), section 3.5.1

<sup>2</sup> SPP 1 – Mrs Lowes proof: see description of traffic conditions on the junctions and roads likely to be affected

<sup>3</sup> PSL/DB/1.2 – Mr Bird's Appendices, Figure 9,

<sup>4</sup> PSL/DB/2.2 – Mr Bird's rebuttal Appendix G, Table 2

8.4.13 The same survey indicates that over 50% of respondents to the survey (50.6%) are over the age of 35. The age range of 35-44 make up 20.5%, 45-54 17.8% and 55 and over 12.3%. When this data is set against the possible mix of residential dwellings on the site, the outline application could permit 65% of the housing to be of 3 bed houses and larger<sup>1</sup>. With the exception of the 150 affordable dwellings and 50 "tied cottages" to be provided on site, there is significant doubt over the affordability of the market housing element of the proposal either for those working within the film industry or in other sectors, and this, in turn, raises doubts over the likely demographics of the development and its propensity to utilise sustainable modes of transport.

### ***Parking***

8.4.14 The level of parking proposed (1.29 parking spaces per household including visitors) is significantly below the SBDC Draft Interim Guidance<sup>2</sup>. The development would lead to unacceptable levels of parking overspill on local residential streets.

## **8.5 Impact on Local Infrastructure and Local Amenity**

8.5.1 The demands of a new development the size of Project *Pinewood* raises concerns about effect on local water supply and sewage disposal. The development would increase pressure on secondary education places. The Chalfonts Community College already at full stretch with over 2,000 pupils could not cope with an influx of students. Waiting time at the A&E department of the Wexham Park Hospital is lengthy and the development would stretch the hospital's resources.

8.5.2 During filming at Pinewood Studios it is not unusual to hear sounds of explosions or wind machines and the lights can be seen from some distance. Filming on the Project *Pinewood* site would bring such noise and disturbance closer to the houses at Pinewood Green and affect residents' living conditions.

## **8.6 Conclusions**

8.6.1 If the development were to proceed, Green Belt land would be irretrievably lost and every day lives of many people would be irrevocably and harmfully changed. This needs to be balanced against the financial interests of Pinewood Studios. The harm likely to be caused by Project *Pinewood* can be predicted with a reasonable degree of certainty, whereas the benefits put forward are highly speculative, uncertain and unpredictable. The Green Belt is the last place to experiment with community design and living. The draft NPPF brings nothing new to the table nor advance the appellant's case.

## **8.7 APPEALS B AND C**

8.7.1 Acceptability of the junctions applications is dependent on whether Project *Pinewood* is granted permission. SPP's position is strongly reiterated insofar

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<sup>1</sup> CDG/1 – Document 4, Transport Assessment: Table 4.1, page 10 Appendix 6.1

<sup>2</sup> CDG/1 – Document 4, Transport Assessment: paragraph 4.5.6.5

as Project *Pinewood* is regarded as an unacceptable unsustainable development on Green Belt land.

## 9. THE CASE FOR PINEWOOD STUDIOS LTD. (PSL)

### APPEAL A – PROJECT *PINEWOOD*

*The material points are:*

#### 9.1 Introduction and Background

9.1.1 Pinewood Studios is a business of national significance and international importance. It is a world-leading player in the creative industries field. This is exactly the sort of business that the Coalition Government relies upon in its 'The Plan for Growth' document to lead UK's recovery from recession. The Government's determination that successful businesses like Pinewood Studios should "*out-compete, out-smart and out-pace the rest of the world*"<sup>1</sup> perfectly encapsulates exactly what Project *Pinewood* would deliver.

9.1.2 Pinewood Studios' unique, multi-faceted proposal for a living and working community for the screen-based creative industries, adjacent to Pinewood Studios, incorporating real, lived-in, streetscapes would attract international interest and attention. This is not an ordinary case fit for a default answer refusing permission because of the site's location in the Green Belt. The nation's competitors would be delighted were a project of such significance to be rebuffed. This is a case where we risk ridicule if we don't get it right. The circumstances here truly are 'very special' and more than sufficient to grant permission for Project *Pinewood*, as demonstrated by the evidence put before the Inquiry and considered below.

#### 9.2 The Green Belt Approach

##### ***Very special circumstances: the threshold***

9.2.1 PPG2 is clear that being located in the Green Belt does not represent an absolute prohibition on development. There is a general presumption against inappropriate development within the Green Belt but that presumption can be rebutted where very special circumstances exist. Very special circumstances describes an overall state of affairs where the countervailing factors, which may be more than the sum of their parts, clearly outweigh the harm<sup>2</sup>. It is wrong to look at each individual factor relied upon and refuse planning permission on the basis that no single factor is 'very special'. The Courts have held that there is no reason why a number of factors ordinary in themselves cannot combine to clearly outweigh the harm to the Green Belt and cause very special circumstances to exist<sup>3</sup>.

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<sup>1</sup> CDH/50 - The Plan for Growth, page 4.

<sup>2</sup> *R (Basildon BC) v. First Secretary of State and Temple* [2004] EWHC 2759 (Admin); *Winter v. First Secretary of State and South Cambridgeshire DC* [2004] EWHC 2952 (Admin).

<sup>3</sup> *R (Basildon BC) v. Secretary of State for the Environment* (1996) P. & C.R. 61, paras. 9-10 and *Wycharon DC v. SSCLG* [2009] 1 P. & C.R. 15 at paras. 21-36 (where the Court of Appeal

- 9.2.2 Accordingly, the positive aspects of Project *Pinewood* overall must be looked at and whether taken together these clearly outweigh the harm that the scheme would cause. If the Secretary of State accepts Pinewood Studios' case concerning the national significance of Project *Pinewood* and that there is no alternative site, then that would be sufficient to outweigh the Green Belt presumption.
- 9.2.3 As with any built development in the Green Belt, save for the very limited exceptions in PPG2, Project *Pinewood* is inappropriate development and is therefore, by definition, harmful to the Green Belt. Substantial weight is to be given to this. PSL accepts this, but PPG2 requires consideration to be given to the degree of any other harm which arises in the case in hand aside from the inevitable definitional harm.

### ***Precedent***

- 9.2.4 The combination of features that this scheme offers is unique. Each planning application for otherwise inappropriate development in the Green Belt requires an individual balancing exercise based upon the particular circumstances of the case in hand. The only principle that could be drawn from the grant of permission for Project *Pinewood* would be that the positive benefits of the scheme were considered to clearly outweigh the harm - in other words a straightforward application of Green Belt policy.
- 9.3 **Effect on Openness, on the Purposes of including Land in the Green Belt, on the Character and Appearance of the Green Belt and the Colne Valley Park**
- 9.3.1 A number of representative viewpoints were identified and agreed with SBDC for the purposes of the EIA process<sup>1</sup>. The assessment investigated the visual experience of Project *Pinewood* in the context of the Green Belt and how they relate to the relevant purposes<sup>2</sup>.
- 9.3.2 Of the 14 viewpoints selected, nine would have no impact on the purposes of the Green Belt. Of the remaining five, all but one would impact on one of the purposes, while one (Viewpoint 8) would affect two of the four Green Belt purposes tested. The assessment shows that the impact would be localised. While Project *Pinewood* would extend northwards from Pinewood Green, the three dimensional assessment along the lines undertaken shows that the perception of unrestricted sprawl would be minimal. As the appeal scheme would lie to the north of Iver Heath, there is no realistic risk of coalescence. Encroachment on the countryside would be apparent from only two of the 14 viewpoints, but that would not amount to the "*severe detrimental*" impact on the Green Belt feared by the Council.
- 9.3.3 Openness itself is a relatively minor characteristic. In PPG2 terms that means 'without development' and is encapsulated in the definitional harm

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disapproved the contrary approach suggested by Sullivan J in *R (Chelmsford BC) v. First Secretary of State* [2004] 2 P. & C.R. 677 at para. 58)

<sup>1</sup> PSL/AW/1.2 – Mr Williams' Appendix A, Figures 4A and 4B.

<sup>2</sup> PSL/AW/1.1 – Mr Williams' proof, Section 5.4 comprises detailed viewpoint assessments against the range of purposes west out in PPG2 from 14 different viewpoints with summary tables to identify the scale of impact.



caused by inappropriateness, as opposed to visual harm, which requires a three dimensional visual analysis.

- 9.3.4 The appeal scheme was tested against the nine surrounding landscape character types<sup>1</sup>. The characteristics of the Green Belt in the vicinity of the site are highly varied, ranging from the Iver Plateau, Woodland Residential, Valley Farmland to Motorway Corridor. Further to the east are the Colne Valley Fringe, and the built-up areas to the immediate west and south of Pinewood Studios and Iver Heath Residential respectively. Three of the nine character types would be adversely affected, but of those three the impact would be confined to small geographic areas. While the scheme would reduce the openness of the Green Belt, using the PPG2 meaning, it would not be damaging in terms of the three dimensional characteristics of the landscape, as demonstrated in the visual exercises carried out.
- 9.3.5 Location of the site within the Colne Valley Park overlaps with the Council's Green Belt objection<sup>2</sup>. Core Policy 9 of the CS (the policy which covers the Park as well as other landscape interests) recognises that development *"that would harm landscape character"* is permissible if *"the importance of the development outweighs the harm caused"* and *"the development cannot be reasonably located on an alternative site that would result in less or no harm"*<sup>3</sup>. If the Secretary of State concludes that the positive aspects of Project *Pinewood* clearly outweigh the harm and justify development in the Green Belt, then the same considerations would be more than sufficient to outweigh any harm to the Colne Valley Park.
- 9.3.6 The assessments show that harm to the Green Belt and the Colne Valley Park, and the landscape and visual impacts of the scheme, would be localised<sup>4</sup>. Moving away from the boundary of the site, the impacts would be very well contained. That the impacts would be so localised for a development of this scale is a significant point.
- 9.3.7 It is misleading to refer to the Project *Pinewood* as 'urban'. There is no denying that many of the streetscene types would have some urban characteristics. The core of the development, for instance, with its 3-6 storey buildings extending to the same height as the 007 stage, would be the urban centre for the scheme. By contrast, it is important to note that the core makes up only 20%, with a similar area of low density housing areas and over 50% of the site area comprising open space, retained hedgerows and woodland.
- 9.3.8 The scheme would perform well in relation to the advice in PPG2 that *"when any large-scale development ...occurs in the Green Belt ...it should, so far as possible contribute to the achievement of the objectives for the use of land in Green Belts (see paragraph 1.6 above)"*. The Council's witness

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<sup>1</sup> PSL/AW/1.1 – Mr Williams' proof, Section 6: Landscape and Townscape Character Assessment

<sup>2</sup> Mr Kyle himself stated in cross examination that *"there is certainly overlap"* between the two issues.

<sup>3</sup> CD E/23 - Core Strategy, page 64.

<sup>4</sup> PSL/AW/1.1 - Mr. Williams' proof sections 5-6, Mr. Kyle's answers in cross examination and Mr Bird QC's Opening on behalf of the Council at paragraph 26.

acknowledged that there were only two of the land use objectives set out in PPG2 that Project *Pinewood* as a large-scale development would be capable of contributing to – namely (i) providing opportunities for outdoor sport and recreation (the 2<sup>nd</sup> objective) and (ii) securing nature conservation interests (the 5<sup>th</sup> objective). Mr Kyle agreed that Project *Pinewood* would contribute to both of these.

#### 9.4 **Effect on Protected Trees and Hedgerows**

- 9.4.1 SBDC and PSL agree that only 26 trees<sup>1</sup> out of nearly 500 would have to be felled. The retained trees and hedgerows would be successfully integrated within the development<sup>2</sup>.
- 9.4.2 At each stage of the design process, all reasonable efforts were made to avoid, minimise and mitigate for predicted adverse ecological impacts. While it is acknowledged that there would be loss of bio-diversity on site, the off-site compensatory works would off-set those impacts, with no net loss of biodiversity<sup>3</sup>.
- 9.4.3 The Clump would be retained in its entirety. Increased recreational use may affect breeding birds, but a combination of sensitive design, long term management and on site planting would mitigate any impacts<sup>4</sup>.
- 9.4.4 The ecological significance of the hedgerows is exaggerated, particularly given the relative abundance of comparable features across the wider area. Their value comes mainly from age and they are not known to support significant protected species interest, as revealed by the ecological surveys carried out<sup>5</sup>. The loss of less than quarter of the site's hedgerows would not be significant at County or National levels.
- 9.4.5 In any event, as the Council's witness agreed, if the Secretary of State concludes that there are very special circumstances to justify granting permission for Project *Pinewood*, the scheme could not have done a better job in relation to landscape or ecological issues. It follows from this that the scheme's impact on trees and hedgerows cannot constitute a free-standing reason for refusing planning permission, should the fundamental Green Belt issue be determined in PSL's favour.

#### 9.5 **Whether the Proposal would Compromise Key Sustainable Development Principles**

- 9.5.1 The local highway authority confirmed during the course of the Inquiry that it no longer has any objection to Project *Pinewood* in terms of transport,

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<sup>1</sup> ID59A - Mr Spooner's note of 11<sup>th</sup> May 2011; this figure excludes "R" category trees the felling of which is not of concern.

<sup>2</sup> PSL/AW/2.2 - Mr Williams' Rebuttal Appendix F, and the photographs in PSL/AW/4.2 of trees/a hedgerow that have been successfully incorporated into an urban development in Warwick.

<sup>3</sup> CDG/1 – Document 6, ES Volume 2, Main Report: Section 10.11 and PSL/AW/2.2 – Mr Williams rebuttal Appendix C, Ecological Statement from Mr Harwood of Arup

<sup>4</sup> CDG/1 – ES Volume 2, Main Report: paragraph 10.1.2.2 and PSL/AW/2.2 – Mr Williams rebuttal Appendix C, Ecological Statement from Mr Harwood of Arup, paragraph 3.1

<sup>5</sup> CDG/1 – ES Volume 5 – Appendix 10 to ES

highways or sustainability<sup>1</sup>. Mr Macaulay's evidence in support of that objection was withdrawn. Nevertheless, SBDC has maintained its objection on the basis of the site's location and sustainability aspects of Project *Pinewood*. The sustainability/accessibility of the location should be judged with the development in place, and not by ignoring the improvements forthcoming to accessibility by sustainable transport modes.

- 9.5.2 As a matter of principle, housing and employment co-located represents sustainable planning. Pinewood Studios is already the biggest employment site in the District. Together with Project *Pinewood* it would host nearly 4,000 jobs, if permission is granted<sup>2</sup>. This represents an obvious and excellent opportunity to achieve a far higher proportion of people both living and working within the same community than would normally be possible in this part of the South East.
- 9.5.3 The cautious estimate advanced is that 20% of residents would work at Project *Pinewood* or Pinewood Studios<sup>3</sup>, but this is likely to be on the conservative side. The Kings Hill mixed use development in Kent with 13% of the working population living and working on the site is a conventional employment plus residential scheme. Project *Pinewood*, by contrast, as a scheme designed specifically as a living and working community for the creative industries would lead to a greater uptake. It is inconceivable that four out of five residents would have nothing to with the creative industry cluster on their doorstep.
- 9.5.4 On top of that, the 150 on-site affordable units and 50 Target Housing Units would be prioritised for people working at Pinewood, Project *Pinewood* or within a 1.5km radius<sup>4</sup>. Of the remaining 1,200 market units, only 80 or 6.6% would need to be occupied by persons working in the industry for the 20% figure to be reached<sup>5</sup>.
- 9.5.5 Currently bus provision is very poor: a single, low frequency stopping service between Slough and Uxbridge passing some 1.2km from the site<sup>6</sup>. An existing free shuttle bus service between Pinewood Studios, Slough and Uxbridge Stations is available to staff. Project *Pinewood* would deliver a radical transformation in the range and frequency of bus routes serving the site and its vicinity. The scheme would introduce a regular morning and evening limited stop service to Slough and Uxbridge taking only 16 minutes to each, as well as a limited stop service to Gerrards Cross, and an enhanced limited stop service between Slough and Uxbridge throughout the day<sup>7</sup>. The journey times would be no more than by car and would be

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<sup>1</sup> See ID32 – Statement from BCC on transport issues

<sup>2</sup> CDG/1 – Document 5, Economic Impact Assessment, The total number of jobs will be 3,250 once the permitted Masterplan is completed (paragraphs 3.3-306), plus the 628 generated by Project Pinewood: 3,878 in total (paragraphs 3.15-3.39)

<sup>3</sup> CDG/1 - Document 6, ES volume 4 Transport Assessment, paragraph 6.6.4.13

<sup>4</sup> ID7D – S106 Agreement Schedule 2 Parts 1 and 2

<sup>5</sup> 20% of 1400 = 280 units. The (prioritised) affordable housing and Target Housing totals 200 units.

<sup>6</sup> PSL/DB/1.2 – Figure 2

<sup>7</sup> PSL/DB/1.1 – Mr Bird's proof 4.42 and following and PSL/DB/1.2 – Mr Bird's Figure 12 and ID7E – S106 Agreement Schedule Part 2

attractive options for residents wishing to access those towns or the rail network.

- 9.5.6 Accessibility of the site by bike would also be upgraded. Off-road cycleways to Langley (where it will connect up with the Slough cycle network) and Uxbridge are proposed<sup>1</sup>. As far as travel-to-work cycle routes in this part of the South East go, the off-road cycleways would compare very favourably. Uxbridge and Langley stations are within a 20 minute cycle ride<sup>2</sup>. The Comprehensive Cycling Strategy sets out a wide range of incentives to use cycling as a viable mode of travel – these include vouchers for residents to purchase a bicycle, employers encouraged to deploy Cycle to Work Scheme, rent-a-bike schemes, walking and cycle signage and maps among others.
- 9.5.7 The bus and cycle routes would link in with the Crossrail stations at Slough and Langley. This would result in a door-to-door time from Project *Pinewood* to Soho, and vice versa, of barely an hour<sup>3</sup>. Travel to and from Soho is likely to be a popular route, given Project *Pinewood's* focus on the creative industries. A door-to-door travel time of just over an hour via bus/cycle + Crossrail is likely to compare very favourably, in both time and cost, to the less sustainable alternative of covering the same journey by car.
- 9.5.8 Personalised Travel Planning would be used to help those living and working at Project *Pinewood* understand the range of sustainable transport opportunities available to them. In addition to the above, a site travel plan would include a car club and car share scheme.
- 9.5.9 It is already apparent that travel planning at Pinewood works. The 2009 Travel Survey of those working at the studios indicates that the existing shuttle bus has resulted in a modal split of just 67% for the private car – receiving praise from the County's Travel Planning Officer<sup>4</sup>. Of those still using the private car, 58.9% said that this was because public transport was not available<sup>5</sup>. With Project *Pinewood*, this would no longer be the case for those coming from Slough, Gerrards Cross, Uxbridge or any of the stops on the Crossrail line.
- 9.5.10 The Transport Assessment assumes a 10% modal shift away from the private car compared to the travel patterns indicated in the 2001 census data for Iver Heath, thus leading to an overall modal split of 62% by car<sup>6</sup>. The 2001 census data comes from a time when realistic sustainable transport opportunities for Iver Heath were practically zero. Given the contrast between this unsatisfactory starting point and the range of sustainable transport options forthcoming with Project *Pinewood*, the pace

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<sup>1</sup> ID33 and PSL/DB/1.1 - Mr Bird's paragraphs 4.28-4.35

<sup>2</sup> PSL/DB/1.2 - Mr Bird's Figure 10. Mr Macaulay accepted that, whilst these isochrones take the existing site access as the starting point, rather than the centre of Project *Pinewood*, the additional distance would be only about 200-300m which would translate as an additional 1-2 minutes maximum.

<sup>3</sup> PSL/DB/3.1 – Mr Bird's note regarding use of rail stations

<sup>4</sup> PSL/DB/2.2 – Mr Bird's rebuttal Appendices G and H.

<sup>5</sup> *Ibid*, Table 11.

<sup>6</sup> PSL/DB/3.2 – Table: Project *Pinewood* Daily External Trips Total

of change away from the private car is likely to be significantly greater than the average 14% reduction described in *Smarter Choices*<sup>1</sup>.

- 9.5.11 Perhaps the best indicator is the 2009 Travel Survey of those working at Pinewood Studios<sup>2</sup>, which shows that of the 224 respondents, 67% access the studios by private car. Comparing this to the Transport Assessment 's predicted modal split for travel to work at Project *Pinewood* (73% by car)<sup>3</sup> demonstrates that even before a single of the proposed enhancements have been achieved, the targets are already being beaten. That shows that the Transport Assessment's projected modal split is conservative.
- 9.5.12 Furthermore, Project *Pinewood's* commitment to low energy buildings, use of renewable energy sources, water efficiency and waste recycling measures would assure reductions in greenhouse gas emissions some 39-45% below that expected with a standard property development<sup>4</sup>. Significant overall sustainability gains would be achieved, as film crews would reduce the need to travel globally. The study, based on a hypothetical small to medium budget film, shows that providing typical streetscapes for several frequently used destinations at Project *Pinewood*, production companies would also reduce carbon emissions<sup>5</sup>. The film and TV industries are increasingly leading initiatives to improve their green credentials and reduce carbon emissions.

## 9.6 **The Traffic and Highways Safety implications of the Proposal, and Parking Implications**

- 9.6.1 Although the SBDC objections on highway and transportation grounds were withdrawn, SPP maintains its concerns on the basis of the impact of Project *Pinewood* on congestion on the local highway network. The only expert evidence on the subject is provided by Mr Bird on behalf of PSL. Endorsement of his position by the local highway authority (BCC) is a matter of very considerable weight.
- 9.6.2 The issue here is largely one of congestion and not safety. Even before the SBDC objection was withdrawn, the witness confirmed in cross-examination that with effective mitigation actions no safety issues arise<sup>6</sup>. The congestion at peak hours is a common phenomenon in the South East. There is no evidence that the degree of congestion in the vicinity of the appeal site is particularly unusual by Home County standards. Concerns about congestion cannot act as a bar on beneficial development, if the region really is to deliver on the Government's call for urgent sustainable growth.

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<sup>1</sup> CDD/26 - The research study *Smarter Choices* indicates that, where significant enhancements are provided in non-urban areas, a "cautious estimate" is that reductions of 14% in private car use are likely at peak hour

<sup>2</sup> PSL/DB/2.2 – Mr Bird's rebuttal Appendix G

<sup>3</sup> CDG/1 - Document 6, ES volume 4 Transport Assessment, page 19 Table 6.9

<sup>4</sup> CDG/1 – Document 4, Carbon Footprint Study

<sup>5</sup> CDG/1 – Document 4, Carbon Footprint Study

<sup>6</sup> Mr Macaulay in evidence

- 9.6.3 In any event, the evidence shows that the local highway network can and would satisfactorily accommodate the traffic generated by Project *Pinewood*. Since the Transport Assessment, extensive discussion between PSL and BCC led to agreements about traffic flows that are appropriate for analysis. The assumptions on base flows, Studios Masterplan traffic and employment trips used to analyse junction capacity performance<sup>1</sup> is recorded in ID32 (Position Statement from Mr Bird). Both base flows (those that would occur on the network in any case) and development flows were overestimated in the Transport Assessment. The base flow assumptions are conservative since they are based on traffic counts in July (i.e. one of the busiest months at Pinewood Studios: see ID26) and have been factored up to March (the busiest month of the year generally). The reality is that base flows will normally be significantly lower<sup>2</sup>. Using neutral month flows, July 2008 counts and eliminating growth factors provides a robust and realistic basis for predicting base flows.
- 9.6.4 Development flows should be adjusted from the Transport Assessment estimates to allow for an additional 20% living and working on the site (the Transport Assessment wrongly includes the normal 11% working at home and 3 % within 2 km of home). Trip rates from employment and community uses are also overestimated by 105 trips<sup>3</sup> and no allowance was made for the existing community, including those working at Pinewood Studios, using the proposed bus service.
- 9.6.5 Further analysis using a 2<sup>nd</sup> sensitivity test, applying the adjustments, was carried out. These included the earlier assumptions plus growth<sup>4</sup> applied from 2010 to 2022<sup>5</sup>. ID35 comprises summaries of results from TA flows, 1<sup>st</sup> and 2<sup>nd</sup> sensitivity tests at the proposed Sevenhills junction and Five Points Roundabout. BCC acceptance of the new junctions is on the basis of 2<sup>nd</sup> sensitivity tests, plus mitigation packages. Tables in PSL/DB/1.1 and PSL/DB/3.2 provide summary results using TA flows and 1<sup>st</sup> and 2<sup>nd</sup> sensitivity tests at other nearby junctions likely to be affected by the proposal<sup>6</sup>.
- 9.6.6 The two local 'pinchpoints' – the Five Points Roundabout and the Denham Road/Sevenhills Road junction – are to be upgraded to enhance their performance and would operate within capacity even at peak hours (see ID35). These improvements would actually improve the free-flow of traffic compared to the existing position<sup>7</sup>.

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<sup>1</sup> PSL/DB/1.2 – Mr Bird's Appendix G: flow diagrams showing revised flows. See PSL/DB/1.1 (Mr Bird's proof) Tables 6.1 -6.14 for summary results for specific junctions

<sup>2</sup> PSL/DB/3.2 paragraph 2.

<sup>3</sup> PSL/DB/1.1 & 4.1 – Mr Bird's proofs paragraphs 5.16 and 4.15

<sup>4</sup> Growth rates of 9% in the morning peak and 6% in the evening were used

<sup>5</sup> PSL/DB/3.2 – Mr Bird's response to Inspector's questions paragraph 10

<sup>6</sup> Mr Bird cautioned against relying on figures when junctions are close to capacity, such as the PCU figure of 228 in PSL/DB/1.1, Table 6.8

<sup>7</sup> PSL/DB/1.2 – Mr Bird's proof paragraph 8.13 and PSL/DB.2.1 - rebuttal proof paragraphs. 7.9-7.10

- 9.6.7 The over-capacity at the Slough Road / Bangors Road double mini-roundabout<sup>1</sup> is a pre-existing problem and not caused by Project *Pinewood*. The overcapacity would only be for a short period of time during peak hours. If it does lead to some road users suffering intolerable delays, over the 10 year build-out period they are likely to adjust their journey time or mode accordingly<sup>2</sup>. It must also be said that the ARCADY assessment does not take account of a likely reduction in traffic using this junction owing to the enhancement of Five Points Roundabout, which would present a more attractive option to some road users<sup>3</sup>.
- 9.6.8 The S106 planning obligation incorporates a range of measures<sup>4</sup> to combat traffic issues and to bring forward significant transport benefits. The provision of an Additional Mitigation Fund of £1.2million would allow for a flexible and responsive approach to the management of traffic from the development, addressing issues as they arise. Measures include traffic calming schemes in Pinewood Green, Fulmer Village and Iver Heath that would dissuade drivers from rat-running. This strategy is endorsed by the County Council<sup>5</sup>.
- 9.6.9 Concerns about additional HGVs are misplaced. The quarry planning permission granted by the County Council allows up to 146 HGVs per day along Pinewood Road (CDH/56) The HGVs associated with the construction of Project *Pinewood* would be, at their most, only 84 HGVs per day<sup>6</sup>, which is less than 60% of the permitted quarry number. Moreover, the quarry permissions are due to expire by 2013. If they are not renewed, the level of traffic along Pinewood Road (and thus the base flows) would reduce by up to 146 HGVs per day.
- 9.6.10 Local residents' objections about the development leading to cars being parked on the road are also unfounded. The County Council, in its capacity as local highway authority, is satisfied that the level of on-site parking provided is appropriate<sup>7</sup>. Instances of members of a TV audience parking on the local roads rather than within Pinewood Studios (e.g. due to incorrect instructions being given by the organisers of the TV show) are very rare<sup>8</sup>. Project *Pinewood* would not involve filming with TV audiences and therefore would not generate any such issues itself.
- 9.6.11 There is no merit in the suggestion that Project *Pinewood* would become a theme park/tourist attraction. It is not in Pinewood Studios' commercial interest for the site to become a tourist attraction, given the requirements of their clients with regards to filming. The scheme would not be marketed

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<sup>1</sup> PSL/DB/3.2 – ARCADY assessment shows the junction will be at over-capacity at peak hours

<sup>2</sup> PSL/DB/1.1 – Mr Bird's proof paragraphs 5.65-5.67

<sup>3</sup> Mr Bird in evidence in chief

<sup>4</sup> ID32 – Mitigation Package and S106 Terms of Agreement

<sup>5</sup> See the Agreed S106 Heads of Terms with the County Council (ID32A) and SBDC 3B Mr Macaulay's Appendix F page 147.

<sup>6</sup> CDG1 - Document 6 Volume 4 (Transport Assessment) page 31 Table 8.3.

<sup>7</sup> CGG/10- Transport Statement of Common Ground, paragraph 4.7.

<sup>8</sup> The highest it was put was by Mr Rosetti who said that in his 20 years of living opposite Pinewood, there had been instances such as this on 8-10 occasions – i.e. less than once every two years.

as a tourist destination<sup>1</sup>. That would be counter-productive to the close and secure filming environment needed and intended at Project *Pinewood*. The streetscapes would remain in private ownership and access would be controlled when filming takes place. Should any issues arise there is every opportunity to introduce a gradation of practical management measures. As the scheme would be built out in phases, experience would be gained over time.

9.6.12 In summary, impact on the local road network would be acceptable and the transport benefits would be available to the local community, as well as those living and working at Project *Pinewood*.

## 9.7 Effect on the Living Conditions of Future and Existing Residents

9.7.1 Given the exceptional degree of care that has been given to every aspect of the scheme, those living in Project *Pinewood* would enjoy a high quality of life<sup>2</sup>. The architecture, layout and open spaces would combine to create a living and working place capable of effectively integrating the filming environment with normal day to day residential uses. Such issues are specifically addressed in the Infrastructure and Services Strategy (CDG/1, Document 10). A condition requiring submission and approval of a Management and Operational Plan would provide the Council with the opportunity to scrutinise and influence how the scheme would be managed. The film industry is used to filming on locations where people live and has already developed good practices in ensuring that residents are given adequate advance notice and that their interests are respected<sup>3</sup>.

9.7.2 The layout and design would put in place measures for protecting the amenities of those living in the vicinity of Project *Pinewood*. The building line of the southern edge of the development would be set back from the homes on the northern side of Pinewood Green, reflecting the existing separation between the streets of properties in Pinewood Green<sup>4</sup>. There would be a substantial green buffer in between. There would be no filming within this gap. Detailed controls to be submitted under conditions would mitigate any residual lighting and noise impacts from filming. Large scale lighting is likely to be extremely rare for the kind of filming that would take place in the streetscapes<sup>5</sup>.

9.7.3 The Council was correct to conclude that there would be no unacceptable impact on the residential amenity of neighbouring properties.

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<sup>1</sup> PSL/ID/2.1 – Mr Dunleavy’s rebuttal paragraphs 7.1-7.2

<sup>2</sup> CDG/1 – Document 3, Design and Access Statement, paragraph 6.1.7

<sup>3</sup> Mr Norris and Mr Iain in evidence

PSL/DH/2.1 - Mr Height’s slides page 20

<sup>5</sup> WR48 – Mr Hoare’s objection to lighting



## 9.8 Other Material Considerations

### ***The importance of the UK creative industries<sup>1</sup> to the national economy***

- 9.8.1 In recent years the creative industries have been a particularly important source of economic growth for the UK. As the economy continues to emerge out of recession, the Government attaches critical importance to the ability of creative industries, amongst others, to play a role in the recovery<sup>2</sup>. The industry is closely correlated with high level of entrepreneurialism - a key driver behind the rapidity of growth.
- 9.8.2 'The Plan for Growth' (CDH/50) reiterates the priority, specifically citing the creative industries as one of the areas in which *"we should determine to become a world leader"* (page 3) as it has *"the potential to drive significant growth in the UK"* (2.216). The Council is of a similar view, endorsing the statement in the Bucks Employment Land Review Update that the creative industries are *"a national priority"*<sup>3</sup>.
- 9.8.3 The screen industries are a central component of the creative sectors. The UK has built up a particular reputation in the screen based industries. At their core, they include TV, film, commercials and computer games. British films are globally recognised; they generate positive export earnings and promote cultural values. Contemporary British films have worldwide appeal. Few countries regularly and consistently produce film for a global audience. The USA is a dominant force in this respect and films produced there have a greater reach than those made in the UK. Nevertheless, the UK performs well, given the combination of heritage, creative talents, skills, infrastructure, good story telling and the English language.
- 9.8.4 A report published in 2010 by Oxford Economics finds that the UK film industry accounted for over £4.5 billion of GDP in 2009<sup>4</sup>. The Report also found that the film industry directly employed 36,000 people in 2009 and, through UK tourism, trade and merchandise, supported a total of 100,000 jobs. Gross of tax relief a contribution of over £1.2 billion went to the Exchequer in 2009. The most up to date document (ID38) shows that in 2010 the UK film production spend hit a record level of £1.1 billion with international investment setting a new record of over £928 million spend on 28 films.
- 9.8.5 Acknowledgement of the economic value of the UK film industry is a major reason behind Government's support of the sector<sup>5</sup>. Recent commitment to

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<sup>1</sup> CDG/1 – Document 5, Economic Impact Assessment, Table 1: DCMS definition of creative industries sectors

<sup>2</sup> David Cameron: Transforming the British economy: Coalition strategy for economic growth 28th May 2010 <http://www.number10.gov.uk/news/speeches-and-transcripts/2010/05/transforming-the-british-economy-coalition-strategy-for-economic-growth-51132>

<sup>3</sup> CDE/2, Appendix p.12.

<sup>4</sup> CDH/40 – Oxford Economics: The Economic Impact of the UK Film Industry

<sup>5</sup> PSL/ID/2.2 – Mr Dunleavy's rebuttal Appendix 3: Evidence of emerging Government policy and commitment to creative industries and enterprise – March 2011 and PSL/BR/1.1 – Mrs Rosewell's proof, Ministerial quotes, paragraphs 6.5-6.7

film tax credit – an effective enabler of UK film – is a key element of that support. A leading British film producer, Mr Iain Smith, has been appointed as Chairman of the British Film Commission with the specific remit of acting as ambassador for the UK film industry to encourage more foreign investment<sup>1</sup>.

- 9.8.6 In an increasingly internationalised market, there is significant potential for further growth by attracting more inward investment from overseas. While international exporters are a competing force, they also help to build and maintain UK's export market. In 2010, for instance, US studios spent £919m on the production of 18 films in the UK<sup>2</sup>.

***The importance of Pinewood to the UK creative industries***

- 9.8.7 Pinewood Studios is at the forefront of the UK screen-based creative industries and is central to their success<sup>3</sup>. It is acknowledged as a market leader and enjoys a reputation for excellence and capability. The Studios is synonymous with British film making. The filmography<sup>4</sup> of Pinewood Studios represents some of the best and most enduring cinema produced in this country.
- 9.8.8 The Council recognises Pinewood's status as a world beating location at which to film. The CS describes it as "*nationally important*" in the context of maintaining economic prosperity<sup>5</sup>. The saved Local Plan Policy E2<sup>6</sup> describes it as "*a site of national and international significance for the production of films.*" Pinewood Studios is unique in the UK in the manner in which it competes successfully with Hollywood and other international studios. The resources, skilled workforce, long history of hosting film productions and reputation attract many production companies. Pinewood Studios is becoming increasingly popular as the choice for Hollywood pictures to shoot in the UK<sup>7</sup>. Twelve of the 20 highest grossing films in the UK of all time were made at Pinewood<sup>8</sup>. To be associated with Pinewood Studios is to be perceived as "*premium brand*"<sup>9</sup>. Without its existence and continued health, the UK film industry would be unable to maintain its global position.
- 9.8.9 Alongside its internationally significant stage infrastructure, Pinewood Studios accommodates some 200 independent specialist businesses<sup>10</sup>, all operating and working in or supporting the screen-based creative industries,

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<sup>1</sup> Mr Iain Smith in evidence

<sup>2</sup> PSL/BR/1.2 – Mrs Rosewell's proof: Of the seven major inward investment titles of 2010, six were made in Pinewood Studios, including Pirates of the Caribbean and the latest Harry Potter

<sup>3</sup> PSL/ID/1.1 - Mr Dunleavy's proof section 4.

<sup>4</sup> PSL/ID/1.2 – Mr Dunleavy's Appendix 4: Pinewood Studios Filmography, 1936-2011

<sup>5</sup> CDE/23 – CS page 10, paragraph 1.2.28 and page 36 paragraph 2.2.23

<sup>6</sup> CDE/25 - LP page 143, paragraph 10.17

<sup>7</sup> PSL/ID/1.1 – Mr Dunleavy's proof: paragraph 4.12, List of Hollywood Pictures shot at Pinewood Studios since 1991

<sup>8</sup> PSL/BR/1.2 – Mrs Rosewell's Appendix B

<sup>9</sup> PSL/SN/1.1 – Mr Steve Norris' proof paragraph 1.3

<sup>10</sup> CDH/47 – The Knowledge on the Lot 2010, Directory listing companies based at Pinewood, Shepperton and Teddington Studios

and employing some 750 people<sup>1</sup>. Pinewood Studios has evolved a bespoke and unique offering to support all forms of audio-visual content production<sup>2</sup>, providing an extensive range of world-class specialist skills, expertise, experience, equipment and facilities across the myriad of everything that is required to produce films, TV programmes, commercials, music videos and computer games<sup>3</sup>. The immediacy of this cluster of expertise and services is one of the most important facets of Pinewood Studios<sup>4</sup>. There is no other facility like it in Europe<sup>5</sup>.

- 9.8.10 Pinewood Studios is also the most significant employment site in the District. An average of 1,750 people work there each day, rising to 2,750 during periods of peak filming. With the present number of employees, Pinewood Studios makes a contribution of over £93,000 to UK's GVA<sup>6</sup>. When the Masterplan planning permission for the Studios site is fully implemented, a further 1,500 additional jobs will be generated<sup>7</sup>.

***The need for Pinewood Studios to innovate***

- 9.8.11 Pinewood Studios may be a success story but it cannot simply rest on its heritage. English language productions face new competition. National markets are competing for the attention of cinema goers and TV viewers. Traditionally, Hollywood and Los Angeles were the principal competitors; now other studios and countries<sup>8</sup> are attracting film producers. Tax incentives introduced in overseas jurisdictions, for instance in Ireland, Germany, South Africa, Australia and Canada among others, lure film productions away from the UK.
- 9.8.12 There is clear and consistent evidence from the industry experts<sup>9</sup> that the UK's screen-based creative industries, with Pinewood Studios at their forefront, must continue to invest in innovation otherwise we will fall behind to increasing global competition. Increased competition from Eastern Europe and Canada amongst others means that *"we have to be very current in order to sustain the business we've got"*<sup>10</sup>. A film producer's recent query: *"This movie is set in London – where are we going to shoot it?"* gives some measure of the forces in play.
- 9.8.13 The UK film industry is dependent on Pinewood Studios continuing to invest in its business facilities in a highly competitive, global market place in which

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<sup>1</sup> PSL/BR/1.1 - Mrs Rosewell's proof paragraphs. 14.3-14.4 and Table 1

<sup>2</sup> PSL/NS/1.2 – Mr N Smith's proof at paragraph 3.1

<sup>3</sup> PSL/ID/1.1 – Mr Dunleavy's Appendix 7: DVD

<sup>4</sup> PSL/ID/1.1 – Mr Dunleavy's proof paragraph 4.7

<sup>5</sup> Mr Iain Smith in re-examination

<sup>6</sup> CDG/1 – Document 5, Economic Impact Assessment, paragraphs 3.7-3.10

<sup>7</sup> CDG/1 – Document 5, Economic Impact Assessment, paragraphs 3.3-3.6

<sup>8</sup> CDG/1 – Document 2, Very Special Circumstances, Appendix 8: International competition for Pinewood Studios and Appendix 10: Film and television studios in Britain and international film studios

<sup>9</sup> Evidence given at the Inquiry by: **Mr Ivan Dunleavy** CEO, Pinewood Shepperton Plc; Director, Pinewood Studios Ltd. **Mr Nicholas Smith** Commercial Director, Pinewood Shepperton Plc, **Mr Stephen Norris** Chairman UK Screen, **Mr Iain Smith** OBE, Film Producer, Chairman Film Skills Council and current Chair of British Film Commission

<sup>10</sup> Mr Iain Smith in evidence in chief

the international film industry operates. It needs to maintain its reputation as a state of the art facility throughout the film-making world and that means continuing to innovate. "If we stop innovating someone else will take our place very quickly"<sup>1</sup>.

***The importance of Project Pinewood to the screen-based creative industries and the national economy***

- 9.8.14 The Council supports the strengthening of Pinewood Studios as a leading location for film, TV and other media production. The key question therefore is whether Project *Pinewood* is justified in order to achieve such aims<sup>2</sup>.
- 9.8.15 Project *Pinewood* is multi-faceted, a living and working creative community but the attention grabbing element of the scheme comprises the real, lived-in streetscapes. The concept, developed from the original idea of 'Film Town', was based on the knowledge that moving filming around the world is time consuming, expensive and risky.
- 9.8.16 Permanent streetscapes would minimise the risks and challenges of on-location shooting faced by film makers<sup>3</sup>, especially with the convenience of co-location with Pinewood Studios. With built-in power supply, fibre technology, camera angles, and demountable street furniture, the streetscapes would deliver unparalleled cost advantages and reduce carbon footprint. Permanent streetscapes would provide reality and could be re-used, unlike temporary ones which are bespoke, suffer wear and tear and do not last. They would be highly adaptable and the plug-in infrastructure would avoid the need for generators. Each streetscape would contain one unit for green room/changing/work rooms, thus obviating the need for large trailers<sup>4</sup>. The rates for filming at Project *Pinewood* would be set at levels attractive to the market.
- 9.8.17 Project *Pinewood* would offer huge savings in time and money, given the cost advantages of not having to shift people around to different locations. It would benefit customers at every single level, from blockbusters to smaller budget films. The cost of a day's delay can easily be £250K and more for a major film<sup>5</sup>. Smaller budget films and TV productions would benefit from writing-in location scenes, when previously the time and expense of location shooting might deter such projects<sup>6</sup>. Delays caused by inclement weather would be less of an issue with the opportunity to utilise facilities across the road. The streetscapes would provide film makers the opportunity to fulfil more of their production requirements in one single place.

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<sup>1</sup> Mr Nicholas Smith in evidence in chief

<sup>2</sup> SBDC 2A – Mr Kyle's proof, paragraph 6.130.

<sup>3</sup> CDG/1 – Document 2, Very Special Circumstances, Appendix 6: The challenges of filming on location and PSL/ID/1.2 – Mr Dunleavy's Appendix 3: Statement from Mr Harm, freelance locations manager

<sup>4</sup> CDG/1 – Document 3, Design and Access Statement: paragraph 4.2.10

<sup>5</sup> Mr Iain Smith in evidence in chief and PSL/ID/1.1 – Mr Dunleavy's proof, paragraph 3.24

<sup>6</sup> Mr Norris and Mr Dunleavy in evidence in chief

- 9.8.18 This is a carefully considered scheme<sup>1</sup> drawn up with specific input from the film industry experts including a world leading artistic director<sup>2</sup>. That it is based on an innovative idea and the expert evidence of those best able to judge such matters is especially significant. Thus, Mr Norris declares that *"I find it impossible that it wouldn't make economic sense to use Project Pinewood rather than travel to location."* Mr Iain Smith describes the scheme as inspired and *".....: people using Pinewood Studios stages will automatically be saving money by not travelling on location....."* and *"The idea of Project Pinewood is inspired.... it says we're open to business, we want you to come here – that alone will make a big difference to the UK Film industry."* It would provide *"...another reason to base your production in the UK, to base your production at Pinewood"* (Mr Norris). The advertising magnate Sir Martin Sorrell considers that the streetscapes will be of *"great value"* to advertisers, enabling agencies to offer their clients *"imaginative, high quality cost effective local campaigns – and all from a single location"*<sup>3</sup>.
- 9.8.19 Project *Pinewood* will keep Pinewood at the forefront of world's creative industries and provide a unique opportunity for the UK to stay ahead of global competitors through this innovative idea. There is a proven track record of successful innovation at Pinewood Studios without 'evidence' or 'reports' of the type that the Council appears to demand. Innovations such as the underwater stage and the introduction of TV production to Pinewood, and more recently the globalisation of the Pinewood Studios brand with 'Pinewood' branded studios around the world have been hugely successful. Successful innovations such as these are based on commercial experience, business judgment and feel for how the industry works<sup>4</sup>. This is an industry where people think on their feet. No amount of reports commissioned from academics or consultants would have been a substitute for first-hand expert judgments from the people in the industry.
- 9.8.20 The living and working creative industries community is integral to this innovative scheme. Production staff has been described as footloose, but in many cases this is by necessity, not by choice, owing to the demands of filming on location; the cluster that would exist through the synergy between Pinewood Studios and Project *Pinewood* would provide them with the opportunity for an 'anchor' that they do not currently have<sup>5</sup>. Super-fast broadband connections linking the scheme to Pinewood Studios would be of significant value to people working in the creative industries<sup>6</sup>.
- 9.8.21 Pinewood has a good tradition and record in encouraging young people to enter the industry. A number of apprenticeship schemes are run on site, and staff members are encouraged to attend courses at local educational establishments. The Screen Crafts Academy would be operated by the

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<sup>1</sup> CDG/1 – Document 3, Design and Access Statement and CDG/1 – Documents 8, Architectural Typologies

<sup>2</sup> PSL/DH/2.1 – Mr Height's presentation pages 38-40

<sup>3</sup> PSL/ID/1.2 – Mr Dunleavy's Appendix 6.

<sup>4</sup> Mr Nicholas Smith and Mr Dunleavy in evidence

<sup>5</sup> Mr Dunleavy in Evidence and PSL/NS/1.1 – Mr Nicholas Smith's proof paragraph 3.21

<sup>6</sup> CDG/1 – Document 3, Design and Access Statement: section 7.7.2

NFTS and Skillset<sup>1</sup> and complement courses offered at the former. The new Academy would ensure that future generations reap the benefits of the 'cluster culture' from the outset of their careers. Vocational skills to be taught at the Academy would plug the gap between secondary and higher education, as opposed to duplicating media study or similar courses. It is particularly important for the Academy to be part of a working film studio. The UK's craft and technical skills bring overseas productions to the country. We need to maintain the pool of talent – some of which is lost to other industries<sup>2</sup>.

- 9.8.22 The Academy would be provided in the first phase of development. Following detailed discussions between the NFTS and the Pinewood Group, a fully fleshed-out business plan has already been drawn up<sup>3</sup>. A high quality building would be provided for the Academy; far superior to the NFTS' minimum requirement of a "*portal framed steel shed*"<sup>4</sup>. The recently established Ealing, Hammersmith & West London College scheme<sup>5</sup> is merely an interim arrangement, brought into place to address a pressing need, while the planning process at Project Pinewood runs its course<sup>6</sup>.
- 9.8.23 In terms of employment, Project *Pinewood* would bring with it 960 jobs including 628 directly created, as well as construction jobs<sup>7</sup>. Buckinghamshire had 5,700 residents aged between 16 and 24 who were unemployed in the year ending June 2010<sup>8</sup>. The opportunities that Project *Pinewood* would create cover the whole range of skills, from craft to management, and would therefore be particularly valuable in finding opportunities for those not in employment, education or training (NEETS)<sup>9</sup> – as demonstrated by the success of the current and previous Pinewood Studios led initiatives to attract NEETS<sup>10</sup>. This is seen as a matter of considerable importance by Screen South (WR/31) and SEEDA (WR/35).
- 9.8.24 The proposed employment floorspace is geared towards small and medium enterprises (SMEs) in the creative sectors. There is a consistent and high level of demand from SMEs for floorspace at the Studios Media Park<sup>11</sup> with 90% occupancy of available commercial space at Pinewood, despite the effects of the recession. That level of occupancy is significantly above the rate found in other business parks in the Thames Valley area. The proposed employment floorspace would be cross-subsidised by the wider scheme, and its provision secured by condition.

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<sup>1</sup> Sector Skills Council for the creative media industries

<sup>2</sup> Mr Iain Smith in evidence

<sup>3</sup> WR/23 – Screen Craft Academy, A proposal prepared for the National Film and Television School

<sup>4</sup> Mr Dunleavy in evidence in chief in response to NFTS proposal (WR/23). Final page

<sup>5</sup> ID48 – Article "Skillset launches Academy"

<sup>6</sup> ID58 – email response from Mr Smith, 10 May 2011

<sup>7</sup> CDG/1 – Document 5, Economic Impact Assessment, paragraph 3.15-3.39

<sup>8</sup> PSL/BR/1.1 – Mrs Rosewell's proof paragraph 15.10

<sup>9</sup> *Ibid.*

<sup>10</sup> See PSL/BR/4.1 section 5, On The Lot – New Entrants Programme.

<sup>11</sup> ID 40 – Letter from Mr Wight (Head of Group Property, Pinewood Shepperton PLC), dated 26 April 2011

- 9.8.25 There are real and tangible benefits for businesses in a cluster like this. Co-location improves output and productivity by driving innovation and more general growth through collaboration, competition and exchange of ideas<sup>1</sup>. The clustering advantages are already apparent at Pinewood Studios; these would be enhanced and consolidated with Project *Pinewood*. Those working in the creative industries will find this an attractive location in which they can network in their field and yet be in immediate reach of Central London.
- 9.8.26 In summary, Project *Pinewood* would send a powerful message internationally of the UK's seriousness of intent to develop its screen based industry and maintain the UK's position as the leading destination in the world for screen production<sup>2</sup>.

***Nationally significant economic benefits***

- 9.8.27 Project *Pinewood* would bring both quantitative economic benefits which register on a national scale and significant qualitative positives as well. One must not be looked at to the exclusion of the other.
- 9.8.28 On the quantitative side of the equation, Project *Pinewood* would generate some £2.7 billion<sup>3</sup> of added value over a 30 year assessment period<sup>4</sup>. This amount is of national economic significance, as it would make a contribution of 2.4% to 3% to the value of screen industries (ID29). Comparing this degree of positive growth with the Net Present Value (NPV) of the film tax relief scheme, Project *Pinewood* would be the equivalent of about half of the value of the film tax relief scheme but at no cost to the taxpayer<sup>5</sup>. The adjustments made to the figures in response to propositions put in cross-examination would lead to only a marginal change to the overall calculation<sup>6</sup>. The evidence shows using a much higher London / South East multiplier (between 1.8 and 2.5)<sup>7</sup> is justified and which would increase the overall positive impact of the scheme to some £3.1 to £3.8 billion<sup>8</sup>.
- 9.8.29 Another way of thinking about the value of this investment is to consider trade. Average exports generated by film production and royalties over the period 1995-2007 were £1 billion per year<sup>9</sup>. Increasing exports by even 1 per cent is £10m, which would represent around a quarter of the annual additional output from Project *Pinewood* and improve the trade balance by around 7%<sup>10</sup>. In itself that would amount to an economic benefit of national significance.

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<sup>1</sup> PSL/BR/1.1 – Mrs Rosewell's proof, section 4 and PSL/BR/1.2 – Mrs Rosewell's Appendix A: Creative clusters and the changing economy, A report for Pinewood Studios

<sup>2</sup> PSL/SN/1.1 – Mr Norris' proof paragraph 5.5

<sup>3</sup> £1.1 billion for the project itself plus indirect benefits (ID29)

<sup>4</sup> PSL/BR/1.2 - Mrs Rosewell's Appendix D and in particular paragraphs D8-D9 and ID29. 30 years spans from start of construction in 2013 to 2042

<sup>5</sup> ID29 and PSL/BR/4.1 – section 4

<sup>6</sup> PSL/BR/4.1 – Mrs Rosewell's further information on economic impact, section 3

<sup>7</sup> CDH/2 - Cambridge Econometrics Report, page 68.

<sup>8</sup> PSL/BR/4.1 – Mrs Rosewell's further information on economic impact, section 1.

<sup>9</sup> PSL/BR/4.1 – Mrs Rosewell's proof paragraphs 16.6 and 16.9

<sup>10</sup> PSL/BR/1.1 – Mrs Rosewell proof paragraph 16.6

- 9.8.30 On the qualitative side of the equation, Project *Pinewood* would build on the reputation and global brand of an established agglomeration or cluster, enhancing the productive capacity of one of the UK's leading creative industry hubs. Project *Pinewood* would be important to maintaining existing investments in, and the scale of the creative industries in the UK will suffer if we do not innovate. Innovative activity generates further innovation and maintains the potential for further fast growth. Continued innovation is necessary otherwise global rivals will catch up and outstrip the UK.

***Securing economic growth and employment are paramount***

- 9.8.31 Through 'The Plan for Growth'<sup>1</sup> document, the Government has issued "*an urgent call for action*" for private sector growth, in response to the fact that Britain has lost ground in the world's economy. The Government is committed to ensuring that the planning system does everything it can to support growth. 'Planning for Growth'<sup>2</sup> is the immediate and initial response of the national planning policies to this urgent pro-growth agenda. The top priority is to promote sustainable economic growth and jobs, with every effort made to identify and meet housing, business and other development needs. As a mark of the significance of these new policies, we are told that the Secretary of State will take these principles into account in determining appeals.
- 9.8.32 'Planning for Growth' is the most important statement of ministerial policy for at least the last 10 years. These policies could have been written with innovative schemes like Project *Pinewood* in mind. A new policy dynamic has been established which inevitably will prove extremely challenging to authorities like South Bucks. But 'The Plan for Growth' acknowledges that they are required in the national interest, although these proposals are not without controversy.
- 9.8.33 Protection of the Green Belt remains in place ('Planning and the Budget', CDH/54) but pro-growth and pro-green belt statements can be reconciled without any different approach to the established policy requirement that very special circumstances need to be demonstrated. Significant weight must now be given to the pro-growth agenda.

***Delivery of market and affordable housing***

- 9.8.34 There is an extremely high demand for housing in this District, with a total of 1,498 property transactions in the last year for which data was available<sup>3</sup>. The South East Plan recognises that the level set in the RSS is significantly below the forecast growth of households<sup>4</sup>. The Strategic Housing Market Assessment calculates an annual net need for affordable homes of 459 per annum in South Bucks<sup>5</sup>. This is in stark contrast to the annual delivery rate of just 11 affordable homes per annum since 2006. Set against this overwhelming demand, the projected delivery rate for the

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<sup>1</sup> CDH/50 – The Plan for Growth

<sup>2</sup> CD H/51 – Planning for Growth

<sup>3</sup> CDE/14 - Strategic Housing Land Availability Assessment, page13 paragraph 2.41.

<sup>4</sup> CDE/29 – The South East Plan, paragraph 7.6

<sup>5</sup> CDE/1 – Strategic Housing Market Assessment, paragraph S27



remainder of the CS period to 2026 is only 23 homes per annum (including affordable homes)<sup>1</sup>.

- 9.8.35 Many people seeking a home here simply cannot afford one. South Bucks has some of the highest property prices in the country outside London, due in part to the fact that demand massively outstrips supply. The average price of homes is 235% of the England and Wales average, significantly higher than any other district in Buckinghamshire<sup>2</sup>. Entry level prices in the third quarter of 2010 were £275,000 – or 13 times the lower quartile income<sup>3</sup>.
- 9.8.36 In the face of these conditions, the Council continues to adopt the position that the level of housing provision has been conclusively determined by the CS for the remainder of the Plan period to 2026. Therefore, the balance between providing homes to meet demand and recognising the constraints on further development has already been struck. This approach cannot be sustained, given the new imperative of 'Planning for Growth' (CDH/51), which is clearly intended to be a step change in economic growth and housing.
- 9.8.37 Even though the Community Strategy and CS cite the importance of achieving a significant increase in delivery across the District, the Council will be unable to meet even its own aspiration to deliver 350-500 affordable dwellings to 2026<sup>4</sup>. That is because the Strategic Housing Land Availability Assessment sites are likely to deliver fewer units than anticipated owing to the relaxation of density requirements and removal of previously developed status of domestic gardens. Furthermore, there are uncertainties concerning delivery of the Deluxe Opportunity Site, given that its permission is about to expire<sup>5</sup>.
- 9.8.38 The more fundamental issue however is that the CS housing strategy was based on what is perceived to be the RSS requirements. But the RSS was expressed to be only a "*limited response at present*" due to an insufficient evidence base<sup>6</sup>. It goes on to declare that a review would be necessary to meet strategic needs<sup>7</sup>. Figures contained in the RSS are not ceiling limits and it urges authorities to make future planning decisions based on merit

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<sup>1</sup> The CS proposes between 2,200 and 2,800 between 2006-2026 (or 110-140 homes per annum). These figures slightly exceed the RSS requirement of 94 dwellings per annum because planning consents have come forward in the early part of the Plan period more quickly. Hence the lower trajectory of completions in the period 2015-2026. See CS Core Policy 1

<sup>2</sup> CDE/1 – Strategic Housing Market Assessment (2008), paragraph S39

<sup>3</sup> CDE/1 – Strategic Housing Market Assessment, paragraph 7.57.

<sup>4</sup> CDE/23 – CS Core Policy 3

<sup>5</sup> ID43 – Letter dated 14 April 2011 from SBDC to Mr Rhodes. The letter confirms that Denham Laboratories cannot commit to their relocation to Pinewood Studios which would have released their present site for redevelopment to provide 246 dwellings. The change of circumstances is due to changes in technology which has caused them to reconsider the move to Pinewood Studios

<sup>6</sup> CDE/29 – South East Plan, paragraph 7.7

<sup>7</sup> CDE/29 – South East Plan, paragraph 7.7

and local circumstances, including long term housing needs and affordability in an area<sup>1</sup>.

- 9.8.39 The RSS Panel Report found that a step change was needed in the WCBV sub-region *"...in this sub-region, the penalties of under provision of housing seem to impose greater risks to the local and regional economy than the impact of additional housing on infrastructure and the environment"*<sup>2</sup>. The practice of treating self-imposed policy constraints, including Green Belt, as absolutes was criticised as undermining the ability for strategic thinking about housing distribution within the sub-region<sup>3</sup>. The CS therefore could only claim to be an interim solution, and it cannot reasonably be said to provide a conclusive, once-and-for-all determination of housing provision in South Bucks for the next 15 years. The alternative is to continue on the basis of chronic shortage, which is irresponsible.
- 9.8.40 The Council's reliance on the CS to the District's housing supply issue is out of step with the Government's pro-growth agenda expressed in 'The Plan for Growth' and 'Planning for Growth' (CDH/50 & 51). The former states that there is an urgent need to increase the supply of housing and calls on local authorities to deliver more development. Put simply, sustainable economic growth requires significantly more homes to be provided. 'Planning for Growth' urges authorities to *"press ahead without delay"* in preparing up to date development plans and use that opportunity to *"be proactive in driving and supporting the growth this country needs"* and that they should *"make every effort to identify and meet the housing, business and other development needs of their areas, and respond positively to wider opportunities for growth, taking full account of relevant economic signals such as land prices"*. Just revising the CS is wholly inconsistent with an *"urgent call for action"* to put off meeting pressing needs and being pro-growth. The CS is out of date within the meaning of paragraph 110 of the draft NPPF<sup>4</sup>.
- 9.8.41 The Secretary of State has the opportunity to give this approach immediate effect by allowing this appeal and delivering a step change in the provision of housing, and in particular affordable housing, in South Bucks. The scheme would deliver (up to) 1,400 homes on the site, including 150 affordable homes, in a development designed to exemplary standards. The affordable homes would be prioritised for those working at Pinewood and in the immediate vicinity. Pinewood Studios commits to providing assistance to help those working in the creative industries to get onto the property ladder on a further 50 market homes (Target Houses)<sup>5</sup>. The remaining market homes would also have an effect on the affordability of housing in the area, as they would lead to an unprecedented shift in the demand/supply ratio. On top of all that, a commuted sum (agreed at £28.7m) would enable the Council to deliver a further 410 affordable homes elsewhere in the District.

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<sup>1</sup> CDE/29 – South East Plan, paragraph 7.8

<sup>2</sup> CDE/35 – Panel Report, paragraph 21.56.

<sup>3</sup> Ibid paragraphs. 21.57-21.58.

<sup>4</sup> ID74 – PSL response to draft NPPF

<sup>5</sup> ID7D - S106 Agreement Schedule 2 Part 2

9.8.42 The much needed new housing that Project *Pinewood* would deliver is sufficient in its own right to constitute very special circumstances to justify building in the Green Belt, given the huge scale of need in South Bucks and the Government's recently stated emphasis on the urgency of meeting needs and delivering growth<sup>1</sup>. Three Rivers District Council is facing similar issues of housing shortage but are addressing the problem differently, as demonstrated by their approach to Green Belt land and the application for development on a site adjacent to Leavesden Studios owned by Warner Brothers (CDG/16).

### ***Sustainability Benefits***

9.8.43 By allowing film-makers and advertisers to film on location without travelling overseas, Project *Pinewood* would offer the opportunity to make substantial carbon savings<sup>2</sup>. The film industry has high ambitions for greener filming as demonstrated, for instance, in the 60% reduction in emissions by 2025 aimed for in the 'Green Screen' strategy promoted by Film London and the London Mayor<sup>3</sup>. Project *Pinewood* provides the chance to turn these aspirations into action.

9.8.44 The residential element of the scheme would incorporate energy efficiency measures, including a commitment for all dwellings built by 2016 to achieve Code for Sustainable Homes (CSH) Levels 5-6<sup>4</sup>. Conditions would also provide the opportunity to deliver 10% of the development's energy requirements from renewable sources, with future uplift in that proportion or to CSH standards captured in the conditions.

9.8.45 Accessibility of the area by sustainable means of transport would be greatly improved. In particular, the new bus and cycle routes would connect into the heart of Slough, Uxbridge and Gerrards Cross with easy access to a range of shops and other facilities including the Crossrail network into the heart of London. This is likely to lead to local residents' travel patterns undergoing a significant modal shift away from the private car.

### ***Quantum and viability of development***

9.8.46 Considerable thought and level of care has gone into the Project *Pinewood* scheme. The overall quantum of development, its make-up and distribution, evolved into the application scheme as "*an optimised balance*" of a host of considerations<sup>5</sup>. The development is put forward as a whole and not as a number of individual, unrelated, elements.

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<sup>1</sup>For an illustration of affordable housing being the primary factor in VSC in a GB case, see ID50 – Secretary of State decision at Stoke Gifford

<sup>2</sup> CDG/1 - Document 4 Carbon Footprint Study, which demonstrates that the scheme will be capable savings of up to 45% of the carbon of a typical film.

<sup>3</sup> PSL/JR/1.2 – Mr Rhodes' Appendix 3 paragraph 2.7 and Appendix 4

<sup>4</sup> CDG/1 – Document 9, Energy Statement is to be tied by condition to any grant of permission. Condition 27.

<sup>5</sup> CDG/1 – Document 3, Design and Access Statement, page 104 Section 4.2.2 and page 158 Section 5.1

- 9.8.47 The viability of the scheme has been kept under continuous review<sup>1</sup>. Pinewood Studios is not pleading a case of enabling development in which it would need to demonstrate that it is putting forward the minimum scale of development to realise funds for some positive end. Hence the absence of detailed evidence concerning such matters.
- 9.8.48 The homes proposed are not put forward as the necessary price to pay for some other element of the scheme, such as the streetscapes. Project *Pinewood* is put forward as a whole as an exceptional scheme with considerable positive benefits across a wide range of considerations.

### ***Alternative sites***

- 9.8.49 The purpose of considering whether there is a feasible alternative location for the proposal elsewhere is to assess whether developing in the Green Belt could be avoided. A range of options have been considered for the location of Project *Pinewood*, including alternative sites physically capable of accommodating Pinewood Studios and Project *Pinewood*, alternative sites for *Pinewood* and disaggregating the constituent parts of *Pinewood* to a number of sites. A location adjacent to another creative location had also been considered<sup>2</sup>.
- 9.8.50 A location away from Pinewood Studios is untenable. The recent example of the Dragon Studios, which failed notwithstanding its funding by the Welsh Assembly and the EU<sup>3</sup>, shows the necessity of co-locating with existing studios with an established centre of excellence, together with all its facilities, skills and expertise. Streetscapes could not be built on an industrial site or as part of a housing estate. In order to work, the concept has to be able to integrate with and feed off not only existing studios but Pinewood Studios in particular. This is because Pinewood is the market-leading centre of excellence, the strongest in Europe, and the best that UK has to offer.
- 9.8.51 Shepperton Studios is a smaller centre than Pinewood and does not have the physical capability to accommodate the project without demolishing much of its existing infrastructure<sup>4</sup>. Leavesden is even less suitable. It is a converted airfield with nothing remotely resembling the range of tenants, skills, facilities or infrastructure at Pinewood<sup>5</sup>. A project such as this could only happen at Pinewood, given the closeness to the crucial resources that the Studios has<sup>6</sup>.
- 9.8.52 The notion that the Studios Masterplan could be re-thought is misconceived. It would fundamentally and unacceptably compromise the permitted Masterplan, which aims to modernise, re-order and rationalise the existing

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<sup>1</sup> PSL/ID/1.1 – Mr Dunleavy’s proof, paragraphs 9.3 and 11.14

<sup>2</sup> CDG/1 – Document 1, Planning Statement, Appendix 5: Alternative site assessment criteria

<sup>3</sup> PSL/ID/2.1 – Mr Dunleavy’s rebuttal proof paragraph 4.3 & PSL/ID/2.2 – Mr Dunleavy’s Appendix 4

<sup>4</sup> CDG/1 – Document 2, Planning Statement, Section 10 and Appendix 5: Shepperton Studios

<sup>5</sup> PSL/ID/2.2 – Mr Dunleavy’s rebuttal proof, section 3

<sup>6</sup> PSL/SN/1.1 – Mr Norris’ proof, paragraph 4.5

studios site and add to its capacity<sup>1</sup>. The Masterplan is required to refresh the existing business. It has been carefully phased so as to allow it to be built out without undermining the success of the Studios. By contrast, the point of Project *Pinewood* is to provide something altogether new so as to provide additional growth. The Masterplan permission would allow Pinewood to build more of what they currently offer, but would not offer the opportunity to do anything new or innovative or different.

- 9.8.53 Even if the idea of streetscapes built on the Pinewood Studios site could be made to work, it would have none of the benefits forthcoming from Project *Pinewood*. The streets are designed with the input of one of the world's leading Artistic Directors. Getting the right length, depth and dimensions and a whole range of interesting camera angles for filming are critical aspects of the scheme<sup>2</sup>. These optimal arrangements would be severely compromised.
- 9.8.54 The appeal scheme's proposed streetscapes have been designed to be real and lived in. Streetscapes or facades shoe-horned into a busy industrial studios environment would be contrived and very different to the carefully designed proposal of Project *Pinewood*. The idea would not be taken forward by Pinewood Studios. It is unworkable for a number of practical reasons and would seriously affect operations at the Studios site<sup>3</sup> to the extent of endangering its future<sup>4</sup>.
- 9.8.55 If the different elements of Project *Pinewood* were disaggregated, the overarching principle of the scheme as a living, working creative community would be lost. The various elements of the scheme are tightly interwoven, interdependent and cannot be separated out without losing the principle of what the proposal is all about. Duplication of services across multiple sites would also increase costs and reduce economies of scale and delivery. Furthermore, it is the direct connection and connectivity between the various elements of Project *Pinewood* and Pinewood Studios that would create the unique and stimulating environment envisioned for the creative industries. Finally, the Screen Crafts Academy requires capital funding which would be provided as part of the overall Project *Pinewood* but not otherwise.
- 9.8.56 The mutual benefits and advantages gained from proximity to Pinewood Studios are crucial to the success of Project *Pinewood* and demonstrate that no other options exist. Disaggregation would not deliver the benefits of co-location and integration that Project *Pinewood* is seeking to deliver.

***Overall conclusions concerning 'very special circumstances'***

- 9.8.57 For all the reasons articulated, the harm by inappropriateness and any other harm would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development. ID74 (PSL response to the draft NPPF) identifies the parts of the drafts NPPF

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<sup>1</sup> Mr Dunleavy in evidence in chief

<sup>2</sup> CDG/1 – Document 3, Design and Access Statement Section 4.1.9, 6.1.5, 6.2.3

<sup>3</sup> ID45 – Assessment of Pinewood Studios as potential site for part of Project *Pinewood*

<sup>4</sup> ID55 – Response to SBDC's note ID51

that lend greater weight to the benefits of Project *Pinewood* and therefore reinforce the appellant's case (outlined in the closing submissions) that the very special circumstances test is met.

## 9.9 **Compliance with the Development Plan**

9.9.1 To the extent that there are any inconsistencies with Development Plan policies, the self-same considerations which amount to 'very special circumstances' would also constitute material considerations which indicate otherwise under the terms of s.38(6) of the 2004 Act.

## 9.10 **Overall Conclusions**

9.10.1 Project *Pinewood* is all about out-competing, out-smarting and out-pacing the rest of the world. It is a scheme that promises to deliver a great deal not only for the good of Pinewood Studios, a world-beating British success story, but also and very significantly, for the greater best interests of UK PLC. In order to stay successful, businesses like Pinewood Studios must stay ahead of the field in an increasingly competitive global market. Growth and building on success will not be achieved by leaving things as they are. After all, pioneering vision and ambition led to the building of Pinewood Studios in the first place.

9.10.2 Even if Project *Pinewood* did not deliver its potential, it would still deliver 1,400 new homes in an area where there is huge unmet need for market housing and even more so for affordable housing. When compared to what the Council has actually secured in recent years, Project *Pinewood* would bring forward the equivalent of many decades worth of affordable housing, and in a highly sustainable, mixed-use, world-class scheme with limited impacts.

9.10.3 There is a very special opportunity on offer here and a decision to encourage the scale of vision, ambition and innovation that underpin Project *Pinewood* would be more than justified. The draft NPPF echoes the urgent call to action in 'Planning for Growth' and continues the direction of travel of national planning policy towards delivering immediately on the urgent pro-growth agenda.

## 9.11 **APPEALS B & C – Highway Improvements to the Denham Road/Sevenhills Road Junction and Highway Improvements to the Five Points Roundabout**

### ***Junctions Improvements***

#### *Denham Road/Sevenhills Road Junction*

9.11.1 Problems with the junction identified are: poor visibility to the left for traffic turning out of Sevenhills Road and inadequate capacity to cater for flows for traffic turning out of Sevenhills Road, particularly as the volume of traffic on Denham Road (A412) restricts opportunities for exiting. Because of these operational and safety issues, the junction needs to be improved to accommodate additional traffic from Project *Pinewood* using Sevenhills Road.

- 9.11.2 The staged signalling at the junction and the two lane approach on the A412 would facilitate the right turn into Sevenhills Road without traffic having to cross gaps in the northbound flow. A controlled crossing would add to the safety of the junction. It would provide a safer option for horse riders, who currently have to wait for gaps in traffic to cross the A412<sup>1</sup>. The junction would have adequate capacity to accommodate predicted traffic flows, including the Project *Pinewood* scheme and would improve the existing situation.
- 9.11.3 It could also cater for traffic diverted from its current route via Pinewood Road and Five Points Roundabout thus offering relief to that junction. The arrangement also allows for bus priority measures to be introduced, should the highway authority consider it necessary.
- 9.11.4 An adequate visibility splay would be achievable at the Round Coppice private access, south of the junction<sup>2</sup>. Visibility splays of 2.4m x 120m would be guaranteed by condition even when the traffic signal is on green. There would be more opportunities for gaps in traffic flowing along Denham Road with a signalised arrangement, than is currently the case, thereby improving on the existing situation.

#### Five Points Roundabout

- 9.11.5 This is a critical node in the local road network. PSL is keen therefore to offer an improvement to the junction to address existing operational and safety concerns as well as accommodate Project *Pinewood* flows. The signalised road entries (save for the Slough Road entry) and controlled pedestrian crossings on all arms would provide significant safety benefits, given the record of accidents, due to poor lane discipline and lack of formal crossing facilities at present. Signalisation at Five Points would avoid collisions by controlling access to the roundabout and avoid approaching traffic having to break sharply if an oncoming vehicle means they cannot join the roundabout. Lane designations markings would improve lane discipline, which is a significant cause of accidents in this location. This scheme also has the capacity for bus prioritisation by allowing more 'green light time' to a lane with a bus approaching.

### **Junctions Capacity Assessments**

#### Denham Road/Sevenhills Road Junction

- 9.11.6 With the base and development traffic flows derived from adjusted assumptions (see paragraph 9.6.3 and 9.6.4 above). The results for Denham Road/Sevenhills Road junction can be summarised as follows<sup>3</sup>:
- The junction works well within capacity with a practical reserve capacity of 13% in the morning peak and 11% in the evening peak.

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<sup>1</sup> PSL/DB/4.2 – Mr Bird's Figure 2: bridle path route is shown on the plan

<sup>2</sup> It was confirmed at the Inquiry that the access serves four properties

<sup>3</sup> PSL/DB/4.1 – Mr Bird's proof Tables 4.1 and 4.2

- This compares well with the analysis of the existing priority junction in the Transport Assessment which shows that it currently operates over its practical capacity of 1.0 on Sevenhills Road.
- The outcome of the 2022 base flow analysis with the existing arrangements in place, and using the 2<sup>nd</sup> sensitivity test, is also that the junction will operate above its practical capacity<sup>1</sup> unless mitigation measures are implemented. This will lead to road safety concerns for those using the junction.

9.11.7 Therefore, the application proposal not only mitigates the impact of Project *Pinewood* but would also bring capacity improvements compared with the existing situation.

#### Five Points Roundabout

9.11.8 The summary results for the Five Points roundabout changes demonstrate the following<sup>2</sup>:

- The junction would operate within design capacity in the evening peak (88% maximum). During the morning peak it would operate within the 100% practical capacity but just above design capacity at 94%.
- Presently during the morning peak all arms operate above the non-signalised design aim of 85%.
- An improvement scheme for the roundabout was secured as part of the Studios Masterplan. Using base flows, the assessment demonstrates that the junction would operate with much higher levels of congestion and queuing than with the improvements proposed under Appeal C.
- The 2022 base case existing layout assessment shows that the roundabout would operate with longer queues and higher ratio to flow capacity (RFC) on some arms, while others show reduced queues on lower RFCs<sup>3</sup>. Overall, the analysis shows that without intervention the junction would operate at levels significantly above its current capacity, with long delays on several approaches, particularly Church Road.

#### ***Effect on openness, on the purposes of the Green Belt and impact on Colne Valley Park***

##### Denham Road/Sevenhills Road Junction

9.11.9 The land take works would involve widening Sevenhills Road over a length of 30m; 350m length widening of the Denham Road southbound carriageway and 120m length widening of the northbound carriageway. In each case the roads would be widened using grass verges, plus additional land to the east on Denham Road. The latter is densely vegetated, lies

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<sup>1</sup> PSL/DB/4.3 – Mr Bird’s supplement to proof PSL/DB/4.1 - Sevenhills Road Junction Table

<sup>2</sup> PSL/DB/4.1 – Mr Bird’s proof Tables 4.3, 4.4 and 4.5

<sup>3</sup> PSL/DB/4.3 – Mr Bird’s supplement to proof PSL/DB/4.1 – Five Points Roundabout Table



outside the highway boundary and at 2,200 sqm represents some 12.5% of the application site of 1.6 Ha.

- 9.11.10 The works would be implemented within the perceived 'highway corridor' and impact on openness would be slight. Carriageway widening, traffic lights and equestrian crossing would be visible, but such features would be entirely compatible with a junction of this nature. Retained vegetation and new planting would continue to provide views enclosed by vegetation. The junction would continue to perform well against the Green Belt purpose of preventing encroachment into the countryside. The view corridor assessments<sup>1</sup> demonstrate that the works would not impinge on the landscape character of the area or that of the Colne Valley Park. Tree and hedgerow loss would be localised and suitably mitigated through native tree and shrub planting.

#### Five Points Roundabout

- 9.11.11 The highway improvements would be carried out predominantly by taking land already in highway use (either the road verge or central reservation). The largest area of loss would be between Church Road and Slough Road which is well vegetated. In widening these two roads, land outside the highway boundary would be used. However, this would represent only 3% of the application site; a reasonable proportion of the area would be for public footpaths with carriageway works beyond the existing highway boundary comprising some 350 sqm or less than 1% of the application boundary. The impact on openness would be negligible.
- 9.11.12 The view corridor images demonstrate the following:
- As no additional development would be evident beyond the highway corridor, the Green Belt would continue to prevent countryside encroachment and there would be a negligible impact on visual amenity at the Pinewood Road, Church Road, Slough Road and Uxbridge Road view corridors<sup>2</sup>
  - The Green Belt would continue to perform moderately in respect of countryside encroachment at the Wood Lane view corridor and negligible impact on visual amenity<sup>3</sup>.

#### **Conclusions**

- 9.11.13 Whether one or both of highway schemes is inappropriate development depends on whether they maintain openness and do not conflict with the purposes of including land in the Green Belt. Applying the tests, the evidence shows that the Denham Road/Sevenhills Road scheme is inappropriate development, while the Five Points Roundabout scheme is appropriate.
- 9.11.14 Ultimately, whichever side of the line the schemes fall is little more than an academic exercise since, as the Council has agreed, the benefits derived

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<sup>1</sup> PSL/AW/5.2 – Mr Williams Appendices Figures 6, 7A and 7B

<sup>2</sup> PSL/AW/5.2 – Mr Williams' Figures 4A, 4B & 4C

<sup>3</sup> PSL/AW/5.2 – Mr Williams' Figure 4B

from the proposals would clearly outweigh harm, if any, caused to the Green Belt and to the Colne Valley Park. Very special circumstances therefore exist to justify the developments.

## **10. THE CASES FOR OTHER THIRD PARTIES IN ORDER OF APPEARANCE AT INQUIRY**

*The material points are:*

### **10.1 Mr A Gears<sup>1</sup>**

- 10.1.1 Mr Gears is a local resident. He has worked at all levels of range of businesses until his retirement some 10 years ago. Under cross-examination Mr Gears confirmed that he had conducted interviews with people connected with the film and TV industry. Each interview lasted about 1½ hours. For reasons of confidentiality he was not prepared to release the names of those interviewed, nor the complete notes of the meetings.
- 10.1.2 The consequence of the weight to be attached to evidence from anonymous respondents was explained to Mr Gears, and he subsequently submitted documents TP5-TP19. TP5 comprises a note of the methodology used to conduct the interviews. TP6-TP19 are redacted versions of Mr Gears' notes following the interviews; the names of most of the respondents remain unknown. Although limited weight can be attached to the responses, given the evidential circumstances, Mr Gears' submissions to the Inquiry are summarised below.
- 10.1.3 Support for Project *Pinewood* is unenthusiastic and there is no evidence of a market need. Use of the streetscapes at the rate indicated is speculative and not backed up with evidence. The level of vehicles on site during a shoot is underestimated. Crews need vehicles, even if they live on the site. Producers and location directors are strongly against the concept of using the same location more than once, unless there is good reason for doing so.
- 10.1.4 There are misgivings about the practicalities of residents and filming co-existing. Permanent film sets cannot be mixed up with houses. The concept would not work. There are questions about the long term feasibility of the streetscapes and what would happen should they be abandoned.
- 10.1.5 Pinewood Green was built for people working at Pinewood Studios. But very few industry employees live there. Most workers associated with the industry are freelance and follow the work.
- 10.1.6 Competition within the industry is intense. It is not a stable business, with USA as the big player. The UK is an important market for American productions, attracted by favourable tax and currency movements. Internal competition is also a threat, with Warner Brothers (at Leavesden) likely to become the largest studio complex in Europe and would have a negative impact on Pinewood's business. Film and TV productions are additionally moving to the Regions, thus challenging the South-East bias.

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<sup>1</sup> TP5-TP20 - Mr Gears' written presentation.

- 10.1.7 Pinewood Studios is a property company that rents out studios. Film making ceased in the 1950s and the company that passionately made films for around 70 years ceased to exist altogether in 2004. If granted planning permission, Project *Pinewood* would double Pinewood Studios' net asset value, intensify shareholder demands, invite calls to break up the company and probably attract predators. Pinewood Studios' own future in terms of ownership or intentions is uncertain<sup>1</sup>.
- 10.1.8 PSL admits that the project is only feasible with a capital gain from housing, which is a damning indictment for a commercial proposition. If planning permission is granted, there is a high risk of change in Pinewood's ownership. The project is in Pinewood's interest only and not in the national interest.
- 10.2 **Mr Peter Treadwell on behalf of CPRE Penn County District<sup>2</sup>**
- 10.2.1 The Project *Pinewood* documents attempt to devalue the land, which is undeveloped and part of the Green Belt.
- 10.2.2 One objective of the Colne Valley Park is to prevent urban sprawl. The construction of 1,400 dwellings and commercial premises would amount to urban sprawl and loss of Green Belt land. This is inappropriate development that would have a major impact on the countryside.
- 10.2.3 The Government is committed to protecting the Green Belt, as demonstrated in the assurances given by the Secretary of State for Environment, Food and Rural Affairs.
- 10.2.4 The additional 1,400 dwellings would be likely to double the population of Iver Heath and overload local infrastructure. The development would have a domineering visual impact on the local community, in particular along Pinewood Green. Buildings with heights of up to 22m would be some 5-10 higher than the existing houses. Residents' quality of life would be adversely affected by the 10 year construction span.
- 10.2.5 There would be a large increase in local traffic not just due to the increased trips to local shops and facilities but also with the additional commercial Pinewood related traffic. The roads towards Fulmer and Gerrards Cross are narrow and unable to accommodate the additional traffic. There would be insufficient parking for residents. With staff and contractors' vehicles, well over 3,000 parking spaces are required which would not be forthcoming as part of the development. Local roads would have to take the strain of the additional parking requirements.
- 10.2.6 The value and usefulness of the streetscapes are questioned. They would not reduce significantly the amount of off-site location filming. Film makers would want the scope offered by the genuine locations. Streetscapes could be computer generated.
- 10.2.7 The employment, training/education and ancillary filming facilities offered at Project *Pinewood* could be accommodated on the Pinewood Studios

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<sup>1</sup> ID13 – Statement by Pinewood Shepperton plc, re: share price movement, dated 08/04/11

<sup>2</sup> TP21 – Mr Treadwell's written presentation

Masterplan development. The employment benefits are supported, provided they are confined to the Studios site.

### 10.3 **Mr J Rossetti**<sup>1</sup>

- 10.3.1 Mr Rossetti works as a freelance lighting cameraman, having worked continuously in the film and TV industry since joining the BBC in 1963. He lives at Pinewood Green, is a 'friend' of Pinewood Studios and uses its facilities.
- 10.3.2 The desire to compete with studios on a global scale is understandable but including permanent housing within the project is not Pinewood's core business and a step too far in achieving their objectives. The development would attract unwelcome attention, with determined visitors avoiding security and entering the site to view the filming. An open day at Pinewood some years ago was tried with detrimental consequences in terms of traffic and crowds, and was never attempted again.
- 10.3.3 The site is too close to the M25 motorway and would cause difficulties in recording on location, particularly when there is a prevailing easterly wind. The site could be better utilised as a space that would allow the construction of temporary sets. Such a project would be more likely to suit the individual needs of programme makers.
- 10.3.4 Given the facilities at the NFTS in Beaconsfield and the London Film School, the need for another Academy is questioned.
- 10.3.5 Mr Rossetti chose to live in the area for personal reasons and because it was convenient for him at a time when he was working with a company based at Pinewood Studios. However, employment within the industry is by nature temporary and mobile. Workers in the industry are generally freelance and tend to work anywhere in the world. Their place of residence is therefore irrelevant.
- 10.3.6 The Clump is of significant value for wildlife if used by 20-30 people a day. However, it cannot be a benefit or an amenity when used by 1,400 householders. The Clump should be given over to the people. Project *Pinewood* should proceed but without the housing.

### 10.4 **Councillor Alan Oxley**<sup>2</sup>

- 10.4.1 Mr Oxley is a local resident and a councillor for SBDC and Iver Parish. He has also recently been appointed Chairman of Governors at the Iver Junior School.
- 10.4.2 The issue of impact of the development on the secondary school education of local children is of considerable concern, especially to those attending Iver Junior School. The Chalfont Community College is 16 km from Iver (half hour travel time). Its site is constrained and expansion is unlikely to be easy. The school is currently over-subscribed and has to operate a two-shift system to accommodate the arrival and departure of pupils. Increased

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<sup>1</sup> TP1 - Mr Rossetti's written presentation

<sup>2</sup> TP2 & 2b – Councillor Oxley's written presentations

pupil projection for 2013 will put further pressure on secondary education without any additional contributions from new housing developments, unlike that proposed in the S106 accompanying Project *Pinewood*<sup>1</sup>.

- 10.4.3 Project *Pinewood* would be likely to generate some 220 upper school and 130 Grammar school pupils, with the effect of taking the Chalfont Community College over its capacity on a regular basis. That would mean some 200 children living south of Iver would need to travel further to Amersham or High Wycombe.
- 10.4.4 While it is not the Secretary of State's role to resolve the County's school population problems, this just illustrates the kind of pressure Project *Pinewood* would impose on already over-stretched services. It may be possible for Pinewood Studios to explore the possibility of providing a Secondary Academy on the site, specialising in Communication Technology and Creative Arts. Such a proposal would be supported by the local community, as they have been seeking a new secondary school for many years.
- 10.5 **The Rt Hon Dominic Grieve MP<sup>2</sup>**
- 10.5.1 SBDC's consistent policy of protecting the Green Belt enjoys overwhelming support from local residents. As a consequence of development pressures, real and threatened, residents are left feeling beleaguered by the changes that are affecting their quality of life.
- 10.5.2 The three main concerns raised with regard to Project *Pinewood* relate first, to loss of Green Belt open landscape in the Colne Valley Park, in an area already under pressure from degradation and fragmentation; second, the lack of trust in Pinewood Studios' need argument for Project *Pinewood* and third, the impact on local infrastructure<sup>3</sup>.
- 10.5.3 Mr Grieve has always been supportive of SBDC's policy of Green Belt protection and the efforts made to develop the assets of the Colne Valley Park, as a key environmental and recreational corridor along the western edge of London. While mindful of the importance of business and the wealth it generates, Project *Pinewood* is viewed with some misgiving for the precedent it could set for further applications. This could eventually undermine any prospect of realising the Park's potential.
- 10.5.4 Pinewood Studios has always maintained that the project is essential to its future and justifies the development in the face of policy opposition. The matter needs to be explored in depth to ensure that local residents will be satisfied on the issue. The employment prospects of the development carry little weight with local residents and there are serious concerns about the traffic impact. The quality of education could suffer from increased pressure on the upper school system already over-capacity and stretched. Careful

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<sup>1</sup> ID7D – S106 Agreement, Section 7 of Part 2 of Schedule

<sup>2</sup> TP3 – Mr Grieve's written presentation.

<sup>3</sup> As these concerns are covered in length in other third party and written representations, they are not reported fully here.

consideration must be given to whether the alleged benefits of Project *Pinewood* clearly outweigh the obvious harm that would result from it.

#### 10.6 **Mrs Sharon Parsons<sup>1</sup>**

- 10.6.1 Pinewood Studios is seeking to recreate a version of Hollywood in Iver Heath. The former evolved over a period of time, offering space, silence and sunshine in an arid, sparsely populated corner of a large continent. Iver Heath offers none of these. It is situated in a lush, densely populated corner of a small island and on protected Green Belt land.
- 10.6.2 If this protected land is to be sacrificed it is important to establish, beyond reasonable doubt, that the project is both essential and desirable and that the gains of the film industry are sufficient to justify the losses to national and local amenity, wildlife, social and aesthetic benefits of the land. A project on which the sets themselves are not financially viable and has to be built over a period of 10 years does not appear to be of such importance to the film industry or to the nation.
- 10.6.3 The permanent sets, without the iconic buildings or locations often associated with the selected cityscapes, may well be what filmmakers need today. However, there is no assurance that they will be attracted to the idea in the future when the sets start to look shabby as houses often do, or with residents adapting their homes to suit their lifestyles.
- 10.6.4 Business clusters may be in fashion now, but research shows that the most successful ones were spontaneous, organic accumulations of competing businesses within a particular region. If South Bucks were an attractive place for such a cluster, it would have become one by now. To an extent it has and can continue to evolve without Project *Pinewood*. In fact the real cluster for the screen industries is in London<sup>2</sup> which naturally benefits from the "*urban buzz effect*"<sup>3</sup>, and which is unlikely to be replicated on a housing estate in South Bucks. It is questionable whether the young, creative media types expected to inhabit Project *Pinewood* would integrate with the existing community of residents holding rather more prosaic jobs.
- 10.6.5 The site is not an underused piece of countryside as alleged. As part of the Green Belt it helps safeguard the countryside from encroachment and prevent urban sprawl. Project *Pinewood* would extend the sprawling settlement of Iver Heath – stretching out alongside the M25 motorway without a meaningful centre and a limited range of shops. Grazing land would be lost as a result of the development. The site makes a positive contribution to the character and setting of the local area. It is attractive because it is open and undeveloped. There is a wealth of habitats supporting a range of wildlife – to the local community that is indeed paradise and priceless.
- 10.6.6 The Green Belt has an important role in combating climate change. It provides opportunities for access to the countryside and outdoor recreation.

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<sup>1</sup> TP4 – Mrs Parsons' written presentation

<sup>2</sup> PSL/BR/1.1 – Mrs Rosewell's proof, Figure 3: page 21

<sup>3</sup> PSL/BR/1.1 – Mrs Rosewell's proof, paragraph 12.12

The appeal site more than satisfies that objective. Accounts by children, teenagers and elderly people using the land for recreation, and in particular enjoying The Clump, attest to its contributions to Green Belt objectives.

10.6.7 Project *Pinewood* would sit in the context of a hostile community, protected landscape, an uncertain demand and a developer taking no risks. Without even a single scene being shot on location, the owner of the development will make a substantial profit from the housing. This would be a risk-free investment by PSL, on a very low initial stake but at the expense of a treasured national asset with only indirect benefits to the local population.

## 10.7 Mr Fagin

10.7.1 Mr Fagin's concerns arise from the changes to the private access (Round Coppice) situated to the south of the Denham Road/Sevenhills Road junction. The existing opening is wide with sweeping splays. The proposal would reduce the length of the drive and the width of the splays making it more dangerous for drivers exiting the access.

## 11. WRITTEN REPRESENTATIONS

### APPEAL A – Project *Pinewood*

11.1 In this section the written representations submitted in response to notification of the appeal are summarised (Documents WR1- WR55) Submissions made at the application stage are summarised in the Committee Report (CDG4A).

11.2 The points in support of the Project *Pinewood* proposal are:

- The screen industry is one of the leading growth sectors of the UK economy but subject to increasing international competition. The creation of 960 full time jobs is a positive contribution as the UK continues to move out of recession.
- Project *Pinewood* would give programme and film makers a high degree of flexibility and control over their productions and reduce logistical problems associated with filming on location. It would increase the competitiveness of the industry by allowing them to do more for less.
- Creation of a bespoke filming environment of the scale, diversity and quality proposed would be a real attraction. The use of indoor stages and outdoor filming environment could be optimised as part of an integrated shooting schedule.
- There is no point in having all the film-making talent currently in the UK if it cannot be fully exploited by the provision of permanent film sets. These will double up as homes, of which there is a desperate shortage in Buckinghamshire.
- Efficiency saving and reduction in carbon emissions would be achieved.
- Use of permanent structures would help meet the challenges of high definition, where increased authenticity is required.

- Project *Pinewood* would be of great value to advertising agencies offering clients imaginative, high quality and cost effective local campaigns from a single location.
- Ready access to Project *Pinewood* by road, rail and air and the many good hotels in East Berkshire will prove very convenient to screen industry workers and would contribute to the local economy. The project would not threaten Iver Heath.
- Project *Pinewood* will be regarded by other countries as evidence of the UK's creativity and forward thinking. It is exactly the kind of proposal that would help to maintain the UK as a centre of creative excellence and a safe choice to base future international production activities.
- Project *Pinewood's* importance to the economy provides the justification for development in the Green Belt. It would add substantially to the capacity, resources and attractiveness of Pinewood Studios. A healthy and innovative Pinewood is critical to the success of film and media businesses in the UK.
- The Academy would provide young people the opportunity to further their careers, and real work experience. A world class training facility would ensure the continued provision of high quality craft support for future generations of film and programme makers working in the UK.

11.3 Objections to Project *Pinewood* can be summarised as follows<sup>1</sup>:

- The plans are contrary to Green Belt policies. Green Belt land would be destroyed.
- A dangerous precedent would be set for development in the Green Belt.
- This is inappropriate development in a rural area.
- Habitats would be destroyed.
- Tree protection measures are difficult to monitor and enforce. Those intended to be retained could come under pressure for removal over time.
- Local villages would be transformed.
- Development would be out of keeping with the scale of buildings in the area.
- Pressure on local infrastructure would be considerable.
- The population of Iver Heath would double.
- The development should be located on the Pinewood Studios land, which is already developed.
- Economic value of the project is speculative and exaggerated.

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<sup>1</sup> This is a brief summary of topics raised in the written representations. Many of the objections have been covered at length in the cases for SBDC, SPP and Parish Councils



- This is little more than a disguised attempt to build a housing development on Green Belt land.
- Project *Pinewood* would become a tourist attraction, adding to problems of congestion in the area.
- High rise buildings would be out of keeping with the area.
- The social, economic and environmental value of the Green Belt has not been factored into the assessment of the value of the benefits that would accrue from Project *Pinewood*.
- As the streetscapes would not be financially viable without the housing element of Project *Pinewood*, they cannot be as vital to the film industry as claimed.
- Most screen industry workers are on short to medium term contracts and peripatetic – they do not need permanent housing in this area.
- The streetscapes could not compete with the 3D computer generated films of the future.
- Given property prices in South Bucks, most of the new dwellings would be occupied by people not involved with Pinewood Studios.
- If there is such a desperate need for accommodation close to the Studios, there would be more pressure on existing properties in the immediate area. But that is not the case.
- Road safety is of particular concern to local residents.
- HGV movements in the area would increase to the detriment of road safety.
- The predominant mode of travel to and from the site would be the private car.
- Traffic mitigation measures are likely to add to journey times.
- The major cause of congestion in the area is not the Five Points Roundabout but the two mini-roundabout junctions at Bangors Road North and Thornbridge Road.
- Construction of Project *Pinewood* for a period of 10 years or more will affect local residents through noise, disturbance, dust and pollution.
- The proposed development would affect existing residents by loss of privacy, increased noise and lighting during filming.
- The level of parking proposed is insufficient and would result in cars being parked on local residential streets. Recent experience of audiences attending a TV production at Pinewood Studios shows the extent to which the neighbourhood is affected by indiscriminate parking by visitors<sup>1</sup>.

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<sup>1</sup> ID18 – Images of cars parked around Pinewood Studios

- Night shooting is inappropriate and should not be permitted.

### **APPEALS B AND C**

11.4 The points below summarise representations made in writing at the application stages of the developments:

#### ***Denham Road/Sevenhills Road Junction***

- In peak times traffic is backed up to Denham roundabout – traffic lights will not help this.
- Lane widening and complex traffic signalling system will be harmful to character of area and reflect a major interchange.
- Land needed is the Green Belt and Colne Valley Park and should not be used for development.
- Next inevitable step will be to upgrade Sevenhills Road destroying its quirky village character.
- Alterations may slightly improve access at this point but will do nothing to alleviate the substantial extra congestion.
- Feeder roads in surrounding area not equipped to handle increased traffic – many are single carriageway.
- Increased traffic noise and pollution.
- Loss of important trees and wildlife habitat.
- Loss of trees has carbon footprint associated with it.
- Changes stem from Pinewood's ambitions to become property developer to the detriment of the local community and Green Belt countryside.
- Traffic lights and pedestrian crossings have the potential to create complete mayhem.
- Improvements would be less intrusive than the previous application but still unacceptable.
- Traffic jams will require a new by-pass but where could one go?
- This is merely a stepping stone for Pinewood to get their main development approved. As the main Project is pure speculation it should be dismissed and there would then be no justification for these highway works.
- Factors of concern should take precedence over profit for applicant.
- Any marginal improvement in local traffic would be short lived.

#### ***Five Points Roundabout***

- Land is within the Green Belt and Colne Valley Park and should not be used for development.
- Feeder roads in surrounding area not equipped to handle increased traffic – many are single carriageway.
- Increased traffic noise and pollution.

- Loss of important trees and wildlife habitat.
- Loss of trees has carbon footprint associated with it.
- Lights and pedestrian crossing would jam the roads further.
- Entering the garage and public house by the roundabout would be a matter of luck if a driver is in the wrong lane.
- Changes stem from Pinewood's ambitions to become a property developer to the detriment of the local community and Green Belt countryside.
- Motorists would seek to avoid the roundabout by rat-running through Pinewood Green/Thornbridge Road and other minor roads.
- Traffic lights would cause further restrictions to flow on main A412.
- Project Pinewood would lead to more cars on the road with bottle necks and traffic jams – traffic lights and pedestrian crossings have the potential to create complete mayhem.
- Improvements would be less intrusive than the previous application but would still be unacceptable.
- Traffic jams would require new bypass but where could one go?
- This is merely a stepping stone for Pinewood to get their main development approved. As the main project is pure speculation it should be dismissed and there would then be no justification for these highway works.
- Increased traffic would make entry and egress to some nearby driveways very dangerous.
- Objection to widening of A4007 Slough Road.

## 12. CONDITIONS AND PLANNING OBLIGATIONS

### 12.1 Appeal A – Project *Pinewood*

12.1.1 Acceptability of Project *Pinewood* is dependent on appropriate timing, phasing and design of the proposals and mitigating or enhancing measures to counter the effects of development. These would be secured through conditions or planning obligations.

#### **Conditions (ID8F)**

12.1.2 Save for Nos. 7 and 64, the conditions are largely agreed between the parties. They were discussed at length at the Inquiry. Should planning permission be granted, it should be subject to the conditions listed in Annex A to this Report. They are necessary for the reasons explained at the end of each condition. I have modified the wording of some conditions, in the interests of clarity, brevity, compliance with Circular 11/95 or updated policy advice. Reasons for changes in the wording of conditions, or for not modifying them, are explained below.

12.1.3 Condition 6: The parties resisted deletion of the words "*...unless a revised Strategic Phasing Plan is agreed in writing by the Local Planning Authority*", on the basis that some flexibility should be allowed for in a 10 year

development. However, the discretionary approach sought could allow for unofficial circumventing of S73, which provides the proper mechanism for reconsidering conditions attached to a permission. The words should be deleted. Text along similar lines in Condition 55 should also be deleted.

- 12.1.4 Condition 7: SBDC would wish to restrict the 15 streetscapes to those specifically prescribed in the Design and Access Statement (CDG/1 Document 3), as the design and economic benefits of the development are based on the specific streets described. Given the likely 10 year construction span, it would be unreasonable to confine the project to the generic cityscapes currently promoted; a degree of latitude is reasonable to allow for changes in demand, fashion and popularity.
- 12.1.5 Condition 16: At the Inquiry it was agreed that Condition 16 would be unnecessary if a management plan was in place. Accordingly, additional wording recommended in Condition 13 renders Condition 16 superfluous and it should be deleted.
- 12.1.6 Condition 33: Specific reference to The Clump was requested by a third party. However, I agree with the Council that reference to that feature, albeit a significant one, begs the question why other features, such as protected trees and hedgerows are not specifically indicated in the condition. The wording as it stands adequately protects The Clump and the site's other natural assets.
- 12.1.7 Condition 36: As detailed surface water strategies are expected to comply with the strategic site-wide surface water strategy required by Condition 35, there is no need to specify the level of detail included in the wording of Condition 36. The condition should be changed accordingly.
- 12.1.8 Condition 44: a condition requiring "*reasonable funding to property owners...*" is imprecise and contrary to advice in paragraph 83 of Circular 11/95. The mitigation strategy would cover a range of noise related aspects and listing examples of measures required is unnecessary.
- 12.1.9 Condition 45: Alternative wording is suggested in the interest of clarity and enforceability.
- 12.1.10 Condition 58: The condition looks to cover a range of management and operational issues. Ownership, responsibility and management of the residential area, reservation of rights and service charges go beyond what can be reasonably described as relevant to planning and should be deleted. The remaining items listed are covered by other conditions. The reworded condition is necessary to safeguard the amenities of residents from the impact of filming and to facilitate the link with Pinewood Studios. I have doubts about the workability and long term effectiveness of the operational link suggested with Pinewood Studios for the reasons expressed in relation to Condition 64 below.
- 12.1.11 Condition 62: SBDC argues that the condition provides no commitment to incubation units, is not specific about size, management or support of the units and provides no trigger to govern occupation of the houses with the employment floorspace. The matters are addressed in Section 13.8.23 of this Report. Given that Project *Pinewood* is promoted as a creative

industries networking cluster linked to Pinewood Studios, and its operations, the wide scope for interpretation of the words “...and other related industries” is inappropriate. The suggested wording corresponds with SBDC’s suggestion on earlier versions of the condition.

12.1.12 Condition 64: The condition is suggested to cement the connection with Pinewood Studios and to strengthen the concept of a creative cluster. While recognising the appellant’s genuine desire to achieve the project’s objectives, the extent to which the matter could reasonably be covered by condition is questionable. It is too wide, and open to interpretation or misinterpretation. For instance, taken literally, tying management of the residential properties to operation of the Studios could unreasonably fetter future operations of the Pinewood Studios site. Looking at it from the objectors’ side, it would require only a minimal amount of activity connected with the creative arts or filming to take place on the site for the condition to take effect. The condition is unworkable. My view is that it should be deleted.

12.1.13 Condition 65: See paragraph 12.1.17 below.

### **Planning Obligations**

12.1.14 Against, the background of policy infrastructure expectations and affordable housing needs, plus delivery of the principles of Project *Pinewood* and the highways/mitigating requirements, the application is accompanied by two completed agreements and a unilateral undertaking under S106 of the TCPA. Details of what is to be provided through the obligations are listed in ID7J, which also lists the policy basis for the items included in the planning obligations and justification for their provision.

### **Planning Agreement ID7D and Unilateral Undertaking ID7F**

12.1.15 The main elements of the obligations are as follows:

- Financial contributions for off site ecological mitigation directed at enhancement measures at the nearby Black Park and Langley Park Country Parks.
- 100 affordable rented units and 50 intermediate units on site, with priority given to accommodation of Local Eligible Households<sup>1</sup> in the affordable units.
- Financial contribution for the provision of 410 affordable units at locations off-site.
- 50 of the market units to be offered as Target Rented Units or Shared Equity Units made available for a period of not less than 5 years on rented and equity loan terms to target households – i.e. persons working within the creative industries at Pinewood Studios or at Project *Pinewood*.

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<sup>1</sup> Defined as Eligible Households comprising students attending the Academy or households living or working within a 1.5 mile radius of the Pinewood Studios or appeal site

- Provision of a 1.5 form entry primary school and a 52 place pre-school on site, plus a financial contribution towards the provision of equipment.
- Financial contributions towards secondary and special education in Buckinghamshire.
- A multi-purpose community centre to include a children's centre and a drop-in facility for the Thames Valley Police<sup>1</sup> (ID7G).
- The Screen Crafts Academy to be constructed as part of phase 1, together with funding to ensure that a viable and sustainable facility is operational for a period of 10 years.
- On site formal and informal sports and recreational facilities.
- Financial contribution to Thames Valley Police Authority to enable provision of a police community support officer<sup>2</sup> (ID7G and Appendix 1 to ID7D).
- Funding for the Fire Service to provide education and training for community fire services at the development (ID7H and Appendix 2 to ID7D).
- Financial contribution to enable the Buckinghamshire Primary Care Trust to enhance local facilities (ID7I and Appendix 3 to ID7D).
- PSL commits to a management contract that secures management or operation of the development by the manager or operator of Pinewood Studios for a minimum period of 20 years on first occupation of the development.
- PSL have also entered into a unilateral undertaking for reciprocal and matching obligation on the part of Pinewood Studios (ID7F and Appendix 4 to ID7D)
- PSL are required to use reasonable endeavours to market the employment floorspace for 3 months to sole traders, small and medium sized enterprises for use by companies or individuals engaged in the creative industries.

Planning Agreement (ID7E)

12.1.16 The obligation covers the provision of on-site and off-site highways and transport aspects of the development. The main elements are:

- Delivery of off-site highways works at the Five Points Roundabout, Denham Road/Seven Hill Road junction, widening of part of Sevenhills Road, a footway/cycleway and resurfacing of the western side of Pinewood Road from Five Points Roundabout.

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<sup>1</sup> WR50 – Written statement on behalf of Thames Valley Police making a case for the financial contributions and drop-in facility

<sup>2</sup> Ibid

- Delivery of limited stop bus services between Uxbridge, Project *Pinewood* and Slough and between Project *Pinewood* and Gerrards Cross. Diversion of the existing No 58 service to pass from Five Points Roundabout, to the Slough Road/Bangors Road North junction via the Project *Pinewood* site and Sevenhills Road. Financial support for the bus services for a period of 20 years from the date of first occupation of Phase 1 of Project *Pinewood*.
- Additional Mitigation Fund for implementing measures identified by a Transport Review Group (TRG)<sup>1</sup>.
- Funding to BCC to implement restrictions on the use of Sevenhills Road North.
- Financial contributions towards the provision of new or improved cycle routes to connect Project *Pinewood* with Slough and Uxbridge.
- Further contributions towards provision of intelligent transport systems, enhancement of public transport infrastructure in the area (mainly upgrading existing bus stops) and a trial Personal Transport Planning initiative.
- Implementation of a Community Travel Plan to include: electric vehicle charging points, a car club scheme, vouchers towards purchase of a bicycle to each household, monitoring and reporting on use of bus services and trip generations/modal splits/achievement of agreed targets and promotion of a local car sharing scheme.

12.1.17 Given the scale and nature of Project *Pinewood*, the demand for additional facilities or pressures on existing ones, there is clear justification for the affordable homes, education and community elements of the S106. Other components would assist with delivering the concept of Project *Pinewood*. The off-site highways works and transport measures in the agreement are necessary.

12.1.18 The highway works to which the clause relates are essential to the effective operation of Project *Pinewood*. However, the term "*as soon as reasonably practicable and without unreasonable delay*" raises concerns about enforceability (ID7E Schedule, Part 1 clause 1.1). If the Secretary of State considers that timely delivery of the works could be compromised by such wording, a Grampian style condition along the lines recommended in Condition 65 (Annex A of this Report) should be imposed.

12.1.19 There is sufficient information and policy support for all of the items in the S106 agreements<sup>2</sup>, plus clear evidence of how and where the monies would be spent. Furthermore, the parties agreed that the provisions of the S106 agreements are related in scale and kind to the development. The planning obligations therefore meet the Community Infrastructure Levy (CIL) Regulation 122 tests and the provisions of Circular 05/05. The provisions of

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<sup>1</sup> Membership and terms of reference of the TRG are set out in Section 4, Part 1 of the Schedule.

<sup>2</sup> ID7J – Planning Obligations Justification

the planning obligations have been accorded significant weight in consideration of the parties' cases and the conclusions.

## 12.2 **Appeal B – Denham Road/Sevenhills Road Junction<sup>1</sup>**

12.2.1 The conditions listed in Annex B were discussed at the Inquiry and should be imposed for the reasons recorded at the end of each condition. If Project *Pinewood* were granted planning permission, in view of the complexity of the project, extending the time limit for implementation of the junction proposal from the standard 3 to 5 years is reasonable and justified.

12.2.2 The 5 years should also be imposed even if Appeal B were to proceed in the absence of a permission for Project *Pinewood*. Funding for the works is not in place and the 5 years would allow for the funding shortage to be addressed.

## 12.3 **Appeal C – Five Points Roundabout**

12.3.1 Conditions listed in Annex C should be imposed for the reasons recorded.

12.3.2 The appellant wishes to extend the time limit to 10 years from the 5 years suggested by the Council. Given the complexity of Project *Pinewood* and relationship of the highway works with the development, PSL is concerned that the timescale of 5 years is too tight and would not allow for slippage in the programme of works. However, to extend the start of the works to 10 years introduces a high degree of uncertainty and does not sit well with the appellant's intended Phasing programme for Project *Pinewood*. Five years is a reasonable timescale for the start of the highway improvements, even in the event that Project *Pinewood* is not granted permission. The appellant accepted that the 5 years would be appropriate in the circumstances of the highway works being implemented without Project *Pinewood*.

12.3.3 Archaeology is the only other point of issue between the Council and PSL. Given the possibility of archaeological remains in the area, a condition to secure investigation is not unreasonable.

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<sup>1</sup> ID8I – Conditions list submitted by SBDC



### **13. CONCLUSIONS ON APPEAL A – PROJECT *PINEWOOD***

*(Numbers in brackets refer to paragraphs or sections in this Report from which these conclusions are drawn)*

#### **13.1 Main Issues and General Matters**

##### ***Main Issues***

- 13.1.1 These conclusions are broadly structured to follow the main issues identified in the pre-inquiry note to the parties, with some variation to take account of the evidence presented to the Inquiry. [1.4]
- 13.1.2 There is no dispute that the proposal amounts to inappropriate development for the purposes of PPG2 and Policy GB1 of the South Bucks District Local Plan (LP). It is therefore by definition harmful. [7.1.1, 8.2.2, 9.2.3]
- 13.1.3 With that in mind, the following main issues are key to determining the acceptability or otherwise of Project *Pinewood*:
- The effect the development would have on openness, on the purposes of including land in the Green Belt and on Green Belt objectives.
  - Its effect on the character and appearance of the area.
  - The effect on protected trees and bio-diversity.
  - Whether the proposal would comply with key sustainability principles.
  - The highways congestion and safety implications of the development, and parking issues.
  - Impact on existing and future residents' living conditions.
  - The extent to which the proposal would comply with national and development plan policies.
  - Whether the harm by inappropriateness or any other harm is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.
- 13.1.4 The 'other considerations' fall into the following broad categories:
- Social and cultural benefits of the project, including the contribution it would make to the region's housing and affordable housing needs.
  - Economic case for Project *Pinewood*.
  - Alternative locations.
  - The highways and transport advantages to the local community
- ##### ***General Matters***
- 13.1.5 The Environmental Statement (ES) was submitted in accordance with the EIA Regulations. As agreed by the main parties, the requirements of the Regulations have been met. The contents of the ES, and all environmental information, are taken into account in arriving at the recommendation in this Report. [2.1]

- 13.1.6 The starting point for considering this appeal, as well as Appeals B and C, is S38 (6) of the Planning and Compulsory Purchase Act 2004. The development plan for the area comprises the saved policies of the South Bucks District Local Plan (LP), the South Bucks District Core Strategy (CS) and the Regional Spatial Strategy for the South East of England (the South East Plan or RSS). [4.2.1]
- 13.1.7 The provisions of the Localism Bill which is now before Parliament reflects the Government's intention to revoke Regional Strategies. While the recommendations have taken this matter into account, it can be given limited weight at this stage of the parliamentary process. The matter was also addressed by Mr Bird in closing for the Council. As reported in earlier sections of this Report, the South East Plan (as part of the development plan) featured prominently in the main parties' cases. [4.2.1, 7.8.1]
- 13.1.8 The Draft National Planning Policy Framework (NPPF) was issued on 25 July. The parties referred extensively to the Ministerial and Departmental Statements issued in advance of the NPPF, the contents of which are broadly repeated in the emerging NPPF. Given the draft status of the NPPF, it has not been referred to in any depth. The Statements, on the other hand, feature at relevant points in these conclusions.
- 13.2 **Effect on Openness, on the Purposes of Including Land in the Green Belt and on Green Belt objectives**
- Openness*
- 13.2.1 With the exception of the small group of buildings associated with Saul's Farm at the north eastern corner of the appeal site, the 46 hectares of land that comprises the site is undeveloped and unencumbered by buildings or structures, other than lines of fencing. The Clump, individual and groups of trees and hedgerows marking the boundaries and sub-dividing the site may disrupt open views across the swathe of grassland, but the land is open in the sense of being undeveloped. Even previously excavated areas of the site are barely distinguishable as anything other than the surrounding area of grassland. [3.3, 3.4, 7.2.2]
- 13.2.2 In this context, there can be little doubt that Project *Pinewood* would amount to a considerable urban incursion into an otherwise undeveloped area of land. It cannot but have a substantial impact. The openness of the site would not just be reduced, as conceded by the appellant, but would be substantially eroded. The 25.7 hectares (over 50%) of land that would remain open as formal or informal recreational space would not overcome the considerable incursive effects of such a large development with its high intensity of residential and commercial activities. The low density housing would comprise buildings, roads and domestic gardens in place of open land. Its coverage across the site would be no less harmful to openness than the tall buildings and high density development within its core. [7.2.1, 7.2.3, 9.3.3, 9.3.4, 9.3.7]
- 13.2.3 Given the scale and nature of Project *Pinewood* (21.6 hectares of gross built area), the loss of openness would not only be visually apparent but would all but destroy the concept of the site as part of open Green Belt land. The

fact that the visual effects may be localised does not diminish the fundamental breach that would occur. [7.2.1, 7.2.4, 9.3.3, 9.3.6]

### ***Purposes of the Green Belt***

- 13.2.4 It was agreed that, of the five purposes listed in PPG2, the development has the potential to affect four. Judgement on how a development would contribute or not to the purposes involves more than just an assessment of the extent to which it would be visible. Equally, lack of apparent views of the context in which the site is located or of nearby settlements, or even the fact that existing built-up areas are visible from the countryside do not imply that the purposes of the Green Belt cannot be contravened, as demonstrated below. [7.2.5, 9.3.2]

### ***Checking the unrestricted sprawl of large built up areas***

- 13.2.5 The LP recognises that "...the whole of the Green Belt is important in order to keep these larger urban areas in check, not just those parts of it immediately adjacent to them". PPG2 explains that urban sprawl can be prevented by keeping land permanently open. The Green Belt to the west of London, and in South Bucks, is considered to be seriously fragmented and highly pressurised. [7.2.7, 10.5.2]
- 13.2.6 The parameter plans show how the built-up sectors of the new development would be confined to the areas indicated. Nevertheless, they would extend the settlement of Iver Heath and consolidate it with the vast array of densely packed buildings on Pinewood Studios to the west of the appeal site. Given the extent of the built development, and other physical manifestations of a mixed use development, even if not wholly apparent from many distant views, the scheme would extend the present built-up reaches of the area and amount to urban sprawl of the type the Green Belt is seeking to contain. [7.2.8, 9.3.2, 10.2.2, 10.6.5]

### ***Preventing the merger of neighbouring towns***

- 13.2.7 The Green Belt in South Bucks prevents the merger of Iver Heath, Iver, Richings Park and Stoke Poges. The fact that one or more of these settlements may not be visible from another does not remove the threat of a merger. Because of the distance between settlements, visual or physical coalescence is unlikely to be caused by any single development. However, continual chipping away at the Green Belt by a combination of proposals extend settlements, threaten their individual identities and cause the sort of fragmentation already prevalent in this area of the Green Belt. Project *Pinewood* would contribute to that fragmentation and undermine the specific purpose of preventing merger of neighbouring towns or settlements. [7.2.9, 7.2.10, 9.3.2]

### ***Assisting in safeguarding the countryside***

- 13.2.8 The scale of Project *Pinewood's* encroachment into the countryside would be substantial: just over 20 hectares of land to be developed. The 25.7 hectares of open land would be within or viewed as landscaped parks or semi-informal areas marking the edges of an urban development. They would not represent countryside in the way that the appeal site currently functions. The Green Belt purpose of preventing encroachment into the

countryside would be considerably compromised, regardless of the extent to which the development would be seen from different viewpoints. [7.2.11, 8.2.1, 9.3.2, 10.2.2, 10.6.5]

*Assisting in urban regeneration*

- 13.2.9 The effect that Project *Pinewood* would have on this purpose of the Green Belt is less clear cut. The appellant argues against disaggregation of the development, on the basis that each of the individual elements is integral to the concept of Project *Pinewood*. Equally, proximity to Project *Pinewood* is vital to the clustering benefits of the project and to the notion of a living/working community with creative connections. In such circumstances, the appellant has demonstrated that there are no options to the undeveloped greenfield site close to the present Pinewood Studios. [7.2.12, 9.8.55, 9.8.56]
- 13.2.10 On the other hand, if there was a case for separating the various elements of the project, closeness to Project *Pinewood* for many of the uses proposed becomes less of an imperative. Should that be the case, locating one or more of the discrete components of the project on the appeal site and in the Green Belt could undermine the incentive to recycle urban land. [7.2.12]

***Green Belt objectives***

- 13.2.11 The appeal site is in the private ownership of Pinewood Shepperton PLC. While access to the land may have been possible in the past, my site visits revealed that unauthorised access is now positively discouraged. As it stands, the land does not get used for outdoor sports or recreation. While recognising the reasons for restricting public access to the site, the argument that these objectives can only be fulfilled with the development proceeding is not a strong one. Should the owners be so inclined, opportunities for such activities and greater access to the open countryside could be provided without developing the site in the manner proposed. [7.2.13, 7.2.14, 8.2.1, 9.3.8]
- 13.2.12 The land is not damaged or derelict. Nor could it be said to be in use for agricultural or forestry use. The landscape in and around the site may not be of a quality that merits specific designation, but there are protected natural features within the body of the site and around its edges. Furthermore, it is undeveloped and part of an area of countryside under pressure for development. For these reasons, the site is highly valued by local people and should be credited with meeting Green Belt expectations of attractive landscapes near where people live and securing nature conservation interests. [3.3, 3.4, 7.2.13, 8.2.1, 9.3.8, 10.3.6, 10.6.5, 10.6.6]
- 13.2.13 With the care and attention to detail accorded to landscaping and ecological issues, Project *Pinewood* would perform as well as can be expected with a development of the size and scale proposed. Nevertheless, it would prevent this part of the Green Belt from fully performing a number of the functions listed in PPG2. [7.2.14, 9.4.5]

### ***Precedent***

- 13.2.14 The unique circumstances of Project *Pinewood* as a specific concept dependent upon its co-location to an existing large and important employment site, renders slim the prospect of applications for similar projects in South Bucks or the Green Belt. The positive benefits of future applications or of housing delivery at the scale intended in an area of high demand and need would have to be balanced against the implications of developing in the Green Belt, and other likely impacts. In other words, the weight of policy considerations applicable to proposals for development in the Green Belt would not be diminished should permission be granted for Project *Pinewood* to proceed. [7.2.12, 7.10.3, 9.2.4, 11.3]

### ***Conclusions on Green Belt***

- 13.2.15 The development would fail when considered in the stark light of LP Policies GB1 and GB4 designed to protect the Green Belt from inappropriate development and from proposals injurious to the Green Belt. [4.2.9]

### **13.3 Effect on the Character and Appearance of the Area**

- 13.3.1 This section looks at the impact of the development on landscape, on the conservation and amenity value of the Colne Valley Park, and also covers the visual amenity of the Green Belt. It must be said at the outset that if the positive aspects of Project *Pinewood* clearly outweigh the harm caused to the Green Belt, then the same considerations would equally apply and outweigh harm to the Colne Valley Park. [9.3.5]
- 13.3.2 The Park covers much of the eastern part of South Bucks. It is the first taste of countryside to the west of London, providing a complex, diverse pattern of landscape and presenting many opportunities for improvement. The aims include conservation of the landscape and of biodiversity resources, resisting urbanisation and providing opportunities for countryside recreation. [4.2.8, 4.2.15, 7.3.1, 7.3.2, 10.5.3]
- 13.3.3 Open fields, woodland blocks, hedgerows and intimately scaled countryside are as much characteristic of the appeal site as other areas falling within the Iver Plateau landscape character area. The appellant's evidence recognises that the nature of the change would be adverse, but it is said that over time the proposed landscape would help integrate the development into the wider area. That may well be the case if the aim is to integrate the development with the residential development of Pinewood Green to the south. However, It is difficult to envisage how a development of up to 1,400 dwellings with commercial, retail, filming and community facilities, with the attendant activities, external works and domestic paraphernalia, could reflect or complement the essentially rural characteristics of the site's surroundings. [7.3.6, 9.3.4]
- 13.3.4 Project *Pinewood* would amount to a clear incursion into the countryside and an intensive urban extension with little connection to the open (i.e. undeveloped) landscape in which it would lie. That the proposal would provide scope for outdoor recreation or high quality landscape are creditable attempts to meet the policy and social demands of a development of this scale. It does not point to its acceptability when assessed against the aims

of the Colne Valley Park or its landscape, conservation or amenity values. [5.1.4, 5.1.5, 7.3.2, 9.3.7]

- 13.3.5 The scale of change would be significant and visible from local viewpoints, but the effects would not be confined to the immediate area. The level of activities generated by a development of this scale would be apparent over a much wider area. Furthermore, the tall, dense parts of the development would be seen from some distance, in much the same way that the large stages on the Pinewood Studios site are visible. The notion that the impact of the development would be limited and local is therefore fanciful. In fact, the commercial success of the scheme would depend to a certain extent on its visual connection with Pinewood Studios, as evidenced by the ambitions to link its core with the Studios site. [7.3.3, 7.3.5, 7.3.7, 9.3.4, 9.3.6]
- 13.3.6 It follows from these observations that development of the appeal site and Project *Pinewood* would run counter to the aims of the Colne Valley Park. It would significantly alter the landscape character and appearance of the area to its detriment. The visual amenities of the Green Belt would be similarly affected by the scale of loss of part of the countryside and of openness. The proposal fails against the aims of Policy WCB5 of the RSS and CS Core Policy 9. [4.2.8, 4.2.15]

#### 13.4 **Effect on Protected Trees and Bio-Diversity of the Site**

- 13.4.1 The project would involve removal of 26 protected trees out of about 500 currently on the site, and loss of less than a quarter of the site's hedgerows. In quantitative terms alone those numbers are not significant, though many un-surveyed trees would also make way for the development. The strategies intended in the design of the layout make exemplar attempts at preserving and integrating existing trees and hedgerows into the development. Even with the high level care and attention aspired to, these natural elements of the site would lose the context in which they currently exist and their amenity value reduced to features in which to sit the development. The ecological value and connectivity of hedgerows would also be compromised. [7.4.2-7.4.6, 9.4.1, 9.4.2, 9.4.4, 10.6.5, 11.3]
- 13.4.2 The Clump is protected in its own right. It is highly valued by local people. The proposal would retain the woodland in its entirety, with scope for long term management secured by condition. Concerns about the threat from the near twofold increase in the local population are not without some basis. However, The Clump has withstood pressures from construction of the M40 motorway and from the established settlement of Iver Heath. It would continue to do so, despite the presence of Project *Pinewood*, and particularly with the prospect of enhancements and improved long term management. [7.4.7, 9.4.3, 10.3.6, 10.6.6, 11.3]
- 13.4.3 The appellant has followed the sequential principles of searching for alternative sites, putting in place adequate mitigation and compensatory measures, as required by PPS9. Nevertheless, it is difficult to reconcile the inevitable loss of trees and hedgerows with the policy protection afforded to such features under CS Core Policy 9. [9.4.2]
- 13.4.4 That said, if the circumstances of the importance of Project *Pinewood*, and its propensity to clearly outweigh the harm to the Green Belt, is accepted,

the loss of trees, hedgerows and effect on The Clump would not of itself justify turning away the appeal. The Council's witnesses conceded that the careful thought given to protection of trees, hedgerows and The Clump, together with mitigation measures forthcoming, would minimise the impact of the development on key natural features supported by the appeal site. In other words, the appellant has done as good a job as can be expected in this respect. [7.4.8, 9.4.5]

### 13.5 **Sustainable Development**

- 13.5.1 The Government's commitment to sustainable development principles remains strong, even in the face of the call to foster economic growth and employment. The CS reflects the South East Plan's spatial strategy by promoting Beaconsfield, Gerrards Cross and Burnham as the main focus of development. The purpose is to "...*foster accessibility to employment, housing, retail and other services, and avoid unnecessary travel.*" Thus, new development in Secondary Settlements, such as Iver Heath, is expected to be limited. The status of Iver Heath as a Secondary Settlement results from a hierarchy study, based on the provision of services, facilities and transport services in each settlement, and was recently endorsed by the Inspector examining the soundness of the CS. [4.2.2, 7.1.3, 7.1.5, 7.5.1, 8.3.2]
- 13.5.2 The CS describes Iver Heath as a settlement with "...*no single centre, a very limited range of shops and no secondary school nearby.*" It supports other facilities, such as pre-school, nursery, infant and junior schools, a sports centre, a library, a village hall and an adult education centre. [7.5.2, 7.5.3]
- 13.5.3 Locating Project *Pinewood* adjacent to Iver heath and in the Green Belt clearly runs counter to the settlement hierarchy of the CS and to the South East Plan's approach of directing development to built-up areas. Although this raises considerable doubts about the sustainability credentials of the project, it deserves closer analysis in the light of the measures proposed to improve accessibility by public transport, by cycling and for pedestrians. The proposal to provide facilities to serve the new development, the concept of a living/working community and the implications of reducing the carbon footprint of film/TV productions also warrant consideration. [4.2.2, 4.2.12]

#### ***Access to employment, services and facilities***

- 13.5.4 Pinewood Studios is the largest employment site in the District. It would host in the order of 4,000 jobs, following implementation of the Studios Masterplan and Project *Pinewood*. The appeal scheme aspires to attract people working at the Studios or Project *Pinewood* to live on site. The 50 Target Homes and prioritising Local Eligible Households, to be secured through the S106, are intended to attract people to live and work at Project *Pinewood*. But even without that there is cautious optimism that at least 20% of those living at Project *Pinewood* would have some connection with the creative cluster industry on their doorstep. [7.5.5, 9.5.2, 9.5.3, 9.5.4, 12.1.15]
- 13.5.5 That belief is not convincing, given the evidence. Very few people employed by or working at Pinewood Studios currently live at Iver Heath or within 3 Km of the studios, even though the Pinewood Green estate was

built for that purpose. There is also a propensity for people working in the industry to be unattached to a workplace or employer. Project *Pinewood* is unlikely to alter longstanding flexible patterns of working enjoyed by freelancing creative workers. Given average wages in the screen and creative industries, affordability of properties in this area to such workers is questionable, particularly if, as is suggested by the Transport Assessment, some 65% of the housing could be of three-bedroom construction or larger. [7.5.5, 7.9.27, 7.9.29, 8.4.13, 10.1.5, 10.3.5]

- 13.5.6 Furthermore, the 4,000 employment figure and the 20% occupancy rate are dependent upon the Studios Masterplan being implemented, for which there is no timeline, plus the jobs and housing would need to proceed in tandem on the appeal site. There is no assurance that would happen over the 10 year construction timescale. The assumption must be that a large majority of residents would commute away from Project *Pinewood* and the Studios to work. [7.5.5, 7.5.6]
- 13.5.7 The area around the site is currently poorly served by buses. The S106 Agreement would put in place an improved bus service to link with Slough, Uxbridge and Gerrards Cross. There is already a shuttle bus between Pinewood Studios and the stations. Enhanced cycle routes would link to Uxbridge and Langley Stations. The potential for residents to use cycles, buses and trains in place of cars to access their workplace would be greatly improved. As a broad indicator of people's travel choices, Pinewood's 2009 Travel Survey is a good guide and shows that a shift in favour of sustainable transport modes to work could be achieved with the enhanced measures proposed. Judgement of a site's accessibility, however, means more than just about how people get to and from work. It also requires consideration of where residents would go, to meet, among other things, their shopping, health, education and leisure needs. [8.4.9, 8.4.11, 9.5.5, 9.5.6, 9.5.7, 12.1.16]
- 13.5.8 The community centre and school delivered through the S106 planning obligation would reduce the need for travel to access such facilities. The infant school may not be forthcoming until phase 3 or 4 of the construction programme, and access by foot or cycle to the Iver Heath pre-secondary education facilities is not a realistic option for most people. There is no secondary education provision locally; pupils would be likely to be travelling to either Chalfont Community College (some 16 km away) or further to Amersham or High Wycombe. That is a feature of the current educational arrangements, but Project *Pinewood* would add to the number of pupils travelling to and from Iver Heath. [7.5.3, 7.9.35, 8.4.10, 10.4.1-10.4.4]
- 13.5.9 It is also likely that people living at Project *Pinewood* would be travelling elsewhere, mainly to Slough, Uxbridge or Gerrards Cross, to shop and to access other services, as choice in Iver Heath is limited. The 2,000 sqm of Class A floorspace proposed with the development would help to meet limited day to day requirements, but no more than that. Given the distances involved, and the nature of the reasons for travel, the enhanced bus services and cycle routes are unlikely to cause residents to abandon the convenience and comfort of their cars in favour of more sustainable alternatives. [8.4.11]



13.5.10 Project *Pinewood* would generate travel demand in the order of nearly 15,500 total external trips daily. Much of this would be by car, despite sterling efforts by the appellant to improve opportunities to access alternative means of transport and to raise future residents' awareness of choices available. The appeal site is in an inherently unsustainable location, as recognised in the CS settlement hierarchy. Access to work, shops, schools and essential facilities or services substantially means travel to the larger settlements, and which would not be overcome by the measures proposed as part of the development. While, the concept of a living/working community is an attractive one, in this case neither the level of facilities on-site or nearby, nor the transport measures proposed, would significantly reduce the need to travel or render the development acceptable against the objectives of national, regional and local policies aspiring to key sustainability principles, namely, PPS1, PPS3, PPG13, the RSS spatial planning principles and CS Core Policy 7. [7.5.7, 7.5.10, 8.4.11, 9.5.5-9.5.8]

### ***Greenhouse gas emissions***

13.5.11 Considerable thought has gone into the energy performance and greenhouse gas (GHG) emissions at the development. With the measures intended, and secured by condition, Project *Pinewood* would be an energy efficient development with low GHG emissions. Although compliant with the South East Plan Policy CC1 and CS Core Policy 8, the climate change imperative in the Supplement to PPS1, the Code for Sustainable Homes and BREEAM render such requirements the norm. The features proposed at Project *Pinewood* would not be much more than expected from any large development. [5.1.11, 9.5.12, 9.8.44]

13.5.12 There is some merit in the energy saving potentials of the streetscapes. The facility would allow for productions to locate close to Pinewood Studios, and reduce the GHG emissions otherwise caused by air travel and air freight generated by productions locating overseas, as illustrated in the Carbon Footprint Study. The level of savings must be balanced against the travel implications of those coming from abroad. Furthermore, more reliable carbon data through further studies are needed before unequivocal claims about GHG reductions can be meaningfully factored into this case. [7.5.8, 7.5.9, 9.5.12, 9.8.43]

### **13.6 The Highways Congestion and Safety Implications and Parking issues**

13.6.1 The effect on the movement of traffic, on road safety and the day to day concerns about congestion feature prominently in objections by local residents. That the situation is little different to many areas of the South East is of little comfort to those faced with experiencing problems first-hand on a daily basis. [8.4.8, 10.2.5, 11.3]

13.6.2 That said, a number of off-site improvements are proposed to enable traffic generated to and from Project *Pinewood* to be accommodated on the local road network. In recognition of current problems of visibility, and to increase capacity, the Denham Road/Sevenhills Road junction would be converted to a signal controlled junction, in accordance with the proposal forming the subject of Appeal B. Sevenhills Road is to be widened to a

width of 6.5m, with a footway to be provided as part of the upgrading. New arrangements at the Five Points Roundabout (Appeal C) would also be undertaken to accommodate future traffic growth and traffic flows. These, and other essential improvements, would be secured through the S106 planning obligation and recommended Grampian Condition 65. [9.6.6, 12.1.15, 17]

- 13.6.3 Improvements to the main junctions, coupled with other measures forthcoming to mitigate the effects of the development, and updated assumptions, led to different traffic flow generation from that originally estimated in the Transport Assessment. The updated and agreed base flows and traffic generation took account of, among other matters, filming staff generally arriving and leaving outside of normal peak time, reduction in Studios Masterplan traffic to account for measures introduced at Project *Pinewood*, 20% reduction in employment trips and an assumption that internalised trips would amount to some 6%. [7.6.1, 9.6.3]
- 13.6.4 BCC accepted the appellant's case on the basis of the agreed assumptions coupled with the mitigation strategy secured through the S106 Agreements. Given the unique nature of the development, its relationship with Pinewood Studios and the long construction period, there must be some doubts about the reliability of the inputs used and how advances in technology would impact on traffic flows from the filming element of Project *Pinewood*. Furthermore, the 20% reduction in employment trips is overly optimistic, for reasons I gave earlier. Nevertheless, assumptions of traffic base flows, estimated growth and level of traffic generated by the development appear to be based on as robust and clear evidence as is possible under the circumstances. [8.4.3, 8.4.4, 8.4.5, 9.6.3]
- 13.6.5 The updated assessments show that the two main junctions would operate within capacity, while three other junctions nearby would operate close to or above capacity at peak periods by the year 2022. Over-capacity at the lesser road junctions already exists and could worsen with the development, though most likely the congestion and delays would occur mainly at peak periods. While recognising the genuine concerns of local residents, in the circumstances of accepting the positive aspects and benefits of Project *Pinewood*, the limited period during each day that congestion on certain sections of the local highway network is likely to occur should not by itself be held against the development. Furthermore, with the additional mitigation fund secured through the planning agreement, there is scope to deter or reduce impact of traffic through narrow country lanes and local villages. [7.6.2, 7.9.63, 8.4.6, 9.6.3-9.6.8]
- 13.6.6 There is additionally some merit in the argument that people would adjust their travel patterns to avoid peak period travel by car or that pressure on the smaller junctions would be eased by new arrangements at the Five Points Roundabout. What is clear, however, that with or without the development the highway network will suffer congestion. Measures to increase capacity are limited; the appellant has done as much as is possible under the circumstances, and as required under CS Core Policy 7. But this only serves to illustrate the importance of directing developments to sustainable locations. [7.6.2, 8.4.7, 9.6.7]

- 13.6.7 Construction of Project *Pinewood* could generate up to 84 HGV movements per day. However, this may be compensated by reduction in the local quarry traffic movements once that permission expires. There is also scope for control over the route of construction traffic, which would be secured by condition. [9.6.9, 11.3]
- 13.6.8 The notion of Project *Pinewood* as a theme park or attracting unwanted visitors, with consequential increase in traffic locally and inconsiderate parking, is understandable. An open day organised by Pinewood Studios some years ago by all accounts caused problems of the local highway network. Equally, images presented to the Inquiry illustrate the problems that can occur with live TV productions at Pinewood Studios. [9.6.11, 10.3.2]
- 13.6.9 Firstly, the streetscapes as a proportion of normal housing or commercial development would be small and not enough to generate interest as a theme park. More significantly, the level of security and management control expected by those filming on location would prevent the sort of unwanted attention and traffic generation feared by local residents. [9.6.11]
- 13.6.10 The Transport Statement of Common Ground confirms that the level of parking proposed for Project *Pinewood* would equate to some 60% of that expected from the Council's draft interim guidance on Residential Parking Standards. The guidance however also accepts that large scale development offers an opportunity to have a reduced level of parking provision, as it may have the critical mass to include sustainable measures to provide alternative means of travel other than travel by car. That is indeed the case here. [8.4.14, 9.6.10, 10.2.5, 11.3]
- 13.6.11 While the overall sustainability credentials of the proposed development are questionable, the range of options for shifting to other modes of transport or reducing car ownership, including car share clubs and provision of bicycles and bicycle parking, justifies the approach towards on-site parking adopted in the proposed scheme. The 1.29 spaces per dwelling is an average across the entire site and would not apply necessarily to larger dwellings where multiple car ownership is likely. On the whole, the parking standards proposed at Project *Pinewood* are acceptable, as recognised by the Council. Furthermore, the management and operational plan to be secured by condition should prevent the unwelcome and indiscriminate parking by visitors on nearby streets. [8.4.14, 9.6.10, 10.2.5, 11.3]
- 13.7 **Residents' Living Conditions**
- 13.7.1 Residents locating to Project *Pinewood* would be aware of the concept they are buying into and the prospect of restrictions or disturbance during filming. There is no reason to assume that the care and attention to detail accorded to the project to date would not continue as the scheme develops. Conditions in place would assist with securing the high quality environment intended for future residents, as demonstrated in the evidence illustrating how the filming activity could be integrated into the residential environment. [5.1.7-5.1.10, 7.7.1, 9.7.1]

13.7.2 Equally, the layout and documents accompanying the application show the extent to which the living conditions of existing residents were considered in the design. There may well be occasions when the amenity of occupiers of neighbouring properties, especially those at Pinewood Green, would be disrupted by night shooting or explosive sounds. But the frequency of such occurrences is likely to be low. That the development would immeasurably and permanently alter the outlook from properties on Pinewood Green is inevitable. However, if the benefits and gains alleged clearly outweigh the harm identified so far, the effect on individual householders is unlikely to be of such consequence as to cause the project to fail. [7.7.2, 8.5.2, 9.7.2, 9.7.3, 11.3]

### 13.8 Other Material Considerations

13.8.1 The proposed development would clearly not meet the restrictive approach to development in the Green Belt applied by Policies GB1 and GB4 of the LP. However, PPG2 provides scope to rebut the presumption against inappropriate development in the Green Belt and the other harmful effects identified. Although the effects of development on openness, on visual amenity, ecological considerations and highway concerns would be mitigated as best as is possible under the circumstances, that is not a positive factor that carries weight in favour of allowing the development. Project *Pinewood's* acceptability is dependent on the extent to which the harm by inappropriateness, and any other harm, would be clearly outweighed by other considerations, such as the benefits alleged. [8.2.2, 9.2.1, 9.2.2, 9.2.3]

13.8.2 In assessing the case for Project *Pinewood*, the value of the creative and screen-based industries to the UK, and the importance of Pinewood Studios<sup>1</sup> within that industry cannot be overstated. [7.9.34, 9.8.7]

13.8.3 The creative industry is important to the economic recovery of the UK. It is one of the areas expected to drive significant growth in the country. The screen-based industry as a major component of the creative industry is also a growth sector. In 2009, for instance, the UK film industry accounted for over £4.5 billion of GDP, directly employed 36,000 people and supported a total of 100,000 jobs. Last year saw record levels of inward investment with 28 films made in the UK. The economic value of the film industry is one reason for the Government's support, as evidenced by its recent commitment to the film tax credit. [9.8.1-9.8.6, 11.2]

13.8.4 Culturally, the UK film industry performs well in the global market, even in the face of the dominant force of the US film industry. British films have worldwide recognition and appeal. Pinewood Studios is synonymous with British filmmaking. It is internationally recognised and a significant British-based global brand, at the forefront of and critical to the success of the screen-based industries in the UK. [7.9.34, 9.8.7, 9.8.8, 9.8.9, 9.8.10]

13.8.5 The Studios' history dates back to the 1930s when it was set up to rival the dominance of Hollywood. It is now the leading operator of film facilities in

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<sup>1</sup> The company Pinewood Studios includes Shepperton and Teddington Studios in addition to the studios at Iver Heath

the UK and Europe, competing successfully with Hollywood and other international studios. Productions from all over the world are attracted to Pinewood Studios for its myriad of facilities, its skilled workforce and expertise. The Council recognises Pinewood Studios as a site of national and international significance and a special policy in the LP seeks to retain this unique site for film production. The Masterplan permission for the Studios site is an indication of support for the growth and development of the company. [6.1.1, 6.1.2, 6.1.3, 6.2.2, 6.2.3, 7.9.34, 9.8.8]

- 13.8.6 Competition in the industry is intense and global, with other countries looking to provide equally attractive tax incentives and studio facilities to rival Pinewood's offer. Continuing investments and innovations are therefore essential to Pinewood Studios, in the interest of maintaining its competitive edge and for it to remain at the forefront of the industry. [9.8.11, 9.8.13, 10.1.6, 10.3.2]

### ***Social and cultural benefits of Project Pinewood***

- 13.8.7 Project *Pinewood* is promoted as a multi-faceted living/working community and a unique opportunity for the UK film industry to stay ahead of its international rivals. The appellant's case relies on recognising the importance of the project as a whole as opposed to analysing the success or otherwise of its component parts. However the uniqueness, social and cultural value of Project *Pinewood* lie in the elements that distinguish it from any other mixed used residential-dominated development, and these deserve consideration separately. [9.8.15, 9.8.55]
- 13.8.8 The streetscapes and the Academy have the potential to enhance Pinewood's standing in the industry while impacting beneficially on the social and cultural values of the local community and beyond. Equally, employment, community provision and housing can bring material social benefits. The matters are all included and considered in this section.

### ***The streetscapes***

- 13.8.9 Of the range of uses included in Project *Pinewood*, the streetscapes have attracted the most attention. Considerable thought and attention to detail has gone into their design, management and operational arrangements. The plans and documents display ingenuity in the way the working film sets would be integrated into a living environment. [5.1.6-5.1.9, 9.8.15]
- 13.8.10 Erecting permanent and liveable sets is indeed an innovative concept, in keeping with the entrepreneurial, pioneering spirit that generated projects like the underwater stage, introduced TV productions at Pinewood Studios and exported the Pinewood brand. In other words, ideas that keep the company at the forefront of the industry and ahead of its rivals. [9.8.18-9.8.19, 11.2]
- 13.8.11 There are obvious advantages to permanent streetscapes positioned close to the Studios site – not least, the proximity to the vast resources of pre- and post-production facilities, ready access to a skilled workforce and associated enterprises, as well the advantages of reducing costs and risks associated with filming. The concept is supported by a number of well-know, highly respected and reputable names in the industry. They point to

the benefits in terms of costs, convenience and opportunities for smaller productions to write in scenes that otherwise would not be included due to budgetary constraints. What is less clear is the extent to which there is an unmet demand for such a facility, the likely usage of the streetscapes or that Pinewood Studios' standing would diminish should such a facility fail to materialise. [9.8.16, 9.8.17, 9.8.18]

- 13.8.12 On the latter, it was confirmed at the Inquiry that the future of Pinewood Studios is not dependent on the project; the concept is more of an opportunity to deliver economic growth and a range of other benefits rather than meeting a known business need. Indeed, the evidence confirms that a growing number of US and UK based productions, especially films, choose to use Pinewood Studios for the breadth of filming, pre- and post-production options it has to offer. Pinewood's reputation, its facilities and the skills of the UK workforce are of international significance with no indication that the Studios' success or effectiveness is declining in the absence of permanent on-site sets. [7.1.2, 9.8.7, 9.8.8, 9.8.9]
- 13.8.13 Furthermore, there is considerable potential for the company to widen its offer and to continue to innovate within the wide scope of the Studios Masterplan granted planning permission. That is not to suggest that the entire range of streetscapes intended could be incorporated into the Pinewood Studios site. That option has limited merit, as integrating 15 generic streetscenes into the vast complex of inter-connecting streets, utilitarian buildings and the variety of uses on site is likely to be beyond the wit of even the most creative. Such an approach would compromise the optimal filming arrangements designed into the scheme, while compromising effective operation of the Studios. Nevertheless, the Masterplan provides opportunities for the company to expand its facilities and provide further incentives for productions to locate at Pinewood Studios. [7.9.41, 7.9.42, 9.8.52, 9.8.53, 9.8.54]
- 13.8.14 As for usage and demand for the streetscapes, there is simply not the empirical evidence or analysis to substantiate claims about likely utility of the facility, other than the support offered for the general concept by a number of people working in the industry. The written and oral supporting representations are largely directed at Pinewood Studios, its achievements and future growth. They are not indicators of likely demand. Indeed, there is not even a consistent view within the industry about the attractiveness or likely frequency of using permanent sets, nor whether creativity is currently hampered in the absence of such a facility. The compositions, numbers and choice of specific streetscapes appear to have evolved from a need to achieve viability through a critical mass of up to 1,400 residential units and commensurate levels of commercial and community provision, rather than any systematic evaluation of what the industry is likely to favour. [7.9.4-7.9.8, 9.8.19, 11.2]
- 13.8.15 Mr Dunleavy confirmed that the rates for filming would be at levels attractive to the market. Commercial sensitivity prevented evidence of costs and revenues connected with the project being placed in the public domain. The appellant strongly resisted any suggestion that the housing is intended as enabling development, but is nevertheless confident of the viability of the development. In the absence of any evidence of financial

plausibility, no conclusions can be drawn about the revenue expected from the streetscapes, or the extent to which they would be subsidised by other elements of the scheme. [7.1.6, 7.9.11, 7.9.33, 8.3.14, 9.8.16, 9.8.46, 9.8.47, 9.8.48]

- 13.8.16 There is also little if any information to illustrate whether risks have been considered or addressed. This is particularly important, as integrating permanent film sets into a residential environment is a unique and untried concept in an industry where failure is not unknown. Claims about usage or popularity of the facility are speculative. What is more, the arrangement is likely to bring with it tensions normally associated with on-location filming and could generate considerable costs in managing the operations to make the two uses as compatible as possible. The risk of streetscapes becoming obsolete in an ever-changing technological environment is a possibility that does not appear to be addressed. Equally, their attraction may diminish by over-use, and in time their popularity could decline. [7.9.8, 7.9.9, 7.9.10, 10.1.3, 10.2.6, 10.6.3]
- 13.8.17 Intuitively understanding market demands or making assumptions about customer requirements may be the norm in the industry, in place of the more cautious approach of preparing business plans, reports and detailed cost appraisals. However, the prospect of success of the streetscapes is not without its risks, particularly in an industry subject to continuous change. Should the streetscapes fail to meet the expectations claimed, the Project *Pinewood* concept would falter and it would offer little more to the screen industry than any other mixed use or residential development. [7.9.11, 9.8.50, 10.6.3]
- 13.8.18 In the absence of tangible data or evidence of demand, it would be imprudent to conclude positively on the cultural or economic benefits of the streetscapes. Nor could it be unequivocally claimed that the streetscape element of Project *Pinewood* would add materially to Pinewood Studios' reputation or attraction.

#### *The Screen Crafts Academy*

- 13.8.19 Pinewood Studios has a history of encouraging and developing young people in the industry. The Academy would build on that tradition. It would provide opportunities for young people to train in the industry related crafts and skills, with the added advantages of acquiring practical knowledge in close proximity to a busy studio environment. The Academy would help address a shortage of skills and stem the tide of young people moving to other industries. It would provide opportunities for 120 or so young people every year to train to work in a growth industry. The building and funding for the Academy for a period of 10 years are provided for in the S106 Agreement. [7.9.17, 9.8.21, 9.8.22, 11.2, 12.1.15]
- 13.8.20 The Academy recently launched at the Hammersmith and West London College gives an insight into the nature of the courses likely to be offered at Project *Pinewood*, but it also brings into question the need for another facility along similar lines. It is claimed that the Hammersmith Academy is a temporary measure, but there is no basis for quantifying the need for a replacement or additional facility at Project *Pinewood*. [7.9.18, 9.8.22, 10.3.4]

13.8.21 What is more, the training facility could be accommodated on the Studios site with the obvious advantage of even closer links. The cultural, social or educational benefits of siting the proposed Academy on the appeal site are not convincing. [7.9.18, 8.3.8, 9.8.21]

Employment and cluster benefits

13.8.22 The evidence shows a propensity for premises at Pinewood Studios to be occupied by small businesses. Levels of occupancy are high (90%), despite the current recession. The businesses on site create a micro-market serving the creative industry and illustrate the innovative, networking and productive benefits of clustering. Indeed, Pinewood Studios is the largest single employer in the District, a fact not gone unrecognised in the LP. [7.9.34, 9.8.24, 9.8.25]

13.8.23 The 8,000 sqm of floorspace proposed at Project *Pinewood* is similarly aimed at consolidating the existing business/creative environment, with an emphasis on encouraging new Small and Medium Enterprises (SME). In turn, these are expected to lead to 400 additional jobs. The S106 Agreement commits PSL to use “...its reasonable endeavours” to market the floorspace for a period of 3 months for use by small enterprises. While Condition 62 would restrict occupancy to businesses connected with the creative industries, the less than precise wording of the clause in the S106, coupled with the short time scale for targeting SMEs, gives little confidence in the new premises being restricted or affordable to small enterprises. [7.9.15, 12.1.11, 12.1.15]

13.8.24 As for demand, there is no evidence of a quantitative or qualitative shortage of employment floorspace locally. Critically, the CS confirms that District-wide employment needs could be accommodated without recourse to Green Belt boundary changes. Although, the Head of Property at Pinewood Shepperton PLC says that they are frequently approached with new enquiries for offices and workshops, much of the Masterplan has yet to be implemented since permission was granted. The circumstances do not point to a pressing demand for small or medium sized premises. [7.9.14, 7.9.16, 9.8.24]

13.8.25 The 8,000 sqm of workspace proposed for Project *Pinewood* would amount to only 12% of the level of additional floorspace permitted as part of the Masterplan. That this amount could be accommodated within the 9,530 sqm building permitted for Deluxe Laboratories, who now only require a building of some 4,650 sqm, gives some measure of the scale of possibilities on the Pinewood Studios site. The additional 8,000 sqm could be provided for, with all the advantages of clustering and proximity to a creative hub, without compromising the intentions of the Masterplan. [7.9.13, 9.8.52, 10.2.7]

13.8.26 Further employment opportunities from facilities supporting the housing, the retail sector, the Academy, primary/nursery schools, community centre and those managing the scheme are estimated to deliver some 220 permanent jobs. During the 10 year construction span of the project up to 544 temporary jobs would also be created. These are not insubstantial numbers and would be a positive response to the Government's desire to foster growth and employment. However, the Academy jobs could be



provided on the Pinewood Studios site, and the significance of the remaining job creating uses is dependent on the planning acceptability of the residential element of scheme. In the absence of a proven demand for the employment floorspace, and because the facility could be accommodated at Pinewood Studios, little weight can be accorded to the claims with regard to the employment benefits of Project *Pinewood*. [7.9.19, 9.8.23]

- 13.8.27 The clustering impact of Project *Pinewood* is overstated. Studies and research indeed point to examples of increased productivity through industry clustering, but none shows housing as a necessary or important component of that phenomenon. Furthermore, evidence confirms that the main screen industry cluster is concentrated in London and the South-East, of which Pinewood Studios is one of a number of smaller scale agglomerations. The industry clearly continues to flourish and grow, suggesting that ideas, innovation and entrepreneurialism are not hampered by the wide distribution of clusters or by lack of the sort of co-location intended for Project *Pinewood*. [7.9.247.9.257.9.26, 9.8.25, 9.8.30]
- 13.8.28 Furthermore, it is difficult to envisage Project *Pinewood* delivering the type of environment attractive to creative businesses. The range and scale of facilities forthcoming would be limited and could not replicate the 'buzz' of urban locations favoured by such enterprises. Project *Pinewood* for all its laudable attempts could make a contribution to the existing agglomeration of like-minded businesses and activities but could not replicate the clustering advantages offered by London, or even those across the wider South East. [7.9.28, 9.8.25, 10.6.4]

#### Community provision

- 13.8.29 Representations from local people and Councillor Oxley suggest that financial contributions alone would not adequately overcome pressures of the development on the secondary educational needs of the community. Present arrangements of secondary schooling in the District may have its disadvantages, but it would be unreasonable to expect Project *Pinewood* to resolve an existing unsatisfactory position, or provide a new secondary facility without unequivocally establishing that one would be necessary to mitigate the demands of the new development. [8.5.110.4.1-10.4.4, 10.5.4]
- 13.8.30 The community centre and new primary and pre-schools would indeed benefit existing residents but, in common with other infrastructure contributions, would be necessary to meet the demands and pressures of the new community. Only neutral weight can be given to the matter. [7.9.35, 7.9.36]

#### Housing provision

- 13.8.31 The 1,400 homes delivered through Project *Pinewood* would be a timely response to the Government's urgent call for action. The project would also bring with it 150 affordable homes on site, with scope for another 410 off-site, at a time of undisputed overwhelming demand for such homes in the District. The housing element of Project *Pinewood* would make a positive quantitative and social contribution to the affordability and shortage challenges the Region is facing.

13.8.32 The question is whether meeting the needs in the Green Belt, and in terms contrary to the recently adopted CS, can be justified. The matter is considered below, and determines the weight to be attached to the overall social and cultural benefits of Project *Pinewood*.

Delivery of market and affordable homes

13.8.33 The RSS minimum target for South Bucks is 1,880 dwellings over the Plan period to 2026. The CS makes provision for 2,200-2,800 dwellings over the same period, which at 110-140 homes per annum exceeds the South East Plan requirement of 94 per annum. The CS also set a target of 350-500 affordable homes to be delivered between 2000 and 2026. The CS was found to be sound and its targets regarded as achievable. However, by any measure, the figures are paltry in the face of high demand for housing in the District, and given forecast growth of households, plus an estimated annual net requirement for 459 affordable homes. [4.2.6, 4.2.13, 7.9.45, 7.9.50, 8.3.1, 9.8.34, 11.2]

13.8.34 The appellant argues that the CS strategy and targets are an inadequate response to the needs of the District. They are additionally said to be out of step with the Government's recent call ('Planning for Growth') to deliver more development and the urgent need to increase the supply of housing. Alongside these exhortations, local authorities are urged to press ahead without delay in preparing up-to-date plans. The draft NPPF provides a similar policy direction. [9.8.32, 9.8.36, 9.8.40, 9.10.3]

13.8.35 The CS is a recently adopted document and includes policies to deliver housing growth beyond that required of it in the South East Plan. As urged by Government, the Council pressed ahead with preparing an up to date development plan, the strategies of which were found to be sound and in accordance with Government policy in place at the time. Additionally, the Council is able to demonstrate a housing land supply of about 11.5 years, thus demonstrating that a flexible and responsive supply of land is in place. There may be concerns about delivery of some allocations, but even without the sites in question there is sufficient flexibility to comply with the Government's policies on supply of land. To that extent, PPS3 paragraph 71 does not apply to the application, nor does the Government's instruction to look favourably on applications in the event of absent, out of date, silent or indeterminate plans. Equally, the CS has policies in place to maximise affordable housing numbers to compensate for under-delivery in previous years, thus countering the claim that the Council is complacent or not doing enough. [7.9.50, 7.9.51, 7.9.52, 8.3.1, 8.3.3, 9.8.37]

13.8.36 The housing strategy of the CS of accommodating growth within existing settlements, and without releasing Green Belt land, was formulated and tested in a policy climate already familiar with the risks and reality of under-provision. The South East Plan Panel cautioned against regarding the Green Belt as inviolate but did not seek a significant change to the manner in which South Bucks was seeking to address its needs. The call for urgent action in 'Planning for Growth' could well be the catalyst for the Council to look beyond what the CS aims to deliver. However, growth and new development are not expected to proceed unplanned or at the expense of

important environmental or sustainability considerations. [4.2.3, 7.9.47, 7.9.55, 7.9.56, 7.9.57, 9.8.38, 9.8.39]

- 13.8.37 The 1,400 new dwellings proposed would add the equivalent of half of the District's total dwellings target over the Plan period to 2026, plus amount to the equivalent of the total number of new houses expected to be built outside the three Principal Settlements. Even the affordable homes number of 560 forthcoming would be considerable in the face of the 350-500 total target aimed for in the CS. In other words, the development would deliver new homes in quantities far exceeding levels expected to be accommodated in the CS, at the risk of dismantling the overall spatial pattern. Providing housing at a scale unplanned for and without precedent in the District also risks abandoning core sustainability and policy principles, in particular the adopted strategy of accommodating growth without any implications for the Green Belt. [8.3.2, 8.2.2, 8.3.3, 8.3.5, 9.8.33]
- 13.8.38 The proposal is an opportunistic response to the call for growth and housing supply, and does not result from an appropriate comparative assessment of options to ensure that such developments take place in the least harmful and most sustainable locations. As a one-off large scale development beyond any existing settlement to which growth is directed, the proposal would also run counter to the Government's call for authorities to work together to identify needs and opportunities transcending boundaries and to accommodate them sustainably. Project *Pinewood* may represent a favourable quantitative response in an area of high demand but it departs from the spatial strategy for the District to such a degree that future options for meeting needs in the sustainable manner expected would be materially compromised. [7.9.48, 7.9.49, 7.9.57, 7.9.58, 7.9.61]

### ***Conclusion on social and cultural benefits***

- 13.8.39 The advantages claimed for the filming, employment, retail and community provision are unproven, not necessary to meet a demand or would not be forthcoming should the housing not proceed. In the circumstances of the clear policy conflicts described above, and unacceptability of providing for the Region's housing needs on an ad hoc basis, Project *Pinewood* cannot be justified on the basis of the 1,400 homes proposed on the appeal site. This conclusion consequently bears unfavourably on other components parts of the project, as they are inextricably linked, together and individually, to the residential aspects of Project *Pinewood*.

### ***The Economic Case for Project Pinewood***

- 13.8.40 The evidence to the Inquiry did not quantify Pinewood's specific contribution to the British Film Industry as a sector of the UK economy. Nevertheless, with its prolific output of successful and enduring films, award-winning reputation for excellence and capability, Pinewood Studios is important to the nation's economy and a major force in attracting inward investment and generating export. [8.3.12, 9.8.7-9.8.10]
- 13.8.41 The appellant's evidence indicates that Project *Pinewood* would generate a net present value of £1.1 billion between 2013 to 2042 – i.e. from start of construction and 30 years beyond that. With indirect benefits, the total value could be in the region of £2.7 billion, or even higher at £3.1-3.8

billion. It was agreed that the value generated by individual job-creating elements of the project could not be categorised as nationally significant, but the totality of the £2.7 billion equates to a contribution of between 2.4% and 3% to the value of the screen industries. Put another way – the £2.7 billion would represent approximately half of the net benefit value to the Government from the Film Tax credit scheme. [9.8.27, 9.8.28, 9.8.29]

- 13.8.42 The streetscapes are central to the principles of Project *Pinewood*. They are identified as one of two of the biggest components of the £1.1 billion added value estimated<sup>1</sup>. Yet the evidence of likely demands, costs and revenues are largely speculative and based almost entirely on the say-so of those currently working in the industry, albeit at the highest level and with undisputed expertise. Unsurprisingly, assumptions about market demands or utilisation rates can only be guessed at: they vary from the 10% estimated in the Economic Impact Assessment to a twofold increase (to 20%) used in Mrs Rosewell's economic considerations presented to the Inquiry. The number of production staff likely to be employed also varies in the evidence, which further serves to illustrate the scale of the unknown and the difficulty of estimating economic value at local or national levels. [7.9.6, 7.9.19, 7.9.22, 8.3.13, 8.3.14, 9.8.18, 11.2]
- 13.8.43 Added to which, the risks attached to such an untried facility in a rapidly changing industry, make it difficult to come to meaningful conclusions about the employment prospects or spin-off value of the streetscapes. Should the streetscapes fail to generate the revenues and investments assumed, the principles of Project *Pinewood* could be seriously undermined. [7.9.10, 9.1.2, 9.8.15, 9.8.18, 10.6.3, 11.2]
- 13.8.44 The employment floorspace assumptions of 400 additional jobs and £407 million value over 30 years is the second largest component of the estimated £1.1 billion net value. An equivalent number of jobs, and therefore value, could be generated by accommodating the 8,000 sqm of employment floorspace into the Pinewood Studios site, as indicated earlier. [7.9.19, 10.2.7]
- 13.8.45 Thus, of the two largest job-creating components of Project *Pinewood*, the economic effectiveness of one (streetscapes) remains unclear and the value of the other could be realised at the Pinewood Studios site. Jobs in the Screen Craft Academy with an estimated value to the economy of £3m are also deliverable elsewhere, should a need arise in the light of the recently launched course with similar intentions. [7.9.18, 7.9.19, 9.8.22]
- 13.8.46 Claims of growth and contributions to the national economy of the remaining wealth and job creating elements could apply to any development of the size proposed, and cannot be accorded a unique status or significance at national level. Given the conclusions above, the advantages of economic growth said to flow from the job creating elements of the project, individually or collectively, are either overstated or reliant on the weight invested in the housing need case put forward by the appellant. [7.9.19, 7.9.20]

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Of this total, £348m value is attributed to the 320 people employed per year on productions using the streetscapes

### ***Alternative Locations***

- 13.8.47 The weight to be attached to the absence of options depends on whether the case against disaggregation is accepted. The appellant regards the living and working creative industries as integral to the scheme, and argues that various elements are inter-dependent and essential to the overarching principles of the project. Co-location with Pinewood Studios is also essential to the success of the scheme. In those circumstances, the appellant's analysis demonstrates that the appeal site is the only feasible option. That conclusion is a weighty consideration in favour of the project in its proposed location, but only if the concept in its entirety finds favour. [7.9.37, 7.9.38, 9.8.49, 9.8.50, 9.8.56]
- 13.8.48 On the other hand, the findings in relation to individual components of the development do not point to a cogent case for supporting the principles of Project *Pinewood* or for its siting in the Green Belt. There is scope for accommodating parts of the development on the Pinewood Studios site, while the housing and other uses linked to it are unacceptable for a number of reasons. If these conclusions are accepted, the case for Project *Pinewood* falls away and so does the need to demonstrate viable alternative locations. [7.9.39, 7.9.40, 9.8.55]

### ***Highways and Transport Advantages to the Local Community***

- 13.8.49 The advantages of proposed arrangements at the two main junctions are neutral, as works are proposed largely to meet the requirements of accommodating the new development and would not be funded by the appellant in the absence of Project *Pinewood*. The improved bus services would enhance connectivity for existing residents to local rail stations and towns, and improvements in cycling facilities on local roads would bring some benefits to the community. Against the disadvantage of increased travel demands and car use generated by the development, the benefits at best carry neutral weight. [7.9.64, 7.9.66, 8.4.3, 9.5.5, 9.5.6, 9.5.7]

### **13.9 Compliance with the Development Plan**

- 13.9.1 Earlier sections of the Report demonstrate the conflict with policies in the development plan and need not be repeated here.

### **13.10 Other Matters**

- 13.10.1 Some objectors regard Project *Pinewood* as a thinly disguised opportunity to obtain permission for a residential development, and boost the company's financial standing. There is, I believe, a genuine desire by the appellant to build and operate the development as a living/working extension to the Pinewood Studios cluster. PSL and their consultants have demonstrated the commitment to the project and worked tirelessly to achieve the original Film Town ambitions. That the company could profit from the development is neither here nor there, if the proposal is acceptable on planning grounds. [8.3.11, 10.1.7, 10.6.7, 11.3]
- 13.10.2 That said, there could well be grounds for the concerns raised. Firstly, connection with Pinewood Studios is central to the concept of the project, but difficult to secure within the limitations of planning conditions or obligations. Furthermore, the long term effectiveness of such measures

must come into question, particularly in an industry subject to rapid and continuous change. Should the creative or filming elements of the project not live up to expectations or become obsolete, it would be hard to resist applications for release from the controls imposed once the development is in place. The outcome would be a large residential development in the Green Belt without key components that justified its permission. [7.10.2, 8.6.1]

- 13.10.3 Second, the planning obligations linking Project *Pinewood* with the Studios site applies only on first occupation of the development. The provisions of the obligations do not prevent disposal of the appeal site before then. That may not be the appellant's intention but the prospect of it occurring cannot be discounted in the light of the recent approach made to acquire the company's entire share capital, and in a climate of rapid technological advances. [7.10.4, 10.1.7, 10.1.8, 12.1.12]
- 13.10.4 Paucity of evidence on the economics of delivering a project of this scale and quality is also troubling. It is unclear, for instance, to what extent the financial contributions and other provisions of the planning obligations are accounted for, particularly as a number were agreed during the course of the Inquiry. The costs to be shouldered by the development are substantial. Doubts about the likely success of the creative elements of the scheme, coupled with the lack of information on the project's economic feasibility, do not inspire confidence that the vision, objectives and quality aspired to can realistically be delivered. [7.9.33, 8.3.12-8.3.14, 9.8.47]
- 13.10.5 Pinewood's future is secure in its history, in its significant offer to the industry and in the way it is regarded worldwide. There is nothing to suggest that its reputation or continuing success would be dented by refusing permission for Project *Pinewood*. [7.9.32, 7.9.33, 9.1.2, 9.8.18]
- 13.10.6 Finally, the appellant draws comparisons with the approach adopted by the Three Rivers District Council to development at Leavesden. However, there are clear site and policy differences as well as a long planning history on the site on which the Leavesden development is proposed. Parallels cannot be drawn with the situation at Pinewood Studios, or with the manner in which SBDC seeks to balance its housing and employment obligations with Green Belt protection. [9.8.42]

### 13.11 Overall Conclusions

- 13.11.1 The conclusions in respect of the streetscapes, the Academy, the employment floorspace and creation of a creative living/working community demonstrate that the scale of benefits claimed are not convincing. The extent to which the housing provision would conflict with local and regional spatial strategies renders that element of the scheme unacceptable and harmful.
- 13.11.2 For these reasons, the factors claimed in favour of the scheme, either individually or combined, are insufficient to clearly outweigh the substantive harm caused by inappropriate development in the Green Belt, by loss of openness, detrimental impact on landscape, on ecological interests, as well as the material harm arising from conflict with the development plan and

with key sustainability principles. Very special circumstances to justify the development therefore do not exist.

#### **14. RECOMMENDATION ON APPEAL A**

14.1 I recommend that Appeal A be dismissed.

14.2 Should the Secretary of State disagree with my conclusions, permission should be granted subject to the conditions listed in Annex A of this Report and that permission also be subject to the completed planning obligations, identified as IDs 7D, 7E and 7F.

#### **15. CONCLUSIONS ON APPEALS B & C**

##### **15.1 Effect on Openness, on the Purposes of the Green Belt and on the Character and Appearance of the Area**

###### Denham Road/Sevenhills Road Junction

15.1.1 The extent of road widening and therefore additional hard surfacing would not be extensive in the context of the site area as a whole. Nevertheless, openness would be affected by the introduction of traffic signals and new road surface area. In other words, openness would not be maintained and the development would be cast as inappropriate and harmful to the Green Belt. [5.2.1, 7.11.4, 9.11.9, 11.4]

15.1.2 The proposal would encroach into the countryside but not much more than the existing road and junction arrangement. While the new traffic signals would add to clutter in the area, the visual effect would not be unexpected or harmful. New trees and shrub planting would help to overcome the loss of vegetation and in time the junction would become part of the landscape in the way that it is now. Impact on the appearance and landscape character of the Green Belt and the Colne Valley Park would be minimal. [7.11.4, 9.11.10, 11.4]

###### Five Points Roundabout

15.1.3 The widening of carriageways proposed would be extensive and would be undertaken at the expense of grassed verges and protected trees. Combined with the traffic signals to be erected at all but one of the arms on the roundabout, there would be a marked loss of openness of the Green Belt. As with the Sevenhills Road/Denham Road junction, the encroachment into the countryside would be perceptible but not intrusive, given the extent of highway works and development already seen in the area. Nevertheless, because openness would be reduced, the works would constitute inappropriate development in the Green Belt. [5.3.1, 7.11.4, 9.11.11, 9.11.12, 11.4]

15.1.4 The loss of protected trees would have an immediate and unfortunate impact on the appearance of the area. Loss of landscaped verges and increased hard surfacing together with the number of traffic signals proposed would intensify the highways and urban character of the area with some loss of visual amenity. New planting and replacement trees would in time soften the impact, but would not overcome it entirely. [5.3.2, 9.11.11, 9.11.12, 11.4]

## 15.2 Highways Safety and Traffic Implications

### Denham Road/Sevenhills Road Junction

- 15.2.1 Given the visibility and capacity shortcomings of the junction, there is no doubt that the works are necessary to accommodate the level of traffic generated by the Project *Pinewood* development. Should the Secretary of State conclude that the benefits of Project *Pinewood* justify granting it permission, then the improvements at the junction of Sevenhills Road and Denham Road must also proceed in the interest of ensuring safe and convenient highway conditions. [5.1.14, 7.11.3, 7.11.4, 8.7.1, 9.11.14]
- 15.2.2 The case for the junction changes to proceed in the absence of Project *Pinewood* is less clear cut. The 2022 base flow assessment shows that the junction would operate above its practical capacity should the works not be carried out, but not to the extent of causing undue queuing.
- 15.2.3 On the other hand, the proposal would bring real safety benefits at a junction where visibility is poor and drivers having to wait for gaps in traffic to exit from Sevenhills Road. Access on to Denham Road from the private access to the south of the junction would also improve, as drivers would have the benefit of controlled signals to wait for a gap in the traffic. Condition 3 would secure good visibility at the access, with further safety enhancements in the form of controlled crossing for horse riders where currently there is none. On balance, therefore, the safety improvements forthcoming from the proposed junction alterations are sufficient to clearly outweigh the totality of the harm caused by the inappropriateness of the development, and its effect on the area, provided that the conditions suggested are imposed. [7.11.5, 9.11.1, 9.11.3, 9.11.4, 9.11.6, 9.11.7]

### Five Points Roundabout

- 15.2.4 As demonstrated by the assessments carried out, and confirmed by the Council's response to the application, the Five Points roundabout is a critical node in the local highway network and prone to congestion as well as safety concerns. Once again, the works proposed are necessary to accommodate traffic generated by the Project *Pinewood* development. With the 2<sup>nd</sup> sensitivity analysis agreed with BCC, the junction would operate within design capacity in the evening peak and practical capacity in the morning peak. While queuing would occur, should the case for Project *Pinewood* justify its implementation there is a strong case for the Five Points proposal also to proceed. [5.1.14, 7.11.3, 9.11.5, 9.11.3, 9.11.8]
- 15.2.5 Equally, as a discrete application, there is also adequate evidence to demonstrate that the proposal would benefit traffic flow and safety at the roundabout even without Project *Pinewood*. The scale of improvements in the operation of the roundabout alone is weighty enough to endorse the Council's view that the harm caused to the Green Belt and to other interests would be clearly outweighed. Once again, with the conditions suggested in Annex C, the position amounts to the very special circumstances necessary to justify the development. [7.11.5, 9.11.8]



### 15.3 **Conclusions on Appeals B and C**

- 15.3.1 Should the Secretary of State be minded to grant planning permission for the Project *Pinewood* development, then the highway works forming the subjects of Appeals B and C should similarly be granted permission with the conditions suggested. The S106 planning obligations would secure delivery of the highway works in the phased manner indicated. If the Secretary of State agrees that the wording in the obligation in relation to the Highway Agreement is not sufficiently robust, Condition 65 suggested in Annex A to this Report would adequately secure the necessary works and should be imposed.
- 15.3.2 Without Project *Pinewood*, there is sufficient evidence to point to material benefits of the highways works proposed. These are discrete applications that can proceed without Project *Pinewood* and there is no valid reason for withholding permission.

### 16. **RECOMMENDATION ON APPEALS B AND C**

- 16.1 I recommend that Appeal B be allowed and that planning permission be granted for highway improvements to the Denham Road/Sevenhills Road junction, Iver, Buckinghamshire, subject to the conditions listed in Annex B to this Report.
- 16.2 I recommend that Appeal C be allowed and that planning permission be granted for highway improvements to the Five Points Roundabout, Iver, Buckinghamshire, subject to the conditions listed in Annex C to this Report.

*Ava Wood*

Inspector

**17. ANNEX A – Project Pinewood CONDITIONS (APPEAL A)**  
**(Note: recommended changes are underlined and text to be deleted struckthrough)**

<b>Time Limits/Time Periods and Plans</b>	
1	<p>Details of the appearance, landscaping, layout and scale of the Development (hereinafter referred to as the “reserved matters”) shall be submitted to the Local Planning Authority. No development of any phase shall commence until <del>approval of the</del> details of the reserved matters for that phase have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the written approval.</p> <p><b>Reason:</b> <i>To accord with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2	<p>The first application for approval of reserved matters shall be made to the Local Planning Authority no later than 3 years from the date of this permission.</p> <p><b>Reason:</b> <i>To accord with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>
3	<p>Application for approval of the last of the reserved matters shall be made to the Local Planning Authority before the expiration of 10 years from the date of this permission.</p> <p><b>Reason:</b> <del><i>To accord with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.</i></del> <u><i>Because of the size, phasing and complexities of a development of this scale, 10 years is appropriate.</i></u></p>
4	<p>The reserved matters for which approval is sought shall accord with the approved parameter plans reference P_001, P_002, P_003, P_004 (plus supplement), P_005, and P_006.</p> <p><b>Reason:</b> <i>To ensure that the development is delivered in accordance with the agreed plans.</i></p>
5	<p>The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p><b>Reason:</b> <i>To accord with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>
<b>Design &amp; Masterplanning</b>	
6	<p>Prior to the submission of the first of the reserved matters application(s) for the site, a Strategic Phasing Plan, which accords with the phasing set out in the S106 planning obligation, dated 23 June 2011, and which covers the entire application site, shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall include the proposed sequence of provision of the following elements:</p> <p>(a) major distributor roads/routes within the site, including vehicular access;</p>

	<p>(b) strategic foul and surface water features;  (c) structural landscaping/planting provisions;  (d) environmental mitigation measures;  (e) the public open spaces;  (f) phases within the green corridor;  (g) phasing of the streetscapes; and  (h) phasing of the residential and non-residential floorspace.</p> <p>No development shall commence until such time as the Strategic Phasing Plan has been approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved Strategic Phasing Plan. <del>unless a revised Strategic Phasing Plan is agreed in writing by the Local Planning Authority.</del></p> <p><b>Reason:</b> <i>To ensure the phased delivery of the development is in accordance with Document 1: Planning Statement (May 2009) and Document 3: Design and Access and Sustainability Statement (May 2009), and to safeguard and enhance the amenity of the locality.</i></p>
7	<p>Prior to submission of the first of the reserved matters application(s), a Design Code covering the built area of the development as defined in 202742 drawing No.1 (attached to these conditions) shall be submitted to the Local Planning Authority and approved in writing. The Design Code shall be prepared in accordance with the principles and parameters established in the outline application and in <del>general</del> conformity with Document 3: Design and Access and Sustainability Statement (May 2009) submitted with the application to provide guidance as to the design principles of the scheme. It shall be prepared in accordance with the approved Strategic Phasing Plan and shall include both strategic and more detailed elements. Prior to submission of the Design Code the intended scope of the Design Code shall be submitted to the Local Planning Authority and approved in writing. The Design Code shall be in <del>general</del> conformity with the approved scope and shall include as a minimum:</p> <p>a) Architectural and sustainable construction principles (including Secured by Design);  b) Street types and street materials;  c) Street types and public realm;  d) Car parking principles;  e) Boundary treatments;  f) Building types and uses;  g) Building heights;  h) Sustainable Urban Drainage Systems;  i) Building materials;  j) Environmental performance;  k) Implementation of the Design Code;  l) <u>Identification of 15 distinctive character streetscapes as specified in the Design and Access Statement and Sustainability Statement;</u>  m) Proportion of homes to be designed to lifetime homes standard and their distribution;  n) landscaping within the built area;  o) facilities and infrastructure to support filming; and  p) details of the Design Code review procedure, which is to be undertaken at a minimum at Phase 3 of development and to include details for and</p>

	<p>coordination of adjacent phases.</p> <p><b>Reason:</b> <i>To ensure that the provisions of Document 3: Design and Access and Sustainability Statement which accompanied the planning application, including all the sustainability proposals, are adhered to in the reserved matters applications and Core Policies 12 and 13 of the South Bucks Core Strategy (2011).</i></p>
8	<p>Prior to submission of the first reserved matters, a Sustainable Materials Strategy to assess the use of low environmental impact materials for public realm and infrastructure, including the use of timber from certified sources and the use of locally reclaimed and sourced materials, shall be submitted to and approved in writing by the Local Planning Authority. Details of materials shall be in general conformity with Document 3: Design and Access and Sustainability Statement (May 2009) and Document 6: Environmental Statement (May 2009) submitted with the planning application.</p> <p><b>Reason:</b> <i>To ensure a sustainable approach to the choice of materials and in the interest of the energy performance of the development.</i></p>
9	<p>No development within any phase for which reserved matters is being sought shall take place until a schedule of external materials to be used in the external elevations of the building/s has been submitted to and approved in writing by the Local Planning Authority for each phase of development. The development shall be constructed in accordance with the approved schedule.</p> <p><b>Reason:</b> <i>To accord with Policy EP3 of the South Bucks District Local Plan (1999) and Core Policy 8 of the South Bucks Core Strategy (2011) and in the interest of the design quality of the development.</i></p>
10	<p>No development within any phase for which reserved matters is being sought shall take place until a sample panel of the materials to be used in the construction of the external surfaces has been prepared on site for inspection and approved in writing by the Local Planning Authority for each phase of development. The sample panel shall show the proposed material, bond, pointing technique and palette of materials (including roofing, cladding and render) to be used in the development. The development shall be constructed in accordance with the approved sample.</p> <p><b>Reason:</b> <i>To safeguard and enhance the amenity of the locality and in the interest of the design quality of the development.</i></p>
11	<p>Any application for approval of reserved matters shall be in accordance with the Design Code approved by the Local Planning Authority under Condition 7 and as part of the application for Reserved Matters approval shall incorporate a statement demonstrating compliance with the approved Design Code. The development hereby permitted shall be completed in accordance with the approved Design Code.</p> <p><b>Reason:</b> <i>To ensure compliance with the Design Code approved under Condition 7.</i></p>
12	<p>No development of a building shall take place until full details of the proposed levels of the building, associated structures and associated building plot, compared to existing levels of the site, have been submitted to and approved in writing by the Local Planning Authority. The approved development shall be constructed in accordance with the approved levels details.</p>

	<p><b>Reason:</b> <i>To ensure that construction is carried out at suitable levels having regard to the amenities of neighbouring properties and character of the area.</i></p>
<p><b>Landscape</b></p>	
13	<p>Prior to submission of the first of the reserved matters application(s), a Landscape Strategy covering the strategic landscape areas of the development as defined on 202742 drawing No. 1 shall be submitted to the Local Planning Authority for approval. The Landscape Strategy shall broadly accord with plan reference P_002 and Document 3: Design and Access and Sustainability Statement (May 2009) and shall include principles of the following:</p> <ol style="list-style-type: none"> <li>a. Hard and soft areas, play areas, adventure play, mounding, surface materials, boundary treatment;</li> <li>b. Strategic SUDS features such as balancing ponds, including edge treatments and any proposed bunding;</li> <li>c. Strategic earth modelling, mounding, re-grading and/or embankment areas (if applicable);</li> <li>d. Strategic planting details within soft open space areas;</li> <li>e. The location, size and access arrangements for the public open space;</li> <li>f. Vehicular and pedestrian access points, maintenance tracks, footpaths and cycleway routes, and</li> <li>g. <u>A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules.</u></li> </ol> <p>The Landscape Strategy shall not include areas of landscape or public realm that are within the boundary of the Design Code area.</p> <p><b>Reason:</b> <i>To ensure satisfactory landscaping of the site in the interest of visual amenity and biodiversity, and accord with Policy EP4 of the South Bucks District Local Plan (1999) and Core Policy 9 of the South Bucks Core Strategy (2011).</i></p>
14	<p>Within any reserved matters application, a landscaping and planting scheme (including detailed designs and specifications) that delivers the part of the Landscape Strategy that is being sought for approval shall be submitted to and approved in writing by the Local Planning Authority. The details shall be accompanied by a design statement that demonstrates how the proposal accords with the approved Landscape Strategy.</p> <p>The landscaping and planting scheme shall be implemented in accordance with the approved phasing programme. The scheme shall be carried out in accordance with the approved details.</p> <p><b>Reason:</b> <i>To ensure satisfactory landscaping of the site in the interest of visual amenity and biodiversity, and accord with Policy EP4 of the South Bucks District Local Plan (1999) and Core Policy 9 of the South Bucks Core Strategy (2011).</i></p>
15	<p>Within any reserved matters application, the landscape within the Design Code area as defined by Condition 7 shall include a detailed landscaping scheme</p>

	<p>(including detailed designs and specifications) which accords with the Design Code and Landscape Strategy. The details shall be accompanied by a statement that demonstrates how the proposal accords with the approved Design Code and Landscape Strategy. The landscaping within the application site shall be implemented in accordance with the approved Strategic Phasing Plan. The scheme shall be carried out in accordance with the approved details.</p> <p><b>Reason:</b> <i>To ensure the landscape scheme complies with the Design Code and Landscape Strategy.</i></p>
16	<p><del>Any trees or plants provided as part of any landscaping scheme which, within a period of 5 years of planting date, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written consent to any variation.</del></p> <p><del><b>Reason:</b> <i>To ensure replacement trees or plants are planted if they die before being properly established and in the interest of the appearance of the development.</i></del></p>
17	<p>No development within a site for which reserved matters approval is sought shall take place until such time as a land survey, tree survey and arboricultural implications assessment, applicable to the associated site, in accordance with BS:5837:2005, have been submitted to and approved in writing by the Local Planning Authority. The surveys shall include:</p> <ul style="list-style-type: none"> <li>i) The location of all trees, shrub masses and hedges;</li> <li>ii) The location of buildings and other structures, boundary features and services;</li> <li>iii) Spot heights of ground level throughout the site;</li> <li>iv) The location of trees on land adjacent to or which overhang the development site; and</li> <li>v) A categorization of trees or groups of trees for their quality and value in accordance with table 1 of the British Standard.</li> </ul> <p><b>Reason:</b> <i>To ensure the development is in accordance with BS:5837:2005 and in the interest of the bio-diversity and appearance of the development.</i></p>
18	<p>No development within a site for which reserved matters approval is sought shall take place until such time as an Arboricultural Method Statement, tree constraints plan and tree protection plan, applicable to that site, in accordance with BS:5837:2005, have been submitted to and approved in writing by the Local Planning Authority. These shall include:</p> <ul style="list-style-type: none"> <li>i) Plans showing trees to be removed, identified by number;</li> <li>ii) Plans showing trees to be retained, identified by number, with canopies accurately plotted;</li> <li>iii) A tree constraints plan that identifies root protection areas of retained trees within, adjacent to, or which overhang the development site;</li> <li>iv) The precise location and design details for the erection of protective tree barriers and any other physical protection measures; and</li> <li>v) A method statement in relation to construction operations in accordance with paragraph 7.2 of the British Standard.</li> </ul>

	<p>The development shall be carried out in accordance with the approved Arboricultural Method Statement, and the tree constraints and tree protection plans.</p> <p><b>Reason:</b> <i>The existing trees on the site represent an important amenity feature which, if lost would impair the character of the area and accord with Policies EP3, EP4 and L10 of the South Bucks District Local Plan (1999) and Core Policy 9 of the South Bucks Core Strategy (2011).</i></p>
19	<p>No development within a site for which reserved matters approval is sought shall take place until such time as fencing for the protection of any retained tree within, adjacent to, or which overhangs the development site, has been fully erected in accordance with the approved plans and particulars. The fencing shall be retained intact for the duration of the construction period until all equipment, materials and surplus materials have been removed from that site. Nothing shall be stored or placed in any fenced area established in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written consent of the Local Planning Authority.</p> <p><b>Reason:</b> <i>To ensure no harm to existing trees during construction.</i></p>
20	<p>No development within a site for which reserved matters approval is sought shall take place until such time as full details of the position and proposed depth of excavation trenches for all services (including cables, pipes, surface water drains, foul water drains and public utilities) and their means of installation which pass underneath the canopy of any retained tree within, adjacent to, or which overhangs that site, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.</p> <p><b>Reason:</b> <i>To ensure no harm to existing trees during construction.</i></p>
21	<p>No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years from the date of implementation of each phase has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation.</p> <p><b>Reason:</b> <i>To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity.</i></p>
<b>Highway Infrastructure (on-site)</b>	
22	<p>Development of Phase 1 of the scheme hereby approved shall not begin until details of the junction between the access to Project Pinewood and Sevenhills Road has been submitted to and approved in writing by the Local Planning Authority. No building on Phase 1 of the development shall be occupied until the junction has been constructed in accordance with the approved details.</p> <p><b>Reason:</b> <i>To ensure the safe access to the site in accordance with the Environmental Statement and Transport Assessment and Policy TR5 of the South Bucks District Local Plan (1999) and Core Policies 6 and 7 of the South Bucks Core Strategy (2011).</i></p>
23	<p>Development of Phase 1 of the scheme hereby approved shall not begin until details of the junctions between the access to Project Pinewood and Pinewood</p>

	<p>Road has been submitted to and approved in writing by the Local Planning Authority. No building on Phase 1 of the development shall be occupied until the junction has been constructed in accordance with the approved details.</p> <p><b>Reason:</b> <i>To ensure the safe access to the site in accordance with the Environmental Statement and Transport Assessment and accord with Policy TR5 of the South Bucks District Local Plan (1999) and Core Policies 6 and 7 of the South Bucks Core Strategy (2011).</i></p>
<b>Transport</b>	
24	<p>The number of parking spaces within the site shall not exceed 2,200 spaces. Car parking will be provided at the following maximum levels:</p> <ul style="list-style-type: none"> <li>• 1,780 spaces for residents and their visitors</li> <li>• 220 spaces for commercial buildings</li> <li>• 200 spaces for overspill parking for use by vehicles displaced during filming activities.</li> </ul> <p><b>Reason:</b> <i>To ensure that car parking is delivered in accordance with the Transport Assessment (Document 6: Environmental Statement, Appendix 6.1) and accord with Policy TR7 of the South Bucks District Local Plan (1999) and to safeguard the safety of highway users.</i></p>
25	<p>Any reserved matters application for a building shall include details of facilities for the covered, secure parking of bicycles for use in connection with each building in accordance with the following standards and in accordance with the approach to cycle parking approved as part of the Design Code for the site.</p> <ul style="list-style-type: none"> <li>• 1 space per 1 bed dwelling</li> <li>• 2 spaces per 2 and 3 bed dwellings</li> <li>• 4 spaces per 4 bed dwellings</li> <li>• 1 space per 10 staff for commercial buildings</li> <li>• 1 space per 5 pupils for education buildings</li> <li>• 1 space per 100 seated capacity for community facilities.</li> </ul> <p>The facilities shall be provided in accordance with the approved details before occupation of the building or commencement of the use to which the cycle parking provision relates and shall thereafter be retained and shall not be used for any other purpose.</p> <p><b>Reason:</b> <i>To ensure that cycle parking is delivered in accordance with the Transport Assessment (Document 6: Environmental Statement, Appendix 6.1) and accord with Policy TR7 of the South Bucks District Local Plan (1999).</i></p>
26	<p>Details of loading/unloading of HGV vehicles to service new buildings shall be submitted to and approved in writing by the Local Planning Authority for each Phase of development or building. HGV loading and unloading facilities are to be made available prior to occupation of that Phase or building in accordance with the approved details.</p> <p><b>Reason:</b> <i>To ensure that services and access is provided without detriment to the surrounding highway network and accord with Policy TR10 of the South</i></p>



	<i>Bucks District Local Plan (1999) and Core Policy 6 of the South Bucks Core Strategy (2011).</i>
<b>Environmental Infrastructure (on-site)</b>	
27	<p>Prior to the submission of the first of the reserved matters application(s), a Strategic Sustainable Energy Plan shall be submitted to the Local Planning Authority and approved in writing. The Strategic Sustainable Energy Plan shall be <del>broadly</del> in accordance with Document 3: Design and Access and Sustainability Statement (May 2009) and Document 9: Energy Statement (May 2009) which were submitted with the planning application.</p> <p><b>Reason:</b> <i>To ensure a strategic and sustainable approach to energy across the site in the interests of reducing carbon dioxide emissions and in accordance with Core Policy 12 of the South Bucks Core Strategy 2011.</i></p>
28	<p>No development shall commence within each phase for which reserved matters approval is being sought until such time as a Renewable Energy Statement for that site, which demonstrates that at least 10% of the site's total predicted carbon emissions will be reduced through the implementation of on-site renewable energy sources, and demonstrates compliance with the Strategic Sustainable Energy Plan has been submitted to and approved in writing by the Local Planning Authority. The statement shall set out a schedule of proposed on-site renewable energy technologies (including consideration of CHP), their respective carbon reduction contributions, size, specification, location, design and a maintenance programme. Details shall be in accordance with Document 9: Energy Statement (May 2009) submitted with the planning application.</p> <p>The renewable energy technologies shall be fully installed and operational prior to occupation of any approved buildings to which the reserved matters application relates and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme.</p> <p><b>Reason:</b> <i>In the interests of reducing carbon dioxide emissions and in accordance with Core Policy 12 of the South Bucks Core Strategy 2011.</i></p>
29	<p>If any reserved matters application is submitted after three years from the date of outline planning permission and if a specific policy regarding renewable energy that stipulates a higher on-site renewable energy percentage requirement than 10% is formally adopted as part of the Local Development Framework prior to the making of any such reserved matters application, the higher on-site renewable energy percentage requirement specified by the new policy shall apply, unless it is demonstrated that to require full compliance <del>unless it is demonstrated that it is not viable or feasible.</del> The Energy Statement, installation, operation and maintenance of the renewable energy technologies shall continue to apply pursuant to Condition 28.</p> <p><b>Reason:</b> <i>To ensure that future phases of the development meet potential higher renewable energy policies.</i></p>
30	<p>Prior to the submission of the first reserved matters application(s), details of the Waste Water Treatment Plant or equivalent infrastructure shall be submitted to and approved in writing by the Local Planning Authority. Details shall be in general conformity with Document 3: Design and Access and</p>

	<p>Sustainability Statement (May 2009) and Document 10: Infrastructure and Services Strategy (May 2009) submitted with the planning application. Phase 1 shall not be occupied until the Waste Water Treatment Plant is in operation.</p> <p><b>Reason:</b> <i>To ensure the details of the proposed Waste Water Treatment Plant are in accordance with Core Policy 13 of the South Bucks Core Strategy (2011).</i></p>
31	<p>Prior to the commencement of development in accordance with a reserved matters approval for any part of the site, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. Details shall be in general conformity with Document 3: Design and Access and Sustainability Statement (May 2009) and Document 10: Infrastructure and Services Strategy (May 2009) submitted with the planning application. The SWMP shall include details of:</p> <ol style="list-style-type: none"> <li>i. The anticipated nature and volumes of waste;</li> <li>ii. Measures to ensure the maximisation of the reuse of waste;</li> <li>iii. Measures to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;</li> <li>iv. Measures to separate putrescible waste, where practicable through in-vessel composting facilities on site;</li> <li>v. Measures to reuse stabilised compostable waste on site where practicable;</li> <li>vi. Any other steps to ensure the minimisation of waste during construction;</li> <li>vii. Proposed monitoring and timing of submission of monitoring reports;</li> <li>viii. The proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development; and</li> <li>ix. Central Waste Storage Areas.</li> </ol> <p><b>Reason:</b> <i>To ensure a sustainable approach to waste management on site.</i></p>
32	<p>Prior to the commencement of development in accordance with a reserved matters application for any part of the site, a Detailed Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The DWMP shall include details of:</p> <ol style="list-style-type: none"> <li>i. systems for waste storage and recycling at each dwelling;</li> <li>ii. central communal locations for collection of waste;</li> <li>iii. access routes and stopping/turning/reversing locations for waste collection vehicles;</li> <li>iv. systems for the disposal of items including bulky waste and garden waste.</li> </ol> <p>Thereafter the implementation, management and monitoring of <del>construction</del> waste shall be undertaken in accordance with the agreed details. Details shall be in general conformity with Document 3: Design and Access and Sustainability Statement (May 2009) and Document 10: Infrastructure and Services Strategy (May 2009) submitted with the planning application. No buildings shall be occupied until the approved facilities have been provided for that building and the facilities shall be retained thereafter.</p>

	<b>Reason:</b> <i>To ensure a sustainable approach to waste management on site.</i>
<b>Ecology Management (on-site)</b>	
33	<p>Prior to the submission of the first of the reserved matters application(s), a site wide Ecological Management Plan shall be submitted to the Local Planning Authority and approved in writing. The Plan shall accord with and give effect to the principles for such a Plan proposed in the Ecology Strategy which forms part of Document 6: Environmental Statement (May 2009) submitted with the application.</p> <p>The Plan shall detail the implementation of the ecological mitigation and enhancements and the management, maintenance and monitoring of retained and created open space areas and shall include:</p> <ol style="list-style-type: none"> <li>i. Contractor responsibilities, procedures and requirements;</li> <li>ii. Full details of appropriate habitat and species surveys (pre and post-construction), and reviews where necessary, to identify areas of importance to biodiversity;</li> <li>iii. Details of measures to ensure protection and suitable mitigation to all legally protected species and those habitats and species identified as being of importance to biodiversity both during construction and post-development, including consideration and avoidance of sensitive stages of species life cycles, such as the bird breeding season, protective fencing and phasing of works to ensure the provision of advanced habitat areas and minimise disturbance of existing features;</li> <li>iv. Identification of habitats and species worthy of management and enhancement together with the setting of appropriate conservation objectives for the site. Prescriptions shall be provided to detail how habitat and species management and enhancement shall be provided alongside measures to provide habitat restoration and creation;</li> <li>v. Details of artificial night lighting measures (during construction and operation) to minimise impact on bat (and other nocturnal animal) habitats;</li> <li>vi. A summary work schedule table, confirming the relevant dates and/or periods that the prescriptions and protection measures shall be implemented;</li> <li>vii. A programme for Monitoring/Environmental Audits to be carried out annually during the construction phase;</li> <li>viii. Confirmation of suitably qualified personnel responsible for over-seeing implementation of the Ecological Conservation Management Plan commitments, such as an Ecological Clerk of Works, including a specification of role; and</li> <li>ix. A programme for long-term maintenance, management and monitoring responsibilities to ensure an effective implementation of the Ecological Management Plan.</li> </ol> <p>No development shall commence until such time as the Ecological Management Plan has been approved in writing by the Local Planning Authority. All species and habitat protection, enhancement, restoration and creation measures shall be carried out in accordance with the approved Ecological Management Plan.</p> <p><b>Reason:</b> <i>To accord with Core Policy 9 of the South Bucks Core Strategy</i></p>

	<i>(2011) and in the interest of safeguarding and future management of the ecological interests of the site.</i>
34	<p>Any reserved matters application shall include an Ecological Management Plan Statement that demonstrates how it accords with the aims and objectives of the Ecological Management Plan. It shall detail which specific ecological measures are proposed and the timing for their delivery. No development shall commence within the site for which reserved matters approval is being sought until such time as the Ecological Management Plan Statement has been approved in writing by the Local Planning Authority. The ecological measures shall be carried out in accordance with the approved details and timing of delivery.</p> <p><b>Reason:</b> <i>To accord with Core Policy 9 of the South Bucks Core Strategy (2011) and in the interest of safeguarding and future management of the ecological interests of the site.</i></p>
<b>Water Resources</b>	
35	<p>A strategic site wide sustainable surface water strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the first of the reserved matters applications submitted for approval. Details shall be in accordance with Document 6: Environmental Statement (May 2009) submitted with the planning application. No development shall be carried out until such time as the Strategic Site Surface Water Strategy has been approved in writing by the Local Planning Authority.</p> <p>The Strategy shall be based upon a SUDS hierarchy, as espoused by DTI publication 'Sustainable Drainage Systems CIRIA C609' and this Council's adopted supplementary planning document 'Sustainable Design and Construction' (2007). The strategy shall maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site or joins any water body.</p> <p>If source control infiltration SUDS methods are demonstrated to be impracticable or only partly feasible, the strategy shall promote other measures such as swales, surface water retention ponds, wetlands or other surface water retention measures to promote infiltration and mimic, as far as possible, existing natural greenfield run-off patterns (rates and volumes).</p> <p>The strategy shall include details of all flow control systems and the design, location and capacity of all strategic SUDS features and shall include ownership, long-term adoption, management and maintenance scheme(s) and monitoring arrangements/responsibilities, including detailed calculations to demonstrate the capacity of the measures to adequately manage surface water within the site without the risk of flooding to land or buildings. Details of phasing during drainage operations and construction shall also be included.</p> <p>The approved drainage works shall be carried out <del>in their entirety</del> in accordance with the approved details, prior to the occupation of any building or in accordance with phased drainage operations agreed in writing by the Local Planning Authority.</p>

36	<p><b>Reason:</b> <i>To ensure a sustainable approach to the discharge of surface water.</i></p> <p>Any reserved matters application shall include a detailed surface water strategy for which approval is sought. Details shall be in accordance with Document 6: Environmental Statement (May 2009) submitted with the planning application. The strategy shall demonstrate how the management of water within the reserved matters application site for which approval is sought accords with the approved details of the strategic site wide surface water strategy. <del>The strategy shall be based upon a SUDS hierarchy, as espoused by DTI publication 'Sustainable Drainage Systems CIRIA C609' and this Council's adopted supplementary planning document 'Sustainable Design and Construction' (2007). The strategy shall maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site or joins any water body.</del></p> <p><del>If source control infiltration SUDS methods are demonstrated to be impracticable or only partly feasible, the strategy shall promote other measures such as swales, surface water retention ponds, wetlands or other surface water retention measures to promote infiltration and mimic as far as possible existing natural greenfield run-off patterns (rates and volumes).</del></p> <p><del>The strategy shall include details of all flow control systems and the design, location and capacity of all such SUDS features and shall include ownership, long-term adoption, management and maintenance scheme(s) and monitoring arrangements/responsibilities, including detailed calculations to demonstrate the capacity of receiving on-site strategic water retention features without the risk of flooding to land or buildings.</del></p> <p>The development shall be carried out in accordance with the approved details and no dwelling on the particular reserved matters site for which approval is being sought shall be occupied until all the necessary surface water drainage to serve that dwelling has been completed in accordance with the approved details.</p> <p><b>Reason:</b> <i>To ensure a sustainable approach to the discharge of surface water.</i></p>
37	<p>Any reserved matters application shall include details of foul water drainage pursuant to the reserved matters site for which approval is sought. Details shall be in accordance with Document 6: Environmental Statement (May 2009) submitted with the planning application. No development shall commence until details of the foul water drainage for the site have been approved in writing by the Local Planning Authority. The drainage works shall be constructed in accordance with the approved details prior to the occupation of any part of the development hereby approved.</p> <p><b>Reason:</b> <i>To ensure a sustainable approach to the discharge of <u>surface foul</u> water.</i></p>
38	<p>The Development hereby approved shall not commence until a foul drainage strategy detailing any on/off site drainage works has been submitted to and approved in writing by the Local Planning Authority. No discharge of foul water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The drainage works shall be constructed in accordance with the approved details prior to the occupation of any part of the development hereby approved.</p>

	<b>Reason:</b> <i>To prevent the pollution of groundwater.</i>
<b>Ground Contamination</b>	
39	<p><del>Having regard to the submitted contamination report as part of Document 6: Environmental Statement (May 2009) submitted with the planning application,</del> Prior to the commencement of development on any part of the site, a Ground Contamination Assessment and Remediation Strategy, together with a timetable of works, shall be submitted to and approved in writing by the Local Planning Authority for that part of the site and thereafter the strategy shall be implemented as approved. The contaminated land assessment and associated remedial strategy shall adhere to the following points:</p> <ol style="list-style-type: none"> <li>i. The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses including any use of radioactive materials and propose a site investigation strategy based on the relevant information discovered by the desk study. No investigations shall occur on site prior to approval of the investigation strategy by the Local Planning Authority.</li> <li>ii. The site investigation, including relevant soil, soil gas, radioactivity, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.</li> <li>iii. A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority for approval. The written approval of the Local Planning Authority to such remedial works as are required shall be obtained prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.</li> <li>iv. Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.</li> <li>v. If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and a remediation scheme shall be submitted to the Local Planning Authority for approval in writing.</li> <li>vi. Upon completion of the works, a closure report shall be submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from</li> </ol>



	<p>site.</p> <p><b>Reason:</b> <i>To ensure any risk of harm from contaminated land is appropriately understood and mitigated.</i></p>
<b>Lighting, Noise and Odour</b>	
40	<p>Details of any external lighting for each Phase or building shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of that Phase <u>or building</u>. <del>Details shall be in general conformity with Document 3: Design and Access and Sustainability Statement (May 2009) and in accordance with Document 6: Environmental Statement (May 2009) submitted with the planning application.</del> Works approved pursuant to this condition shall be completed prior to the occupation of the Phase or building to which the approval relates and thereafter shall be retained and maintained as approved unless <del>where</del> such lighting is part of an adopted highway.</p> <p><b>Reason:</b> <i>To safeguard the amenities of the locality (Policy EP3 of the South Bucks District Local Plan (1999)).</i></p>
41	<p>The noise level from plant, vents and air conditioning associated with non-residential uses shall not raise the existing background level by more than 3 dB both during the day (0700 to 2300 hours) over any one hour period and night time (2300 to 0700 hours) over any one 5 minute period, at the boundary of the nearest noise sensitive properties, both those existing in the area and any proposed noise sensitive premise within the development itself. Tonal / impulsive noise frequencies should be eliminated or should carry an additional 5dB(A) correction.</p> <p><b>Reason:</b> <i>To safeguard the amenities of the locality and accord with Policy EP3 of the South Bucks District Local Plan (1999) and Core Policy 9 of the South Bucks Core Strategy (2011).</i></p>
42	<p>As part of the submission of any reserved matters which includes use within Class A of the Town and Country Planning (Use Classes Order) (1987) (as amended), details of equipment for the purpose of extraction and/or filtration of fumes or odours shall be submitted to and approved in writing by the Local Planning Authority. The approved extraction/filtration scheme shall be installed before occupation of the Class A floorspace and thereafter maintained in accordance with the manufacturer's instructions.</p> <p><b>Reason:</b> <i>To protect the amenity of nearby residents.</i></p>
43	<p>Prior to the commencement of development in the area of the site marked on the Plan on Page 266 of the Design and Access and Sustainability Statement (May 2009) submitted with the planning application, a noise attenuation/insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units and the school shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the internal noise levels specified as 'good' as recommended in British Standard 8233:1999. The development shall be undertaken and shall remain unaltered in accordance with the approved</p>

	<p>details. Details shall be in accordance with Document 6: Environmental Statement (May 2009) submitted with the planning application.</p> <p><b>Reason:</b> <i>To safeguard the amenities of residents and those occupying the school and accord with Policy EP3 of the South Bucks District Local Plan (1999).</i></p>
44	<p>Prior to the commencement of the Development <u>hereby approved</u>, a strategy to mitigate the noise effects of increased traffic along Sevenhills Road on properties bordering the affected areas, <u>shown on Plan 202742.02 Planning Conditions Drawing 2 (attached to these conditions)</u>, shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved strategy. <del>The mitigation measures shall accord with appropriate national technical standards and comprise measures such as reasonable funding to property owners in the areas specified on the plan 202742-02 Planning Conditions Drawing 2 to erect new fencing to mitigate noise or install double glazing or similar measures.</del></p> <p><b>Reason:</b> <i>To safeguard the amenities of residents occupying the development (Policy EP3 of the South Bucks District Local Plan (1999)).</i></p>
45	<p>A <u>programme and scheme for Monitoring of off-site construction noise</u> during the period of construction of the development shall be undertaken and where the results of such monitoring assessed against appropriate national technical standards, as set out in the BS 5228 Part 1, demonstrate that remedial measures are required then proposed mitigation measures that are appropriate and reasonable and proportional to the magnitude of the impact shown by the monitoring shall be submitted to and approved in writing by the Local Planning Authority and such measures shall be retained during the period of construction of the development.</p> <p><b>Reason:</b> <i>To safeguard the <u>residential</u> amenities of the locality (Policy EP3 of the South Bucks District Local Plan (1999)).</i></p>
<b>New Construction</b>	
46	<p>Prior to the commencement of the development <u>hereby approved</u>, a Strategic Sustainable Construction Environmental Management Plan (SSCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The SSCEMP shall accord with and give effect to the principles for such a Statement proposed in Document 6: Environmental Statement (May 2009) submitted with the application. Development shall take place in accordance with the SSCEMP which shall address the following on-site and off-site aspects of construction:</p> <ol style="list-style-type: none"> <li>i. Preparation of a Sustainable Construction Programme to ensure sustainability through the construction process. This will include methods of designing out waste at source, modern methods of construction, logistics and materials handling facilities to reduce waste generated.</li> <li>ii. Indicative site wide construction and phasing programme;</li> <li>iii. Construction hours and delivery times for construction purposes;</li> <li>iv. Site Waste Management Plan (SWMP), providing a statement of site specific reuse and recycling objectives with appropriate targets,</li> </ol>



	<p>compliance training for sub-contractors, construction code of conduct together with regular auditing and reporting on target achievements and quantities disposed, ensuring that such materials are only consigned to authorised treatment/recovery or disposal facilities, including consideration of participation in a Materials Re-use and Recycling Forum;</p> <ul style="list-style-type: none"> <li>v. Noise method, monitoring and recording statements in accordance with the provisions of BS 5228 (1997);</li> <li>vi. Maximum noise mitigation levels for construction equipment, plant and vehicles;</li> <li>vii. Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228 (1997);</li> <li>viii. Maximum vibration levels;</li> <li>ix. Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures; and</li> <li>x. Membership of the Considerate Contractors Scheme.</li> </ul> <p><b>Reason:</b> <i>To safeguard the amenities of the locality and accord with Policy EP3 of the South Bucks District Local Plan (1999) and Core Policy 9 of the South Bucks Core Strategy (2011).</i></p>
47	<p>Prior to commencement of any phase of development of any reserved matters approval, a Detailed Construction Method Statement (DCMS) pursuant to the reserved matters approval site shall be submitted to and approved in writing by the Local Planning Authority. The DCMS shall be in accordance with Document 6: Environmental Statement (May 2009) submitted with the planning application and demonstrate how the construction of the reserved matters approval accords with the details of the SSCEMP, except criterion (v), and shall include the consideration of the following on-site and off-site aspects of construction:</p> <ul style="list-style-type: none"> <li>i. Location of contractor offices and parking arrangements, site storage areas/compounds for building materials, plant and equipment;</li> <li>ii. Screening and hoarding details;</li> <li>iii. Contractor access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures;</li> <li>iv. Soil management and storage details;</li> <li>v. Dust management and wheel washing measures;</li> <li>vi. Site lighting;</li> <li>vii. Drainage control measures including the use of settling tanks, oil interceptors and bunds;</li> <li>viii. Access and protection arrangements around the site for pedestrians, cyclists and other road users, including external safety and information signing and notices;</li> <li>ix. Liaison, consultation and publicity arrangements including dedicated points of contact and complaints procedures;</li> <li>x. Consideration of sensitive receptors; and</li> <li>xi. Prior notice and agreement procedures for works outside agreed limits.</li> </ul>

	<p>Thereafter the development shall be undertaken in accordance with the agreed details.</p> <p><b>Reason:</b> <i>To safeguard the amenities of the locality during construction and accord with Policy EP3 of the South Bucks District Local Plan (1999) and Core Policy 9 of the South Bucks Core Strategy (2011).</i></p>
<b>Sustainability</b>	
48	<p>No development of a residential building on a reserved matters site shall take place until an interim certificate following a design stage review, based on design drawings, specifications and commitments, has been issued by a Code for Sustainable Homes Licensed Assessor to the Local Planning Authority, indicating that all dwellings (market and affordable homes) forming part of the reserved matters site are capable of achieving a minimum of level 4 of the Code for Sustainable Homes.</p> <p>All residential buildings shall be constructed to meet the applicable Code for Sustainable Homes specified minimum level as above. Prior to the occupation of any dwelling, a Post-Construction Stage assessment shall be undertaken for that dwelling. Should that assessment indicate that the specified minimum code level as above has not been met, appropriate mitigation to ensure the code level can be met shall be undertaken. Prior to occupation, or in accordance with an alternative timetable to be agreed with the Local Planning Authority, the developer shall submit to the Local Planning Authority a certificate from the Building Research Establishment (BRE) or another certificated third party, indicating that the relevant code level has been met.</p> <p>In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development, unless it can be demonstrated not to be viable or feasible.</p> <p><del>Details shall be in general conformity with Document 3: Design and Access and Sustainability Statement (May 2009) and Document 6: Environmental Statement (May 2009) submitted with the planning application.</del></p> <p><b>Reason:</b> <i>To ensure that the provisions of the Design and Access and Sustainability Statement submitted with the planning application, including all the sustainability proposals, are adhered to in the reserved matters applications, and to accord with Core Policy 13 of the South Bucks Core Strategy (2011).</i></p>
49	<p>Prior to the submission of the first of the reserved matters applications within the built-up area, a BREEAM Plan for Provision of Non-Residential Buildings shall be submitted to the Local Planning Authority for approval.</p> <p>The Plan shall include details and plans that indicate the commercial buildings in that phase which will achieve the BREEAM 'very good' rating and the location of the proposed non residential buildings which will meet the BREEAM 'excellent' rating.</p>

	<p>No development shall commence within a site within the built-up area for which reserved matters approval is being sought until such time as the BREEAM Phasing Plan has been approved in writing by the Local Planning Authority. The BREEAM Plan shall be carried out in accordance with the approved details</p> <p><b>Reason:</b> <i>To ensure that the provisions of Document 3: Design and Access and Sustainability Statement (May 2009) submitted with the planning application, including all the sustainability proposals, are adhered to in the reserved matters applications and to accord with Core Policy 13 of the South Bucks Core Strategy (2011).</i></p>
50	<p>Notwithstanding Condition 49, all non-residential buildings that are constructed after 31st March 2013, shall be designed and constructed to meet BREEAM 'excellent' rating.</p> <p><b>Reason:</b> <i>To ensure that the provisions of Document 3: Design and Access and Sustainability Statement (May 2009) submitted with the planning application, including all the sustainability proposals, are adhered to in the reserved matters applications and to accord with Core Policy 13 of the South Bucks Core Strategy (2011).</i></p>
51	<p>No development of a non-residential building shall take place until a pre-assessment BREEAM report - which is based upon an approved BREEAM plan for provision of non-residential buildings - prepared by an accredited BREEAM Assessor, indicating that the building is capable of achieving the applicable 'very good' (or 'excellent' if after 31<sup>st</sup> March 2013) rating as a minimum, has been issued to the Local Planning Authority.</p> <p><b>Reason:</b> <i>To ensure that the provisions of Document 3: Design and Access and Sustainability Statement (May 2009) submitted with the planning application, including all the sustainability proposals are adhered to in the reserved matters applications and to accord with Core Policy 13 of the South Bucks Core Strategy (2011).</i></p>
52	<p>All non-residential buildings shall be constructed to meet the applicable approved BREEAM rating as a minimum. No later than 6 months after the occupation of any non-residential building, a certificate following a post-construction review, shall be issued by an approved BREEAM Assessor to the Local Planning Authority, indicating that the relevant BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development, unless to do so is demonstrated to be not viable or feasible.</p> <p><b>Reason:</b> <i>To ensure that the provisions of Document 3: Design and Access and Sustainability Statement (May 2009) submitted with the planning application, including all the sustainability proposals, are adhered to and to accord with Core Policy 13 of the South Bucks Core Strategy (2011).</i></p>
53	<p>Prior to the occupation of each dwelling, each household shall be supplied with an Information Pack for residents providing information on the development itself as well as other organisations which could support a more sustainable lifestyle. Details shall be in general conformity with Document 3: Design and Access and Sustainability Statement (May 2009) submitted with the planning application.</p>

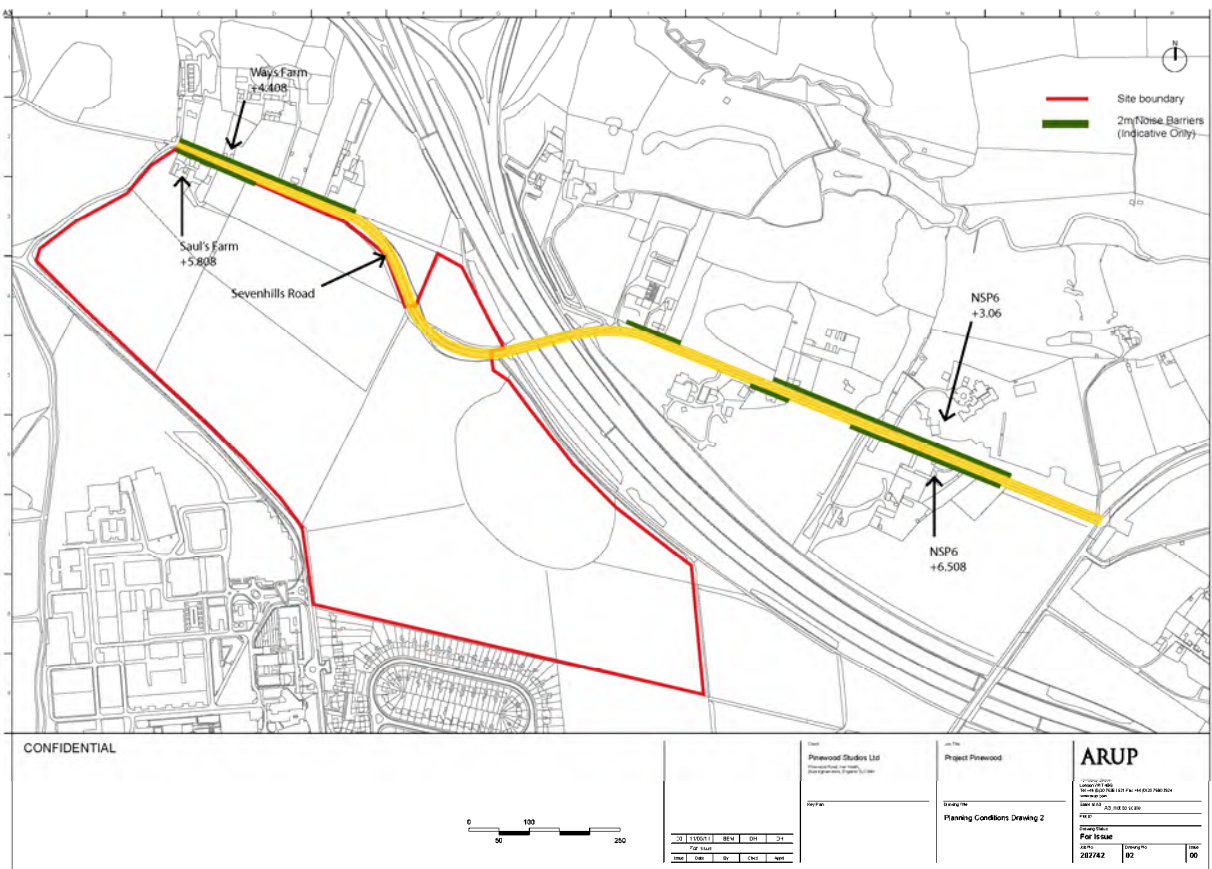
	<p><b>Reason:</b> <i>To ensure that the provisions of Document 3: Design and Access and Sustainability Statement (May 2009) submitted with the planning application, including all the sustainability proposals, are adhered to in the reserved matters applications and to accord with Core Policy 13 of the South Bucks Core Strategy (2011).</i></p>
<b>Social Commitments / Infrastructure (on-site)</b>	
54	<p>Prior to submission of the first of the reserved matters application(s) for residential development, a Strategy for Children's Play provision, in general conformity with the principles set out in Document 3: Design and Access and Sustainability Statement (May 2009) shall be submitted to the Local Planning Authority for approval. The Strategy shall include the following details:</p> <ol style="list-style-type: none"> <li>a) How the Strategy is intended to evolve following occupation of the site to meet the needs of future local residents, young people and children.</li> <li>b) The size, type, location and provision of access to play provision both within the built up area and adjacent to the green corridor.</li> <li>c) A proposed phasing programme for the delivery of play provision both within the built up area and adjacent to the green corridor in relation to the delivery of development on the site.</li> </ol> <p>No residential development shall commence until the submitted Strategy has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p><b>Reason:</b> <i>To ensure the details of the formal open space are in accordance with National Playing Fields Association Standards and Core Policy 5 of the South Bucks District Council Core Strategy (2011).</i></p>
55	<p>Any reserved matters application for a phase of the development which includes play provision, shall include the detailed design and specification of play provision, including surfacing material, within the reserved matters site for which approval is sought. The details shall be accompanied by a Play Statement that demonstrates how the proposal accords with the approved Strategy for Play provision and any emerging or approved details sought as part of a Design Code for the site. The play provision shall be provided in accordance with the approved phasing programme, <del>unless an alternative programme for provision for that phase is approved in writing by the Local Planning Authority, and shall be implemented in accordance with the approved details.</del></p> <p><b>Reason:</b> <i>To ensure that the details of the play provision are in accordance with Core Policy 5 of the South Bucks District Council Core Strategy (2011).</i></p>
56	<p>Prior to the commencement of each phase of the development, a Local Employment Strategy to target jobs to those living within the District or 8 kilometres of the site during the construction and operation of that phase shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented as agreed.</p> <p><b>Reason:</b> <i>To encourage the use of local employment.</i></p>
57	<p>Prior to the commencement of each phase of the development, details of infrastructure to provide fast broadband access via Fibre to the Premises</p>

	<p>Technology (FTTP) and a Site Wide Integrated Reception System (IRS) for television and radio reception to all homes and commercial premises shall be submitted to and approved in writing by the Local Planning Authority. Details shall include linkage to the Pinewood Studios site and access to a community portal website to provide real-time information on local public transport. The infrastructure as approved by the Local Planning Authority shall be provided and available for use prior to the occupation of the phase to which it relates and shall be maintained thereafter. <del>Provision should be made in general conformity with Document 3: Design and Access and Sustainability Statement (May 2009) and Document 10: Infrastructure and Services Strategy (May 2009) submitted with the planning application.</del></p> <p><b>Reason:</b> <i>To ensure the development accords with Document 3: Design and Access Statement and Sustainability Statement (May 2009) and provides the potential for the development to deliver the principles of a living/working community linked to the creative industries.</i></p>
<b>Management / Operational</b>	
58	<p>Prior to the submission of the first reserved matters, a Management and Operational Plan for the site to cover issues relating to management and mitigation of the impacts of filming (including noise, artificial light and parking) on residents <del>ownership, responsibility and management of the residential area, service charges, reservation of rights,</del> waste storage and collection, public realm, landscape, and use of streets for outdoor filming <del>The Management and Operational Plan should establish the operational links between the application site and the Pinewood Studios site</del> and shall be submitted to and approved in writing by the Local Planning Authority. The Management and Operational Plan shall be in effect on first occupation of Phase 1 and the development shall subsequently be operated in accordance with it-</p> <p><b>Reason:</b> <i>To accord with Document 6: Environmental Statement (May 2009) which accompanied the planning application and protect residential amenity.</i></p>
59	<p>Prior to the occupation of the first phase of the development, details of the Central Logistics Concierge Area (LCA) which will provide the principal central community portal for exchange of information and services for all stakeholders on site shall be submitted to and approved in writing by the Local Planning Authority. Provision should be made in accordance with Document 10: Infrastructure and Services Strategy (May 2009) submitted with the planning application. The Central LCA will provide the following:</p> <ul style="list-style-type: none"> <li>• Reception area;</li> <li>• Residential and personal shelf /locker storage for post &amp; parcel deliveries</li> <li>• Storage for residential and personal seasonal items;</li> <li>• Commercial deliveries receipt, storage, dispatch areas;</li> <li>• Filming service areas;</li> <li>• Rest Rooms;</li> <li>• Meeting rooms; and</li> <li>• Security point.</li> </ul> <p>The Central LCA shall be implemented prior to first occupation of Phase 1.</p>

	<p><b>Reason:</b> <i>To ensure the efficient management of the site in accordance with Document 10: Infrastructure and Services Strategy (May 2009).</i></p>
60	<p>Prior to the occupation of the relevant phase of the development, details of the Secondary Logistics Concierge Area (LCA) which will provide the secondary central community portal for exchange of information and services for all stakeholders on site shall be submitted to and approved in writing by the Local Planning Authority. Provision shall be made in accordance with Document 10: Infrastructure and Services Strategy (May 2009) submitted with the planning application. The Secondary LCA will provide the following:</p> <ul style="list-style-type: none"> <li>• Reception area;</li> <li>• Residential buffer storage (shelf &amp; locker) for post &amp; parcel deliveries</li> <li>• Some commercial deliveries receipt, storage, dispatch areas;</li> <li>• Rest room; and</li> <li>• Security point.</li> </ul> <p>The Secondary LCA shall be implemented prior to first occupation of that Phase.</p> <p><b>Reason:</b> <i>To ensure the efficient management of the site in accordance with Document 10: Infrastructure and Services Strategy (May 2009).</i></p>
61	<p>Prior to the occupation of the first phase of the development, details of the North Locker Storage Station and South Locker Storage Station shall be submitted to and approved in writing by the Local Planning Authority. Provision shall be made in accordance with Document 10: Infrastructure and Services Strategy (May 2009) submitted with the planning application. <u>The development shall be implemented in accordance with the approved details.</u></p> <p><b>Reason:</b> <i>To ensure the efficient management of the site in accordance with Document 10: Infrastructure and Services Strategy (May 2009).</i></p>
62	<p>The creative industries floorspace shall be occupied only by businesses and/or individuals within the following creative industries - advertising, architecture, the art and antiques market, crafts, design, designer fashion, film and video, interactive leisure software, music, the performing arts, publishing, software and computer services, television and radio, and other related industries <u>operating at Pinewood Studios.</u></p> <p><b>Reason:</b> <i>To accord with the terms of the application, because the floorspace is needed by the creative industries, <del>and because the Secretary of State had particular regard to the intended use in determining the application and to accord with the Project Pinewood concept (Policy E2 of the South Bucks District Local Plan (1999)).</del></i></p>
63	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no extension or additions to any properties with Use Class C3 (residential dwelling houses) shall be erected other than those expressly authorised by this permission.</p> <p><b>Reason:</b> <i>To protect the amenity of adjoining properties, to prevent overdevelopment of the site, and to ensure compliance with the Design Code.</i></p>
64	<p><del>The development on the application site shall be maintained and operated as a</del></p>

	<p><del>location for filming in conjunction with and ancillary to the occupation and operation of the Pinewood Studios site as a film and television studio.</del></p> <p><del>Reason: In approving the development, the Secretary of State took account of to maximise the benefits to the National Economy of the film and television industry cluster to be created and to ensure that such cluster benefits are not undermined if the development on the application site did not operate in conjunction with and ancillary to the Pinewood Studios site.</del></p>
65	<p><u>The development hereby approved shall not commence until a scheme and programme for delivery of highway works under clause 1.4, Part 1 of the Schedule to the S106 planning obligation dated 21 June 2011 accompanying this application has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme and programming.</u></p> <p><b>Reason:</b> <i>In the interest of highway conditions and highway safety</i></p>







**18. ANNEX B – CONDITIONS (APPEAL B)****DENHAM ROAD / SEVENHILLS ROAD PLANNING APPLICATION**

Conditions	
Timing/ Phasing	
1	<p>The development to which this permission relates shall begin not later than the expiration of five years beginning from the date of this decision notice.</p> <p><b>Reason:</b> <i>To accord with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).</i></p>
Design	
2	<p>The development to which this planning permission relates shall be undertaken solely in accordance with the drawings hereby listed: -</p> <p>PP-SP-701 01  PP-LP-701 01  PP-TR-701 01  SHS-7951 04  SHS-7950 04  SHS-7920 02  SHS-7903 01  SHS-7902 04  SHS-7901 04  SHS-7900 04  SHS-7001 02  SHS-7000 04  SHS-7920 01</p> <p><b>Reason:</b> <i>To ensure a satisfactory form of development and to accord with the terms of the submitted application and to accord with Policy EP3 of the South Bucks District Local Plan (adopted March 1999)</i></p>
Junction Visibility	
3	<p>No development shall commence until details of a visibility splay at the junction of the access to Round Coppice and the A412 measuring 2.4m (x distance) by 120m (y distance) shall have been submitted to the Local Planning Authority and approved in writing. The details shall be implemented as approved prior to the junction hereby permitted being brought into operation and the visibility splay thereafter retained.</p> <p><b>Reason:</b> <i>To ensure that a safe access is maintained for vehicles exiting the Round Coppice exit and to accord with Policy TR5 of the South Bucks District Local Plan (adopted March 1999)</i></p>

Trees / Landscape	
4	<p>The existing trees and hedgerows to be retained on the site, as shown on drawing No. PP-TR-701 01 shall not be removed, felled, topped, lopped or disturbed in any way without the prior consent of the Local Planning Authority in writing. Similarly, no damage shall be caused to the roots of the trees and/or hedgerows. Any trees and hedgerows removed, felled or damaged or destroyed shall be replaced by another tree or shrub of the same species at the same location, at a time agreed in writing by the Local Planning Authority.</p> <p><b>Reason:</b> <i>The existing trees and hedgerows to be retained on site represent an important amenity feature which, if lost would impair the character of the area and to accord with Policies L10 and EP4 of the South Bucks District Local Plan (adopted March 1999)</i></p>
5	<p>No works or development shall take place until a tree constraints plan and method statement (in accordance with British Standard B.S. 5837:2005 'Trees in Relation to Construction' (or any replacement thereof or EU equivalent)) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide, as required, details of phasing of construction operations; siting of work huts and contractor parking; areas for the storage of materials and the siting of skips and working spaces. Protective fencing detailed in the method statement shall consist of a vertical and horizontal scaffold framework, braced to resist impacts, with vertical tubes spaced at a maximum level of 3m. On to this, weldmesh panels shall be securely fixed with wire scaffold clamps. The fencing shall be erected to protect existing trees and other vegetation during construction and shall conform to British Standard 5837:2005 'Trees in Relation to Construction' or any replacement thereof or EU equivalent. The approved fencing shall be erected prior to the commencement of any works or development on the site. The approved fencing shall be retained and maintained until all engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without prior written agreement from the Local Planning Authority.</p> <p><b>Reason:</b> <i>To ensure that the crowns, boles and root systems of the shrubs, trees and hedgerows are not damaged during the period of construction and in the long term interests of local amenities and to accord with Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999)</i></p>
6	<p>No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years from the date of the implementation of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation.</p> <p><b>Reason:</b> <i>In the long term interest of the visual amenity of the area and to accord with Policy EP4 of the South Bucks District Local Plan (adopted March 1999)</i></p>

Operational / Management	
7	<p>No development shall take place until details of the provision to be made to accommodate all site operatives', visitors' and construction vehicles loading, offloading, parking and turning within the site during the construction period has been submitted and approved in writing by the Local Planning Authority. These details shall thereafter be implemented as approved before the development begins and be maintained throughout the development.</p> <p><b>Reason:</b> <i>To minimise danger and inconvenience to highway users and to accord with Policy TR5 of the South Bucks District Local Plan (adopted March 1999)</i></p>

**19. ANNEX C – CONDITIONS (APPEAL C)****FIVE POINTS ROUNDABOUT PLANNING APPLICATION**

Conditions	
Timing/ Phasing	
1	<p>The development to which this permission relates shall begin not later than the expiration of five years from the date of this decision notice.</p> <p><b>Reason:</b> To comply with the provision of Section 91(1)(a) of the Town and Country Planning Act 1990. (or any statutory amendment or re-enactment thereof).</p>
Design	
2	<p>The development to which this planning permission relates shall be undertaken solely in accordance with the drawings hereby listed: -</p> <p>A068065-35-18-03B  A068065-35-18-07  A068065-35-18-02A  PP-SP-501 01  PP-LP-501 01  PP-TR-501 01</p> <p><b>Reason:</b> <i>To ensure a satisfactory form of development and the accord with the terms of the submitted application and to accord with Policy EP3 of the South Bucks District Local Plan (adopted March 1999)</i></p>
Archaeology	
3	<p>No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to the Local Planning Authority for approval in writing. Thereafter the development shall be implemented in accordance with the approved scheme.</p> <p><b>Reason:</b> <i>To ensure the protection of areas of archaeological interest and to accord with Policy C14 of the South Bucks District Local Plan (adopted March 1999)</i></p>
Trees / Landscaping	
4	<p>The existing trees and hedgerows to be retained on the site, as shown on drawing No. PP-TR-501 01 shall not be removed, felled, topped, lopped or disturbed in any way without the prior consent of the Local Planning</p>

	<p>Authority in writing. Similarly, no damage shall be caused to the roots of the trees and/or hedgerows. Any trees and hedgerows removed, felled or damaged or destroyed shall be replaced by another tree or shrub of the same species at the same location, at a time agreed in writing by the Local Planning Authority.</p> <p><b>Reason:</b> <i>The existing trees and hedgerows to be retained on site represent an important amenity feature which, if lost would impair the character of the area and to accord with Policies L10 and EP4 of the South Bucks District Local Plan (adopted March 1999)</i></p>
5	<p>No works or development shall take place until a tree constraints plan and method statement (in accordance with British Standard B.S. 5837:2005 'Trees in Relation to Construction' (or any replacement thereof or EU equivalent)) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide, as required, details of phasing of construction operations; siting of work huts and contractor parking; areas for the storage of materials and the siting of skips and working spaces. Protective fencing detailed in the method statement shall consist of a vertical and horizontal scaffold framework, braced to resist impacts, with vertical tubes spaced at a maximum level of 3m. On to this, weldmesh panels shall be securely fixed with wire scaffold clamps. The fencing shall be erected to protect existing trees and other vegetation during construction and shall conform to British Standard 5837:2005 'Trees in Relation to Construction' or any replacement thereof or EU equivalent. The approved fencing shall be erected prior to the commencement of any works or development on the site. The approved fencing shall be retained and maintained until all engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without prior written agreement from the Local Planning Authority.</p> <p><b>Reason:</b> <i>To ensure that the crowns, boles and root systems of the shrubs, trees and hedgerows are not damaged during the period of construction and in the long term interests of local amenities and to accord with Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999)</i></p>
6	<p>No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years from the date of the implementation of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation.</p> <p><b>Reason:</b> <i>In the long term interest of the visual amenity of the area and to accord with Policy EP4 of the South Bucks District Local Plan (adopted March 1999)</i></p>
Operational / Management	
7	<p>No development shall take place until details of the provision to be made to accommodate all site operatives', visitors' and construction vehicles loading, offloading, parking and turning within the site during the construction period</p>

has been submitted and approved in writing by the Local Planning Authority. These details shall thereafter be implemented as approved before the development begins and be maintained throughout the development.

**Reason:** *To minimise danger and inconvenience to highway users and to accord with Policy TR5 of the South Bucks District Local Plan (adopted March 1999)*

## **20. ANNEX D - APPEARANCES AT INQUIRY**

### **FOR THE LOCAL PLANNING AUTHORITY:**

Mr Simon Bird QC & Miss  
Melissa Murphy of counsel                      Instructed by Ms Lynne Reardon, Head of Legal  
Services, South Bucks DC

They called:

Mr Francis Spooner BSc                      Arboriculturist, Enforcement and Conservation  
(Hons) Tech Cert                              Unit, South Bucks DC  
(ArborA) Tech ArborA

Mr John Macaulay                              Associate Director, Jacobs  
BEng(Hons) CEng MICE

Mr Stephen Kyle BSc                              Area Team Manager, Development Management  
(Hons) DipTP MRTPI                              Unit, South Bucks DC

### **FOR STOP PROJECT PINEWOOD (SPP)**

Mr Charles Hopkins of counsel

He called:

Mrs Sylvie Lowe                                      Chair, SPP

Mr Julian Wilson                                      Chairman, Iver Parish Council

Mr Paul Graham                                      Clerk and Proper Officer, Denham Parish Council

Mrs Pauline Vahey                                      Chairman, Fulmer Village Parish Council

### **FOR PINEWOOD STUDIOS LTD.**

Mr Christopher Katkowski QC &                      Instructed by Dr Romola Parish, Solicitor,  
Mr Charles Banner, of Counsel                      Travers Smith LLP

They called:

Mr Ivan Dunleavy                                      Chief Executive, Pinewood Shepperton PLC

Mr Stephen Norris                                      Managing Partner, Apollo Productions

Mr Iain Smith                                              Film Producer and Chair of British Film  
Commission

Mr Nicholas Smith                                      Commercial Director, Pinewood Shepperton PLC

Mr David Height MA, PG                              Associate Director, Arup Associates

Dip. Arch. RIBA

Mr Andrew Williams BA. Director, Define  
BSc. PG Dip. (Urban  
Design)

Mrs Bridget Rosewell BA Chairman, Volterra Consulting  
(Hons), M.Phil

Mr David Bird MSc. Director, Savell, Bird, Axon  
MICE CEng.

Mr John Rhodes BSc, Director, Quod Planning  
MRICS

### **FOR BUCKINGHAMSHIRE COUNTY COUNCIL**

Mr John Hobson QC No witnesses called

### **INTERESTED PERSONS**

Mr A Gears Local Resident  
Mr P Treadwell On behalf of CPRE Penn County District  
Mr John Rossetti Local resident

The Rt Hon Dominic Grieve MP MP for Beaconsfield

Cllr Alan Oxley Local resident, South Bucks and Iver Parish  
Councillor

Mrs Sharon Parsons Local resident  
Mr Fagin Local Resident



## 21. ANNEX E – CORE DOCUMENTS LIST

### CORE DOCUMENTS - as at 14/09/2011

Pinewood Studios Ltd. - Land adjacent to Pinewood Studios, Pinewood Road, Iver Heath; Denham Road/Seven Hills Road Junction and Five Points Roundabout  
Living and working community for the creative industries with associated highway improvements

~~09/00707/FUL~~, ~~09/00708/FUL~~, 09/00708/FUL and 09/00707/FUL

INSPECTORATE REFERENCE:

APP/N0410/A/10/2126663, APP/N0410/A/10/2126665 (withdrawn),  
APP/N0410/A/10/2126667 (withdrawn), APP/N0410/A/10/2152595,  
APP/N0410/A/10/2152591

#### Legislation - CDA/

- CDA/1 Climate Change Act (2008)
- CDA/2 The Traffic Management Act (2004)
- CDA/3 Town and Country Planning (Trees) Regulations 1999
- CDA/4 The Town and Country Planning (Trees) (Amendment)(England) Regulations 2008
- CDA/5 The Countryside and Rights of Way Act 2000
- CDA/6 The Hedgerows Regulations 1997
- CDA/7 Corporation Tax Act 2009

#### Government Planning Policy Documents - CDB/

- CDB/1 PPS1: Delivering Sustainable Development (2005)
- CDB/1A PPS1 Companion - By Design: Urban design and the Planning System towards better practice (DETR 2000)
- CDB/1B Planning and Climate Change Supplement to PPS1 (2007)
- CDB/2 PPG2: Green Belt (1995 amended 2001)
- CDB/3 PPS3: Housing (2010)
- CDB/4 PPS4: Planning for Sustainable Economic Growth (2009)
- CDB/5 PPS5 Planning for the Historic Environment (2010)
- CDB/6 PPS7: Sustainable Development in Rural Areas (2004)

CDB/7	PPS9: Biodiversity and Geological Conservation (2005)
CDB/8	PPS10: Planning for Sustainable Waste Management (2005)
CDB/9	PPS12: Local Spatial Planning (2008)
CDB/10	PPG13: Transport (2001)
CDB/11	PPG14: Development on Unstable Land (1990)
CDB/12	PPG16: Archaeology and Planning
CDB/13	PPG17: Planning for Open Space, Sport and Recreation (2002)
CDB/13A	Assessing Community Needs - Companion Guide to PPG17 (2002)
CDB/14	PPS22: Renewable Energy Development (2004)
CDB/14A	Planning for Renewable energy: A Companion Guide to PPS22 (2004)
CDB/15	PPS23: Planning and Pollution (2004)
CDB/16	PPG24: Planning and Noise (1994)
CDB/17	PPS25: Development and Flood Risk (2006)

#### Government Circulars - CDC/

CDC/1	Circular 01/06 Guidance on Changes to the Development Control System (June 2006)
CDC/2	Circular 5/05: Planning Obligations
CDC/3	Circular 11/95: Use of Conditions in Planning Permission

#### National Guidance Documents - CDD/

CDD/1	Code for Sustainable Homes - A step change in sustainable home building practice (2006) <a href="http://www.planningportal.gov.uk/uploads/code_for_sust_homes.pdf">http://www.planningportal.gov.uk/uploads/code_for_sust_homes.pdf</a>
CDD/2	Building for life (CABE/HBF 2008) <a href="http://www.buildingforlife.org/files/publications/bfl-criteria-guide.pdf">http://www.buildingforlife.org/files/publications/bfl-criteria-guide.pdf</a>
CDD/3	DEFRA Waste Strategy for England (2007) <a href="http://www.defra.gov.uk/environment/waste/strategy/strategy07/document">http://www.defra.gov.uk/environment/waste/strategy/strategy07/document</a>

[s/waste07-strategy.pdf](#)

- CDD/3A Waste Strategy Annual Progress Report 2008/09 (2009)  
<http://www.defra.gov.uk/environment/waste/strategy/documents/waste-strategy-report-08-09.pdf>
- CDD/4 Strategy for Sustainable Construction (2008)  
<http://www.bis.gov.uk/files/file46535.pdf>
- CDD/5 British Standard 5906:2005 Waste Management in Buildings (2005)
- CDD/6 CSH Technical Guide (2008)  
[http://www.chelmsford.gov.uk/media/pdf/7/1/code\\_for\\_sustainable\\_homes\\_techguide-web.pdf](http://www.chelmsford.gov.uk/media/pdf/7/1/code_for_sustainable_homes_techguide-web.pdf)  
2010 Guide:  
[http://www.planningportal.gov.uk/uploads/code\\_for\\_sustainable\\_homes\\_techguide.pdf](http://www.planningportal.gov.uk/uploads/code_for_sustainable_homes_techguide.pdf)
- CDD/7 BESTUFS Good Practice Guide on Urban Freight Transport (2007)  
[http://www.bestufs.net/download/BESTUFS\\_II/good\\_practice/English\\_BESTUFS\\_Guide.pdf](http://www.bestufs.net/download/BESTUFS_II/good_practice/English_BESTUFS_Guide.pdf)
- CDD/8 Building a Low-Carbon Economy - the UK's contribution to tackling climate change (2008)  
<http://www.theccc.org.uk/pdf/TSO-ClimateChange.pdf>
- CDD/9 Energy White Paper (2007)  
<http://www.berr.gov.uk/files/file39387.pdf>
- CDD/10 Building a Greener Future: Towards Zero Carbon Development (2006)  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/153125.pdf>
- CDD/11 Manual for Streets (2007)  
<http://www.dft.gov.uk/pgr/sustainable/manforstreets/>
- CDD/11A Manual for Streets 2 (2010)
- CDD/12 Good Practice Guidelines: Delivering Travel Plans through the Planning Process (2009)

- <http://www.dft.gov.uk/pgr/sustainable/travelplans/tpp/goodpracticeguidelines-main.pdf>
- CDD/13 A guide on how to set up and run travel plan networks (2006)  
<http://www.dft.gov.uk/pgr/sustainable/travelplans/work/deonhowtsetupandruntrav1779.pdf>
- CDD/14 Making Residential Travel Plans Work (2007)  
<http://www.ruralurbanplanning.co.uk/residentialtravelplans.pdf>
- CDD/15 The Essential Guide to Travel Planning (2008)  
<http://www.dft.gov.uk/pgr/sustainable/travelplans/work/essentialguide.pdf>
- CDD/15A DfT Building Sustainable Transport into New Developments: A Menu of Options for Growth Points and Eco-towns (2008)  
<http://www.dft.gov.uk/pgr/sustainable/sustainabletransportnewdevelopment/pdf/sustainabletransnew.pdf>
- CDD/16 TCPA Design to Delivery: Eco-Towns Transport Worksheet (2008)  
[http://www.tcpa.org.uk/data/files/etws\\_transport.pdf](http://www.tcpa.org.uk/data/files/etws_transport.pdf)
- CDD/17 Association of Police Officers Secured by Design  
<http://www.securedbydesign.com/professionals/brochures.aspx>
- CDD/18 Safer Places - The Planning System and Crime Prevention (2004)  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/147627.pdf>
- CDD/19 Environment Act 1995 Local Air Quality Management Policy Guidance PG09 (2009)  
<http://www.defra.gov.uk/environment/quality/air/airquality/local/guidance/documents/laqm-policy-guidance-part4.pdf>
- CDD/20 DCMS/BERR/CIUS Creative Britain: New Talents for the New Economy (2008)  
<http://webarchive.nationalarchives.gov.uk/+http://www.culture.gov.uk/images/publications/CEPFeb2008.pdf>
- CDD/21 Biodiversity: The UK Action Plan 1994  
[http://www.ukbap.org.uk/library/Plan\\_LO.pdf](http://www.ukbap.org.uk/library/Plan_LO.pdf)

- CDD/22 TPO Guide to Law and Good Practice - DETR March 2000 (including Addendum May 2009 and Model Form TPO)  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/tposguide.pdf>  
Addendum:  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/tposguideaddendum.pdf>  
Model form:  
<http://www.communities.gov.uk/publications/planningandbuilding/tposguideaddendum>
- CDD/23 British Standard BS 5837:2005 - "Trees in relation to construction - Recommendations"
- CDD/24 The Hedgerows Regulations 1997 - A Guide to the Law and Good Practice (Department of the Environment)  
[http://www.planning-inspectorate.gov.uk/pins/environment/hedgrow\\_appeal/index.htm](http://www.planning-inspectorate.gov.uk/pins/environment/hedgrow_appeal/index.htm)
- CDD/25 Guidance on Transport Assessment, March 2007 (Department for Transport)  
<http://www.dft.gov.uk/pgr/regional/transportassessments/guidanceonta>
- CDD/26 Smarter Choices - Changing the Way We Travel, July 2004 (Department for Transport, London)  
<http://www.dft.gov.uk/pgr/sustainable/smarterchoices/ctwwt/>
- CDD/27 DFT Road Statistics 2009: Traffic, Speed and Congestion, June 2010  
<http://www.dft.gov.uk/pgr/statistics/datatablespublications/roadtraffic/speedscongestion/roadstatstsc/roadstats09tsc>
- CDD/28 DFT Road Transport Forecasts 2009 : Results from the Department for Transport's National Transport Model  
<http://www.dft.gov.uk/pgr/economics/ntm/forecasts2009/>
- CDD/29 Circular 11/95 Use of Negative Conditions

## Local Planning Documents Guidance - CDE/

- CDE/1 Buckinghamshire Strategic Housing Market Assessment (SHMA 2008)  
[www.southbucks.gov.uk/.../bucks\\_strategic\\_housing\\_market\\_assessment\\_executive\\_summary\\_2008.pdf](http://www.southbucks.gov.uk/.../bucks_strategic_housing_market_assessment_executive_summary_2008.pdf)
- CDE/2 Buckinghamshire Employment Land Review (2006) (and update 2010)  
[http://www.southbucks.gov.uk/environment\\_planning/planning/local\\_development\\_framework/background\\_studies/buckinghamshire\\_employment\\_land\\_review\\_2006.aspx](http://www.southbucks.gov.uk/environment_planning/planning/local_development_framework/background_studies/buckinghamshire_employment_land_review_2006.aspx)  
(and update 2010)  
[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2010/e/employmentlandreview.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2010/e/employmentlandreview.pdf)
- CDE/3 Buckinghamshire Economic Development Strategy (2008 - 2016) (Refreshed 2009)  
[www.belp.co.uk/.../NEW%20Economic%20Development%20Strategy.pdf](http://www.belp.co.uk/.../NEW%20Economic%20Development%20Strategy.pdf)
- CDE/4 Buckinghamshire Minerals and Waste Local Plan 2004-2016 (2006) and Supplementary Guidance Note (2006)  
[Bucks Minerals and Waste Local Development Framework (2008) - not included as still out for consultation]  
[http://www.buckscc.gov.uk/assets/content/bcc/docs/strategic\\_planning/waste\\_mineral\\_plans/mw\\_adoption\\_draft.pdf](http://www.buckscc.gov.uk/assets/content/bcc/docs/strategic_planning/waste_mineral_plans/mw_adoption_draft.pdf)  
[http://www.buckscc.gov.uk/assets/content/bcc/docs/strategic\\_planning/waste\\_mineral\\_plans/mw\\_spg](http://www.buckscc.gov.uk/assets/content/bcc/docs/strategic_planning/waste_mineral_plans/mw_spg)  
Links to plans:  
[http://www.buckscc.gov.uk/bcc/waste\\_mineral\\_plans/local\\_plan\\_2004\\_16.page](http://www.buckscc.gov.uk/bcc/waste_mineral_plans/local_plan_2004_16.page)
- CDE/5 Buckinghamshire Joint Municipal Waste Management Strategy (2007)  
<http://www.bucksinfo.net/recycleforbuckinghamshire/assets/documents/waste-strategy-may-07>

- CDE/6 Buckinghamshire County Council Local Transport Plan 2006-2011  
[not including the "Consultation Report"]  
[http://www.buckscc.gov.uk/bcc/transport/local\\_transport\\_plan2.page](http://www.buckscc.gov.uk/bcc/transport/local_transport_plan2.page)
- CDE/7 Buckinghamshire Travel Plan Guidelines for Developers (2008)  
[http://www.buckscc.gov.uk/assets/content/bcc/docs/transport/travelchoice\\_guidelines\\_for\\_Developers.pdf](http://www.buckscc.gov.uk/assets/content/bcc/docs/transport/travelchoice_guidelines_for_Developers.pdf)
- CDE/8 Buckinghamshire Infrastructure Study (2008) [Phase 2 (2008) - SBDC]  
[http://www.buckscc.gov.uk/assets/content/bcc/docs/strategic\\_planning/Phase\\_2\\_Final\\_Report\\_16\\_May\\_08.pdf](http://www.buckscc.gov.uk/assets/content/bcc/docs/strategic_planning/Phase_2_Final_Report_16_May_08.pdf)
- CDE/9 Sustainable Community Strategy for South Bucks District 2009 - 2026 [Which replaced the South Bucks Local Strategic Partnership Community Plan 2006-2016 (2006)]  
[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2009/s/south\\_bucks\\_sustainable\\_community\\_strategy.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2009/s/south_bucks_sustainable_community_strategy.pdf)
- CDE/10 Buckinghamshire and Milton Keynes Biodiversity Action Plan 2000-2010  
<http://www.buckinghamshirepartnership.co.uk/assets/content/Partnerships/BMKBP/docs/Intro.pdf>
- CDE/10A Buckinghamshire and Milton Keynes Biodiversity Hedgerow Habitat Action Plan  
<http://www.buckinghamshirepartnership.co.uk/partnership/bmkbp/hedgerows.page>
- CDE/11 Colne Valley Regional Park Action Plan 2009-12  
[http://www.surreycc.gov.uk/legcom/councilp.nsf/f5fb086c73d64f3000256954004aed25/d966352298b7e9e980257545005b8436/\\$FILE/Item%2011%20-%20Colne%20Valley%20Regional%20Park%20-%20Annex%20A.pdf](http://www.surreycc.gov.uk/legcom/councilp.nsf/f5fb086c73d64f3000256954004aed25/d966352298b7e9e980257545005b8436/$FILE/Item%2011%20-%20Colne%20Valley%20Regional%20Park%20-%20Annex%20A.pdf)
- CDE/12 South Bucks District Council Corporate Plan 2010-2020  
[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2010/c/corporate\\_plan\\_2010\\_2020\\_internet.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2010/c/corporate_plan_2010_2020_internet.pdf)
- CDE/13 South Bucks Residential Design Guide SPD (2008) [including Regulation 18 Statement and Adoption Statement]  
[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2009/r/residen](http://www.southbucks.gov.uk/includes/documents/cm_docs/2009/r/residen)

[tial\\_design\\_guide\\_supplementary\\_planning\\_document.pdf](#)

[including Regulation 18 Statement and Adoption Statement]

[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2009/s/statement\\_prepared\\_pursuant\\_to\\_regulation\\_18\\_4\\_of\\_the\\_town\\_and\\_country\\_planning\\_local\\_development\\_england\\_regulations\\_2004.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2009/s/statement_prepared_pursuant_to_regulation_18_4_of_the_town_and_country_planning_local_development_england_regulations_2004.pdf)

CDE/14 South Bucks Strategic Housing Land Availability Assessment (Final Report October 2009)

[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2010/s/1\\_strategic\\_housing\\_land\\_availability\\_assessment\\_final\\_report\\_october\\_2009.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2010/s/1_strategic_housing_land_availability_assessment_final_report_october_2009.pdf)

CDE/14A South Bucks Development Economics Study (2007) and Update (2010)

[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2009/s/southbucks\\_development\\_economics\\_study\\_2007.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2009/s/southbucks_development_economics_study_2007.pdf)

and Update (2010)

[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2010/d/development\\_economics\\_study\\_three\\_dragons\\_updated\\_2010.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2010/d/development_economics_study_three_dragons_updated_2010.pdf)

CDE/15 **NOT USED - DUPLICATE OF CDE/2:** Bucks Employment Land Review (2006)

CDE/16 South Bucks District Council Open Space, Sport and Recreation Facilities Strategy (2008) [not including Maps and Volume 2 & 3 ]

[http://www.southbucks.gov.uk/leisure\\_culture/parks\\_and\\_open\\_spaces/open\\_space\\_sports\\_and\\_recreational\\_facilities\\_strategy.aspx](http://www.southbucks.gov.uk/leisure_culture/parks_and_open_spaces/open_space_sports_and_recreational_facilities_strategy.aspx)

CDE/17 Wycombe District Council Planning Contribution SPD (2007)

<http://www.wycombe.gov.uk/Core/DownloadDoc.aspx?documentID=834>

CDE/18 South Bucks Evaluation of Transport Impacts (2010)

[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2010/e/evaluationoftransportimpacts\\_une2010.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2010/e/evaluationoftransportimpacts_une2010.pdf)

CDE/19 South Bucks Strategic Flood Risk Assessment (2008) [Level 1 & Level 2]

Level 1 :

[http://www.southbucks.gov.uk/environment\\_planning/planning/local\\_development\\_framework/background\\_studies/strategic\\_flood\\_risk\\_assessment\\_2008.aspx](http://www.southbucks.gov.uk/environment_planning/planning/local_development_framework/background_studies/strategic_flood_risk_assessment_2008.aspx)



Level 2:

[www.southbucks.gov.uk/.../strategic\\_flood\\_risk\\_assessment\\_level\\_2\\_report.pdf](http://www.southbucks.gov.uk/.../strategic_flood_risk_assessment_level_2_report.pdf)

- CDE/20 South Bucks Landscape Character Assessment (2003)  
[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2009/s/south\\_bucks\\_landscape\\_character\\_assessment\\_2003.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2009/s/south_bucks_landscape_character_assessment_2003.pdf)
- CDE/21 Bucks County Council Guidance on Planning Obligations for Education Provision June 2010  
[http://www.buckscc.gov.uk/assets/content/bcc/docs/schools/Planning\\_Obligations\\_Policy\\_for\\_Education\\_Provision.pdf](http://www.buckscc.gov.uk/assets/content/bcc/docs/schools/Planning_Obligations_Policy_for_Education_Provision.pdf)
- CDE/22 South Bucks District Council Annual Monitoring Report 2009-10 (SBDC December 2010)  
[http://www.southbucks.gov.uk/environment\\_planning/planning/local\\_development\\_framework/annual\\_monitoring\\_report.aspx](http://www.southbucks.gov.uk/environment_planning/planning/local_development_framework/annual_monitoring_report.aspx)
- CDE/23 South Bucks District Council - Core Strategy 2011(Adopted February 2011)  
[http://www.southbucks.gov.uk/environment\\_planning/planning/local\\_development\\_framework/core\\_strategy\\_development\\_plan\\_document/default.aspx](http://www.southbucks.gov.uk/environment_planning/planning/local_development_framework/core_strategy_development_plan_document/default.aspx)
- CDE/24 Inspectors Report into the Core Strategy (2011)  
[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2011/f/finalinspectorsreportonsbdccorestrategy.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2011/f/finalinspectorsreportonsbdccorestrategy.pdf)
- CDE/25 South Bucks District Council Local Plan (Adopted March 1999 Consolidated September 2007 & February 2011)  
[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2011/a/adoptedlocalplanconsolidatedfeb2011.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2011/a/adoptedlocalplanconsolidatedfeb2011.pdf)
- CDE/26 Buckinghamshire County Council Local Transport Plan 3 (2011)  
[Consultation period December 2010 - February 2011]  
[http://www.transportforbucks.net/Uploads/Files/LTP3v19\\_Public\\_Consultation\\_Dec\\_2010.pdf](http://www.transportforbucks.net/Uploads/Files/LTP3v19_Public_Consultation_Dec_2010.pdf)

- CDE/27** South Bucks District Council Interim Interpretation Guidance on Residential Parking Standards  
[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2009/i/interim\\_guidance\\_on\\_residential\\_parking\\_standards.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2009/i/interim_guidance_on_residential_parking_standards.pdf)
- CDE/28** Buckinghamshire County Council Structure Plan 1991-2011 Saved Policies  
[http://www.buckscc.gov.uk/assets/content/bcc/docs/strategic\\_planning/CSP\\_Saved\\_Policies.pdf](http://www.buckscc.gov.uk/assets/content/bcc/docs/strategic_planning/CSP_Saved_Policies.pdf)
- CDE/29** South East Plan  
<http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/gose/planning/regionalPlanning/815640/?a=42496>
- CDE/30A** South Bucks District Council Accessibility and Infrastructure Study 2006 - main report.  
[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2009/a/accessibility\\_infrastructure\\_study.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2009/a/accessibility_infrastructure_study.pdf)
- CDE/30B** South Bucks District Council Accessibility and Infrastructure Study 2006 - appendices.  
[http://www.southbucks.gov.uk/environment\\_planning/planning/local\\_development\\_framework/background\\_studies/infrastructure\\_and\\_accessibility\\_study\\_2006.aspx](http://www.southbucks.gov.uk/environment_planning/planning/local_development_framework/background_studies/infrastructure_and_accessibility_study_2006.aspx)
- CDE/31** South Bucks District Council Settlement Hierarchy Study 2009  
[http://www.southbucks.gov.uk/includes/documents/cm\\_docs/2009/s/settlement\\_hierarchy\\_study\\_march\\_2009.pdf](http://www.southbucks.gov.uk/includes/documents/cm_docs/2009/s/settlement_hierarchy_study_march_2009.pdf)
- CDE/32** Background Paper on Changes to PPS3 and Revocation of the South East Plan, South Bucks District Council, July 2010
- CDE/33** South Bucks District Development Plan Proposals Map, Adopted 22 February 2011  
[http://www.southbucks.gov.uk/environment\\_planning/planning/local\\_development\\_framework/core\\_strategy\\_development\\_plan\\_document/default.aspx](http://www.southbucks.gov.uk/environment_planning/planning/local_development_framework/core_strategy_development_plan_document/default.aspx)
- CDE/34** Draft South East Plan Panel Report (extract), August 2007 - Chapters 1 & 2  
[www.gos.gov.uk/497648/docs/171301/Examination\\_in\\_Public\\_Panel2.pdf](http://www.gos.gov.uk/497648/docs/171301/Examination_in_Public_Panel2.pdf)

CDE/35 Draft South East Plan Panel Report (extract), August 2007 - Chapter 21 - Western Corridor and Blackwater Valley  
[www.gos.gov.uk/497648/docs/171301/Examination\\_in\\_Public\\_Panel2.pdf](http://www.gos.gov.uk/497648/docs/171301/Examination_in_Public_Panel2.pdf)

CDE/36 South Bucks District Council - Overall Affordable Housing Target - Background paper - July 2010

#### South Bucks District Council - Tree Preservation Orders (TPO) - CDF/

- CDF/1 South Bucks District Council Tree Preservation Order No 23, 2009 and any subsequent variation thereof
- CDF/2 South Bucks District Council Tree Preservation Order No 24, 2009
- CDF/3 Eton Rural District Council (No.2) Tree Preservation Order 1970
- CDF/4 Bucks County Council (Eton Rural District) Tree Preservation Order No. 03, 1950

#### Application Documents - CDG/

- CDG/1 Planning Application Forms, Certificates and Notices - 09/00706/OUT, 09/00707/FUL and 09/00708/FUL - 1.6.09  
(Copies on "Planning Submissions Documents - CDG/1" CD)
- Document 1: \_\_\_ Planning Statement (DTZ)
- Document 2: \_\_\_ 'Very Special Circumstances' for Development in the Green Belt (Pinewood Studios Ltd)
- Document 3: \_\_\_ Design and Access and Sustainability Statement (Arup)
- Document 4: \_\_\_ Carbon Footprint Study (Arup)
- Document 5: \_\_\_ Economic Impact Assessment (DTZ)
- Document 6: \_\_\_ Environmental Statement (Arup)
- Volume 2 - Main Report
- Volume 3 - Appendices (i)
- Volume 4 - Appendix 6.1 Transport Assessment

Volume 5 - Appendices (iii)

Appendix 5.1 - Landscape Baseline Figures

Appendix 11.1 - Extracts from Envirocheck Report

Document 7: \_\_\_ES Volume 1 - Non Technical Summary of the Environmental Statement (Arup)

Document 8: \_\_\_Living and Working with Filming: Architectural Typologies Study (Arup)

Document 9: \_\_\_Energy Statement (Arup)

Document 10: \_\_\_Infrastructure and Services Strategy (Arup)

Document 11: \_\_\_Stakeholder and Community Involvement Report (Engage Planning)

DOCUMENT 12

Outline Planning Application Plans for Approval (Arup)

[\(Copies on "Planning Submissions Documents-CDG/1" CD\)](#)

- P\_001 Planning Application Area (1:400 at A1)
- P\_002 Open Space, Landscape and Ecology
- P\_003 Land Use
- P\_004 Building Plot Heights and Locations
- P\_004 Building Specifications and Typology (supplement to P\_004)
- P\_005 Building Plot Densities
- P\_006 Access and Circulation

DOCUMENT 13

Outline Planning Application Plans for Information (Arup)

[\(Copies on "Planning Submissions Documents-CDG/1" CD\)](#)

- P\_011 Existing Site Plan
- P\_012 Constraints and Opportunities Plan
- P\_013 Development Zones Plan
- P\_014 Draft Illustrative Masterplan

DOCUMENT 14

Detailed Planning Application Transport and Landscaping Drawings for

Approval:

[\(Copies on the "Project Pinewood Core Documents-CDG 1-5 & CDG 8-10" CD\)](#)

**Five Points Roundabout**

- FP-7000 General Arrangement
- FP-7900 Traffic Signal Junction Intervisibility
- FP-7901 & FP-7902 Traffic Signal Sight Stopping Visibility
- FP-7903 Corner Visibility
- FP-7950 Swept Path Analysis
- FP-7951 Swept Path Analysis

**Seven Hills Road / A412 Denham Road Roundabout**

- SRA-7000 General Arrangement
- SRA-7900 Visibility
- SRA-7901 Visibility
- SRA-7950 Swept Path Analysis

**Landscape Drawings**

- PP-TR-701 Seven Hills Tree Removal
- PP-SP-701 Seven Hills Seeding Plan
- PP-LP-701 Seven Hills Planting Plan
- PP-TR-501 Five Points Tree Removal
- PP-SP-501 Five Points Seeding Plan
- PP-LP-501 Five Points Planting Plan

CDG/2 Decision notices re refusal of 09/00706/OUT, 09/00707/FUL and 09/00708/FUL dated 22.10.09

[\(Copies on the "Project Pinewood Core Documents-CDG 1-5 & CDG 8-10"](#)

[CD\)](#)

CDG/3 Appeals dated April 2010.

[\(Copies on the "Project Pinewood Core Documents-CDG 1-5 & CDG 8-10"](#)

[CD\)](#)

CDG/4 Planning Permission 04/00660/OUT

[\(Copies on the "Project Pinewood Core Documents-CDG 1-5 & CDG 8-10"](#)

[CD\)](#)

CDG/4A Committee report re 04/00660/OUT - 11.5.05

CDG/4B Pinewood Studios Master Plan February 2004 (Drawing Number: 94-000)

CDG/5 Planning Permission 10/00545/XFUL

[\(Copies on the "Project Pinewood Core Documents-CDG 1-5 & CDG 8-10"](#)

[CD\)](#)

CDG/6 SBD/615/82 Decision Notice

CDG/7 Section 106 Agreement 17.1.83

CDG/8 Form TCP4 08/01528/CM

[\(Copies on the "Project Pinewood Core Documents-CDG 1-5 & CDG 8-10"](#)

[CD\)](#)

CDG/9 Statement of Common Ground (December 2010)

[\(Copies on the "Project Pinewood Core Documents-CDG 1-5 & CDG 8-10"](#)

[CD\)](#)

CDG/10 Transport Statement of Common Ground (January 2011)

[\(Copies on the "Project Pinewood Core Documents-CDG 1-5 & CDG 8-10"](#)

[CD\)](#)

CDG/11 Highways application documents (February 2011): Seven Hills Road

[\(Copies on the "Project Pinewood Core Documents-CDG 11 & CDG 12" CD\)](#)

- Planning Application Form, notices and certificates, reference 11/00282/FUL
- Planning Supporting Statement (DTZ)
- Design and Access Statement (DTZ)

- Transport Statement (Arup)
- Landscape Statement (Arup)

Transport Drawings for Approval:

[\(Copies on the "Project Pinewood Core Documents-CDG 11 & CDG 12" CD\)](#)

- Drawing SHS-7920: Seven Hills Road/ A412 Denham Road Works Boundary
- Drawing SHS-7000: Seven Hills Road/ A412 Denham Road General Arrangement
- Drawing SHS-7001: Seven Hills Road/ A412 Denham Road General Arrangement
- Drawing SHS-7900: Seven Hills Road/ A412 Denham Road Junction Visibility
- Drawing SHS-7901: Seven Hills Road/ A412 Denham Road Junction Visibility (Cont.)
- Drawing SHS-7902: Seven Hills Road/ A412 Denham Road Junction Reprofilling/ Lowering
- Drawing SHS-7903: Seven Hills Road/ A412 Denham Road Indicative Highway Profile
- Drawing SHS-7950: Seven Hills Road/ A412 Denham Road Junction Swept Path Analysis
- Drawing SHS-7951: Seven Hills Road/ A412 Denham Road Junction Swept Path Analysis (Cont.)

Landscape Drawings for Approval:

[\(Copies on the "Project Pinewood Core Documents-CDG 11 & CDG 12" CD\)](#)

- 207042 PP TR 701 Seven Hills Tree Removal
- 207042 PP LP 701 Seven Hills Planting Plan
- 207042 PP LP 701 Seven Hills Seeding Plan

CDG/12 Highways application documents (February 2011): Five Points roundabout

[\(Copies on the "Project Pinewood Core Documents-CDG 11 & CDG 12" CD\)](#)

- Planning Application Form, certificates and notices, reference 11/00281/FUL;

- Planning Supporting Statement (DTZ)
- Design and Access Statement (DTZ)
- Transport Statement (Arup)
- Landscape Statement (Arup)
- Vissim Files

[\(Copy on the "Project Pinewood Core | Documents - CDG 11 & CDG 12" CD\)](#)

Drawings for Approval:

[\(Copies on the "Project Pinewood Core Documents-CDG 11 & CDG 12" CD\)](#)

- A068065-35-18-07 Site Location Plan
- A068065-35-18-03B Extent of Works Plan
- A068065-35-18-02A Preliminary Design

Landscaping Drawings for Approval:

[\(Copies on the "Project Pinewood Core Documents-CDG 11 & CDG 12" CD\)](#)

- 207042-00/PP-TR-501 Tree Removal Plan
- 207042-00/PP-LP-501 Planting Plan
- 207042-00/PP-SP-501 Seeding Plan

## CDG/13 Legal Agreements

27.5.98	re S/97/0108/00 - Pinewood and SBDC
2.6.98	re S/97/0108/00 - Pinewood and BCC
22.6.06	re 04/0066660/OUT - Pinewood and BCC
9.8.06	re 04/00660/OUT - Pinewood and BCC
21.6.07	re 07/00454/FUL - Pinewood and SBDC



- CDG/14 South Bucks District Council - Planning Committee report re 09/00706/OUT 21.10.09
- CDG/15 Consultation responses - Re 09/00706, 00707 and 00708/FUL
- CDG/16 Bundle of planning consents/committee reports re Leavesden.
- CDG/17 Statement of Common Ground and appellant's Statement of Case for the two appeals

#### Pinewood Documents - CDH/

- CDH/1 Global Entertainment and Media Outlook: 2009-13 (Price Waterhouse Coopers, 2009)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/2 Economic Impact of the UK Screen Industries (UKFC/Cambridge Econometrics, 2005)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/3 The Economic Impact of the UK Film Industry (Oxford Economics, 2007)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/4 Creative Industries Economic Estimates Statistical Bulletin (DCMS, October 2007)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/5 UK Film Council Statistical Yearbook 2007/08  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/6 **NOT USED** Gunn Report (2006)
- CDH/7 Comparative Analysis of the UK's Creative Industries (Frontier Economics, 2006)

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

CDH/8 Chapter 1: Staying Ahead: The Economic Performance of the UK's Creative Industries (DCMS, 2007)

[\(Replacement Copy on the "Project Pinewood Core Documents - CDH - DISC 2 - Pinewood Documents" CD\)](#)

CDH/8A Chapter 2: Staying Ahead: The Economic Performance of the UK's Creative Industries (DCMS, 2007)

[\(Replacement Copy on the "Project Pinewood Core Documents - CDH - DISC 2 - Pinewood Documents" CD\)](#)

CDH/9 Creative Britain: New Talents for the New Economy (DCMS/BERR/DIUS, 2008)

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

CDH/10 Valuing Culture in the South East (DEMOS, 2005)

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

CDH/11 The Regional Economic Strategy 2006 - 0216 (SEEDA)

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

CDH/12 Sustaining Success - Developing London's Economy (LDA, 2005)

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

CDH/13 A Comparison of the Production Costs of Feature Films Shot in Ten Locations Around the World (Olsberg | SPI for the UK Film Council, 2008)

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

CDH/14 The Decline and Fall of the European Film Industry: Sunk Costs, Market Size and Market Structure 1890-1927 (Gerben Bakker LSE, 2003)

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

- CDH/15 Leeds Initiative, City Growth, Leeds, <http://www.leedsinitiative.org>  
[\(Copied on the "Project Pinewood Core Documents - CDH - DISC 2 - Pinewood Documents" CD\)](#)
- CDH/16 A Practical Guide to Cluster Development: A report to the Department of Trade & Industry - (ECOTEC Research and Consulting Limited, 2003)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/17 Networks, Enterprises and Local Development: Competing and Co-operating in Local Production Systems (OECD, 1996)  
[\(Copied on the "Project Pinewood Core Documents - CDH -DISC 2 - Pinewood Documents" CD\)](#)
- CDH/18 An Assessment of Productivity Indicators for the Creative Industries (DCMS, 2007)  
[\(Copied on the "Project Pinewood Core Documents - CDH -DISC 2 - Pinewood Documents" CD\)](#)
- CDH/19 Creative and Cultural Industries - An Economic Impact Study for South East England (David Powell Associates Ltd for South East England Cultural Consortium and SEEDA, 2002)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/20 **NOT USED** - The People Factor: Media clusters and supply chains in the South East
- CDH/21 The Mayor's Climate Change Action Plan (GLA 2007)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/22 Creative Industries Mapping Document (1998)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/23 Creative Industries Mapping Document (DCMS 2001) - Extract Section 5  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

- CDH/23A Creative Industries Mapping Document (DCMS 2001) - Foreword and Background.  
[CDH\CDH 23 A- Part 1 - Foreword and Background..pdf](#)
- CDH/24 Clusters and the New Economics of Competition (Porter 1998)  
[\(Copied on the "Project Pinewood Core Documents - CDH -DISC 2 - Pinewood Documents" CD\)](#)
- CDH/25 London's Creative Sector: 2007 Update (GLA Economics)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/26 Market Development Potential of the Creative Industries in London (LDA/Robert Huggins - 2003)  
[\(Copied on the "Project Pinewood Core Documents - CDH -DISC 2 - Pinewood Documents" CD\)](#)
- CDH/27 Creative London Strategy (LDA 2004)  
[\(Copied on the "Project Pinewood Core Documents - CDH -DISC 2 - Pinewood Documents" CD\)](#)
- CDH/28 Survey and Analysis of Creative Industries in South London (South London Business, 2005)  
[\(Copied on the "Project Pinewood Core Documents - CDH -DISC 2 - Pinewood Documents" CD\)](#)
- CDH/29 **DUPLICATE DOCUMENT - SEE DOCUMENT CDH/4**  
Creative Industries Economic Estimates Statistical Bulletin (DCMS, 2007)
- CDH/30 **NOT USED** Evidence Base Publication (CEP 2007)
- CDH/31 Stately Attraction: How Film and Television Programmes Promote Tourism in the UK (Olsberg | SPI, 2007)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/32 Creative Industries Research (DTZ, 2008)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

- CDH/33 The Economy of Culture in Europe (European Commission, 2006)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/34 **NOT USED** Creative Economy Programme (DCMS)
- CDH/35 Creative and Cultural Industries: An Economic Impact Study for South East England(SEEDA)  
[\(Copied on the "Project Pinewood Core Documents - CDH -DISC 2 - Pinewood Documents" CD\)](#)
- CDH/36 **NOT USED** Living Places Strategy (Arts Council England et al)
- CDH/37 **NOT USED** London Innovation Strategy (LDA)
- CDH/38 Creating Growth: A Blueprint for the Creative Industries (CBI, July 2010)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/39 Digital Britain (BIS, June 2009)
- CDH/40 The Economic Impact of the UK Film Industry (Oxford Economics / UK Film Council - 2010)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/41 Creative Industries Technology Strategy 2009 - 2012 (Technology Strategy Board 2009)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/42 Creative Clusters and innovation (NESTA, November 2010)  
[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)
- CDH/43 A Clear Vision for the South East - The South East Plan Core Document (SERA, March 2006) (Only in Parts)  
[\(Copied on the "Project Pinewood Core Documents - CDH -DISC 2 - Pinewood Documents" CD\)](#)
- CDH/44 Local Growth: Realising Every Place's Potential (HM Government) (November

2010)

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

CDH/45 The Coalition: Our Programme for Government (HM Government) (May 2010)

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

CDH/46 Green Screen: Helping London's Film and TV industry take action on climate change (GLA 2009)

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

CDH/47 The Knowledge on the Lot: 2010

[\(Copied on the "Project Pinewood Core Documents - CDH -DISC 2 - Pinewood Documents" CD\)](#)

CDH/48 South Bucks District Council Committee Report 7<sup>th</sup> May 2009 Application Reference 08/00091/OUT

[\(Copied on the "Project Pinewood Core Documents - CDH - Pinewood Documents" CD\)](#)

CDH/49 A Creative Recovery: How the UK's creative industries can regain their competitive edge (Reform, September 2010)

CDH/50 The Plan for Growth (HM Treasury, March 2011)

[http://cdn.hm-treasury.gov.uk/2011budget\\_growth.pdf](http://cdn.hm-treasury.gov.uk/2011budget_growth.pdf)

CDH/51 Planning for Growth, Speech of Greg Clark, Minister of State (Decentralisation), Communities and Local Government), 24 March 2011

<http://www.theyworkforyou.com/wms/?id=2011-03-24a.68WS.1>

CDH/52 George Osborne's Budget Speech, 23 March 2011

<http://www.direct.gov.uk/en/NI1/Newsroom/Budget/Budget2011/index.htm>

CDH/53 2011 Budget Report (HM Treasury, March 2011)

[http://www.hm-treasury.gov.uk/2011budget\\_documents.htm](http://www.hm-treasury.gov.uk/2011budget_documents.htm)

CDH/54 Planning and the Budget (Department for Communities and Local Government, March 2011)

[www.communities.gov.uk/documents/newsroom/word/1871051.doc](http://www.communities.gov.uk/documents/newsroom/word/1871051.doc)

CDH/55 Planning For Growth (Chief Planning Officer Letter dated 31 March 2011)

<http://www.communities.gov.uk/newsstories/planningandbuilding/1872022>

CDH/56 Planning permission SBD/8203/05 and agreements re Extraction of sand at Park Lodge Quarry.

CDH/56/A BCC Planning Permission SBD/8202/07

CDH/56/B Associated plans for extraction at Park Lodge Quarry

**22. ANNEX F – INQUIRY DOCUMENTS LIST**

## Pinewood Inquiry Documents List 14/09/2011

ID no	Title	Date Submitted	Submitted by
1	Letter of Inquiry Notification	5/4/2011	SBDC
2	Project Pinewood Opening	5/4/2011	Pinewood Plc
3	Stop Project Pinewood Opening	5/4/2011	Stop Project Pinewood
4	SBDC Opening	5/4/2011	SBDC
5	Extract of EA Plan ES6 Vol 2	5/4/2011	SBDC
6	SK frontages under Masterplan	7/4/2011	SBDC
7	Draft Section 106 (1)	7/4/2011	Pinewood
7a	Draft Section 106 (2)	20/4/2011	Pinewood
7b	Draft section 106 (3)	27/4/2011	SBDC
7C	Letter from Travers Smith dated 23/6/11, listing the conditions and S106 documents submitted on 24/6/11	23/6/2011	Pinewood
7D	S106 Agreement	23/6/2011	Pinewood
7E	S106 Agreement	23/6/2011	Pinewood
7F	S106 Unilateral Undertaking	23/6/2011	Pinewood
7G-7I	Letters of Agreement – Appendices 1-3 of ID7D	23/6/2011	Pinewood
7J	Planning Obligations justification	23/6/2011	Pinewood
8	Draft conditions (1)	30/3/2011	Pinewood
8a	Draft conditions (2)	20/4/2011	Pinewood
8b	Draft conditions (3)	27/4/2011	Inspectors
8C	Draft Conditions (4)	27/4/2011	SBDC
8D	Draft conditions (5)	04/5/2011	Pinewood
8E	Final conditions	12/5/2011	Pinewood/SBDC
8F	Final Conditions	23/6/2011	Pinewood/SBDC
8G-8H	Plans 202742 Drawing nos 01 & 02 referred to in conditions 7, 13 and 44	23/6/2011	Pinewood/SBDC
8I	Junctions conditions list	14/9/11	Pinewood/SBDC
9	Mr Gears-Interview subject analysis	8/4/2011	Mr Gears
10	Masterplan demolition area dimensions	12/4/2011	SBDC/SK



11	Speaking Notes-Ivan Dunleavy	12/4/2011	Pinewood
12	Showreel	12/4/2011	Pinewood
13	Statement about Peel Holdings	12/4/2011	Pinewood
14	Letter From Peel Group	12/4/2011	Pinewood
15	Masterplan floorspace schedule (superseded by ID24)	12/4/2011	Pinewood
16	Masterplan overlay	12/4/2011	Pinewood
17	Pinewood Group response to HOL Committee inquiry	14/4/2011	Mr Gears
18	Photos (Pinewood Green) Traffic/Parking Issues	14/4/2011	Mr Smith
19	Masterplan overlay of locations (Paris, New York etc)	15/4/2011	Pinewood
19A	Streetscapes Site plan (A1)	15/4/2011	Mr Height
19B	Masterplans (A1)	15/4/2011	Mr Height
20	Example streetscapes over masterplan	15/4/2011	SBDC/SK
20A	Length of Frontages	15/4/2011	SBDC/SK
21	Response to Inspector's ES Question	15/4/2011	ARUP
22	Hedgerow Site Lines Plan	18/4/2011	SBDC/FS
23	Note to inspector re wages	18/4/2011	SBDC/SK
24	Agreed note on committed floorspace (Superseeds ID 15)	18/4/2011	SBDC/Pinewood
25	Revised tree schedule	19/4/2011	SBDC/FS
26	D Wight response to filming times	19/4/2011	Pinewood
27	Agreed plan of viewpoints	19/4/2011	SBDC/Pinewood/S PP
28	Bridget Rosewell EIC	20/4/2011	Bridget Rosewell
29	Net Present Values	20/4/2011	Pinewood/Bridget Rosewell
30	Approach Update	20/4/2011	Pinewood
31	Not USED		
32	Statement from BCC on transport Issues	20/4/2011	Jim Stevens/BCC
A	S106 Agreement Draft	21/4/2011	Jim Stevens/BCC
B	Position Statement D Bird	21/4/2011	Jim Stevens/BCC
33	Plan showing Improvements to Ped/Cyclists routes	21/4/2011	Pinewood/BCC
34	Traffic Assessment-	21/4/2011	Pinewood/BCC

	Agreed sensitivity test		
35	Seven Hills Road Signalisation	21/4/2011	Pinewood/Mr Bird
36	Statistical Yearbook	21/4/2011	Pinewood
37	Strategic Housing Market Assessment Exec Sum	21/4/2011	Pinewood
38	UK Film Council Article	21/4/2011	Pinewood
39	Note on CIL	27/4/2011	Pinewood
40	Letter from Pinewood on SMEs	27/4/2011	Pinewood
41	Analysis of masterplan to show streetscape functions	27/4/2011	Pinewood
41a	Note on ID41	28/4/2011	Pinewood
42	Maximum and minimum parameters/no of dwellings	27/4/2011	Pinewood
43	SBDC Pre App Letter-Denham Labs	27/4/2011	Pinewood
44	Response to Mr Hoare's Diagram	27/4/2011	Pinewood
45	Site potential for part of Project <i>Pinewood</i>	27/4/2011	Pinewood
45a	Photographs of Studios site	27/4/2011	Pinewood
46	Core strategy Plan Document-Legal challenge update	26/4/2011	SBDC
47	Note from Inspector regarding matters arising from BCC and Pinewood Statements	27/4/2011	Inspector
48	Extract journal re skillset	27/4/2011	SBDC
49	Not Used		
50	Appeal land at Harry Stoke, Stoke Gifford	28/4/2011	Pinewood
51	Note on appellants submission ID45	28/4/2011	SBDC
52	Note re Opportunity Site	03/5/2011	SBDC
53	Tom Armour-notes on school/hedges	06/05/2011	Pinewood
54	Pinewood June 2008 Filming	06/05/2011	Pinewood
55	Response to ID 51	06/05/2011	Pinewood
56	Date of instruction of Bridget Rosewell	06/05/2011	Pinewood
57	D Height note on quantum of streetscape frontages	06/05/2011	Pinewood
58	Note in response to ID48		Pinewood
59	Note on tree loss at	09/05/2011	Pinewood

	Sevenhills Road		
59a	Plan of Tree loss on main site	09/05/2011	Pinewood
59b	Replacement plan	11/05/2011	Pinewood
60	Response note from SBDC reg Streetscapes	11/05/2011	Pinewood
61	D Height response to ID60	11/05/2011	Pinewood
62	Banners Rest	12/05/2011	SBDC/Pinewood
63	Stop project Pinewood, Rule 6 party Closing Submissions	12/05/2011	SPP
64	South Bucks Closing Submissions	12/05/2011	SBDC
65	Pinewood Closing Submission	12/05/2011	Pinewood
66a	Pre-inquiry meeting notes	19/10/2010	Inspector
66b	Main issues for consideration at the Inquiry	31/3/2011	Inspector
67	Letter withdrawing earlier junctions appeals	18/5/2011	Pinewood
67a, b and c	Letters from Planning Inspectorate to main parties regarding Inquiry dealing with junction appeals	25/5/2011	PINS
68	Inquiry Programme		
69	Plan showing Pinewood land ownership	14/9/2011	SBDC
70	Mr Bird's closing submissions – junctions appeals	14/9/2011	SBDC
71	Mr Banner's closing submission – junctions appeals	14/9/2011	Pinewood
72	SBDC response to draft NPPF	10/8/11	SBDC
73	SPP response to draft NPPF	15/8/11	SPP
74	PSL response to draft NPPF	12/8/11	Pinewood

**23. ANNEX G - PROOFS OF EVIDENCE AND APPENDICES – Appeal A****LIST OF APPELLANT’S PROOFS AND REBUTTALS**

Mr Ivan Dunleavy	Proof of evidence Appendices Rebuttal Proof Appendices	Chief Executive Pinewood Shepperton plc	PSL/ID/1.1 PSL/ID/1.2 PSL/ID/2.1 PSL/ID/2.2
Mr Nicholas Smith	Proof of evidence	Commercial Director Pinewood	PSL/NS/1.1
Mr Iain Smith	Proof of evidence	Film producer/chairman of Film Skills Council	PSL/IS/1.1
Mr Stephen Norris	Proof of evidence	Film/TV producer	PSL/SN/1.1
Mr John Rhodes	Proof of evidence Appendices	Planning - Quod	PSL/JR/1.1 PSL/JR/1.2
Mr Andrew Williams	Proof of evidence Appendices Rebuttal Proof Appendices Summary Response to rebuttal of Frank Spooner Presentation of Evidence in Chief Photos of hedges within development	Urban Design, Landscape, Green Belt – Capita Lovejoy/ Define	PSL/AW/1.1 PSL/AW/1.2 PSL/AW/2.1 PSL/AW/2.2 PSL/AW/2.3 PSL/AW/3.1  PSL/AW/4.1  PSL/AW/4.2 PSL/AW/5.1 PSL/AW/5.2
Mrs Bridget Rosewell	Proof of evidence Appendices Rebuttal Proof Further information on Economic Impact	Economics - Volterra	PSL/BR/1.1 PSL/BR/1.2 PSL/BR/2.1 PSL/BR/4.1
Mr David Bird	Proof of evidence Appendices Rebuttal Proof Appendices Response to rebuttal of John Macaulay Response to Inspector's queries	Transport – Savell Bird & Axon	PSL/DB/1.1 PSL/DB/1.2 PSL/DB/2.1 PSL/DB/2.2 PSL/DB/3.1  PSL/DB/3.2 PSL/DB/4.1 PSL/DB/4.2 PSL/DB/4.3
Mr David Height	Proof of evidence	Architect, Arup	PSL/DH/1.1

**SOUTH BUCKS DISTRICT COUNCIL - DOCUMENT LIST**

DOC.NO.	DATE SUBMITTED	DOCUMENT
SBDC 1	December 2010	Statement of Case - SBDC
SBDC 1A	December 2010	BCC Transportation Statement of Case
SBDC 2A	1.3.11	Proof of Evidence - Stephen Kyle
SBDC 2B	1.3.11	Appendices to Proof of Evidence – Stephen Kyle
SBDC 2C	22.3.11	Rebuttal – Stephen Kyle
SBDC 2D	17.8.11	Letter from SBDC dated 10 August, confirming that the Council does not object to either application
SBDC 3A	1.3.11	Proof of Evidence - John Macaulay
SBDC 3B	1.3.11	Appendices to Proof of Evidence – John Macaulay
SBDC 3C	22.3.11	Rebuttal – John Macaulay
SBDC 3D	4.4.11	John Macaulay – Summary of Traffic Forecast differences
SBDC 4A	1.3.11	Proof of Evidence - Frank Spooner
SBDC 4B	1.3.11	Appendices to Proof of Evidence – Frank Spooner
SBDC 4C	22.3.11	Rebuttal – Frank Spooner
SBDC 4D	4.4.11	Response to Tim Moya Associates' statement in A William's Rebuttal – Frank Spooner
SBDC 5	22.3.11	Time Estimates and Witness Details
SBDC 6	22.3.11	List of appearances

**SPP DOCUMENTS LIST**

SPP1	Mrs Lowe's proof of evidence
SPP2	Mrs Lowe's summary proof of evidence

SPP3	Mrs Lowe's Appendices
SPP4	Mr Lowe's proof of evidence
SPP5	Mr Graham's proof of evidence
SPP6	Mrs Vahey's proof of evidence
SPP7	Letter on behalf of SPP with regard to junctions appeals

### **Third Party Written Statements**

TP1	Mr Rossetti's written statement
TP2 & 2a	Cllr Oxley's written statement
TP3	The Rt Hon Dominic Grieve QC MP written statement
TP4	Mrs Parsons' written statement
TP5-TP20	Mr Gears' written statement and attachments
TP21	Mr Treadwell's written statement

## 24. ANNEX H - GLOSSARY OF ABBREVIATIONS

BCC	Bucks County Council
CD	Core Documents
CS	South Bucks District Core Strategy
DPH	Dwellings per hectare
ES	Environmental Statement
GDP	Gross domestic product
GEA	Gross external area
GHG	Greenhouse gas emissions
ID	Inquiry Documents
LP	South Bucks District Local Plan
NEETS	Not in employment, education or training
NFTS	National Film and Television School
NPV	Net present value
PSL	Pinewood Studios Ltd
RSS	Regional Spatial Strategy for the South East of England
SBDC	South Bucks District Council
SEEDA	South East England Development Agency
SME	Small and medium enterprise
SoCG	Statement of Common Ground
SPP	Stop Project <i>Pinewood</i>
TCPA	Town and Country Planning Act 1990
TPO	Tree Protection Order
WCBV	Western Corridor and Blackwater Valley

## **RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT**

**These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).**

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

### **SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS;**

The decision may be challenged by making an application to the High Court under Section 288 of the Town and Country Planning Act 1990 (the TCP Act).

#### **Challenges under Section 288 of the TCP Act**

Decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged under this section. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application under this section must be made within six weeks from the date of the decision.

### **SECTION 2: AWARDS OF COSTS**

There is no statutory provision for challenging the decision on an application for an award of costs. The procedure is to make an application for Judicial Review.

### **SECTION 3: INSPECTION OF DOCUMENTS**

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the report of the Inspector's report of the inquiry or hearing within 6 weeks of the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.







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## Appeal Decision

Inquiry Held from 26 October – 5 November 2021

Site visit made on 2 November 2021

**by Stephen Wilkinson BA BPI DIP LA MBA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 31 January 2022**

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**Appeal Ref: APP/G2245/W/21/3273188**

**Former Broke Hill Golf Course, Sevenoaks Road, Sevenoaks, TN14 7HR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Quinn Estates Ltd against the decision of Sevenoaks District Council.
  - The application Ref 19/02616 OUT, dated 11 September 2019, was refused by notice dated 29 January 2021.
  - The development proposed is residential development of up to 800 dwellings, including affordable housing units and self build plots, retirement care community for up to 180 C2 units, primary school hub with associated sports facilities/outdoor space, sports hub including rugby and hockey pitches with separate car park and club house areas, 2ha of commercial B1 use, local centre including commercial, retail and community facilities and undercroft car parking for Knockholt station, country park/open space including landscaping, infrastructure and ground works with all matters reserved except for access.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The application is submitted in outline with all matters reserved apart from access. I accepted as part of the appeal a series of indicative plans which cover matters such as the extent of open space, the location and use of development platforms, their indicative height and densities. These are consistent with the submitted Design and Access statement. The matters addressed in these plans are not prejudicial to any future determination of reserved matters.
3. The Inquiry was managed as a blended event with the majority of evidence being heard via internet link with a single day to hear representations from interested parties in person.
4. After the Inquiry I received completed Statements of Common Ground dealing with the substantive issues involved in this appeal. I also received a draft Section 106 (S106) agreement during the Inquiry. Following discussion during the Inquiry, I received completed bi and tri lateral Agreements, dated 23 November 2021. These two agreements were submitted to account for differences in funding between the County and District Council involving CIL<sup>1</sup>. I refer to these agreements later in this decision.

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<sup>1</sup> Community Infrastructure Levy

5. During the Inquiry, in consultation with the parties, I deleted a main issue which had been agreed during the Case Management Conference in August relating to the provision of affordable housing as there was agreement between the parties on this matter.
6. In addition to the main parties, there were 2 Rule 6 (R6) parties. Whilst one of these, the Halstead Parish Council and Green Belt Futures Group made representations throughout the Inquiry, the other, Tarmac Trading Limited, was not actively involved in the proceedings following completion of Statements of Common Ground with the Council and appellant.
7. During the Inquiry I was referred by the Council to an email from a local bus operator regarding the difficulties in setting up new bus services. I did not accept this because this raised new evidence and could have been prejudicial to the appellant's case.
8. Given the size of the proposed development the appeal was accompanied by an Environmental Statement as required by Regulation 5(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **Main Issues**

9. The appeal raises the following main issues:
  - the effect of the proposal on the Green Belt, including any effects on openness and the purposes of including land within the Green Belt;
  - the effect of the proposal on the character and appearance of the area;
  - the effect of the proposal on transport networks and the extent to which it would support the objective of promoting sustainable transport;
  - the nature and extent of any economic, social and environmental benefits which would result from the proposal; and
  - whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations such as to provide the very special circumstances required to justify development in the Green Belt.

### **Policy background**

10. The Council's Local Plan includes its Core Strategy (2008) and its Allocations and Development Management Plan (ADMP) 2015. Policies L01 and L08 of its Core Strategy which relate to Settlement Strategy and Green Belt respectively are the only policies identified in its reason for refusal. Together they seek to direct new development to existing settlements and protect the countryside and the Green Belt. I regard these as the most important policies for this decision.

11. The Council's Regulation 19 draft Local plan was withdrawn in 2020 following comments by the Examining Inspector<sup>2</sup> (EI). Work is currently underway on a new draft plan, although at the time of writing a new Local Development Scheme has not been agreed by the Council. Many of the background papers used in the preparation of the withdrawn plan were referred to by each main party during the Inquiry.
12. Given the withdrawal of the Plan I do not accord its draft policies weight.

## **Reasons**

### ***The effect of the proposals on the Green Belt***

13. It is not disputed by the parties that the site is inappropriate development within the Green Belt as defined by the National Planning Policy Framework (the Framework).
14. The major part of the appeal site was occupied by the former Broke Hill golf course which closed in 2012. Apart from an area of previously developed land located around the site of the former club house, since demolished, and a parking area, the whole site is open land. The alignment of fairways marked by incidental bands of deciduous and evergreen trees are still discernible. At the northwest of the site is a belt of Ancient Woodland (0.6ha) and open fields are located along Stonehouse Lane.
15. Although submitted in outline the DAS<sup>3</sup> identifies a series of parameters for the proposed scheme with suggested heights of up to 22m for the commercial centre, 15m for the C2 retirement complex and 12.5m for the sports hub located along Stonehouse Road. Each of the residential development platforms would have heights of between 10-13m height and the employment site on London Road would have a height of 9m. The appeal scheme would have a density at around 35-50dha<sup>4</sup>.
16. It is estimated that around 47% of the total site area would be fully developed with the remainder laid out as public open space including a Green Grid of spaces and a Green Belt Park.

### ***Impact on Openness***

17. Although there is no definition of 'openness' within the Framework, the Guidance<sup>5</sup>, refers to assessments of openness as being informed through consideration of spatial and volumetric aspects, the duration of the development and the degree of activity likely to be generated. Whilst only a suggested framework for consideration it is useful to inform consideration of issues involved in this appeal.
18. The scale of development proposed in terms of both its spatial and visual impacts would be significant on the site and by extension the surrounding Green Belt when compared to the extent of previous development which comprised a single club house with parking area.

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<sup>2</sup> CD E19

<sup>3</sup> Design and Access statement

<sup>4</sup> Dwellings per hectare

<sup>5</sup> Planning Practice Guidance 001 reference ID:64-001-020190722

19. The immediate geography of the site is determined by its proximity to 3 settlements, Pratts Bottom, Halstead and Badgers Mount. These are located outside the Green Belt. However, Pratts Bottom to the west partially coalesces with Chelsfield around the junction of the A21, Sevenoaks Road and Chelsfield Hill. Chelsfield is a suburban extension to Orpington which itself forms part of the London conurbation.
20. A Green Belt study<sup>6</sup> prepared for the withdrawn local plan identifies that the appeal site forms part of Parcel 76. This scores the parcel against the 5 purposes of the Green Belt included in Paragraph 138 of the Framework. The study concludes that the overall score for the parcel in Green Belt terms is 'strong'. The study recognises that the parcel checks the unrestricted sprawl of large built up areas (Paragraph 138a) and scores 3, 4 and 5 respectively for criteria 138b)-d) on a scale of 0-5 with 5 being the greatest impact.
21. The appellant's study submitted with the application<sup>7</sup> focusses on the Green Belt function of the site using a different nomenclature and concludes that the site makes a 'contribution' to each of the criteria included in Paragraph 138 a-c).
22. For the appellant, the identification of the 3 surrounding settlements as 'towns' by the Arup study, despite them being described by the Council as 'villages', is evidence that the study cannot be relied on and is particularly suspect in respect of its conclusions regarding Paragraph 138b).
23. The appellant points to the letter of the EI which, amongst other matters, seeks further evidence on the Green Belt assessment, its methodology and the range and sizes of the parcels. However, in the absence of evidence to the contrary, I treat this as a request for further evidence which should not be used to completely undermine the study's findings.
24. Parcel 76, included in the Arup study, is one of several, identified by the assessment, which lie on the north or north west edge of the district, closest to Greater London. The appeal site lies towards the western edge of the parcel. Given this context the Arup study provides a sound assessment of the role of the Green Belt in this location.
25. In my view, the critical point is not that appeal site area makes up around 8.9% of the whole parcel area (the built up proportion of the scheme being only 4%) but the geography of the site in relation to Pratts Bottom and Greater London to its north west. Chelsfield Lakes Golf Club which forms part of the Green Belt lying north of the A21 does not extend sufficiently west to break the extent of development in this area as the appellant states<sup>8</sup>.
26. The eastern edge of the appeal site would extend to the existing strip of housing along Cadlocks Hill. The site would have a separation distance of around 410m to Halstead to the south.
27. Although amendments to the appeal scheme have involved reducing the extent of the development platforms on the west side of the site to broaden the gap to around 300m between the housing parcels and Pratts Bottom, this separation distance is not significant given the scale of the proposed scheme and does not

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<sup>6</sup> Arup Green Belt study 2019

<sup>7</sup> CD B.27 Green Belt Assessment for Stonehouse Park Wood 2019

<sup>8</sup> CD B27

- adequately account for the intensively developed sports hub located on the site's western edge which would abut the existing settlement.
28. The sports hub would comprise 2no. 2 storey club houses (of up to 12.5m height) each served by 100 parking spaces with both natural and artificial floodlit pitches. Whilst Paragraph 149b) of the Framework identifies sports facilities as not inappropriate development within the Green Belt, the extent of the proposed sports hub is significant and would, in my opinion, if considered as a standalone development, fall outside the provisions of Paragraph 149b).
  29. The sports hub would have a highly urbanised character extending the whole scheme to Pratts Bottom. The result would be that the whole development represents a finger of development from London into the heart of this part of the Green Belt. It represents inappropriate development which would not preserve openness. It is a form of development which Green Belts were established to prevent.
  30. Whilst Inquiry time was spent in debating the use of the words 'town', 'village' or 'hamlet' with reference to the Arup report as a means of coming to an understanding of Paragraph 138b), a holistic view of the proposed scheme is that its overriding impact would be to morph the settlement pattern to the detriment of openness. In my opinion this is something which the Framework's Green Belt policies seek to resist.
  31. Although a large part of the site was a golf course it still retains the essential character of its former use as fields, apart from the site of the clubhouse and car park. The site retains perimeter hedgerows and tree belts within the site. This is in contrast to the scale and massing of development proposed which represents significant encroachment into the countryside.
  32. Whilst the appellant places weight on the conclusions of the Green Belt report, even this recognises 'that a combination of factors including the former use, the extent of urbanising influences along London Road and existing sprawl along Stonehouse Lane, London Road and Caldocks Hill would detract from the rural nature of the site'<sup>9</sup>. These concerns would be exacerbated by the scale of the appeal scheme in leading to further reductions in openness.
  33. I do not agree with the appellant's<sup>10</sup> description on the extent of the scheme's impact on the physical openness of the Green Belt as 'moderate to limited'. The appeal scheme would result in definitional harm to the Green Belt and by reason of its inappropriateness to other harms through the activities which would arise on the site. There would be substantial harm.
  34. For the above reasons, I conclude on this main issue that the appeal scheme would be in conflict with Policy L01 which seeks to direct new development to existing settlements and Policy L08 which seeks to preserve the extent of the Green Belt. Furthermore, the nature of the proposal is in conflict with Paragraph 137 of the Framework which identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Of the 5 purposes included in Paragraph 138, the scheme would undermine a) and c) which seek to restrict the sprawl of large built up areas and assist in safeguarding of the countryside from encroachment.

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<sup>9</sup> CD B.27 Section 4.4

<sup>10</sup> Evidence of Mr Burley-paragraph 5.34

## **Character and appearance of the area**

### *Landscape*

35. The appeal site is located just beyond the western edge of the North Downs National Character Area (NCA 119) and is within the setting of the Kent Downs AONB. The site itself lies within the Halstead Wooded Down (LCA) and the County Character Area, Knockholt Downs. It is not within a protected landscape.
36. The site occupies a broad plateau of land which rises steeply by around 35m from London Road on its northern edge. There is a gentle downward slope southwards towards Halstead. The site is almost entirely occupied by the former golf course, apart from the agricultural land and land on the escarpment. Within the site there are areas of hardstanding, the site of the demolished club house and car park.
37. Within the wider landscape, the settlement pattern is low density and reflects an organic form of development. Halstead is a long established settlement.
38. Despite the site's previous use it still retains important features reflecting the national and local assessments, cited above, including a well wooded dip slope at its northern edge which includes a belt of ancient woodland, hedgerows interspersed with mature trees and on its western edge, agricultural land.
39. I accept that the appellants use of a ZTV<sup>11</sup>, that is the distance over which the scheme would be seen, of around 2kms, is appropriate given the constraints placed on longer views resulting from both local topography and the location of tree belts. The limited intervisibility which the site currently has with its surroundings would be significantly altered by the scale of the appeal scheme.
40. Both parties broadly acknowledge that the construction phase would have the greatest landscape impact but they differ on the extent to which these would diminish overtime as the effects of the proposed mitigation measures take effect.
41. Mitigation measures include 'strategic open spaces'<sup>12</sup> developed as part of a 'Green Grid' of open space across the site and a Green Belt Park on the dip slope and a range of enhancement measures including additional tree planting and strengthened landscaped boundaries. These measures should be balanced against the loss of around 30 tree groups (17 of which would be category B) with a further 7 partially affected<sup>13</sup>.
42. Although built development would occupy around 47% of the site area, there would be a substantial impact on its landscape. Many of the landscaping features threaded throughout the site would be secondary resulting in the creation of landscape belts around each development platform.
43. The impact of new development platforms for housing, the commercial centre and care home would be extensive in area extending across the whole site with a major impact on its existing topography. The whole character of the site

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<sup>11</sup> Zone of Theoretical Visibility

<sup>12</sup> Mr Williams PoE para 4.10

<sup>13</sup> D Webster PoE para 4.21



would change. In this respect the magnitude of change on landscape would be moderate/adverse as the introduction of strategic accessible open space throughout the site could not fully mitigate for the extent of change even after 15 years.

44. For these reasons the extent of change resulting from the appeals scheme would be moderate/adverse impacts.

#### *Visual*

45. Around 36 viewpoints which lie both within and around the site have been agreed by the parties for the visual assessment.
46. There are 3 public footpaths which extend across parts of the site including SR61, SR62, SR63. These are the most sensitive receptor points to assess visual impacts. Given how each of these thread their way through the site the impacts would be considerable on these receptors. Mitigation in the form of additional planting as suggested in the parameter plans could not alter the extent of impact which would, even after 15 years, be substantial adverse.
47. I acknowledge that the landscape proposals, designed to strengthen the existing perimeter hedges, would apart from several exceptions, prevent distant views into the site from surrounding roads and from along footpaths to the south along footpaths SR65 and SR67. Harm arising from visual effects would be minor adverse from along these footpaths.
48. Given the elevation of viewpoints located in the Kent Downs AONB<sup>14</sup>, Chelsfield Lakes Golf Course (footpath 262) both the proposed care home and commercial centre would be seen due to their proposed height and location at the northern edge of the site. The existing belt of deciduous trees located close to the ridge edge, just north of the former car park, of between 18-26m in height would not have sufficient canopy thickness to allow adequate cover for these aspects of the appeal scheme. The effect of the scheme on these views would be moderate adverse.
49. There would be considerable adverse impacts arising from the location of the proposed club houses and flood lighting located along Stonehouse Lane. Although there is already an extensive boundary hedge which would be enhanced by a broad landscaping strip of around 8m depth, this would not allow sufficient mitigation given the height of these proposals. The predicted visual effects along PROW SR64 and Stonehouse Road would be moderate/substantial adverse even with the proposed embedded mitigation.
50. Whilst the phasing programme includes the development of landscape features in Phase 1, to ensure planting becomes established, I do not consider that given the scale of development by Year 15 this would have provided sufficient cover to provide adequate mitigation to address the impacts on all visual receptors.

#### *Conclusions*

51. Given the scope of Policy L08, there is an implicit objection to the proposal on landscape grounds. I acknowledge the conclusions contained within the officer's report in respect of the appearance of the area and its wider landscape<sup>15</sup> and

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<sup>14</sup> Area of Outstanding Natural Beauty

<sup>15</sup> Officers report to Committee 27 January 2021



that the extent of harm was not considered so great as to warrant a reason for refusal in itself. However, there would be harms to both landscape and visual receptors arising from the appeal scheme which could not be sufficiently mitigated for. This is considered further in the planning balance.

### ***Transport infrastructure***

52. There is no issue between the parties on road capacity but only the extent to which the proposed measures would provide genuine choice in transport modes.
53. The location and scale of proposed development would result in around 2,300 people living on the site who would require a range of services to support their every day needs. Given the outline nature of the scheme it is unclear exactly what services would be part of the commercial centre although reference was made during the Inquiry to a possible small food store and leisure offer. However, it is unclear whether a GP surgery would be located on site although this was assumed in the TA<sup>16</sup>. Given the limited services available on site there would be a considerable demand for services located beyond the site requiring a large number of trips.

### ***Private transport***

54. The Transport Assessment (TA) indicates that the proposed scheme would generate traffic of around 459 and 504 2 way trips<sup>17</sup> in the morning and evening peaks respectively. I accept that at the time these figures were produced the scheme was still assumed to be 850 dwellings and so proportional adjustment is required.
55. In contrast, the number of rail trips generated would be around 152 and 125, 2 way trips and for buses the figure would be around 118 and 105, 2 way trips for the morning and evening peaks respectively.
56. The TA assumes a proportion of linked trips between the different uses on the site and that the primary school would serve the proposed scheme involving few if any trips by car. However, whilst the assessment does not account for the extent of modal adjustment which may arise from the measures included in the S106 agreement, the figures included in the TA are indicative of the relative scale of private transport compared to other modes likely to be generated from the site. This would be considerable.
57. It is instructive to note that the S106 agreement includes a range of measures to address capacity issues at local road junctions including that of Sevenoaks Road/London Road and Hewitt's Roundabout<sup>18</sup>. The provision of around 200 parking spaces serving the proposed hockey and rugby clubs and the relocation of station parking in the undercroft of the commercial centre is indicative of the large number of private vehicle trips which would arise from this scheme.
58. These matters point to dependence on private transport.

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<sup>16</sup> Clinical Commissioning Group

<sup>17</sup> CD B34 Peter Brett Transport Assessment para 7.13.6

<sup>18</sup> Appendices to Mr Heard's PoE

## *Rail*

59. The proposed residential areas across the site would lie between 3-11 minutes walking distance of Knockholt Station. The appellant's<sup>19</sup> research demonstrates that the site's Green Belt location is almost unique given its proximity to this station<sup>20</sup>.
60. The station is served by 2 services an hour rising to 3 in each direction during the peak hours to/from central London allowing a door to door travel time of around 40 minutes. Services to Sevenoaks would take around 8 minutes or a door to door time of around 27 minutes assuming a location in the centre. Travelling to Bromley via rail would take between around 33 or 28 minutes depending on the R6 and appellant's evidence respectively. At peak times these journeys compare favourably with travel by car.
61. The R6 party's evidence identifies that around 34% of journeys to work are made to destinations within Greater London<sup>21</sup>. Although this evidence disregards a proportion of the total sample, I consider that it represents a broad picture of where residents of the MSOA<sup>22</sup>\_008 travel to work.
62. The proximity of the station to the appeal site and its location within Zone 6 of London's fare zoning where I understand, fares are relatively cheaper than for other stations in the MSOA\_008, would result in a higher proportion of residents using the station for their daily commute into Greater London in comparison to other parts of the MSOA\_008.
63. For these reasons, I accept that the percentage of residents of the proposed scheme who are likely to use rail would be higher than the 23% of commuters identified in the MSOA\_008 area<sup>23</sup>. However, drawing on the figures included in the TA there would be around 152, 2 way rail trips in the morning and just 125 in the afternoon peaks respectively.
64. It is likely that private transport would still be the dominant form of transport for commuters to destinations other than central London given the reliance on the car by residents in the District to local centres<sup>24</sup>. This is demonstrated by the peak hour figures included in the TA.
65. I regard the appellant's suggestion that additional commuters arising from the proposed scheme together with those from the recently permitted scheme for 635 dwellings at Fort Halstead to the south of the appeal site, could result in increased rail services to address congestion as speculative.
66. The proposals in the station included in the S106 agreement involving capital investment in lighting, CCTV, fencing, cycle parking, cycle parking signage and customer information would allow for localised improvements but, in my judgement, would be unlikely to lead to a significant shift in modal use for occupiers of the appeal site. Of greater significance in this respect would be those measures identified in the appellant's evidence regarding how capacity

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<sup>19</sup> Evidence of Paul Cheshire

<sup>20</sup> CD E15

<sup>21</sup> Mr Giles PoE Table 5.1

<sup>22</sup> Middle Layer Super Output Area - an area used for reporting small area statistics

<sup>23</sup> Sustainability Appraisal for the withdrawn plan

<sup>24</sup> PoE M r Giles Table 5.2

could be addressed by rail operators<sup>25</sup>. These matters remain outside their control.

### *Bus Services*

67. There are just 4 bus services which each operate 2 times a day each weekday. The 431 service between Sevenoaks and Orpington was cancelled during the C-19 pandemic although it was included in the TA. I understand that there are no plans to reinstate this.
68. The phased development of the site would be supported by new investment in public transport through planning obligations. In the initial stages of the development, a demand responsive transport (DRT), effectively a form of taxi service, would operate until 100 dwellings are completed.
69. Between 100-400 dwelling completions, an hourly service from 07:00 – 10:00 and 15:00 – 20:00 Monday to Saturdays would be introduced and beyond the completion of 400 dwellings, this service would be extended hourly to 20:00-22:00. The route would be taken through the site.
70. The appellant has given some consideration to the route of the new service which would run between Sevenoaks and Orpington<sup>26</sup>, connecting to other stations, services and amenities. Given that the proposed service could be a substitute for that withdrawn (which the TA assumed was still in operation), its impacts would be unlikely to significantly reduce dependence on private transport.

### *Active travel modes*

71. Whilst the commercial centre would be developed as part of the first phase of development, residents would require a broader range of services than could be offered on site or in Pratts Bottom and Halstead<sup>27</sup>. There are few services<sup>28</sup> within the 800m -2km of the site defined by Manual for Streets<sup>29</sup> as 'walkable', although this would be determined by quality of footways and street lighting.
72. Accordingly, a broad variety of services would continue to be accessed in the main centres of the District, including Sevenoaks but this is around 5 miles from the appeal site.
73. The proposed investment in cycleways included in the S106 Agreement would have only a localised impact being unconnected to routes which connect to settlements which include a broader range of services. Many of the roads in the local area do not have footways on each side and/or are unlit. This situation will not change markedly despite the capital investment included in the S106 agreement.

### *Conclusions*

74. To conclude on this matter the appeal scheme includes a range of measures within the S106 agreements for improvements to local transport infrastructure.

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<sup>25</sup> Mr Heard's evidence - 3.4.17-19

<sup>26</sup> CD B57 Technical Note

<sup>27</sup> Mr Heard PoE paras 3.2.21

<sup>28</sup> Mr Giles PoE Figure 2

<sup>29</sup> Department of Transport 2007

75. The main advantage of the site's location is its proximity to the rail station. Many of the obligations included in the S106 agreement would improve the attractiveness of the station for commuters, public transport and by active travel. A larger percentage of commuting trips would be made by train from the site when compared to the rest of the district because of the ease of access by walking and potentially cycling to the station. The rail station, managed by TfL<sup>30</sup> benefits from the zonal fare system which would further encourage rail travel.
76. However, the typical household makes many more journeys than the daily commute. Under cross examination the appellant's witness agreed that genuine choice requires a qualitative assessment of issues such as journey times, convenience, reliability and frequency.
77. When assessed against these factors the proposed measures for active travel and bus services would be limited in the degree to which they would offer genuine choice. The suggested measures included in the S106 agreement would be unlikely to materially increase their use.
78. The appellant acknowledges that outside peak times car journeys are quicker than public transport<sup>31</sup>. Whilst this is caveated with reference to the additional time required to park and walk, it does not undermine my conclusions on this matter given the number of trips that would be made in addition to those for work.
79. The impact of the travel plan, outlined in the TA, designed to reduce the anticipated amount of vehicular traffic generated from the site by 10% over 5 years would not be effective in reducing reliance on private transport, even if they could be achieved, given the lack of genuine choice in alternative modes.
80. In my view, it is doubtful whether an hourly bus service would be sufficient to create the right conditions to increase patronage to such an extent that it would be an attractive option when compared to the convenience of the car.
81. The obligations included in the S106 agreement would, in my view, be insufficient to overcome the site's poor location in relation to existing services and facilities. Although Paragraph 105 of the Framework identifies that different conditions can apply between rural and urban locations in how 'genuine choice' should be measured, the appeal scheme represents a major urban development which is counter to Paragraphs 73 and 105 of the Framework which require the active management of patterns of growth to ensure that new housing is well located to allow a genuine choice.
82. The large amount of traffic generated results reflects the site's location away from existing settlements contrary to Policy L01. Furthermore, the additional traffic generated by the appeal scheme would be in conflict with Policy L08 which seeks to protect openness as defined by the Guidance.

### ***Economic, social and environmental benefits of the appeal scheme***

83. The appellant's case is predicated on the range of benefits arising from each distinct element of the proposed scheme. I address each of these in turn.

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<sup>30</sup> Transport for London

<sup>31</sup> Mr Heard PoE Paragraph 2.3.23

## *Housing*

84. Foremost amongst the benefits ascribed to the scheme by the appellant is the provision of 800 new homes which include 320 affordable homes which comply with adopted policy. Both parties acknowledge that there is chronic under provision of housing supply within the District; a situation which continues to decline<sup>32</sup>.
85. Furthermore, it is evident that this undersupply has persisted for many years exacerbated by an out of date local plan which includes housing targets based on the Core Strategy requiring 165dpa (dwellings per annum), a point made by the appellant and not challenged by the Council<sup>33</sup>. This contrasts with the LHN<sup>34</sup> of 698dpa for the period 2015-2035. In the period 2010-20, the District had the lowest figure for net additions to stock when compared to other Kent districts. The HDT figures indicate that this has been a matter of concern for the last 3 years.<sup>35</sup>
86. The parties diverge on the extent of likely future land supply over the next 5 years. These range from around 2.8 and 1.9 years supply<sup>36</sup> for the Council and appellant respectively. Whilst these figures were not the subject of a forensic analysis during the Inquiry, they indicate a serious and chronic undersupply which undermines the Government's objective of securing 300,000 dwellings per annum.
87. This has led to a situation where the median affordability ratio<sup>37</sup> for the period 2018-20 is around 13.53<sup>38</sup>. This is considerably higher than for some other districts in the County, cited by the appellant which also have high levels of designated Green Belt. The Council accept that the number of affordable housing units needed is around 422dpa<sup>39</sup>. Delivery continues to average around 70dpa.
88. The Council acknowledges that the situation is 'unacceptable'<sup>40</sup>. Although at the time of writing the Council does not have an agreed local development scheme for the new plan, it maintains that the only way to address this issue is through a plan led approach<sup>41</sup>. However, the programme for the production of the new plan has yet to be agreed and so a new plan is some years away<sup>42</sup>.
89. There is little doubt that the Council's difficulties in identifying housing allocations largely stem from the high percentage of protected land in the District with around 93% designated as Green Belt and 60% AONB. This represents one of the highest figures for a Kent District. To address undersupply, it recognises that the site allocations included in the ADMP<sup>43</sup> will have a higher number of units than originally envisaged.

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<sup>32</sup> Housing Delivery Test results 2021 (issued January 2022)

<sup>33</sup> Paul Cheshire PoE

<sup>34</sup> Local Housing Need in CD ED23

<sup>35</sup> Housing Delivery Test 2019-2021

<sup>36</sup> Rebuttal of Ms Henshaw and Mr Burley as amended though XX

<sup>37</sup> Defined as the ratio of median earnings to house prices

<sup>38</sup> Table 4 PoE Cheshire

<sup>39</sup> Mrs Henshall PoE para 4.4

<sup>40</sup> Mrs Henshall in XX

<sup>41</sup> Mrs Gooden PoE

<sup>42</sup> Ms Gooden XX

<sup>43</sup> Ms Henshall PoE para 5.4

90. Furthermore, the Council acknowledges that a route to addressing undersupply is through the release of sites from the Green Belt<sup>44</sup>. The withdrawn plan included sites at Sevenoaks Quarry, land at Pedham Place (which also lies within the AONB) near Swanley and Fort Halstead with the latter having recently been granted planning permission.
91. Key parts of the appeal scheme formed the suggested housing allocation (MX41) included in the Regulation 18 draft plan. Following further consideration through the Sustainability Appraisal (SA) the site was not included in the Regulation 19 draft because its infrastructure requirements did not outweigh the harm to the strongly performing Green Belt<sup>45</sup>. This is despite it being recognised as 'deliverable' within the SA.
92. For the appellant, the exclusion of the appeal site from the housing allocation points to a postponement of the inevitable demonstrated by the permissions at Fort Halstead and Four Elms Road, Edenbridge. Whilst references were made in the appellant's evidence to other housing allocations included in the withdrawn plan, it is not my role to inform comparison and determine future policy.
93. Given these circumstances, I acknowledge that the appeal scheme could make a significant contribution to addressing the under provision of both market and affordable housing across the District.

#### *Self build and custom-made housing*

94. The provision of this form of housing is included in statute<sup>46</sup> and requires Councils to establish and publish a local register of custom house builders who wish to acquire suitable land on which to build their own home. There is a requirement that authorities must give suitable permissions to allow a supply of serviced plots to meet demand. These requirements have been given greater impetus by the recommendations of the Bacon Report<sup>47</sup>.
95. Although the Council does not have a specific planning policy for this form of housing or clear knowledge of future demand, it has granted planning permission for 111 plots and at March 2020 there were 114 persons registered.
96. However, the absence of an adopted policy and understanding of demand is a similar situation from that identified in the the Colney Heath appeal<sup>48</sup>. Although it is unclear in that decision whether any units had been granted permission, this is not the situation in respect of this Council. However, I still recognise that the provision of 25 units would be a considerable benefit of the scheme.

#### *Specialist housing for older people*

97. Both parties agreed that the starting point for the calculation of specialist housing for older people starts with the particular demographic of the local population although they differ in the forecasting models to determine future demand.
98. The District's population is ageing with the percentage of those aged over 65 years significantly higher than other Kent Districts. The SHMA<sup>49</sup> identifies that

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<sup>44</sup> Ms Gooden XX

<sup>45</sup> Ms Henshall PoE Appendix

<sup>46</sup> Self Build and Custom Housebuilding Act 2015

<sup>47</sup> CD E41

<sup>48</sup> ID4

<sup>49</sup> Strategic Housing Market Assessment



- this age group would grow from 20% in 2021 to 25% by 2035<sup>50</sup> with a significant growth in the over 75 years cohort. With an ageing population care needs become increasingly complex caused for example, by an increase in dementia and infirmity. This places greater demand than in the past for extra care<sup>51</sup> provision.
99. Across the District, levels of home ownership are around 80% for those of 65 years and above. This continues to be a major driver for those wishing to stay in their homes, adapted to address their personal needs or seeking other forms of market care accommodation<sup>52</sup>.
100. The SHMA<sup>53</sup> estimates a need for 66 dwellings and 25 units of specialist older persons accommodation each year.
101. The appellant identifies that the high levels of owner occupation across the District point to considerable demand for market extra care whereas the Council's provision is concentrated on affordable units. This is despite the County Council identifying that that it is keen to work with a range of providers in the provision of this form of accommodation<sup>54</sup>.
102. The Council have identified an existing supply of around 2,874 units across the whole District of which 34% are in the Sevenoaks urban area and 24% in the north west of the District<sup>55</sup> where the appeal site lies. The Council's evidence demonstrates that the North west area has the greatest choice of provision.<sup>56</sup>
103. The appellant's witness<sup>57</sup> identified that demand for market care provision is increasingly being met by large scale developments for around 150 units. This form of development involves high initial capital costs resulting from the provision of a range of services which can include beauticians, pools, bars and shops as well as care facilities. The levels of care/facilities at these sites marks a maturing of the market in this sector and can be compared to the average number of bed spaces for C2 care which has in the past included only around 60 beds<sup>58</sup>.
104. The appellant's evidence identifies to the difficulties which such schemes have in competing for sites with house builders given the amounts of upfront capital investment required. For this reason, the allocation of a site for C2 use as part of a larger scheme is particularly attractive to operators.
105. It is unclear the extent to which the County has up to date evidence on the true picture of demand for market extra care. The Market Position Statement 2021-26<sup>59</sup> doesn't distinguish between affordable and market sectors making the County's assessment of demand for market extra care unclear<sup>60</sup> as referenced in its Social Care Accommodation Strategy<sup>61</sup>.

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<sup>50</sup> CD E03 Regulation 19 draft Local Plan

<sup>51</sup> A bespoke form of accommodation for elderly people involving the provision of range of services which can be drawn on as personal needs change

<sup>52</sup> CD D25 LHN 2017

<sup>53</sup> Strategic Housing Market Area

<sup>54</sup> CD E39 Market Position Statement

<sup>55</sup> PoE Ms Henshall para 6.4 with an uplift of 100 from the Edenbridge appeal decision APP/G2245/W/21/3271595

<sup>56</sup> Mr Henshall PoE para 6.7

<sup>57</sup> Mr Garnett

<sup>58</sup> CD E38

<sup>59</sup> CD E39

<sup>60</sup> KCC Adult Care and accommodation strategy

<sup>61</sup> E38 page 21

106. The County's assessment is based on the SHOP@TOOL which for a short time in 2019 was advocated by the Housing LIN<sup>62</sup>. This still forms part of the Planning Practice Guidance. This was withdrawn by the Housing LIN given concerns that it understates future demand due to its reliance on current supply increased by an anticipated rise in cohort population. This ignores existing need. The County's updated position<sup>63</sup>, based on data from the ONS<sup>64</sup> identifies a need for a further 132 units above existing supply from 2021-31 for both the affordable and market sectors above the annual requirement identified in the SHMA.
107. In contrast the appellant's witness drawing on considerable experience in the sector, adopts a rule of thumb based on 3% and 1.5% for the market and affordable sectors for extra care<sup>65</sup>. This identifies an unmet need of around 375 units which rises to around 480 units by 2040 for market extra care for those aged over 75 years. Whilst it is unclear exactly how these percentages have been derived from the published material presented by the appellant, they point to a level of demand more in line with the District's demographic.
108. The Council identifies that there is a pipeline of extant permissions of around 65 extra care market units<sup>66</sup>. In this context the appeal scheme would make a significant contribution to meeting demand. Even allowing for some leeway in how the application of the appellants 'rule of thumb' operates, in my opinion the Council's latent supply figure is well short of the likely demand.
109. The proposed home could free up around 180 dwellings from the existing housing stock as people transfer accommodation, although given that all these units are likely to come on the market in what is likely to be a short period of time, residents of the new home are likely to be drawn from beyond the District's boundaries<sup>67</sup>. However, freeing up of a proportion of existing dwellings should be factored into the broader planning balance given the state of the housing land position.
110. It is instructive to note however, that whilst the proposed C2 scheme has many benefits its location would still result in development which does not allow easy access to services despite the dedicated 'village' transport service<sup>68</sup> proposed by the appellant. This is still an important factor despite the nature of the proposed scheme involving a range of on site services designed to support a retirement community.
111. It is my understanding that the scheme suggested by the appellant's witness<sup>69</sup> in this appeal would operate on a similar basis to that suggested in the Edenbridge appeal<sup>70</sup> which includes services provided on site with a 'village' transport service. However, in contrast the appeal site would be even further away from existing local centres than the Edenbridge site and for this reason the degree of weight in support of this aspect of the appeal scheme is reduced.

### *Sports facilities*

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<sup>62</sup> Housing Learning Improvement Network

<sup>63</sup> Market Position Statement (MPS)

<sup>64</sup> Office for National Statistics

<sup>65</sup> CD E34

<sup>66</sup> Ms Henshall revised table included at paragraph 6.8

<sup>67</sup> Mrs Henshall PoE

<sup>68</sup> Mr Garnett PoE

<sup>69</sup> Mr Garnett

<sup>70</sup> APP/G2245/W/21/3271595



112. The appeal scheme would provide additional facilities for Sevenoaks Hockey and Rugby clubs.
113. Both clubs are thriving. The Hockey Club has 1,000 playing members, 11 Men's teams, 8 Women's teams and over 700 junior members coached by over 100 coaches. The Rugby Club has 5 adult teams, 5 academy squads and 7 mini and junior squads. Both clubs have outgrown their respective facilities with waiting lists for membership. The proposed facilities would allow expansion of their current offer to better cater for their present needs and future demand. For example, the Hockey Club has aspirations to become a 'centre of excellence' and the Rugby club to develop wheelchair rugby.
114. With growing membership, facilities for both clubs are at breaking point. The Hockey Club has a club house shared with a local cricket club, located away from its pitches on Holly Bush Lane in Sevenoaks. The clubhouse lacks adequate shower, changing facilities and floodlighting and the club uses pitches located at other locations in the District. Holly Bush Lane does not have sufficient parking to accommodate demand.
115. The Rugby Club presents a similar picture with its club house located at Knole Paddock with 3 full size pitches of which one half of one pitch is floodlit. The club has to use facilities in local schools to accommodate existing demand.
116. The appeal scheme includes 4 England Hockey standard artificial grass pitches (AGP) including a Category 1 pitch, and with artificial lighting for 3 of them. There would be 2 RFU<sup>71</sup> size compliant pitches of which one would be grassed and one AGP, 2no. junior sized pitches which would be shared with the proposed primary school. Two club houses of 4,000 sq.ft. and 2,500 sq.ft are proposed for the hockey and rugby clubs respectively. Each club house would be served by 100 parking spaces.
117. I heard from representatives of both clubs during the Inquiry who confirmed the importance of the proposed scheme to meet the growing unmet demand for each sport. The advantages of new facilities is identified by the appellant's Needs Assessments<sup>72</sup> for each sport.
118. Both local and national policy recognises the importance of sport and recreation to support health and well being<sup>73</sup>. These benefits are consistent with Sport England's<sup>74</sup> drive to increase participation. There is no dispute between the parties on the importance for young people of recreational opportunities in terms of improving their mental and physical well being and combatting anti-social behaviour. In these circumstances the provision of new facilities at no capital cost to each club would be significant and would allow each of them to increase revenue.
119. The Council's Playing Pitch Strategy (PPS)<sup>75</sup> identifies that there will be continued demand for both sports in the Sevenoaks area to the extent that the shortage of pitch provision would be exacerbated. However instead of seeking additional pitches as the only solution, the strategy identifies that existing capacity issues could be better addressed through both improved drainage and

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<sup>71</sup> Rugby Football Union

<sup>72</sup> CD B83

<sup>73</sup> Paragraph 98 of the Framework and CS Key Issues and Policy 5.6

<sup>74</sup> Planning for Sport Guidance 2019

<sup>75</sup> Paragraph 5.8.2

maintenance. The Council considers that the demand for new facilities is in the Sevenoaks area and not in the north west of the District where the appeal site lies.

120. Despite these findings, I do not entirely accept the Council's case. Both clubs rely on pitches in a number of locations around the District with club houses divorced from pitches located around the District. For this reason, if only existing pitches were improved, operations would continue in only a marginally improved situation when compared to existing. Provision would continue to frustrate the ambitions of each club to deliver on their plans which are consistent with the Government's drive to improve 'well being'.
121. Set against these advantages are a number of issues which lead me to question the extent to which the scheme would fully address the needs of each club. Both would continue to operate on several sites around the District. For example, the existing Rugby club house would be retained for the first team on its existing site. Furthermore, the appeal scheme would not result in improvements to existing facilities.
122. The draw of each club extends beyond the District boundary<sup>76</sup> and at weekends the attraction of private transport is likely to appeal, given that roads would be likely to be less congested compared to rail travel. The TA does not include the numbers of traffic movements for those times when the 2 clubs would experience greatest demand, for example, at weekends and in the evenings. At these times car dependency would be likely to be high given that increased participation will arise in part from school age children who require chaperoning by parents. For this reason, the site's location close to Knockholt rail station is unlikely to be as attractive as the appellant states for parents and children who are more likely to use private transport.
123. The purported advantages arising from the co-location of the 2 clubs on a single site is undermined by the fact that one club house would have had less spatial impact. I am not convinced by the appellants arguments why this would not be possible<sup>77</sup>. The opportunities for car sharing are overstated by the appellant.
124. I recognise, however, that the provision of both hockey and rugby pitches in this location would be of considerable benefit to both clubs and in turn, through the community use obligation included in the S106 agreement to the health and well being of the wider community. The measures identified by the Council regarding improved management and drainage for the supply of existing pitches in the District would be insufficient to address the demand being experienced by both clubs.

### *Education*

125. The appeal scheme includes a single form entry primary school given the anticipated child yield of around 224 children from 800 dwellings. It is agreed between the parties that the school is only required to service the proposed development.
126. The appellants have included within the primary school site, Specialist Resource Provision (SRP) to partly address the significant growth in the last 5

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<sup>76</sup> Mr McColgan PoE

<sup>77</sup> Mr Burley XX

years across the County of children with Education, Health and Care Plans (EHCP) and in particular of children identified with the autistic spectrum condition (ASP). Around 31% of EHCPs for ASP across the County concern children within the 5-10yrs age group. The proposed ASP would allow a dedicated resource co-located within the setting of a mainstream school to prevent children with the condition being isolated which would in turn support their integration into school life.

127. Over the next 5 years the Education Authority estimates that demand for such units will increase by around 78% from 35 to 62 pupils within Sevenoaks District. Presently, there is no provision although it is understood that some schools plan to develop such units. However, there was an absence of clarity on this point from both the County and Council and no clear understanding of which schools would be able to accommodate the SRPs and in what timeline. The commitment within the appeal scheme to provide a units is of significant benefit.

#### *The business hub*

128. The appeal scheme includes a small business centre for starter units located on the north east edge of the site, accessed from London Road.
129. The withdrawn Local Plan identified the need for additional employment uses across the District and included 3 potential sites all of which lie in the Green Belt.
130. This further emphasises a point made earlier that for the Council to adequately address future growth there may have to be selective release of Green Belt land. I am satisfied that the proposed site would be well located close to the station and the local road network and for these reasons could be developed to accommodate small starter units.

### **Planning Obligations**

131. The appeal includes completed bi-lateral and tri lateral S106 agreements. These differ to the extent to which obligations would be met either through developer contributions or through the CIL. Both the County and the District Councils included CIL compliance schedules identifying how each obligation is in accordance with adopted policy and the Regulations. The main provisions are outlined below.
132. The S106 agreements cover the transfer of land to the County Council, contributions for the development of the primary school and the provision of places, the cost of land transfer for secondary education at another site in the District. Other provisions address community learning, libraries, social care and waste disposal.
133. The S106 agreement covers the transfer of land to the sports clubs and the redevelopment of the club houses, facilities and parking areas.
134. Other matters include the provision of affordable housing, station improvements, measures to support active travel and the establishment of a Management Company for the open space, car club, a Travel plan, marketing of the commercial centre and measures around the operation of the 'retirement

village'. Finally, as the scheme involves the loss of an existing sports facility, the appellant has agreed a contribution of £970k in line with Sport England's metric towards community sports projects which I understand, could be directed to the redevelopment of the Swanley leisure centre.

135. As I am dismissing this appeal, I do not have to consider these agreements in any greater detail.

### **Whether very special circumstances exist**

136. Both parties agree that the proposed scheme amounts to inappropriate development in the Green Belt as stated at Paragraph 149 of the Framework. I agree with that position. National policy is clear, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

137. The appellant cites a range of matters which they consider represent the very special circumstances to warrant an exception to normal policy in this regard. Whilst the appellant's case is represented by weighing every aspect of the proposed scheme with finely balanced nuance<sup>78</sup>, the Courts have made clear that a mathematical exercise is not required. Rather a single exercise of judgement is required to assess whether the very special circumstances exist to warrant the grant of planning permission.

138. This is a large residential led, mixed use scheme with a location primarily determined by its proximity to an existing rail station. The proposed scheme would partly address the severe under supply of housing land and contribute to the stock of market and affordable housing in the District.

139. There is a need for both C2 housing and self-build and custom built housing included in the scheme to address existing under supply and future demand. The C2 accommodation would address the growing demand from the District's ageing population. Given the size of the scheme, the primary school would be an essential component but the inclusion of the SRP would be of particular benefit to the District. The employment area is modest in scale but could in part serve the development and address future demand for such space.

140. To my mind the inclusion of the 2 sports clubs would support health and well being. However, the proposed pitches and club house would serve only to exacerbate some of the club's existing problems such as their operation across a range of sites within the District. The large number of parking spaces proposed belies the lack of sustainable travel options as required by the Framework for this use.

141. I acknowledge that the appeal scheme would result in a net gain in biodiversity of around 11%; this would be significantly higher than current requirements.

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<sup>78</sup> PoE of Mr Burley

142. However, these benefits have to be balanced against the harms which would arise from the scheme. These undermine the appellants arguments in favour and relate to the principle of a major scheme located away from existing settlements and its adverse impact on the essential purposes of the Green Belt.
143. Although there is no definition of 'openness' within the Framework, the Guidance<sup>79</sup>, refers to assessments of openness being informed through consideration of spatial and volumetric aspects, the duration of the development and the degree of activity likely to be generated. Whilst only a suggested framework it is a useful guide given the issues involved in this appeal.
144. The scale of proposed development involving 30ha is significant. The appellant in cross examination acknowledged that alone the provision of housing is not in itself an argument that overcomes the harm to the Green Belt<sup>80</sup>. The site's location is critical given how it would morph the settlement pattern in this location. The separation distances so carefully calibrated by the appellant would be insufficient to prevent the strategic significance of the Green Belt being undermined in this area.
145. The scale and massing of the development suggested by the parameter plans, involving heights of up to 15m and 22m on the highest part of the site, would be visible from surrounding areas, particularly from the north including from receptor points within the North Downs AONB. These impacts would be particularly intrusive. Other harms would arise from the scale of the sports hub; this would be intensively developed and there is insufficient mitigation included in the scheme to overcome the resultant landscape harm.
146. Other harms to openness would arise from the amount of traffic and domestic activity associated with around 2,300 people which would occur across the site. Given its location within walking distance of the station modal choice would be provided for commuters to London. However, a typical household makes many other trips for shopping, leisure and to access essential services. These services and facilities lie beyond the site and private transport would be the more convenient option even accounting for the new investment included in the S106 agreement and those measures for active travel. The conclusions of the TA in respect of dependence on private transport are telling in this regard.
147. Although the Council accepts that the release of Green Belt land will be necessary to fulfil its housing land requirements and has in fact already made some decisions in this regard, the appeal scheme conflicts with both its Green Belt and settlement policies which require that new development is located in existing settlements where services are located.
148. I find that the other considerations including the recent HDT score, in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify development do not exist.

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<sup>79</sup> Planning Practice Guidance 001 reference ID:64-001-020190722

<sup>80</sup> Mr Burley XX Mr de Feu

## **Planning balance and Conclusions**

149. Both parties recognise that there is a severe deficit of housing land as required by the Framework. These circumstances, together with the age of the most important policies deems that they are out of date. The tilted balance is not invoked, however, because the Framework at Paragraph 11d(i) and footnote 7 protects both areas and assets of particular importance, which include the Green Belt, and provides a clear reason to dismiss the appeal.
150. The fact that policies have to be considered as out of date does not mean that they carry no weight. To carry weight policies must be consistent with the Framework, as explained in Paragraph 219, which amongst other things, states that the closer that local policies are to policies in the Framework, the greater weight that may be given to them. As such it is perfectly possible for policies which are deemed out of date for reason of an inadequate land supply to still carry significant weight.
151. Policy L01 still carries significant weight as it is predicated on the principles underpinning the Framework in seeking to direct new development to sites in line with the hierarchy of existing settlements in the District. The fact that it was predicated on a smaller housing target does not undermine its importance in this regard. For this reason, I accord the degree of conflict between the appeal scheme and the policy substantial weight.
152. Policy L08 seeks to protect the Green Belt and AONB from new development. These aspects are in line with the Framework although it seeks to go beyond Paragraph 174 in seeking to protect the countryside for its own sake. Whilst these aspects of the policy are only partially consistent with the Framework those regarding the Green Belt are. For this reason, I accord the degree of conflict between the appeal scheme and the policy significant weight.
153. The scheme would have many benefits. These would include market and affordable housing which would in part address the Council's housing land supply position and affordability. The proposed C2 accommodation would cater for the District's ageing population. The inclusion of custom and self build housing would accord with local demand. I recognise that the scheme could potentially commence on site within the next 5 years to address these matters.
154. Social benefits would include a dedicated education resource in the SRP. Furthermore, the sports hub would address to some degree the issues of sports provision for the rugby and hockey clubs. The money for the local sports centre could also be a social benefit.
155. Economic benefits would include the 200 construction jobs available each year during the 8 year build programme together with permanent employment at the care home, retail and employment hub. There would be increased spend in existing local services and shops, arising from the new residents
156. Environmental benefits include biodiversity net gain. This would be achieved through the range of planting schemes to create habitats and through ecological management. However, there would be adverse impacts from the scale of the development arising from its visual impacts from Stonehouse Lane and to the north.
157. However, set against these benefits would be harms to the Green Belt including definitional harm, harm to its essential purposes and harm to



openness arising from the proposed scheme. These would result in conflict with the development plan and with Paragraphs 138 a) and c) of the Framework which aim to check the unrestricted sprawl of large built up areas and assist in safeguarding the countryside from encroachment.

158. Furthermore, the scheme would result in a significant rise in traffic movements by private vehicles which would be counter to Paragraph 105 of the Framework. This requires that new development is focussed on locations which are or can be made sustainable through reducing the need to travel. The limited range of services/facilities for such a large number of residents would result in the majority of journeys being made by car. This is despite its location close to Knockholt rail station and the proposed measures included in the S106 agreement.
159. Overall, I conclude that the harm caused in this case would significantly and demonstrably outweigh the benefits identified when assessed against the policies in the Framework taken as a whole. As such the proposed development does not benefit from the Framework's presumption in favour of sustainable development.
160. Bearing all of the above in mind, there are no material considerations, including the Framework, that would indicate that the decision in this case should be taken otherwise than in accordance with the Development Plan. Accordingly, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Stephen Wilkinson*

INSPECTOR

### Documents received during the Inquiry

ID 1	Appellant openings
ID 2	Council openings
ID 3	Rule 6 party openings
ID 4	Appeal decisions APP/B1930/W/20/3625925 and 3225926
ID 5	Brochure extract on Emerson Park retirement apartments
ID 6	E mail of 28 October 2021 from Kent County Council to Montagu Evans
ID 7	HLIN re SHOP@TOOL note sent by the appellants
ID8	Revised table re future supply from Ms Henshall's proof of evidence
ID 9	GLVIA 3 extracts
ID 10	Summary of Landscape assessment
ID 11	Securing Developer Contributions for Education – Department of Education 2019
ID 12	Inspector's site visit itinerary
ID 13	Representations from interested parties
ID 14	Appeal decision APP/G2245/W/21/3271595
ID 15	Completed Statement of Common Ground 3 November 2021
ID 16	Broke Hill local plan submission
ID 17	KCC compliance schedule
ID 18	Suggested planning condition re ecological surveys
ID 19	Council Closings
ID 20	R6 Closing Statement
ID 21	Appellant Closing statement
ID 22	Section 106 Agreement



## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

Robert Green	Of Counsel
He called	
Aaron Hill	Development Manager
Emma Henshall	Senior Planning Officer, Policy
Hannah Gooden	Planning Policy Team Leader
David Webster	Landscape Architect, Huskisson Brown Associates

### FOR THE APPELLANT:

Zack Simons	Of Counsel
He called:	
David Williams	David Williams, Landscape Consultancy Ltd
Gary Heard	Director of Transport Planning, Stantec UK Ltd
Nigel J. W. Appleton	Executive Chairman of Contact Consulting (Oxford) Ltd
Stuart Garnett	Land and Planning Director for Inspired Villages
Iain Johncock	Senior Associated at the Learning Crowd
Paul McColgan	Director of Icen Projects
Professor Paul Cheshire	London School of Economics
CBE	
Paul Burley	Partner at Montagu Evans LLP
Donna Mattfield	Solicitor, Knights

### FOR THE COUNTY COUNCIL:

Graeme Keen	Of Counsel
He called	
Sarah Bonsor	
Richard Kidd	

### FOR THE RULE 6 PARTY: Halstead Parish Council and Green Belt Futures Group

Ben De Feu	Of Counsel
He called	
Stephen Giles	Motion Consultants
Robert McQuillan	Robinson Escott Planning LLP

### INTERESTED PERSONS:

Laura Trott MBE MP	
(representations presented by	
Cllr Peel)	
John Escott	Resident
Richard Bennett	Resident

Nigel Britten	Trustee CPRE Kent
Cllr John Saynor	Co-Chair Shoreham Society
Cllr John Grint	Badgers Mount
Andy Tamworth	Resident
Helen Brown	Chair of Halstead Halstead and Green Belt Futures Group
Cllr Rita Radford	Halstead Parish Council
Trevor Nichols	Sevenoaks Rugby Club
Lisa Kendel-Beaton	Resident
Frank Desmond	Trustee of Sevenoaks Hockey Club
Cllr Roger Davenport	Halstead Parish Council
Cllr Roger Sales	Halstead Parish Council
Cllr Mike Botting	LB Bromley
Alec Lauder	Resident
Tony Slinn	Chair of the Knockholt Society
Cllr Jean Peel	Halstead Parish Council
Geoffrey Kitchener	Resident
Cllr Tony Marshall	Halstead Parish Council

# Appendix RF-B

HCC comments on TAA

Ursula Fay  
Lead Project Officer  
Economic Growth and Infrastructure  
Dorset Council

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Enquiries to

Anna Li

My reference

6/3/7/332

Direct Line

Your reference

Date

23/05/2024

E-mail

Anna.Li@hants.gov.uk

Dear Ursula,

**Re: Land to the south of Ringwood Road, Alderholt, Dorset - Planning application Ref: P/OUT/2023/01166; Planning Inspectorate Ref: APP/D1265/W/23/3336518**

Hampshire Highway Authority (HHA) has reviewed the Transport Assessment Addendum (TAA) provided and would like to make the following comments.

### **Personal Injury Analysis (PIA)**

Having reviewed the PIA data, HHA consider that there are no specific existing accident patterns/ clusters that require mitigation works to the existing highway network. However, HHA are concerned about highway safety in the future due to significant additional development traffic (including heavy construction traffic for a significant period of time) on narrow sections of carriageway and therefore an increased risk of accidents occurring cannot be ruled out.

### **Sustainable Travel**

A WCHAR has been submitted however it does not contain any assessment on the conditions on these routes. HHA therefore request the appellant to review the condition of cycling provisions/ infrastructure along Ashford Rd and within the town centre of Fordingbridge and identify any required improvements.

With regard to the proposed shared use foot/cycle path on the B3078, updated plans have been provided, however the only amendments are amending a private driveway bellmouth on the northern side of the B3078 to a vehicle crossover and vehicle tracking of two articulated vehicles passing on the B3078. Given no substantial further

information has been provided, our previous comments, reiterated below, remain. Additional commentary on the TAA updates has been included in bold below.

1. HHA are concerned about the deliverability of the proposed upgrade and improvement works to the footpath E34/6 and BOAT 34/42. Dorset Council (DC) have raised significant issues with delivery of the footpath E34/6, in particular the narrow width of the western section, which would rely on procurement of private land to provide sufficient width meeting the standards. There are also other issues that could make the proposal unviable. There is uncertainty that an acceptable solution can be found to connect the site to the shared use path. Without this, there is no guarantee that the proposals create a continuous route between the development site and Fordingbridge.

2. Regarding the proposed speed limit reduction from 60mph to 40mph along the B3078 Fordingbridge Road, the required Traffic Regulation Order (TRO) process is open to public consultation and the outcome cannot be guaranteed. Given the measured speeds provided, HCC as HA would likely be willing to progress a speed limit reduction application; however, due to the short length within HCC's network, this is dependent on agreement from DC to the proposed speed limit reduction on their network.

3. Drawing 132.0024-P02 shows a safety margin of 0.5m; for a 40mph speed limit, this safety margin width does comply with HCC's Technical Guidance TG10 (Section 5.3) for an absolute minimum width on a shared use route. However, the minimum for a soft safety margin, as proposed, is 1m (TG10, 5.3.3); this also accords with a desirable minimum for a 40mph. **The appellant has indicated it could be a "hard" margin, however, the "hard" margin may be a concern for the Local Planning Authorities from landscaping perspective of keeping rural character.** The absolute minimum safety margin width for a road with a speed limit of 60mph is 2m. Unless confirmation is provided that the speed limit will be reduced to 40mph prior to scheme delivery, the width of safety margin should be corrected on the drawing to 2m. However, it has not been demonstrated by the appellant that a 2m safety margin within the highway boundary or land within the Appellant's control is deliverable. Given the highway boundary, a 2m margin does not appear achievable and as such, and in the absence of information to the contrary, the proposals are currently considered undeliverable.

4. The proposed route crosses a private driveway on the northern side of the B3078. The arrangement here appears to be a bellmouth. Clarity should be provided, and the design should prioritise pedestrian and cycle movements in accordance with policies C1, CC3 and C6 of Hampshire Local Transport Plan 4. If the edge of carriageway or give way location is changing at this access, visibility splays in accordance with measured speeds should be provided. **The appellant has submitted a drawing in TAA Appendix G, which shows how this bell-mouth junction could be converted to a crossover with a two stage give way, giving cycles priority. While this arrangement appears adequate (subject to likely minor amendments at**

**detailed design), as is the case with all proposed improvements, HHA require a Stage 1 Road Safety Audit (as noted below) to confirm the in principle design is acceptable.**

5. At the crossing point from the southern side of the B3078 to the northern side, visibility splays based on measured speeds have been provided and are considered acceptable. It has been demonstrated on plan that the basic infrastructure of the shared use path on either side of the crossing point can be accommodated within highway land. However, highway land is very limited with the proposed infrastructure going to the highway boundary and it is not clear if, in reality the proposals can be constructed within highway land; for example, if any regrading is required this would encroach on private land, as may footings or drainage associated with the works proposed in this location. The Appellant should demonstrate the works can be constructed in this location and the associated constraints. **The appellant states construction drawings are a matter for Section 278 stage and incorrectly cites HCC TG10 table 5.2.6, which permits reductions in width at constraints, however this only applies to cycle tracks, not shared use paths. HHA feel the above information is required at this stage to ensure the scheme is deliverable.**

6. In places, vegetation is immediately off the carriageway edge and some well-established trees may require removal. The vegetation clearance to implement the works and to maintain the pedestrian visibility splays is likely to have a significant impact on trees and hedgerow, with associated ecological and amenity impacts. Further details should be provided to ascertain the required vegetation removal and whether these are highway or private assets and if any Tree Preservation Orders are present. **The appellant states that a full assessment would be provided at the design check stage under the Section 278 of the Highways Act (allowing the developer to carry outworks on public highway) and various engineering options are available to retain trees. However, no details have been provided and the HHA feel it is necessary at this stage that further ecology and arboriculture impact information is provided to confirm delivery, with an acceptable impact on these elements, is possible.**

7. No Stage 1 Road Safety Audit (RSA1) has been provided. It is not possible to confirm the proposals are safe and therefore acceptable in principle because a Stage 1 Road Safety Audit (RSA1) has not been provided.

8. The proposals involve realignment of the carriageway edge throughout. However, neither carriageway width dimensions nor vehicle tracking has been provided to demonstrate the proposed carriageway alignment/ geometry can accommodate the forecast traffic volumes. Both omissions should be addressed and presented for review by HHA, noting any changes to the existing carriageway widths. - **Drawings in TAA Appendix G has shown geometries and vehicle tracking of two 16.5m articulated**

**vehicles passing. However, tracking is extremely tight and it is not clear if passing HGVs could do so safely.**

9. The onward route to Fordingbridge proposes using Ashford Road as a mixed traffic cycle route. Although the guidance within LTN1/20 suggest that Ashford Road is suitable for mixed traffic based on the recorded traffic flows and speeds, due to the nature of this road with a narrow carriageway and poor forward visibility on the bends, some cyclists, especially children and inexperienced cyclists, may not feel comfortable using this route. They may feel intimidated by approaching or following vehicles as there is little room to pass each other and, because the road is unlit, cyclists may not be comfortable to use this route during hours of darkness. For these reasons, we do not consider this route to be suitable for all cyclists. **The Appellant has not addressed this concern in the TAA, nor assessed this route in the WCHAR.**

In summary, while the Appellant proposes modest retail/ employment uses, the vast majority of trips would still be to destinations outside Alderholt, and the nearest significant town with associated amenities and employment opportunities is Fordingbridge. As such, the need to travel sustainably to Fordingbridge is considered necessary. Regarding the section of proposed shared use footway/ cycleway on the B3078, further information is required regarding the design, deliverability, safety and impacts of the proposals; it appears unlikely an acceptable and deliverable solution can be found within the existing highway boundary. Regarding the onward route via Ashford Road, this is not considered suitable for all cyclists; while the route as a whole does offer some benefits, it does not in our opinion fully meet the NPPF criteria in terms of promoting walking and cycling, provide an attractive or well-designed walking and cycling route or providing safe and suitable access to the site for all users.

### **Public Transport**

While public transport is a matter for DC, HHA are concerned about the proposed length of time of the provision of a financial contribution to support the bus service will cover and the longer term commercial viability of this service. It is not clear if the proposed contribution will cover the buildout of the development to full occupation. No assessment or evidence has been provided to demonstrate whether the service will be self-sustaining/ commercially viable after 7 years. The appellant states that these bus services will mainly be used by students during peak hours; it is unclear if it will be available during school holidays or after the funding ends, or if it can accommodate the forecast student number (plus additional capacity for other travellers) while operating. An inadequate bus service will result in greater use of the private car and an associated increased impact on HCC's highway network beyond that forecast by the Appellant.

### **Trip Generation – “Sensitivity Test” flows**

In HCC's response to the planning application, HHA clearly stated that the estimated trip generation was considered too low and the internal trips assumed were too high. As such, the forecast trip generation was not considered to be robust. National

Highways (NH) had a similar view and requested a higher residential vehicle trip rate of between 0.5-0.65 with internalisation of 5-10%.

The Appellant has proposed a sensitivity test, using the higher trip rates and lower internalisation in line with the National Highways request. The results as shown in Table 2 of the TAA forecast that the proposed development would generate 1122 vehicular trips during the AM peak and 1071 vehicular trips during PM peak. HHA agree these figures are acceptable for assessing the impact on HHA's highway network. However, while these figures were used for modelling the impact on NH's network, they were not used for the modelling of Dorset Council's & Hampshire County Council's highway network.

For the modelling testing on the Hampshire network, the Appellant has deducted a further 101 (AM) and 127 (PM) trips from the total flows above (1122/1071) on the basis that existing residents will not need to travel outside the site/ Alderholt village and instead will use the proposed amenities within the development.

The HHA acknowledge the fact that there could be a reduction in the existing trips traveling outside Alderholt due to the provision of proposed amenities within the development; however we question whether the amount of the reduction is reasonable. According to the Alderholt Neighbourhood Plan, currently there are c.1300 households in Alderholt; based on the Appellant's trip rates, the total forecast trips from existing Alderholt dwellings would be 723 in the AM peak and 688 in the PM peak. In the AM peak, only 7% of trips are for shopping/ leisure purposes (according to National Travel Survey Journey Purposes 2019), that is equivalent to 51 trips. So even if all of leisure/shopping trips remain within Alderholt and use the proposed amenities (which is highly unrealistic), the reduction would only be approximately half of what is assumed in the TAA. Therefore HHA consider the further reduction is not justifiable. The majority of trips during AM peak are for commuting, education and business/ personal business, which will not be served by the proposed amenities. For this reason and for robustness, the HHA require the Appellant to redo the capacity modelling using the same total flow figures used for the NH assessment, without further reduction.

### **Trip Distribution and Assignment**

HHA is unable to fully review the traffic assignment, as no details have been submitted. Diagrams showing the distribution and assignment of vehicular traffic forecast that 19% of total traffic will travel to/from/through Fordingbridge. This assessment, in HHA's opinion incorrectly assigns some trips beyond Fordingbridge, such as to Salisbury and Southampton, which would be likely to route via the B3078 and then the A338. The submitted "journey to work" table shows that 100% of trips for these destinations have been assumed to use Sandleheath Road or the A31 respectively, whereas the HHA consider a proportion of trips to these destinations would take the route via B3078 and A338 based on the journey times and distances.

Furthermore, 9.4% of development traffic is proposed to end its journey in Fordingbridge, which is accepted. However, it is noted all of the traffic routing to Fordingbridge is shown to end its journey in Bartons Road. The HHA are unable to accept this assumption unless it is justified with evidence. While it is appreciated that



some traffic will use the car parking and associated facilities/ employment off Bartons Road, this would not be all traffic routing to Fordingbridge, some of which will continue to the east and end in other locations within Fordingbridge.

Due to the above, the HHA is not in a position to agree the trip distribution and assignment as currently proposed.

### **Junction Modelling**

Flow figures in the modelling scenario '2033 base flow + committed dev' for the roundabout junction of Salisbury St/ Bridge St are incorrect. These are too low, with a 79 pcu shortfall on the "Salisbury Street" arm and a 17pcu shortfall on the "Bridge St" arm. It is also noted that the entry width on High Street is set to 4.8m, this appears to be a significant overestimated. Both of the above should be corrected and the modelling resubmitted for review.

Modelling parameters used for the Station Road/ Normandy Way junction are slightly overestimated as use of 2 lanes, rather than short flares on the arm of Normandy Way, has been included. This could have some effect on the forecast capacities. The appellant should correct the model to use flares.

### **Carriageway widening**

The Appellant has included some additional information in the TAA in response to HHA's previous comments. However, this is not considered satisfactory. As such, HHA's previous comments, reiterated below, remain. Additional commentary on the further information supplied within the TAA has been included in bold.

It has not been demonstrated that the widening as proposed is adequate to accommodate the forecast additional traffic (particularly during construction of the development). Tracking of appropriate vehicles, including refuse vehicles passing, should be provided to ensure the proposed widening along the route is adequate. **The appellant has submitted drawings in the TAA Appendix AA showing tracking of a car passing a 16.5m HGV. The proposed development would generate more HGV and bus movements, therefore the HHA require tracking to demonstrate HGVs can pass each other should they meet. The appellant also feels that the increase in large vehicle movements generated by the development equates to one in each direction every 18 minutes, hence the chance of meeting not significant. HHA consider the appellant should assess the worst case scenario i.e. number of large vehicles movements likely to be generated by construction.**

The HHA are concerned about the lack of information regarding the deliverability of the carriageway widening within the Hampshire boundary. In order to assess and agree in principle the proposal, the following information is required:

1. Drawings should clearly show all relevant features - including but not necessarily limited to: ditches/ attenuation/ watercourses, trees, hedgerows, embankments, street furniture requiring relocation, private driveways and indicative/ problematic statutory undertaker plant (both

above and below ground); so the deliverability of the widening works can be assessed. **The Appellant states that “*the existing road geometries, junctions and driveways have been plotted from LIDAR. In each location where widening is proposed, it has been carefully considered against vegetation and observable structures in the 3D point cloud/on site observation. Detailed design would be submitted at the S278.*”** However, in order for the design to be checked by highway engineers, the information listed above should be submitted and reviewed to ensure delivery of the road widening can be achieved.

2. It would appear that some highway trees/ vegetation/ hedgerow will be lost due to the proposed road widening. Any loss of Highway stock should be clearly indicated on drawings and an Arboricultural report should be submitted. The loss of vegetation/ hedgerow could have a significant effect on the landscape and character of the area. CAVAT fees would apply where highway trees are lost. Please note Highway trees can only be removed if payment of CAVAT fees is complete and a S278 legal agreement in place. **This has not been addressed in the TAA. It is noted the Appellant states that widening is designed with existing vegetation in mind. However, HHA do not have any evidence to substantiate this.**

3. It has not been demonstrated the design of the proposed highway works has taken account of the potential impact to the adjacent private properties/ land, boundary fences/ walls and vegetation. In some instances, these could make the widening works undeliverable, as the delivery may rely on third party land. This must be considered and demonstrated on the requested drawings. **The Appellant has referred to LIDAR surveys again. However, this information still needs to be shown on the drawings for engineers to check. This has not been submitted in the TAA.**

4. Forward visibility at bends should be shown on the drawings (based on measured speeds as per TG3). Where the re-alignment/ widening works affect private accesses, visibility splays at those accesses should be shown on the drawing. All visibility splays (including forward visibility splays) must be within the Highway boundary for a design to be considered acceptable. **This has not been addressed in the TAA. It is noted the Appellant feels the widening is minor and would not significantly impact visibility; however, HHA do not have any evidence to substantiate this.**

5. An individual location is noted where a structure is present on a corner that's being widened. Careful consideration of the widening proposals will be required in this location. **This has not been addressed in the TAA; as a minimum, it should be demonstrated that dealing with this structure is achievable without the need for third party land or permissions.**

6. No Stage 1 Road Safety Audit (RSA1) has been provided. In the absence of this it is not possible for the HHA to confirm the proposals are

safe and therefore acceptable in principle. **This has not been provided and remains required.**

7. It is not clear whether the B3078 or Hillbury Road / Harbridge Drove will be used as bus route as part of the development. Should this be the case, the required width of these roads should comply with HCC's Technical Guidance documents TG1 and TG2. **The Appellant has confirmed that the proposed bus route is Cranborne – Alderholt – Fordingbridge – Ringwood and confirmed Hillbury Road/Harbridge Drove is currently used by buses.**

8. Some narrow sections of these roads have not been included in the widening proposal. It seems that operation of these sections would rely on "give and take" (to be confirmed by the tracking requested above). However, there are no forward visibility splays nor road markings on the drawings to support the signing such as edge lining to mark out the narrowing to approaching divers and slow road markings. This should be shown on the drawing. It could be necessary to provide formal narrowings to one lane in some instances, depending upon the outcome of the tracking review and RSA1. **The Appellant has not addressed this in the TAA and believes the current arrangement is acceptable. HHA disagrees with this position given the lack of information to demonstrate this and the significant increase in traffic volumes due to the proposed development.**

9. HHA are concerned about the increased HGVs and buses using these roads, especially during construction phase, which, given the scale of the development, is likely to last for a decade or more. Therefore, the impact of construction vehicles on these roads should be considered. **The Appellant states that a Construction Traffic Management Plan (CTMP) can be conditioned with management measures; the intention is for routing to/from south. HHA considers conditioning a CTMP and routing to/from the south acceptable in principle; however, this does not address the concerns raised around narrow carriageways and significantly increased volumes of traffic (including large construction traffic) on Hilbury Road/ Harbridge Drove/ Alderholt Road.**

10. The requirements above will impact the highway cross-section and should therefore be carefully considered early in the design process before the highway layout and corridor widths are fixed. **No response from the Appellant.**

In summary, in the absence of the information above, HHA are unable to confirm the widening proposals presented are either acceptable to mitigate the development impact or deliverable.

### **Proposed One-Way System for West Street and Provost Street**

TAA states that modelling results show that with the existing layout, for the future year 2033 + Committed Development, an RFC is 0.99 and delays of 152.74s are forecasted at Provost St junction, hence the one-way traffic system is proposed to mitigate the development impact on this already constrained junction. It is noted that modelling outputs for this junction in the 2033 future year with the existing layout and traffic routing, including the forecast sensitivity development traffic flows added, has not been provided. This is required for HHA to understand the development impact on the existing layout.

### Design Comments

The proposed one-way system is not acceptable for the following reasons:

1. The proposal involves realignment of Shaftesbury Street further north. This will result in narrowing the existing footway on the northern side. However, improvement works are secured via S106 Agreement as part of the Land to the north of Station Road (SS16) permission to upgrade this footway to a shared use foot/cycle path. This is part of the necessary mitigation/ improvement works to make the site acceptable, agreed and secured under the planning permission for SS16 recently granted by New Forest District Council. As such, narrowing of this footway is wholly unacceptable and cannot occur.
2. The footway at Mill Court is being significantly reduced in width to 1.5m, which is less than the standard width required in HCC's current technical design guidance for footways. Given its location near the town centre the proposed footway width at this location is not acceptable. Additionally, tracking analysis shows that movements turning right from West Street to Shaftesbury Street and from Shaftesbury Street to Provost Street are unacceptable as the tracking is overhanging the footway. This represents an unacceptable safety risk to pedestrians.
3. There's a parking bay outside the Police Station on Shaftesbury Street, west of the junction with Provost Street. Vehicles in the parking bay will block visibility to the left for egressing vehicles. Although this is an existing situation, the increased traffic movements would increase the risks of accidents due to the substandard visibility.
4. No RSA has been submitted for the proposals and is required before any works to public highway can be agreed in principle.
5. Modelling of West Street/ Shaftesbury Street junction with the one way scheme in operation forecasts that, with committed development and the forecast development traffic (using sensitivity flows), an RFC of 0.91 and delay of 87.72s in the AM peak hour. This is beyond theoretical capacity. The modelling results for this

junction will also deteriorate further once the forecast trip generation, distribution and assignment have been corrected.

6. West Street is a narrow residential street with significant levels of on-street parking. Vehicle tracking drawings submitted have not considered the on-street parking and have not demonstrated that large vehicles can pass parked cars safely. Also, while beyond the remit of HHA, there are likely to be significant amenity impacts of substantially increasing traffic volumes on West Street, changing it from its current status as a lightly trafficked residential street, to a distributor road with significant levels of through traffic.

In summary, we do not accept the proposed one-way traffic system due to the numerous reasons above. Alternative mitigation measures should be considered and submitted for review with the support of an RSA1.

I trust that the above is clear but please contact Anna Li on the above number should you need further information.

Yours sincerely

Gemma McCart  
Team Leader – Highways Development Planning

Hampshire 2050

# Appendix RF-C

DC comments on PROW widths

**From:** [James Rand](#)  
**To:** [Rob Williams](#); [Richard Fitter](#)  
**Cc:** [Tom Peters](#)  
**Subject:** PROW width  
**Date:** 17 May 2024 17:11:47  
**Attachments:** [image004.png](#)  
[image005.png](#)  
[Alderholt.pdf](#)  
[FP photo locations.docx](#)

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Hello Rob and Richard,

Further to our call last week I've set out some information on the PROW between Hillbury Road and the B3078.

### Proposed improvement

I would suggest that the elements necessary to improve the route for cyclists are 1) removal or replacement of obstacles with gates usable by cyclists and 2) improved and widened surfacing, particularly along the part of the prowl that routes along the path before it reaches the track. I would propose this is dealt with through financial contribution and so Dorset Council retain control over the specifics.

### Existing width

I understand your concern relates to the extent and deliverability of widening of E34/6 at its western end. To the east, the PROW is less constrained, and I assume you have no concern with the principle of using the BOAT. I have attached some photos with approx. locations marked to help illustrate the existing situation.

I have also attached DC's public highway boundary map that includes PROWs. The definitive statement does not contain any width details. The only reference I have found that relates to width is in the DMMO when the footpath was upgraded to a BOAT, which refers to the route as being "within ancient boundaries."

There are therefore two sources of width information – firstly, measurements taken from OS mapping where this contains boundary features, and secondly on-site measurements using a trundle wheel.

The western part of E34/6 runs between two fields, and according to OS mapping there is a varying width of c. 2.8m – 4.3m between the two boundaries. There is obviously an element of judgement involved but based on site measurements, the existing used surface is c. 0.5m – 1.1m wide in this part, and with clearance of low level vegetation could be widened to c. 2 – 2.5m. This could potentially be increased further with pruning of boundary vegetation. Regular vegetation maintenance would be required to maintain the effective width.

On this basis, widening is achievable within the boundaries of the PROW. A full survey would be necessary at detailed design stage but it appears vegetation clearance (and ongoing maintenance) would enable a widened surface to be provided. The final extent of the widening would depend on factors such as material selection, construction method, and localised factors such as levels and presence of trees.

### Design guidance

Relevant guidance on width for cycle routes is contained within LTN 1/20 and also Sustrans' traffic free routes and greenways design guide. LTN 1/20 chapter 8 deals with motor traffic free routes.

Table 6-3 recommends a minimum width for shared use routes of 3m (suitable for up to 300 cyclists and 300 pedestrians per hour) and sustrans guidance recommends a minimum of 2.5m. LTN1/20 8.2.8 provides guidance for situations where the available width is less than 3m and suggests surfaces are fully shared as this allows users to negotiate the space when passing. 8.2.1 references that there are few recorded collisions between pedestrians and cyclists on shared use paths, and 8.2.2 refers to providing sufficient width for the anticipated levels of use.

If two cyclists were to meet, the dynamic kinetic envelope for a standard bike is 1m as per LTN 1/20 5.2.1 (other bike types are wider). With 0.5m clearance, the width for two moving cyclists on standard bikes to pass is 2.5m.

Sustrans' guidance draws on Inclusive Mobility and states a person walking unaided requires less than 0.7m width (other types of pedestrians require additional width). Therefore a cyclist moving past a pedestrian requires 1m (cyclist kinetic envelope) + 0.5m (clearance) + 0.7m (pedestrian) = 2.2m.

However, cyclists should give way to pedestrians on shared routes and signage could be provided to help reinforce this if appropriate. Sustrans refers to the typical static width of a cyclist as 0.75m, so the minimum width required for a pedestrian to pass a static cyclist is at  $0.7 + 0.75 = 1.45\text{m}$ .

On this basis:

- At least 1.45m is required for a pedestrian to pass a static cyclist
- 2.2m is required for a moving cyclist to pass a pedestrian
- 2.5m is required for two moving cyclists to pass

### Safety & Amenity

Based on the site measurements of the western part of the PROW, it appears possible to generally achieve 2-2.5m surface width. To the east, the width is less constrained.



The level of use, and therefore conflict between users, is likely to be relatively low. Based on ATC data, there are 2 cyclists in the peak periods along the B3078, that could use the improved PROW as an alternative. The development forecast is c. 30 cyclists in each peak, predominantly for commuting. Not all of the cyclists would travel on this route but assuming half do, there would be a total 17 cyclists in the peaks, equivalent to 1 every 3.5 minutes. The number of pedestrians using the route is not quantified, but during various site visits it has not been high and in the weekday peak periods is not likely to be substantial.

The western part of the PROW is straight and therefore any opposing users would be able to see each other. In locations where there is restricted width, it is therefore unlikely that there would be a safety issue if a cyclist were to meet another user. The amenity of the route in these locations would be reduced as users slow or stop to negotiate the space, but would still represent an improvement for cyclists compared to the alternative on-carriageway route. Although pedestrians would encounter cyclists where they currently do not, they would benefit from the improved and widened surface and removal/replacement of obstacles.

Ultimately, the level of forecast use in the peak periods is such that the chance of conflict at the narrowest part is not high and when conflict does occur, the impacts would likely be limited to amenity rather than safety. It is not uncommon for users of shared paths to encounter other users and negotiate the available space, and as per Sustrans guidance 3.4.1 in the majority of cases, a wide range of users can share traffic free routes responsibly. If necessary, a Code of Practice could be established which Sustrans recognise can be useful where physical constraints cannot be overcome.

#### Possible alternative

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If you still retain concerns over the widening of E34/6, a possible alternative would be to improve E34/4. This consists of a path through wooded area at its southern end and along a track at its northern end, adjoining the BOAT. On the ground measurements are easier to undertake here because the route is more well defined with less overgrown vegetation. The width of the track is c. 2.5-3m and the width of the path between the fencelines is c 2m. 1 gate and 1 stile would need to be removed or replaced (as an existing gate is usable by cyclists).

I hope this is useful and look forward to discussing any remaining concerns you may have.

	Type	General Description	Total Length (DC Map)	Obstacles	Width (OS)	Width (site measurements)
E34/6	Footpath	Path between	564m	2 x gate 1 x stile	2.8m-4.3 between	Surface 0.5 -1.1m in

		fields at western end with overgrown vegetation. Track at eastern end		1 x barrier	property boundaries in western part.	narrowest part. Low level vegetation 2-2.5m
E34/4	Footpath	Path through woods & between fences at southern end, track at northern end	411m	2 x gate 1 x stile	Track 3.5-4m	Path width between fences 2m, track 2.5-3m.
E34/42	BOAT	Track with hard base	207m	-	Generally 4m	3.3m

Kind regards,

James Rand

**Associate**

**Transport Planning**

MSc MCIHT



**Central Region**

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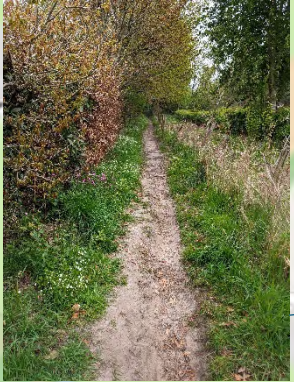
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Southern | Central | Eastern









**From:** Christopher Peck <[christopher.peck@dorsetcouncil.gov.uk](mailto:christopher.peck@dorsetcouncil.gov.uk)>

**Sent:** Tuesday, May 21, 2024 1:55 PM

**To:** Alison Curtis <[Alison.Curtis@dorsetcouncil.gov.uk](mailto:Alison.Curtis@dorsetcouncil.gov.uk)>; Emma Andre <[Emma.Andre@dorsetcouncil.gov.uk](mailto:Emma.Andre@dorsetcouncil.gov.uk)>; Owen Clark <[owen.clark@dorsetcouncil.gov.uk](mailto:owen.clark@dorsetcouncil.gov.uk)>; Helen Jackson <[helen.jackson@dorsetcouncil.gov.uk](mailto:helen.jackson@dorsetcouncil.gov.uk)>

**Subject:** RE: PROW width

As discussed with Alison, I would agree that designing to minimum (or, indeed, below minimum) dimensions should not be acceptable for a new development site.

The Sustrans guidance suggests an 'absolute minimum' of 2.5m for a shared use path, but a recommended minimum in alignment with LTN 1/20 (3m). Regardless, for a path that is proposed to be functional part of the active travel transport network (rather than purely recreational), LTN 1/20 should be the guidance used, not that of Sustrans.

While I think we can accept that shared use is a sensible compromise rather than segregated (given that usage is unlikely ever to exceed 300 peds or cycles per hour), a shared use route would not be acceptable with the current dimensions given for footpath E34/6. In addition, table 5-3 of LTN 1/20 requires additional width where the path runs directly adjacent to a fixed object, such as a kerb, fence or wall, with an additional 500mm added for features over 600mm in height. In this case, therefore, assuming that the path will continue to be fenced in, an additional 500mm of clear space (ie low level vegetation) will be required on either side of the path. This means that the full width, fence to fence, should be 4m, 3m of which would be usable surface. Where the proposed route runs along a vehicle track, it is likely that this minimum will be achieved.

While reductions below minimum width might be understandable at occasional pinchpoints (ie, for utility structures etc), the below minimum dimensions proposed cannot be accepted for extended stretches of the route. This is not a greenway used as a recreational route away from an urban area, but not the link between a large urban extension and its nearest town, and should meet modern standards.

Chris

**Christopher Peck**  
**Principal Transport Planner**  
**Economic Growth and Infrastructure**  
**Dorset Council**

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# Appendix RF-D

National Highways letter to PINS



Our ref: as yours  
Your ref: APP/D1265/W/23/3336518

Ms Holly Dutton  
The Planning Inspectorate  
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Lisa McCaffrey  
Spatial Planning Manager  
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Via email: [holly.dutton@planninginspectorate.gov.uk](mailto:holly.dutton@planninginspectorate.gov.uk) 23 May 2024

Dear Ms Dutton

**Planning Appeal: APP/D1265/W/23/3336518**  
**Application: P/OUT/2023/01166**  
**Location: Land to the south of Ringwood Road, Alderholt**

**Outline Application with all matters reserved apart from access off Hillbury Road for: Mixed use development of up to 1,700 dwellings including affordable housing and care provision; 10,000sqm of employment space in the form of a business park; village centre with associated retail, commercial, community and health facilities; open space including the provision of suitable alternative natural green space (SANG); biodiversity enhancements; solar array, and new roads, access arrangements and associated infrastructure**

National Highways provided an initial position statement for the Inspector in respect of the above appeal on 6 March 2024. This advised that National Highways wished to be considered as an Interested Party and set out those matters on which agreement was still to be reached in respect of the traffic impact of the development on the strategic road network (SRN). In this case the SRN comprises the A31 trunk road and specifically the junction with the B3081 Verwood Road.

National Highways and the appellant's consultants have continued to maintain a constructive dialogue and National Highways is now able to advise that the assessment of traffic impact and associated modelling developed by the appellant in respect of the SRN has been agreed.

This assessment has identified that a scheme of works at the A31 / B3081 Verwood Road junction is necessary to address an adverse development traffic impact on the SRN and associated local highway network which would otherwise be considered unacceptable or severe (in safety and capacity terms) in accordance with the NPPF.

The appellant has provided a preliminary design for a scheme of works which National Highways considers complies with the standards set out in the DMRB insofar as the SRN elements of the scheme are concerned. Both National Highways and Dorset Council (represented by their consultants Entran) have confirmed that the scheme design is sufficient to enable it to progress to a Stage 1 Road Safety Audit (RSA), and both parties have signed the required RSA Brief as the overseeing organisations for our respective highway networks.

Whilst it is acknowledged that the RSA process remains to be completed at this time (and that a Walking, Cycling and Horse-Riding Assessment and Review will also need to be completed), National Highways is confident that there is a reasonable prospect for a deliverable scheme to be agreed which we would expect to be secured by planning condition should the Inspector be minded to uphold the appeal. This condition would require the scheme to be implemented, generally in accordance with the agreed preliminary design, in advance of the occupation of the development. The appellant would be expected to subsequently enter into an appropriate legal agreement with the relevant highways authorities to agree the detailed design and delivery of the scheme.

National Highways will continue to work with both the appellant and Dorset Council (as represented by Entran) to contribute to their Statement of Common Ground. With publication of the most recent work undertaken by the appellant's consultants we expect we will be able to update our formal response on this application, to a recommendation that conditions should be attached to any permission. With this the case, all matters in respect of the SRN would be resolved in advance of the appeal hearings and National Highways is not therefore expecting to be represented or participate in the hearings.

Should the Inspector have any questions for us or require clarification on any matters relating to the SRN in the meantime, please do not hesitate to contact me via [planningsw@nationalhighways.co.uk](mailto:planningsw@nationalhighways.co.uk).

Yours sincerely

*Lisa McCaffrey*

Lisa McCaffrey  
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