

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

PLANNING COMMITTEE

MAIDENHEAD DEVELOPMENT CONTROL PANEL

8 November 2021

Item: 1

Application No.:	21/02245/FULL
Location:	Bray Studios Down Place Water Oakley Windsor SL4 5UG
Proposal:	Redevelopment to create new film and TV studios, incorporating demolition, retention of 2no. existing sound stages, rehearsal building, backlot and ancillary offices on a permanent basis, construction of further new production facilities including sound stages, workshops, ancillary offices and other production facilities, use of Waterford House and Steading as ancillary accommodation, parking, landscaping and new vehicular access off Windsor Road.
Applicant:	Bray Film Studios Limited
Agent:	Mr Oliver Bell
Parish/Ward:	Bray Parish/Bray

If you have a question about this report, please contact: Tim Chapman on or at tim.chapman@rbwm.gov.uk

1. SUMMARY

- 1.1 The application seeks detailed planning permission for an expansion of the Bray film studios situated on the A308 between Windsor and Maidenhead.
- 1.2 The proposed development is inappropriate development in the Green Belt, would cause harm to the openness of the Green Belt and be contrary to one of the purposes of the Green Belt, namely safeguarding the countryside from encroachment. Therefore, a case of Very Special Circumstances (VSC) would need to be demonstrated where harm to the Green Belt and any other harm is clearly outweighed by other considerations.
- 1.3 The proposal represents a substantial benefit in terms of employment and economic activity, locally, nationally and internationally. It is considered acceptable in all other respects.
- 1.4 In the overall balancing exercise for establishing VSC, it is considered that the identified harm is clearly outweighed by other considerations, and therefore VSC exists which justifies the development in the Green Belt.

It is recommended the Committee authorises the Head of Planning:	
1.	<p>Subject to the Secretary of State not resolving to call in the application and no further adverse comments being received from Natural England, to grant planning permission with the conditions listed in Section 13 of this report and on the satisfactory completion of a legal undertaking to secure the infrastructure in Section 10 covering the following:</p> <p>Carbon Offset contribution</p> <ul style="list-style-type: none"> • Economic Measures, including: • Implementation of the Employment and Skills Plan; • Commitment to join the Visit Windsor Partnership for three years • Funding for the provision of a RBWM Film Officer for three years • Travel Plan • Transport Improvements, including: • Necessary highways improvements under a S32/S278. • Contribution towards the Borough's emerging strategy to secure highway infrastructure and public transport service improvements across the A308 corridor • Monitoring
2.	<p>In the event the above undertaking is not completed the Committee authorises the Head of Planning to refuse planning permission.</p>

2. REASON FOR PANEL DETERMINATION

- 2.1 The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended as it is major development; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site lies between the A308 (Windsor Road) and the River Thames and circa 6.0km south-east of Maidenhead and 5.0km north-west of Windsor. The east boundary is along the side of Down Place Lane and the west boundary runs from the River Thames to the Windsor Road along the Eastern edge of the Southfields orchard. The site is bisected by Water Oakley Lane which leads to the riverside and accesses Down Place and Waterford House.
- 3.2 Windsor Road is street lit and is subject to a 40mph speed limit. In the immediate vicinity there are no footway to the south-side of Windsor Road, to the north there is a narrow footway (1.5m), which belies its designation as a shared pedestrian/cycleway path.
- 3.3 There is an existing buffer of landscaping adjacent to the southern boundary which extends around the east of the site in the form of existing woodland parallel to Down Place Lane. To the east is a small residential hamlet accessed from Down Place Lane, consisting of a series of detached residential properties along the river. The closest of these are Down Place, which was historically the focus for film making on site, Toad Hall and Clock Tower House which are all Grade II listed.
- 3.4 The Application Site is located in the Green Belt. It was previously utilised for a range of uses including film studios (Class E(g)), buildings in commercial use (Class E(g), B2 and B8), a gymnasium (Class E(d)), agricultural processing (Sui generis), 5 residential dwellings (Class C3) and a plant hire and construction compound (Class B2). An array of buildings associated with these uses; including sound stages, the light industrial style structures and storage sheds exist to the present day, although a number of the buildings have been demolished to accommodate the recent temporary planning permission for filming use. There are a range of buildings existing on site, including permanent buildings, ones granted temporary planning permission and temporary mobile units, as well as hardstanding and five existing residential houses. There is existing

landscape and wooded areas, particularly towards the boundaries of the site. A significant extent of the Application Site comprises Previously Developed Land (PDL),

3.5 The area of the site is 13.35 hectares.

4. KEY CONSTRAINTS

4.1 The following are the main constraints associated with the site:

- Designated Metropolitan Green Belt
- Adjacent to Grade II Listed Buildings
- Partly in flood zones 2 and 3 (northern part of the site)
- Source Protection Zone
- Access from an A Class Road
- Setting of the Thames

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

5.1 The proposals include the following key elements:

- Approximately 30,000sq.m of commercial floor space comprising:
 - 9 sound stages (2 of which are existing permanent stages and 2 which have temporary planning permission);
 - 4 workshops;
 - 1 rehearsal building;
 - Back Lot;
 - Ancillary office and production facilities;
 - Ancillary accommodation;
 - The loss of five existing residential units including the demolition of three houses.
 - 750 parking spaces;
 - 174 cycle spaces;
 - HGV parking
 - Upgrading the existing access from the A308 through the provision of a roundabout; and landscaping.
 - A Travel Plan including:
 - appointing a Travel Plan Coordinator;
 - provision of a shuttle bus to and from Maidenhead Station or the improvement to the existing public bus service;

5.2 The Proposed Development has been designed to meet the functional needs of film production and to provide independent 'Lots' to allow up to three separate productions to take place simultaneously.

5.3 While the majority of the development is proposed on Previous Developed Land (PDL), non-PDL land is also proposed to be developed for buildings and hard landscaping. The table below shows the land take of the current proposal compare with a range of existing scenarios.

LAND USE	SIZE	Size difference / compared with proposal / percentage of built increase
Current Proposal	80,429 m2	
PDL	48,541 m2	31,888 m2 (65.7%)
Temporary Consent	57,795 m2	22,263 m2 (38.5%)
Residential consent (18/01804/OUT)	71,301 m2	5,538 m2 (7.8%)

5.4 Spatial elements of the development

5.5 The five main elements of the proposal are described below.

Name	Back Lot	Main Lot	South Lot	Lot A	Lot B
Location	North west corner, adjoining Thames	East of Water Oakley Lane	Between Main Lot and A308 buffer	located to the south of Waterford House and Steading, and to the west of Water Oakley Lane.	located immediately to the south of 'Lot A', separated by 'Central Avenue', to the west of Water Oakley Lane.
Existing buildings	Outdoor storage and filming	Stages 1 and 2			
Temporary buildings	As existing	Stage 4 retained; offices on Eastern Boundary and West of Stage 2	Stage 5 retained	Rehearsal building retained	
New buildings	No permanent buildings	Support services building and staff canteen adjoining Water Oakley Lane	Workshop buildings to south and west	Stages A1, A2 and A3 plus production and ancillary facilities. Workshop A to the west	Stages B1 and B2
Demolition	None	none	none	Water Oakley Farmhouse; Semi detached houses on Water Oakley Lane	Phoenix gym (vacated)
Max Height	NA	Stage 1: 15.8m; Stage 2: 16.3m Stage 4: 15.6m	Stage 5: 15.6m	17.5m	17.5m
Parking (note that the remainder of car	None	77 car parking spaces	253 car parking spaces. The	220 car parking spaces. HGV	156 car parking spaces Parking

parking spaces are along Water Oakley Road (27) and for visitors (17)			primary car parking serving the 'South Lot' and 'Main Lot' is south of Workshop E, with further parking provided to the west of Stage 5.	parking to the south of the stage and workshop buildings, adjacent to 'Central Avenue'. car and cycle parking area is west of the workshop building.	located to the south of 'South Road' and to the north of the rehearsal building. These areas also include cycle parking (motorcycle parking and visitor parking are available in the area to the south of 'South Road').
-----------------------------------------------------------------------	--	--	------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

5.6 Appearance

5.7 The new Stage and Workshop buildings, which are the principal buildings within 'Lots A and B', are designed with concrete walls up to 6m high, above which will be timber and aluminium cladding (the primary elevation materials), and green roofs.

5.8 The production and ancillary building, which adjoins Stages A1, A2 and A3 has a glazed façade that creates an active frontage along the northern end of Water Oakley Lane.

5.9 Height and Massing

5.10 The Proposed Development has been designed to meet the functional requirements of film and High End Television ("HETV") productions, and the height and massing is reflective of this. The maximum height of new buildings is 17.5m, which is comparable with the existing permanent stage buildings within the 'Main Lot' and 'South Lot'.

5.11 Accessibility

5.12 The nearest bus stops are situated on either side of the A308 and circa 800m from the site. The bus stops are served by the number 16 and 16A that provides a regular but infrequent service between Windsor and Maidenhead town centres.

5.13 There is limited existing pedestrian and cycle infrastructure connecting the site with Windsor and Maidenhead.

5.14 Application Site Access

5.15 Access into the site will be via a new roundabout on the A308 and the widening of the existing access point into the site. This will facilitate one-way roads off the roundabout into the site.

5.16 A security post is located a short distance into the site that will control vehicle entry. Visitor car parking will be provided between the access point and the security post, as well as a new bus stop.

5.17 Internal Road Network

5.18 Beyond the security post is a network of roads that navigate the various areas of the proposed development. Water Oakley Lane runs north-south through the site and provides a direct connection from the security post to Steading and Waterford House, and includes access points into the four 'Lots' and to Down Place House (beyond the Application Site boundary).

5.19 The 'Main Lot' and 'South Lot' are served by four access points off Water Oakley Lane. These 'Lots' do not have any defined internal roads, with the circulation areas between buildings providing linkages through both 'Lots'.

5.20 Direct access into 'Lot A' from Water Oakley Lane is via 'Central Avenue', which runs along the southern edge of Workshop A and Stage A3. Between the workshop and stages is 'Lot A Avenue', which links 'Central Avenue' with 'North Road'. An access point into the Backlot is located off 'North Road'.

5.21 'Lot B' is accessed directly from Water Oakley Lane via both 'Central Avenue' and 'South Road'. 'Lot B Avenue' runs between Workshop B and the stages, with 'South West Road' to the west of the workshop, both of which connect 'South Road' and 'Central Avenue'.

5.22 In summary, the internal road network is designed to allow efficient movements across the site if all four 'Lots' are being used for the same production, but also allows each 'Lot' to be used independently where up to three separate productions are taking place simultaneously, noting that Main and South Lot would be combined for one production.

5.23 Parking

5.24 There are various parking areas located across the site, with each 'Lot' served by its own parking area(s). The parking provision includes:

- 750 car parking spaces (including 23 disabled spaces and 17 visitor spaces (of which 4 are disabled spaces));
- 32 motorcycle spaces; and
- 174 cycle parking spaces.

Under the draft Travel Plan, 20% of car parking spaces are proposed to have electric charging.

5.25 Footways are provided adjoining the main internal roads, with suitable crossing points, to facilitate safe access on foot throughout the proposed development. The footway network also provides a footway connection to the Application Site access (via the proposed new bus stop) onto the A308, which will link in to the existing footways along this road in both directions.

5.26 Cyclists would share the internal road network, with three covered cycle parking areas provided.

5.27 Landscaping

5.28 Soft landscaping forms a major part of the proposal. A number of street trees and hedgerows are proposed throughout the developed part of the site (including the car parking areas) to soften the appearance of the built form.

5.29 Trees along Water Oakley Lane define on-street car parking and junctions. The tree planting is supplemented by planting beds and ornamental grasses. The entrance into the site is bordered by a landscape buffer providing a screen to the proposed buildings from views from the A308. This includes planted earth mounds, open wildflower verges, and hedgerows. The roundabout itself is proposed to be planted with native shrubs and trees.

5.30 Along the eastern edge of the site, the landscaping focuses on the retention and enhancement of the existing vegetation. The existing woodland belt will be managed and supplemented with new tree planting. A replacement elm tree (replacing an existing Grade A tree at the site entrance) will be provided at the site's south-eastern corner.

5.31 New lowland woodland tree and scrub species will be planted along the western boundary to assist with the visual screening of the Proposed Development. An area is set aside adjacent to 'Lot B' for the retention and management of the protected Pennyroyal species, and an existing orchard to the south of this will be retained. The backlot will be kept open and undeveloped, and would be used for outdoor filming.

5.32 Buildings to be demolished

5.33 Drawing ref. PL-D(03)-003-01 submitted in support of the proposal sets out the buildings proposed to be demolished / removed. The precise timescales for this are set out and agreed within a Phasing and Delivery Strategy, which is to be prepared at a later date. and would be secured by planning condition.

5.34 Temporary Buildings and Phasing

5.35 The layout and delivery strategy of the proposal provides the ability for the existing occupier to remain in-situ and carry out filming activities whilst the construction process takes place, assisting continuity of operations and economic benefits.

5.36 Having regard to the need to ensure Bray Studios can continue to operate during the construction period, it is proposed that the specific timescales for the removal of the temporary buildings would be agreed with the Council by the preparation and agreement of a Phasing and Delivery Strategy.

5.37 Environmental Sustainability

5.38 The proposal includes green roofs on the majority of new sound stage buildings, on site renewables such as solar pv and the use of heat pumps. It seeks to meet the Councils' Interim Sustainability Statement.

5.39 Planning History

5.40 Owing to the size and nature of the Site, it has an extensive planning history, generally comprising change of use, listed building consents and residential applications. The following consents are of particular relevance:

Reference	Description	Decision
19/03295/FULL	Retention of existing temporary buildings and erection of new temporary buildings and structures at Bray Studios in connection with continued commercial filming use; and the change of use of (adjacent or other) land from commercial (B1/B2) storage, including open storage (B8), agricultural processing (sui generis) to temporary use for commercial filming, incorporating associated temporary buildings and structures (including earth bunds) and hardstanding for parking and storage.	Approved 4 th June 2020 Implemented
18/01804/OUT	Outline application for access only to be considered at this stage with all other matters to be reserved for demolition of all buildings, structures and hardstanding; residential development for up to 127 dwellings together with associated open space, landscaping, community pavilion and other infrastructure.	Approved 6 th June 2019 Extant
17/01949/REM	Reserved matters (access, appearance, landscaping, layout and	Approved 4 th

	scale) for plots 1 to 3 application pursuant to outline planning permission 13/02719/OUT for the construction of 44 detached dwellings.	October 2017
16/00723/REM	Reserved matters (access, landscape and layout) for plots 1 to 3 application pursuant to outline planning permission 13/02719/OUT for the construction of 44 detached dwellings	Approved 21 st September 2016
16/00721/REM	Reserved matters (appearance, landscaping, layout and scale) for plots 4 to 44 application pursuant to outline planning permission 13/02719/OUT for the construction of 44 detached dwellings	Approved 21 st September 2016
13/02719/OUT	Outline application (with appearance, landscaping, layout and scale reserved) for the construction of 44 detached dwellings	Approved 4 th July 2014

5.50 Key planning applications relating to the adjacent Down Place House are as follows:

Reference	Description	Decision
16/03199/VAR	Change of use, restoration, conversion and partial demolition of Down Place House including alterations and two storey extension to form 10 residential dwellings, Demolition of other existing buildings and removal of hardstanding to enable the construction of 11 detached dwellings and a terrace of 4 dwellings, garaging, car parking provision, open space, landscaping and other associated works without complying with condition 34 (approved plans) to replace approved plans under planning permission 16/02392/VAR.	Approved 18 th May 2017 Extant
17/00502/LBC	West elevation of main house to be taken down and reconstructed as described in the Repair Methodology which accompanies the application.	Approved 18 th April 2017
16/03196/LBC	Consent to undertake minor amendments to the apartment layouts, including the restoration of historic features, less subdivision of historic rooms, and some external alterations, conversion of the undercroft to the northern riverside extension into habitable accommodation with new light well	Approved 18 th April 2017
16/02392/VAR	Change of use, restoration, conversion and partial demolition of Down Place House including alterations and two storey extension to form 10 residential dwellings, Demolition of other existing buildings and removal of hard standing to enable the construction of 11 detached dwellings and a terrace of 4 dwellings, garaging, car parking provision, open space, landscaping and other associated works as approved under	Approved 26 th April 2017

	planning permission 15/01984 without complying with condition 2 (materials) 30 (scheme of remediation) 31 (arboricultural method statement) 33 (section 278 highway agreement).	
15/01984/FULL	Change of use, restoration, conversion and partial demolition of Down Place House including alterations and two-storey extension to form 10 residential dwellings, Demolition of other existing buildings and removal of hardstanding to enable the construction of 11 detached dwellings and a terrace of 4 dwellings, garaging, car parking provision, open space, landscaping and other associated works.	Approved 10 th February 2016
15/01989/LBC	Listed building consent for restoration and conversion of Down Place house to form 10 dwellings, comprising 8 x apartments and 2 x cottages, works to include reinstatement of original west entrance and entrance lobby connecting to main staircase, demolition of large studio building attached to the south of the east wing and replaced with new extension, demolition of block b building, single storey conservatory extension to the north elevation to block A and associated internal and external alterations.	Approved 10 th February 2016

6. DEVELOPMENT PLAN

6.1 The main Development Plan policies applying to the site are:

Adopted Royal Borough Local Plan (2003)

The Borough's current adopted Local Plan comprises of the saved policies from the Local Plan (Incorporating Alterations Adopted June 2003). The policies which are considered relevant to this site and planning application are as follows:

Issue	Adopted Local Plan Policy
Green Belt	GB1, GB2
Design Guidelines	DG1
Proposals affecting Listed Buildings or their settings	LB2
Pollution: groundwater	NAP4
Parking within Development	P4
Public Transport	T10
Flood Risk	F1
Air Quality	NAP3
Surface Water Drainage	NAP4
New Development and Highway Design	T5
Protecting residential land and the housing stock	H7
Design in keeping with character and appearance of area	DG1
Economic Development	E1
Other sites in Business and Industrial uses	E6
Design and Development guidelines	E10

Setting of the Thames	N2
Trees and hedgerows	N6, N7
Funding of Improvements	T6, T7, T8
Implementation	IMP1

7. MATERIAL PLANNING CONSIDERATIONS

7.1 National Planning Policy Framework Sections (NPPF) (2021)

- Section 4: Decision- making
- Section 5: Delivering a sufficient supply of homes
- Section 6: Building a strong, competitive economy
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 13: Protecting Green Belt land
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

7.2 Borough Local Plan: Submission Version Borough Local Plan (BLPSV) (2017) and Borough Local Plan Submission Version Proposed Changes (BLPSVPC) (2019)

Issue	Main Modifications (2021) (2017 in brackets)
Climate change	SP2
Sustainability and Placemaking	QP1 (SP1)
Green and Blue Infrastructure	QP2 (SP2)
Character and Design of New Development	QP3 (SP3)
River Thames Corridor	QP4 (SP4)
Green Belt	QP5 (SP5)
Loss and Subdivision of Dwellings	(HO5)
Economic Development	ED1
Historic Environment	HE1
Flood Risk	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Pollution (Air, Light, Noise, Contamination, Water)	EP2, EP3, EP4, EP5
Infrastructure Contributions	IF1
Sustainable Transport	IF2

Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

- a) *the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) *the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all representations received, was submitted to the Secretary of State for independent examination in January 2018. In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector's post hearings advice letter was received in March 2021. The consultation on the main modification to the BLPSV ran from 19 July to 5 September 2021.

The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. This assessment is set out in detail, where relevant, in this report.

7.3 Supplementary Planning Documents (SPD)

- Planning Obligation and Developer Contributions SPD
- Sustainable Design and Construction SPD
- Borough Wide Design Guide SPD
- Landscape Character Assessment SPD

7.4 Other Local Strategies or Publications

- Interim Sustainability Position Statement
- Environment and Climate Strategy

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

47 occupiers were notified directly of the application. The planning officer posted a notice advertising the application at the site and the application was advertised in the Local Press

29 letters were received supporting the application, summarised as:

Comment	Where in the report this is considered
1. Support for increased employment use	iv, 11.2
2. Support for the benefits in the supply chain and wider/local economy	iv, 11.2
3. Support for increased job opportunities to the locality	iv 11.3
4. Support for the ongoing use of filming heritage on the site	iv
5. Support for the proposed landscaping	viii

4 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. Inappropriate development in the Green Belt with no very special circumstances	The impact of the proposal upon the Green Belt is considered within section i of this report and it is considered that the need for VSC has been met
2. Concern regarding the increase of traffic on the A308	The Highways Authority consider that the increase in traffic does not create severe congestion or road safety issues. See section vii
3. Concern regarding the temporary film use	The application is for permanent use as a film studio. The current temporary use is not the subject of this

		application. In any event should the current proposal be approved it is anticipated that the temporary use would cease. Issues such as the use of diesel generators, and noise and odours associated with the temporary use are expected to cease or improve should the current application be approved and implemented. See section v
4.	Concern regarding the height of stage 5 and width of Workshop D.	The size and scale of particularly buildings has been considered in this assessment of the application. Taking account of all material considerations, including the commercial need for particular sized spaces as well as the impact on the Green Belt and Visual amenity, whilst harm is acknowledged, the impact of these buildings is considered to be acceptable. See Sections iii, iv
5.	100m landscaped buffer should be provided.	Despite the lessening of the width of this buffer it is considered that the proposal is acceptable in relation to landscaping and ecology. Section viii.
6.	Housing is more contained than film use.	The current proposal has been looked at in terms of its merits as a whole and is considered acceptable.
7.	Degrades the green gap between Windsor and Maidenhead	There is no specific green gap protected by policy. The impact upon the visual appearance has been assessed. See sections i, iii, v
8.	Film crews will come and go and will not maintain the site, a permanent owner is required.	Site maintenance, in terms of landscaping, construction and other considerations will be controlled via planning condition.

Consultees

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority	No objection subject to condition	vi
Thames Water - Waste	No objection	vi
Natural England	Objection - The application could have potential significant effects on Windsor Forest and Great Park Special Area of Conservation. Further information is required in order to determine the significant of these impacts and the scope for mitigation. An Air Quality Assessment compliant with the Habitats Regulations 2017 is required.	An Air Quality Assessment has been submitted. A condition is suggested. Further comments are also awaited at time of writing which will be reported to committee. viii
Environment Agency	No objection subject to conditions	vi
Ecology	No objection subject to conditions	viii
Landscape	No objection subject to conditions	viii

Officer		
Highways	No objection to highways safety and capacity. Financial support for sustainable transport sought.	vii
Economic Development	Support the proposal subject to improvements to training and employment provision for Borough residents and businesses, including: <ul style="list-style-type: none"> • Apprenticeships for local people; • Open days for school pupils; • A commitment to being a member of the Visit Windsor Partnership for 3 years ; • Full funding for a RBWM film officer. 	iv
Conservation and Urban Design	Support the application and advised placing appropriately worded conditions	iii
Emergency Planning	No objection but note that a flood response plan and effective business continuity plan should be included	vi
Fire Authority	No objection	
Sustainability	No objections. Proposal meets Interim Sustainability Statement requirements	ix
Arboricultural Officer	No objection subject to conditions	viii
Slough Borough Council	No objection but raise issue of sustainability of the site	vii, ix
Bray Parish Council	No objection but note that night filming should be sympathetic in terms of lighting to alleviate any night pollution and siting of generators, canteens, rest areas and anything generating unpleasant odours or noise are considered carefully.	Detailed lighting proposals are to be submitted and will consider impact on adjoining amenity; The impact upon amenity has been considered and, where relevant to planning, appropriate conditions are suggested.v
Environmental Protection	No objection subject to conditions	v
Bracknell Forest Council	No objection	
Surrey Heath	No objection	

Others

Group	Comment	Where in the report this is
-------	---------	-----------------------------

		considered
Department for Digital, Culture, Media and Sport	The expansion of Bray Studios would enhance the UK's competitiveness and offer a boost to the local area. Offer support in principle for this exciting project.	iv ,11.2
Department for International Trade	Bray Studios is to be a key project for the sector and region.	iv,11.2
Head of Creative Arts – Cross College	Support the provision of the unique employment and training opportunities the scheme will bring to the Borough.	iv,11.2
Creative England	The application responds to the shortage of studio space in the UK.	iv,11.2
The Production Guild of Great Britain	Bray Studios has a rich history and sizeable potential.	iv,11.2
Windsor College	Application is linked to one of the most important growth industries in the UK.	iv,11.2
Oakley Green, Fifield and District Community Association	Will enhance the area giving job opportunities to local people and support local businesses.	iv,11.2
Oakley Green & Fifield Residents Association	Offer conditional support subject to: <ol style="list-style-type: none"> 1. Landscape buffers should be put in place at the start of the development and new planting should be mature specimens 2. Unconvinced of a limited impact on the A308 and highlights need for the RBWM A308 corridor study 3. Crucial remaining land in this green gap is not developed 4. Concerns regarding light pollution 	<p>1. viii</p> <p>2. vii</p> <p>3. There is no specific policy requiring a green gap.</p> <p>4. v</p>

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of development in the Green Belt
- ii Loss of residential uses
- iii Design Considerations, Impact on Character and Historical Assets
- iv Economic Impacts
- v Amenity Impacts
- vi Sustainable Drainage
- vii Highways
- viii Nature
- ix Climate Change and Sustainability
- i **Principle of this development in the Green Belt**

- 9.2 The films studio use has operated on the site for many years and has recently been temporarily expanded, as highlighted in the Planning History section of this report.
- 9.3 The principle of the use itself is acceptable.

Whether the Development is Appropriate Development in the Green Belt

- 9.4 The entire site lies within the Green Belt and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Local Plan policy GB1 sets out forms of appropriate development in the Green Belt but was prepared in accordance with the cancelled PPG2: Green Belts which has since been replaced by the NPPF. While broadly reflective of current national Green Belt policy at a strategic level, it is more proscriptive and therefore policy GB1 is given less weight. The NPPF is a material consideration with greater weight which sets out what comprises appropriate development in the Green Belt in paragraph 149 and paragraph 150. As a further material consideration of significant weight, BLPSVPC policy SP1 states that the Green Belt would be protected from inappropriate development in line with Government Policy.
- 9.5 BLPSVPC policy QP5 also states that states that permission will not be given for inappropriate development, as defined in the NPPF, unless very special circumstances are demonstrated.
- 9.6 Under paragraphs 149 g) of the NPPF, the partial or complete redevelopment of previously developed land is allowable where there is no greater impact on openness of the Green Belt than existing development. As discussed below, the current proposal is considered to have a greater impact on openness and would therefore not meet this exception. Under 149 and 150 of the NPPF and BLPSVPC policy SP1, the proposed development would not fall under any of the exceptions listed as appropriate development in the Green Belt, and in accordance with paragraph 147 of the NPPF inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). This is common ground with the applicant. A case for VSC has been put forward by the applicant, which is considered in section 11 of this report. Case law indicates that the view on what constitutes very special circumstances is a matter for the Committee, as decision maker, to determine.

Other Harm to the Green Belt

- 9.7 Local Plan policy GB2(a) states that permission will not be granted for new development within the Green Belt which would have a greater impact on openness of the Green Belt or the purposes of including land within it than existing development on the site. Insofar as assessing the impact of development on the openness of the Green Belt, Local Plan policy GB2(a) is not entirely reflective of the NPPF and therefore not given full weight. However, the objective of GB2(a) is consistent with paragraph 137 of the NPPF which makes it clear that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; and the essential characteristics of Green Belt are their openness and their permanence. Paragraph 138 of the NPPF goes on to state that the Green Belt serves 5 purposes:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns;
 - to assist in urban regeneration by encouraging the recycling of derelict and other urban land.
- The NPPF is a material consideration of significant weight.
- 9.8 As inappropriate development in the Green Belt the proposal is, by definition, harmful to openness. In terms of actual openness, the NPPG advises that when considering the potential impact of development on actual openness of the Green Belt, openness is capable of having both a spatial and visual aspect, and the permanence and degree of activity likely to be generated should be taken into account. The permanent siting, layout, height, scale and form of proposed development, particularly the 2 new 17.5 metre high sound stage buildings, as described in

section 4 of this report, would unavoidably result in an adverse effect on spatial and visual openness in comparison with the existing situation. The proposal does extend beyond that agreed in previously approved developments as shown in Paragraph 5.3.

- 9.9 Furthermore, due to the relatively flat topography, the permanent loss of openness would be visually apparent from LVIA viewpoints 11 (Public footpath 53 to the south of the A308, looking north towards the site) and 13, from the Thames Path (near Queen's Eyot), north west of the site. The proposal, therefore, is not considered to be covered by the exception clause of NPPF 149 g).
- 9.10 One of the purposes of the Green Belt is to safeguarding the countryside from encroachment. It is considered that while the existing site is screened by mature vegetation, proposed to be reinforced as part of the proposal, the expansion of the built form represents moderate encroachment. The proposal would therefore conflict with this purpose.
- 9.11 While the proposal is considered to cause harm to the Green Belt and its rural setting, the extent of built form is contained within the existing site boundaries and screened by significant landscaping and planting.
- 9.12 Having undertaken the balancing exercise in Section 11, officers are of the view that VSC have been demonstrated and the principle of the development within the green belt is acceptable.

ii Loss of residential uses and impact on extant consents

- 9.13 As outlined in section 5.1 the proposal involves the loss of five existing residential dwellings on the site. This loss represents moderate harm and is accepted, given the substantial economic benefits associated with the Proposed Development, which are supported by local and national policy.
- 9.14 The site has two extant consents for housing, one for 127 dwellings and one for 25 dwellings. The delivery of the Proposed Development would prevent the full implementation of the extant planning permissions.
- 9.15 In the event planning permission for the necessary form of development was not forthcoming, the landowner could then implement the extant planning permissions to redevelop the Application Site for residential uses. As such, there is a clear prospect that the fall-back position could occur. This would have an impact on the openness of the green belt and is a material consideration which should be taken into account in considering this application.
- 9.16 The restoration and conversion of Down Place House, which falls outside the Application Site and the construction of 15 dwellings within the Application Site both form part of planning permission ref. 15/01984/FULL.
- 9.17 Case Law establishes that a landowner is entitled to make a number of planning applications for development of the same land (or parts of) even if they are mutually inconsistent. The key considerations in this regard are whether both planning permissions can be implemented physically and without the conditions / obligations of one or both permissions being fundamentally breached.
- 9.18 In this instance, the approved restoration and conversion of Down Place House is physically distinct from the approved 15 dwellings, and benefits from its own access off Water Oakley Lane (which is retained as part of the proposal). As such, there is no physical reason that both the Down Place conversion and the proposal cannot both be implemented.
- 9.19 However, if the proposed development is granted planning permission only part of planning permission ref. 15/01984/FULL will ever be implemented. The converted Down Place House can be lawfully occupied without any works associated with the construction of the associated 15 dwellings. Modifications to existing conditions and planning obligations would need to be submitted and approved.

Phoenix Gymnastics Club

9.20 The Phoenix Gymnastics Club has vacated the site. The use of the relevant building for gymnastics purposes was subject to a personal planning permission (ref. 94/00145/TEMP), which stipulates that once the gym club vacates the building it reverts back to agricultural use. Accordingly, there is no loss of a community facility as a result of the proposal.

iii Design Considerations, Impact on Character and Historical Assets

Design and Conservation

9.21 Extensive pre-application engagement has occurred which has involved a detailed evolution of the proposals. Key improvements include:

- Inclusion of natural materials (timber cladding) on the most prominent elevations, namely the Northern elevation of Sound Stage A and the Southern elevation of Sound Stage B;
- Adjusting the roof design of the proposed sound stage buildings to break up the horizontality of the ridgeline.
- Extensive landscape buffers, providing screening and ecological benefit;
- Retention of the existing Thames side buildings and landscape screening of the site when viewed from the Thames Path.

9.22 As a consequence, while the proposal is considered to alter the character of the Countryside, it meets emerging Local Plan policy QP4 in that all proposed built development is outside the River Thames Corridor.

9.23 The use of natural materials such as timber cladding, and the provision of green roofs, as well as the breaking up of ridge lines, softens the appearance of the proposal to assimilate it into its setting. It is considered that the proposals represent a high-quality design which blends reasonably harmoniously into its surroundings while providing a functional and energy efficient working environment.

9.24 Furthermore, the siting of the 'backlot' adjacent to the River Thames contributes to the delivery of objective 5.1 of the Borough Wide Design Guide SPD, which requires new development adjacent to a water body to respect the water frontage and present a positive frontage to it.

9.25 Ultimately, the proposal is considered to be a high quality scheme that makes efficient use of the Application Site to meet the needs of film and TV production, but also enhances the character of the locality and creates a permanent strong sense of place. It is therefore consistent with paragraph 127 of the NPPF in its entirety, saved RBWMLP Policy DG1 and the Borough Wide Design Guide SPD.

9.26 The submitted LVIA shows that the visual impact of the development will, to a moderate extent, impact negatively upon the character of the Countryside and Green Belt. This impact has been assessed by the Council's Landscape Officer who concurs with this level of effect. The relative weight to be given to the harms identified is assessed in the concluding sections of this report.

Historic buildings

9.27 The impact of the proposal upon adjoining historic buildings: Down Place, Toad Hall and Clock Tower House has been assessed. Their immediate setting and significance of the listed buildings is not considered to be harmed as all proposed buildings are screened by existing buildings and given the existing development's impact on their setting. The proposal is therefore considered acceptable in relation to its impact in this respect and meets Local Plan Policy LB2 and relevant sections of the NPPF.

iv Economic Impacts

9.28 The economic context and benefits are summarised below.

9.29 Need for Film and TV Facilities

9.30 The proposal is supported by an Economic Impact Analysis Report which looks at the demand for new studio space and the impact that the Proposed Development of the Application Site would have on the local economy.

9.31 Summary of the applicants' economic arguments

9.32 Following the sale of Bray Studios by Hammer Productions in 1970, the studios experienced a decline in production interest. The studios failed to attract the necessary investment to ensure they continued to reflect market requirements and have therefore experienced a somewhat challenging existence with long periods of vacancy, albeit boosted by some recent notable productions.

9.33 The limited scale of the studios, combined with their age and reliance upon temporary structures does however fail to provide a long term and viable business venture. As a result, the long-term future of the studios is contingent upon addressing these underlying issues.

9.34 Critical mass is key to long term viability and a three production facility affords a number of significant upsides in terms of cash flow, costs (efficiencies of scale), flexibility and resilience. A film studio must also reflect market requirements in terms of the type, size and location of services and facilities.

9.35 The provision of a three production filming campus at Bray Studios with facilities reflecting modern-day requirements will transform the studio's offer, ensuring it is best placed to attract further high profile and large scale productions. This will provide the necessary stability to support significant investment in the site, securing the long term future of Bray Studios and long term benefits for the Royal Borough. The proposal is accompanied by a Skills and Employment plan which outlines the benefits to local workers and the supply chain.

9.36 In order to ensure that the benefits to local people are maximised, the following requirements are recommended:

- a) Bray Studios joins the Visit Windsor Partnership ;
- b) Provision of three years funding for a RBWM film officer
- c) Provision of apprenticeships to local people.
- d) supporting the broader arts and creative industries within the borough

9.37 The latter two benefits (c and d, above) are proposed to be delivered via mechanisms set out in the submitted Skills and Employment plan and secured via Planning Obligations. Monitoring of the implementation of the Employment and Skills plan will be included within the overall monitoring process of the S106.

9.38 The economics benefits of the proposal are considered to be substantial and fulfil the relevant Local Plan and NPPF policies. The weight to be given to these benefits is set out in the concluding paragraphs of this report.

v Amenity Impacts

Noise

9.39 A noise assessment was carried out and included a background survey and assessment of the temporary generators, back lot and traffic. The assessment has been carried out to current industry best practice and British Standards and is satisfactory as are the mitigation measures, which are proposed to be secured by condition.

Air Quality

- 9.40 The air quality assessment is satisfactory and all parameters indicate a negligible impact. Natural England have requested further details of impact of the proposal upon air quality within Windsor Great Park has been raised by Natural England. While this information has been provided, Natural England have not yet confirmed their acceptance.

Waste

- 9.41 Waste and recycling are briefly covered in the design and access statement. The Environmental Protection Officer has requested that a more in-depth waste management plan incorporating trade waste collection should be submitted, in order to protect residential amenity and public health. Given the fact that the studio use has been operating for many years and that residential amenity is unlikely to be more greatly affected by the current proposal, a condition is not considered necessary. Any statutory nuisance would be in any event covered by Environmental Health legislation.

Lighting

- 9.42 An indicative external lighting plan has been submitted and is considered acceptable, subject to further details to ensure that the resulting scheme:
- Avoids negative impacts upon the natural environment, particularly bats;
 - Avoids artificial illumination, including reflections, noticeable from outside the site during hours of darkness.
 - Avoids significant damage to residential amenity.
- 9.43 Given the above requirements, the lighting proposal is considered to be acceptable at this stage and further details are required by condition.

Amenity conclusion

- 9.44 It is not considered that the proposal is likely to significantly damage the amenity of existing or adjoining residents. As a consequence it is considered that the proposal does not conflict with Draft Local Plan policies EP2, EP3, EP4 and EP5.

vi Sustainable Drainage

Foul Water Drainage

- 9.45 The Proposed Development seeks to install a new pumping station on the Application Site and a foul rising main to run west along the A308 and connect to the existing public foul network circa 700m from the site entrance. A condition will ensure that any necessary works are carried out prior to occupation. The Proposed Development will therefore adequately deal with foul water.

Flood Risk

- 9.46 A Flood Risk Assessment ("FRA") has been submitted in support of the Proposed Development. The Assessment concludes that the Proposed Development is a "less vulnerable" land use whilst all built development limited to Flood Zone 1, which is appropriate in accordance with the PPG (paragraph ref. ID 7-067-20140306). Given the limited issues raised from a flood risk perspective, the only requirement in the FRA is for all built development to be on land in Flood Zone 1 and over 24.0m Above Ordnance Datum (AOD), which the Proposed Development complies with.
- 9.47 Given the above, the FRA concludes that the future users of the Proposed Development will be safe from flooding and there will be no detrimental impact on third parties. As such, it is consistent with RBWMLP Policy F1 and paragraph 155 of the NPPF.

- 9.48 Policy NAP4 of the RBWMLP sets out that the Council will not grant planning permission for development, which poses or might pose an unacceptable risk to the quality of groundwater and/or which would have a detrimental effect on the quality of surface water.
- 9.49 The submitted Drainage Strategy Report states that the surface water discharge will involve shallow infiltration devices located around the area of the Application Site outside the historic landfill. All rain falling on the former landfill area will be captured in a traditional piped system and conveyed to two cellular attenuation tanks connected in series in the northern half of the site, from where it will be discharged to the river at a controlled rate.
- 9.50 There are several benefits of the proposed drainage strategy such as the provision of SuDS devices to remove pollutants from the discharge, in comparison with the previously un-treated run-off and the provision of extra capacity for attenuating wind driven rainfall.
- 9.51 The Proposed Development accommodates the discharge of surface water in a sustainable manner that will not result in increased surface water flood risks on the Application Site or in the surrounding area. It also does not result in any groundwater pollution risk. As such, the Proposed Development is consistent with Policies F1 and NAP4 of the RBWMLP, and paragraph 163 of the NPPF.
- 9.52 The Environment Agency have considered the application in relation to flood risk, groundwater and contaminated land and have no objection subject to conditions.
- 9.53 The LLFA have confirmed that they are content with the proposal subject to conditions.
- 9.54 Emergency Planning has no objections in terms of escape procedures in event of flooding.
- 9.55 In conclusion, the proposal is considered to include appropriate sustainable urban drainage systems. It will not increase risk of groundwater contamination, will not worsen flood risk and put in place an appropriate plan to ensure the safety of users in a flood event. As a consequence, it is considered to adhere to Policies F1 and NAP4 of the Adopted Local Plan.

vii Highways Impacts

- 9.56 The proposal has been assessed in relation to the likely increase in traffic. The submitted estimated impact is shown below:

Table 3: A308 Traffic with/without Development (2033)

Location	2033 with Existing Development			2033 with Proposed Development		
	AM Peak	PM Peak	Day	AM Peak	PM Peak	Day
A308 East of Access	1742	1761	18710	1840	1869	19373
A308 West of Access	1629	1683	18178	1684	1737	18630

Table 4: Percentage A308 Traffic which is from Studios

Location	2021 with Existing Development			2033 with Proposed Development		
	AM Peak	PM Peak	Day	AM Peak	PM Peak	Day
A308 East of Access	11.7%	11.9%	7.9%	17.3%	15.9%	9.7%
A308 West of Access	6.3%	5.2%	4.1%	9.4%	9.5%	6.1%

- 9.57 The figures in Tables 3 and 4 show that there are increases in A308 traffic as a result of the proposed development compared with traffic flows arising from the existing studios. Those

increases in the percentage of A308 traffic which are due to the studios, are less than 2% over the day as a whole and less than 6% during each of the studio peak hours. Table 1 of the TA provides existing traffic data showing the Studio AM peak is 0700-0800 and the PM peak is 1800-1900. Paragraph 6.6 of the Transport Assessment confirms traffic flows for the Network peak is similar to Studio peak (little change between 0700-0900) however the Network peak in the afternoon is earlier - 1700-1800.

- 9.58 Having regard to the above and the proposed access arrangement, the Highways Authority is satisfied that the development's traffic generation will not have a significant adverse effect on capacity or safety on the local road network.
- 9.59 As a consequence it is considered that the proposal does not contravene Paragraph 111 of the NPPF which states "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."

Sustainable transport

- 9.60 Overall, the site is not considered to be in a sustainable location. The proposal by virtue of its location, the nature of use, the deficiencies in the existing pedestrian and cycle infrastructure and infrequent public transport services, is likely to be heavily reliant on private car use.
- 9.61 The National Planning Policy Framework (NPPF) Paragraph 104 c) "*opportunities to promote walking, cycling and public transport use are identified and pursued*"
- 9.62 The Highway Authority requires a financial contribution and/or a combined Section 38/278 Agreement (Highways Acts 1980) towards improving the existing highway infrastructure, to enhance passenger transport services across the A308 corridor and to improve walking and cycling.
- 9.63 Improvements to the existing shared pedestrian/cycle path fronting the development are requested and should be secured via the dedication of part of the site curtilage, and this should be covered by a Section 38 Agreement.
- 9.64 Wider cycle route improvements between the site and Maidenhead and Windsor are required. This would improve the current cycling journey times via the quickest route along the A308 to the site of 17 minutes from Windsor Station and 15 minutes from Maidenhead Station. A contribution towards such improvements is recommended within section 11.

Travel Plan

- 9.65 As mentioned the site is not considered a sustainable location in terms of transport and access by foot and cycle is considered to be poor.
- A Travel Plan will be secured by way of a legal agreement. The application is supported by a draft Travel Plan seeks to improve the sustainability of transport to and from the site. It puts forward the following measures: The introduction of a shuttle bus service between the site and town centres or support for existing buses;
 - A car sharing scheme;
 - Electric vehicle charging provision;
 - Provision of a Travel Plan Coordinator .
 - Monitoring and associated costs
- 9.66 Typically a travel plan will include the requirement to monitor private car use and seek to

reduce it over time. While the vast majority of workers will not be permanently employed at Bray Studios alone, the Travel Plan should seek to reduce private car use by those permanently employed on site.

- 9.67 The Travel Plan has not been submitted in detail and its specifics should be agreed as part of the Legal Agreement.

Access arrangements

- 9.68 A widened access onto the A308 Windsor Road is proposed, incorporating a roundabout. The introduction of a roundabout on the A308 represents a significant highway intervention on one of the Borough's strategic highways. The new access will be designed in accordance with current design standards and guidance including a Road Safety Audit. The highways capacity of the roundabout is acceptable.

- 9.69 Together with the aforementioned proposed highway infrastructure improvements, the introduction of the roundabout would be secured via the statutory powers of the Highways Act 1980. Please be advised that a commuted sum is required for the long-term maintenance of the new highway asset and secured through the combined Section 38/278 Agreement. A planning condition will secure the necessary agreements are in place.

Parking and Servicing

- 9.70 There are no defined standards for parking for film studios which apply to the Borough. The proposed parking arrangements are detailed in Section 5.49 These arrangements, including parking for 750 cars, 175 cycles and HGVs are considered acceptable considering the commercial requirements. The arrangements for deliveries, collections, including waste are considered acceptable.

A308 Corridor Study

- 9.71 An objection highlights the need for the RBWM A308 corridor study. It is accepted that such a study has not yet been concluded. However the study is not considered to be necessary to order to determine the proposal

Highways conclusion

- 9.72 The highways submissions have been considered and the impact of the proposal is not considered to represent an unacceptable increase in traffic, or a risk to road safety.
- 9.73 The Highways Authority have assessed the proposal and consider that it is acceptable in highways terms

viii Natural Environment

Landscape

- 9.74 The visual impact of the proposal has been assessed in Section i and iv. In terms of the detailed landscape and planting plan, the proposal has been assessed by the Council's Landscape Officer and is considered acceptable subject to pre-commencement conditions relating to the following:

- Planting plans including green curtain climbing plants and woodland bund planting
- Hard landscaping materials, including paving for parking area
- 25 year management plans
- Landscape phasing plan. Landscape buffers should be put in place at the start of the development and new planting should be mature specimens where appropriate.

Trees

- 9.75 The proposal is considered satisfactory in relation to its impact upon existing trees, subject to conditions regarding the detail of hard and soft landscaping including new and replacement tree planting.

Ecology

- 9.76 A net gain calculation has been undertaken for the site and shows that, post development, there will be a net gain in habitat units of 11.45% and hedgerow units of 18.01%. This improvement is to be welcomed. The protected pennyroyal has been allocated a protected area on the western side of the site.
- 9.77 The Council's Ecologist considers that the proposal is acceptable subject to the following conditions:
- External lighting details;
 - Need for a bat licence;
 - CEMP;

ix Sustainable Development and Energy

- 9.78 This is an important consideration given the Council's declaration of a climate emergency and the development is an opportunity for high sustainability standards to be promoted.
- 9.79 The Council's position statement seeks for developments to make the fullest contribution to reducing CO2 emissions, including a minimum 20% reduction in CO2 emissions is sought compared to Building Regulations, with 12% of the energy demand being met by on site renewables as stipulated in the Council's Interim Sustainability Position Statement. An offset contribution is also sought in relation to remaining regulated emissions.
- 9.80 The application was supported by an energy statement. Following negotiation and discussion with officers an updated energy assessment was provided which further improved on the sustainability proposals and recognised the need for an offset contribution.
- 9.81 The application as presented to committee achieved the following outcomes
- An 89% reduction in carbon emissions (based on up-to-date carbon factors) when compared to a Building Regulations Compliant Scheme
 - A 58% contribution to on site energy demand via renewables, including 2,745m² of solar PV.
 - All electric systems emissions will further reduce alongside the decarbonisation of the national grid over time.
 - The provision of a contribution to offset the remaining carbon which aligns with the Position Statement (although a slight error in the maths and it should be £71,001)
All new buildings also achieve at least excellent EPC rating of A, and one building – Workshop B achieves an A+ rating and is net zero in terms of regulated emissions
- 9.82 In terms of wider sustainability issues the proposal includes the following features and benefits:
- the green roofs,
 - surface water run off reduction
 - biodiversity improvements
- 9.83 Overall the proposal provides a series of sustainability improvements in line with the Council's Interim Sustainability Statement and contributing towards the objectives of the Council's adopted Environment and Climate Strategy.

10. PROPOSED SECTION 106 AGREEMENT HEADS OF TERMS

- 10.1 A Section 106 agreement comprising the following elements is proposed:

- Carbon Offset contribution
 - Economic Measures, including:
 - Implementation of the Employment and Skills Plan;
 - Commitment to join the Visit Windsor Partnership for three years
 - Funding for the provision of a RBWM Film Officer for three years
 - Travel Plan
 - Transport Improvements, including:
 - Necessary highways improvements under S32/S278.
 - Contribution towards the Borough's emerging strategy to secure highway infrastructure and public transport service improvements across the A308 corridor
- Monitoring

11. PLANNING BALANCE AND CONCLUSION

Very Special Circumstances

- 11.1 As set out in section i of this report, the proposal is inappropriate development in the Green Belt and should not be approved except in Very Special Circumstances (VSC). Paragraph 148 of the NPPF states that VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Scheme benefits

- 11.2 The proposal addresses a clear need for new film and TV studios in the UK, with the highest demand in the London and the South East of England. The benefits are:

Creation of a major new film and TV studios that meets modern day market requirements and is capable of accommodating up to three productions simultaneously, creating one of the larger facilities in the South East of England.

Establishing the long term and sustainable future of the iconic Bray Studios,

Creation of 2,892 FTEs of employment and £138.8 million in Gross Value Added (GVA) for the UK economy on an annual basis.

Of this overall total, 1,428 Full Time Equivalents (FTEs) of employment will be directly within the film and TV production sector (i.e. crew and cast employment). The remaining jobs (1,463 FTEs) would be indirect/induced employment, with 80% of indirect jobs retained within Berkshire.

Substantial supply chain benefits, with the economic impact generated across the supply chain accounting for 885 FTEs of indirect employment and £44.4 million in indirect impact GVA per annum (out of the total 2,892 FTEs £138.8m GVA referenced above).

Creation of 380 construction jobs on site, with a further 190 indirect / induced jobs created for a period of approximately 3 years.

Delivery of an additional construction GVA to the South East economy of £20m.

Creation of training and apprenticeship opportunities;

Funding a film development officer and membership fees for the Windsor Partnership to assist RBWM in maximising the economic benefits to Borough businesses and residents.

The opportunity to attract significantly more employees and workers within the creative industries sector, growing the comparatively low Berkshire employment base.

Potential to foster the creation of a new 'Berkshire Skills Hub' and commitment to deliver a Bray Studios Education, Skills and Employment Plan to maximise local benefit.

Supporting and enhancing the existing RBWM film tourism industry.

The repair of despoiled or damaged land and introduction of substantial new landscaping and tree planting.

Delivering a net biodiversity gain of 12.39%.

Securing 58% of energy demand provided through renewable sources to combat the challenges of climate change, significantly exceeding policy requirements and contributing to the objective on increasing local renewable generation capacity.

Summary of the VSC, and weight attributed to them

11.3 The benefits arising from the proposal that are considered to constitute Very Special Circumstances and the weight afforded to them are summarised in the table below.

VSC	Weight afforded	Policy Reference
<p>Economic benefits arising from the proposed development:</p> <ul style="list-style-type: none"> • Employment, both direct on site, in the supply chain and support services but also indirectly through growth in visitors and tourism; • Skills and training for local people and key sectors such as school leavers and unemployed; • Support for key UK global industry; 	Substantial weight	NPPF 8 a); 81,83, 84a), 85; RBWM Economic Development Strategy 2016;
<p>Sustainability benefits arising from the proposed development:</p> <ul style="list-style-type: none"> • An 89% reduction in carbon emissions when compared to a Building Regulations Compliant Scheme • A 58% contribution to on site energy demand via renewables • Contribution to increasing local renewable energy generation capacity. • All electric so emissions will further reduce alongside the decarbonisation of the national grid over time. • The provision of a contribution to offset the remaining carbon 	Moderate	Interim Sustainability Statement
<p>Ecological benefit arising from the development including a net gain in habitat units of 11.45% and hedgerow units of 18.01%</p>	Moderate	NR2

Planning Balance

11.4 The application is inappropriate development in the Green Belt. As set out in paragraphs 147 and 148 of the NPPF inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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.

11.5 It is therefore important to identify the harm that would arise from the proposed development and identify the weight attributed to this harm, so that this can be considered in the balancing exercise. The table below summarises the identified harm that would arise from the proposed development, and the weight attributed to that harm.

Harm	Can mitigation overcome harm?	Weight attributed to harm	Policy Reference
Inappropriate development	No	Substantial	NPPF 137 'great importance

In and harm to the openness of the Green Belt			given to Green Belt', 138, LP GB1, GB2
Encroachment on the countryside	No	Moderate	NPPF 137 'great importance given to Green Belt', 138, LP GB1, GB2
Loss of existing five houses on site	No	Moderate	LP H7
Impact on Thames walk PROW, through visual change and disturbance	Yes, through sensitively worded planning conditions to secure appropriate mitigation.	None	NPPF 174

Conclusion

- 11.6 The weight afforded to the Very Special Circumstances is set out in the table above. The weight attributed to the benefits to the local economy and in particular to the UK film industry is afforded substantial weight. In addition significant weight is afforded to the lawful fallback position - the residential development for 142 dwellings. This residential development would also result in encroachment to the countryside and a loss of openness to the Green Belt. While the extent of that encroachment differs from the current application, the fact that permission was granted for the residential scheme which would entail harm is material and should be taken into account by the decision-maker.
- 11.7 Overall, it is considered that there are substantial benefits to the scheme which clearly outweigh the harm to the Green Belt and all other harms. As such, Very Special Circumstances exist, and the development is considered acceptable.
- 11.8 The application therefore considered to comply with the requirements of the National Planning Policy Framework Paragraph 11 d) ii. In accordance with Section 38 (6) of the Planning Act, permission should be granted.

12. APPENDICES TO THIS REPORT

- Appendix A – Site location plan
- Appendix B – Proposed plans
- Appendix C – Proposed elevations

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.
- 3 No works hereby permitted (including demolition works) that could affect the bat roosts shall commence until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy has been submitted to the council. Thereafter mitigations measures approved in the licence shall be maintained in accordance with the approved details. Should conditions at the site for bats change and / or the applicant conclude that a licence for development works affecting bats is not required, the applicant is to submit a report to the council detailing the reasons for this assessment and this report is to be approved in writing by the council prior to commencement of works.
Reason: The buildings on site host bat roosts, which could be affected by the proposals. This condition will ensure that bats, a material consideration, are not adversely affected by the

proposed development.

- 4 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.a) Risk assessment of potentially damaging construction activities.b) Identification of "biodiversity protection zones".c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, including precautionary measures in regard to priority habitats, pennyroyal, reptiles, badgers, nesting birds, and hedgehogs (could be provided as method statements)d) The location and timing of sensitive works to avoid harm to biodiversity features.e) The times during construction when specialist ecologists need to be present on site to oversee works.f) Responsible persons and lines of communication.g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF.

- 5 No development shall commence until a report detailing the lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the LPA. The report shall include the following figures and appendices: A layout plan with beam orientation A schedule of equipment to Measures to avoid glare An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of importance for roosting, commuting and foraging bats. The approved lighting plan shall thereafter be implemented as agreed.

Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF.

- 6 Prior to the first use of the external areas and land within the site to be used for outdoor filming, a management and operational plan for those parts of the site shall be submitted to, and approved in writing by, the local planning authority. The plan shall include details of the management and mitigation of the impacts of outdoor filming (including noise disturbance, artificial lighting and parking and access requirements on adjacent residents, the landscape and ecology within the site). No external areas and land within the site shall be used for outdoor filming otherwise than in accordance with the approved plan at all times.

Reason: To protect the amenities of adjoining occupiers. Relevant Policies - Local Plan NAP3.

- 7 No works or development shall take place until a detailed Arboricultural Method Statement and Tree Protection Plan specific to this scheme, has been submitted and approved in writing by the Local Planning Authority. The Tree Protection Plan and Arboricultural Method Statement shall be written in accordance with, and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction - recommendations. Nothing shall be stored or placed in any area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority Thereafter the works shall be carried out in accordance with the approved details until completion of the development.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area, in accordance with Local Plan policies DG1 and N6.

- 8 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree work be undertaken other than in accordance with the approved plans and particulars and without the written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any approved tree work shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area in accordance with Local Plan Policies DG1 and N6.

- 9 Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason Piling can cause pollutant pathways when undertaken in areas of contaminated land leading groundwater pollution.

- 10 Prior to the commencement of development a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover any areas of existing landscaping, including woodlands, and all areas of proposed landscaping other than private domestic gardens.

Reason: To ensure the long term management of the landscaped setting of the development and to ensure it contributes positively to the visual amenities of the area. Relevant Polices - Local Plan DG1.

- 11 The development shall be carried out in accordance with the submitted flood risk assessment (ref 332510520 June 2021 compiled by Stantec) and the following mitigation measures it details: o Finished floor levels shall be set no lower than 24 metres above Ordnance Datum (AOD) o No development shall be located within Flood Zones 2 or 3 These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason To reduce the risk of flooding to the proposed development and future occupants

- 12 There shall be no storage of materials within the flood plain without written consent from the local planning authority.

Reason: To reduce the risk of flooding on and off site

- 13 Unless otherwise agreed by the Local Planning Authority in writing, development other than that required to be carried out as part of an approved scheme of remediation must not commence until clauses A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination. A. Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include: a survey of the extent, scale and nature of contamination; as assessment of the potential risks to: - human health- property (existing or proposed) including buildings, crops, livestock, adjoining land, groundwater and surface waters, ecological systems, archaeological sites and ancient monuments:an appraisal of remedial options, and proposal of preferred option(s).This must be conducted in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM). How to assess and manage the risks from land contamination B. Submission of Remediation Scheme .A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.C. Implementation of Approved Remediation Scheme. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification/ validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.D. Reporting Unexpected Contamination In the event that contamination is found at anytime when carrying out the approved development that was not previously identified, work must stop and it must be reported immediately by telephone and in writing to the Local Planning Authority within 2 working days. An investigation and risk assessment must be undertaken in accordance with the requirements of clause A, and where

remediation is necessary a remediation scheme must be prepared in accordance with the requirements of clause B, which is the subject of the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with clause C.

Reason: To protect controlled water from historic pollution.

14. Prior to development (including demolition and clearing of vegetation) a Phasing and Delivery Strategy shall be submitted to and approved by the Local Planning Authority. The strategy shall be implemented as approved.

Reason: in the interests of good planning

15. The development and use hereby permitted shall be carried out and maintained in accordance with the terms of the approved Bray Studios Noise Management Plan dated January 2020.

Reason: To protect the amenities of adjoining occupiers. Relevant Policies - Local Plan NAP3.

16. No development shall take place (including demolition, ground works, vegetation clearance) until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to: a) Procedures for maintaining good public relations including complaint management, public consultation and liaison b) Arrangements for liaison with the Environmental Protection Team c) All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays. d) Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above. e) Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works. f) Procedures for emergency deviation of the agreed working hours. g) Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants. h) Measures for controlling the use of site lighting whether required for safe working or for security purposes. i) a Highway Works Phasing Plan, showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period j) Risk assessment of potentially damaging construction activities.k) Identification of "biodiversity protection zones".l) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, including precautionary measures in regard to priority habitats, pennyroyal, reptiles, badgers, nesting birds, and hedgehogs (could be provided as method statements)m) The location and timing of sensitive works to avoid harm to biodiversity features.n) The times during construction when specialist ecologists need to be present on site to oversee works.o) Responsible persons and lines of communication.p) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.q) Use of protective fences, exclusion barriers and warning signs.r) the provision of a Construction Logistic Plan, which clearly demonstrates the measures to mitigate impact associated with the demolition and construction phases. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development, in the interests of highway safety and the free flow of traffic in accordance with Local Plan Policy T5 and to minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF.

17. A management plan should be submitted and approved by the local planning authority which should include all potential sources of waste, likely volumes with outline solutions for management, recycling and disposal. Where appropriate details of provisions for disposing of food waste should be provided. The plan should be implemented as approved.

Reason: to protect health and amenity and in the interests of good management.

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with

has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason To protect controlled water from historic pollution.

19. No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall always thereafter be kept available for the parking of cycles in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities to encourage the use of alternative modes of transport in accordance with Local Plan Policies T7 and DG1

20. No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, in accordance with Local Plan Policies P4 and DG1.

21. Condition: Prior to commencement of development, a Biodiversity Enhancement Report will be provided to the Council detailing all biodiversity enhancements to be included within the development. A brief letter report confirming that the enhancements have been installed, including a simple plan showing their location and photographs of the enhancements in situ, is to be submitted to and approved in writing by the Council.

Reason: To incorporate biodiversity improvements in and around developments in accordance with paragraph 175 of the NPPF

22. Prior to commencement of development, a Landscape Plan shall be provided to the Council detailing the following: full details of both hard and soft landscape works including: a)Arrival/Welcoming Area detail of the green curtain and the climbing plants with respect to the building facade b) Water Oakley Lane Details of the materiality of raised tables & parking bays c)Windsor Road Frontage Phasing plan for the boundary mound plantation. 25-year management plan. Details for planting of woodland planting on the bunds. The detailed specification of soil type and seed type for meadows.d) Impact of hard surfaces All material samples of pavinge) The construction phasing plan for landscape f) details of species and size of tree planting have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained thereafter in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.

23. Prior to the commencement of any works or demolition a construction management plan, including a Highway Works Phasing Plan, showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic in accordance with Local Plan Policy T5.

Informatives

- 1 All birds, their nests and eggs, are protected by law. It is a criminal offence (with certain exemptions) to deliberately or recklessly take, damage or destroy the nest of any wild bird whilst it is in use or being built. The buildings and vegetation on the site are likely to be used by nesting birds and any works to buildings with bird nests or vegetation clearance should take place outside the bird nesting season (March - August inclusive). If this is not practicable areas to be

cleared should first be checked for bird nests by an appropriately qualified person.

- 2 In the interests of flood resilience you are advised to have in place a flood response plan and effective business continuity plan.
- 3 A noise assessment was carried out and included a background survey and assessment of the temporary generators, back lot and traffic. The assessment has been carried out to current industry best practice and British Standards and is satisfactory. Mitigation measures proposed in section 8.3 of the report should be utilised as per the report. Any amendments to this should be submitted to the local planning authority for approval before implementation.