

Ian Kemp
Programme Officer
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Bromsgrove
Worcestershire
B61 0AX

30 June 2014

Our reference: 224401G

Dear Ian,

Site Allocations Local Development Document Supplementary Hearing Session Statement

Please find enclosed a short statement submitted on behalf of our client, Warner Bros. Studios Leavesden (WBSL) in relation to the Site Allocations Supplementary Hearing Session. This representation relates specifically to MM44 / SA8 / GB2 Leavesden Studios allocation and Green Belt changes, and we confirm our wish to speak at the afternoon session on the 16th July in relation to this agenda item.

Appropriateness and efficacy of approach:

As indicated by the Inspector in his letter to the Council of 8th November 2013 the proposed modifications to the plan are considered essential if the plan is to be found sound, the integrity of green belt policy maintained, and the plan is to be consistent with paragraphs 18 – 21 of the NPPF and the intentions of Core Strategy Policy CP6 regarding employment and economic development.

WBSL fully support the proposed removal of the green belt designation from the built areas of the Studios and the Island site and the proposed changes to the plan as indicated by MM44/SA8/GB2 'Leavesden Studios allocation and green belt changes'. As we have set out to you in previous representations these changes are fully justified by evidence, consistent with national policy (particularly with respect to paragraphs 14, 18-21 and 85 of the Framework), demonstrate positive planning and will maximise the scope for expansion and redevelopment of Leavesden Studios, a nationally significant asset.

We note representations have been submitted by CPRE objecting to the proposed amendments to the green belt in the vicinity of Leavesden Studios. In response we note:

1. The NPPF positively allows for the amendment to green belt boundaries (para 83). Green belt boundaries are meant to be reviewed and possibly altered from time to time to respond to changing circumstances, thus enabling boundaries to endure beyond the plan period in the future. Without the proposed modification the plan fails to reflect long term defensible boundaries of integrity at this location, (during the examination process it has been acknowledged that without revision the

boundaries would not remain effective through the plan period), undermining public confidence in green belt policy. The amendments proposed are not "*in direct conflict*" but in conformity with the NPPF.

2. Our position remains that the green belt in the vicinity of the Studios does not play a significant role in the visual character of the green belt or its functional role in preventing coalescence between settlements. Very little remains of the green belt in this location and what is left does not serve the primary purpose of openness. The Studios do however enable a visually useful green wedge to be retained between Abbots Langley and Leavesden to protect against coalescence. We continue to support the Council's position that no green belt purpose is served by the retention of the 'disputed areas' within the green belt and their release from the green belt is appropriate, consistent with national policy and justified by evidence.
3. The amendments to the green belt in the vicinity of the Studios are fully justified by evidence. This evidence includes:
 - The status of the site as a key component of the UK film industry hub in South Hertfordshire, which will be the focus for expansion throughout the plan period. The contribution of WBSL to the economy is set out within our submitted representations (see appendix 3 of Matter statement Issue 2).
 - The implications of the two planning permissions 10/00800/FUL and 10/223/OUT.
 - The business needs and expansion requirements of Warner Bros, including on the Island Site as set out within our previous representations and within the WBSL Vision Statement.
 - The adopted Core Strategy, particularly policies PSP2, CP11, and paragraph 5.106, which recognise the continuing importance of the Studios to the national and regional economy, both as a local employer and as a centre intended to contribute to the economic growth of the District for the plan period.
 - The clear guidance contained in the NPPF para 85 in relation to green belt review, para 160 in respond to the changing business needs of Warner Bros on the site and para 151, 152 and 182 in respect of the opportunity to grasp each of the dimensions of sustainable development offered by the Leavesden site.

The evidence clearly demonstrates that the revisions are appropriate to ensure that the future development needs of this nationally important employment site are not compromised. Constraining the Studios as proposed by CPRE is unacceptable and unsound, and would result in direct conflict with the Core Strategy policies and NPPF paragraphs identified above.

4. The proposed new wording of SA8 which now includes Leavesden Studios is effective, justified and sound for the following reasons:
 - The policy is clear that development control will limit the site to studios-based operational development.
 - The word "must" is mandatory, not discretionary.
 - The requirement for landscaping is appropriate and would be dealt with by detailed condition at the appropriate time.

In conclusion, WBSL fully support main modifications MM41 OS(o), MM44 and MM44a, in so much as they relate to site reference GB(2) Leavesden Studios Operations. The

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changes satisfactory address our previous concerns with respect to soundness, and will ensure that the Studios is able to continue to make its vital contribution to the growth of the national, regional and local economy, both as an employer and as a nationally significant centre for film operations and associated employment generating uses.

Yours sincerely,



Rosie Baker
Associate Director

Cc David Bisoni Warner Bros

Enc Mark Lowe QC Warner Bros. summary note

THREE RIVERS DISTRICT COUNCIL

SITE ALLOCATIONS LOCAL DEVELOPMENT DOCUMENT [SALDD]

Examination in Public

LEAVESDEN STUDIOS: WARNER BROTHERS OBJECTION SUMMARY

Context

1. SALDD Chapter 11 proposes two changes in respect of the Leavesden Aerodrome site. These are to remove the MDS status of the site [para 11.8] and to revise the GB boundary in part with respect to the site [policy GB1 and 11.3]. Accordingly it is proposed that the GB status remains on the balance of the site although planning permissions were granted for proposals for major development on the site in 2011 [10/00800/FUL] and [10/2230/OUT] that relate to land retained within the GB.
2. Warner Bros, as the owner and occupier of the site supports the removal of the MDS status from the site but objects to the limited adjustment proposed to the GB boundary and proposes a release of the all the land the subject of permission for development or already the subject of development to be removed from the GB including the identified expansion site known as the Island site. The objector seeks the removal of GB status from the individual parcels of land identified on plan B to the representations made on 7 October 2013 as follows:
 - Area 1 – an area of 2.82 ha containing studio development and the subject of permission granted in 2011.
 - Area 2 – an area of 2.92 ha of hardstanding in use for car parking and the subject of permission granted in 2011.
 - Area 3 – the Island site, 3.83 ha in area, overgrown, fenced and surrounded by highway infrastructure. This site is partly within the area of Watford DC.
 - Area 4 – an area of 3.24 ha of public open space within a major housing development. This is to remain POS sufficiently protected by its current designation as such.

The Core Strategy

3. The CS (adopted 17 October 2011) recognises the importance of Leavesden:
 - Policy PSP2 (p22) identifies the site as a ‘Key Centre’, recognises its status as *“nationally important film studios”* and identifies it as *“significant in meeting needs for housing and employment through mixed use redevelopment. Specific proposals for the site will be included in the (SALDD)”*.
 - Policy CP2 (p32) recognises that the site will make a significant contribution to meeting the housing requirements of the CS *“through significant mixed use development at Leavesden Aerodrome...”*

- In the GB chapter at para 5.106 (p54) the CS states *“Therefore in order not to compromise the ability of the site to contribute to future development needs, the Council will review the Green Belt designation and Major Developed Site status as part of the (SALDD).*
 - Policy CP11 (d) commits the Council to *“Review ‘Major Developed Site in the Green Belt’ status in relation to Leavesden Aerodrome, having regard to the important contribution the site is expected to make to meeting needs for housing and employment”.*
4. The CS establishes the following:
- i. The status of the Leavesden as a Key Centre at the core of delivery of the adopted strategy.
 - ii. Significant mixed use development will take place on the site in the plan period making a significant contribution to the housing and employment needs of the District.
 - iii. The MDS status will therefore be removed from the site.
 - iv. The GB designation of the site will be reviewed accordingly.
5. Likewise the Watford CS (January 2013) recognises the national significance of the site in para 2.4.5. Its policies contemplate the making of minor revisions to GB boundaries (policy GI 2 Green Belt & para 13.2.2). WBC reps to the EiP are supportive of removal of the MDS status and revising the GB boundaries at Leavesden because of *“the built up nature of the surrounding studios and the proposed housing site with planning permission...”* and *“WBC recognise the strategic importance of the studios and the planned residential development but would like to ensure that future decisions on whether to retain other sections of the Green Belt involve WBC”*. The future of the Island Site would, in particular, be an obvious candidate for cross boundary co-operation.

Conflict with CS, NPPF and resulting Unsoundness

6. The SALDD achieves the removal of the designation MDS but only partially delivers on the boundary review objective. The sole reason given in the SALDD for the failure to release the whole site with the benefit of planning permission can only be the passage in the text at 11.2 that states: *“retaining Green Belt status will enable the Council to maintain greater control over future development on these sites”*. There are no site specific references to Leavesden in the Council’s responses.
7. This conflicts:

- i. With the status of the site as a key component of the UK film industry hub in South Hertfordshire which will be the focus for expansion throughout the plan period.
- ii. With the implications of the two planning permissions referred to above. As stated in the report on application 10/2230/OUT: *“approval of the application proposals would effectively predetermine a minor part of the of the overall Green Belt review and Major Developed Sites designation envisaged by Policy CP11 of the submitted draft Core Strategy”* (para 7.2.27). The SALDD fails to remove all the land thus described from the GB.
- iii. With the assessment made in the context of the latter application to the effect that the site *“does not play a significant role in the visual character of the Green Belt or its functional role in preventing coalescence between settlements. As such the ‘other’ forms of Green Belt harm are very limited. The proposals would, however, enhance the ability to retain a visually useful green wedge between Abbots Langley and Leavesden to protect against coalescence. Nor would the grant of permission prejudice the ability to form defensible boundaries for the remaining Green Belt through the development plan process/Green Belt review”* (para 7.2.16 in report on 10/2230/OUT). Thus, the Council is of the view, correctly, that no GB purpose is served by the retention of the disputed areas within the GB.
- iv. The clear guidance contained in the NPPF para 85 as set out in Appendix 4 to the representations submitted on 7 October 2013. The GB boundary in this location would be impermanent, even within the life of the Plan, as it is envisaged that it will be required for Key Centre purposes within the life of the Plan.
- v. With the expansion requirements of Warner Bros on the Island Site within the first 5 years of the life of the CS as set out in paras 2.12 to 2.15 of the representations.
- vi. It is wrong to fetter a Key Centre with the uncertainties over its development plans that would arise from the requirement to justify proposals by reference to the VSC test on each occasion (see letter from inspector to the Council dated 10 July 2013 (p4 top), 30 July 2013 (sections numbered 1 and 2), 2 August 2013 (p2 and 3) and pages 4 and 5 of the representations.
- vii. There is no good reason for the inclusion of area 4 in the GB. It is public open space within the recently permitted residential development. It serves no GB purpose and its current status and function is sufficiently protected by its status as POS and the associated policies of the CS.

8. The SALDD is unsound because:

- (1) It fails to reflect long term defensible GB boundaries of integrity at this location.
 - (2) It fails to grasp the opportunity to grasp each of the dimensions of sustainable development offered by the Leavesden site contrary to the guidance of paras 151, 152 and 182 NPPF.
 - (3) In the light of the above the SALDD fails to plan positively for the development and infrastructure required to meet the spatial objectives identified for Leavesden as a Key Centre in the CS.
 - (4) It fails to respond to the changing business needs of Warner Bros on the site contrary to para 160 NPPF.
 - (5) It fails to follow the guidance of NPPF para 85 in reviewing the GB in this location and provides a plan with boundaries that are acknowledge not to remain effective through the plan period.
 - (6) As a result to confirm the SALDD in its current form would tend to undermine public confidence in GB policy and hamper a nationally important asset to the film industry which is an important contributor to the national economy and national status.
9. The desired remedy is to amend the Plan to revise the Green Belt by adding to the areas proposed for revision by removal at Leavesden the areas 1 to 4 inclusive as identified in Plan A attached to the submissions of Warner Bros and as described by area in Table 1 to those submissions.