



20 July 2022

Principal Development Management Officer  
Planning, Growth & Sustainability  
Buckinghamshire Council  
By email:

Dear ,

**Planning Application Reference: 22/06443/FULEA**

**Full planning permission for production space and supporting buildings for screen-based media and associated services/industries. The development of approximately 168,718 sqm GEA total floorspace comprising : sound stages, workshops , office accommodation, studio hub, associated outdoor space such as backlots and unit bases; entrance structures and reception; security infrastructure, mobility hub; cafes; parking; bridge; incidental supporting buildings; associated infrastructure; public art; upgraded vehicular access onto Marlow Road; new cycle and pedestrian accesses; a new cultural/educational/recreational building; a new community building and associated landscaping, publicly accessible recreational land and ecological and environmental enhancements/habitat creation**

**At Land Adjacent South Side Marlow Road and A404 Junction Westhorpe Park Little Marlow Buckinghamshire**

### **1. Introduction**

1.1 The Buckinghamshire branch of CPRE, The Countryside Charity, as a long-standing environmental charity, has a role to protect the countryside from developments that do not meet acceptable planning guidelines. We have over 40,000 members and supporters nationally, with well over 700 in Buckinghamshire. We would like to register CPRE Bucks' **opposition** to the above planning application for the reasons below.

1.2 This letter of representation has been produced in conjunction with Peter Lerner, MA (Oxon), DipTP, MRTPI, Chartered Town Planner, who is based locally in High Wycombe.

1.3 This is an exceptionally large and complex planning application, with major implications for Little Marlow, Marlow, Buckinghamshire and a wider area. It was validated by the Council on 21<sup>st</sup> June, 2022, after the which the application, together



with over 400 supporting documents, was placed on the Council website for public perusal.

1.4 The *Statement of Community Involvement*, submitted with the application, suggests that the application has been in preparation since June 2021, although the reality is that the period of preparation by the various professional consultancy teams employed by the applicants will have been considerably longer. Although we understand the requirements of legislation, we are disappointed that the Council has imposed a Consultation Expiry Date of 23<sup>rd</sup> July 2022, just over one month after the date of validation. We can only point out the unfairness and lack of reasonable balance which allows the general public such a short period to comment on a fully detailed application, with over 400 supporting documents, which has been in preparation by professional consultants for considerably over one year prior to submission.

1.5 We expressed this point of view to the Council and were somewhat heartened, therefore, to receive the following in an email from yourself:

*Unfortunately we are unable to provide a formal extension of time for the consideration of the application 22/06443/FULEA. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 require a consultation period of a minimum of 14 days, but no decision can be made before 30 days. We have therefore provided the full 30 days for consultation (which is longer than we would provide for a planning application without an Environmental Statement). In reality however, we will normally accept and report representations received up until the day the decision is made (or Planning Committee). This is likely to be November/ December at the earliest.*

1.6 On the basis of your assurance that the decision on this application is unlikely to be made before November / December 2022, we ask that this letter is received by the Council as CPRE Buckinghamshire's formal response to this application within the Council's Consultation Expiry Deadline, but reserve the right to submit further representations, when there has been more time to consider the details and implications of this application, prior to its determination by the Council. **On the assumption that this application will be determined by a Planning Committee of the Council, we request that we are notified of the date of the relevant Committee meeting as soon as it is known.**

1.7 The application itself is for a formidably large development of approximately 168,718 sq metres of new buildings and floorspace on 36.34 hectares of Green Belt to the east of Marlow, immediately adjacent, in the northern part of the site, to the Chilterns Area of Outstanding Natural Beauty (AONB) and, at the southern part of the site, within metres of the River Thames. One of the documents submitted alongside the planning application (*Appendix 3 to the Planning Statement: Report of the Design*



*South East Panel: 25<sup>th</sup> November 2021, paragraph 4.3)* talks of **“the reality of building something here that is of a similar size to the existing town centre”**, and indeed this is a truly massive development, including block-like buildings up to 21 metres high, and a six-level multi-storey car park which would be 19.80 metres high.

1.8 The *Conservation Area Character Study for Marlow* describes the townscape of the Town Centre of Marlow in the following terms: “In terms of scale most [properties] are two or two and a half stories high, but the grander buildings tend to be more imposing at three storeys”. The average height of a three-storey building is a little over 9 metres.

1.9 We can only object, forcefully and strenuously, to this proposal to carry out a development, the size of Marlow Town Centre, in the Green Belt, whose built forms are proposed to be more than twice as high as “the grander buildings” in the town.

1.10 The application runs entirely contrary to all policies relating to Green Belts, and to the expectation of local people that their elected Council will vigorously support those policies. The applicants have, however, expressed their belief that there are “very special circumstances” in favour of this development, and those arguments will be analysed, as well as various other significant policy constraints, in the remainder of this statement of representations.

## 2. Planning Policies

2.1 The current Development Plan for this area is the Wycombe Local Plan, adopted in August 2019 by the former Wycombe District Council. This Plan went to Examination in March 2018.

2.2 Wycombe District Council was formally replaced in April 2020, together with three other District Councils and Buckinghamshire County Council, by the new Buckinghamshire (unitary) Council. The changes to local government in the county were formalised by an Order in Parliament (Buckinghamshire Structural Changes Order) in May 2019, following a Business Case put forward by the former County Council *“Modernising Local Government in Buckinghamshire”* in September 2016.

2.3 The examination and adoption of the Wycombe Local Plan (WLP) therefore took place with the full knowledge, by all concerned, of the likely changes to local governance in the County, and the Wycombe Local Plan is listed as part of the Development Plan on Buckinghamshire Council’s website. The WLP plans for a period up to the year 2033, so remains current, recent and valid.

2.4 Nevertheless, Buckinghamshire Council, quite reasonably, has announced its intention to prepare a new county-wide Local Plan, and the published Local



Development Scheme anticipates that this will be ready for Examination in 2024/2025. This will present those with ambitions to change the content and direction of the Development Plan, such as the present applicants, to follow the normal conventions of the English planning system and to make their case in company with other parties. Meanwhile, the policies of the WLP are the adopted Policies of the Local Planning Authority, and are those which local people expect to see upheld.

2.5 There are four main Policies in the WLP which directly affect this application. These are:

- Policy CP8: Protecting the Green Belt
- Policy DM32: Managing Development in the Green Belt
- Policy DM30: The Chilterns Area of Outstanding Natural Beauty
- Policy RUR4: Little Marlow Lakes Country Park

2.6 Policy CP8: Protecting the Green Belt. This Policy is the strategic policy which sets out the Local Planning Authority's planning approach to the Green Belt. It simply states:

*The Council will:*

- 1. Remove limited areas of land from the Green Belt, as set out in this Plan, where there are exceptional circumstances for doing so;*
- 2. Not propose or permit any other changes to the Green Belt boundary;*
- 3. Protect the Green Belt identified on the Policies Map from inappropriate development*

2.7 This site is not one which is proposed to be removed from the Green Belt, nor has any Green Belt boundary change been proposed in this area. Sub-paragraphs 1 and 2 of this Policy do not apply, therefore, to this application. With regard to sub-paragraph 3, the Local Planning Authority will be expected, in accordance with their Development Plan, to protect the Green Belt from inappropriate development. CPRE Buckinghamshire notes that at paragraph 10.2 of their *Planning Statement*, the applicants concede that their proposal is indeed "inappropriate development", and we agree with them. Further argument on that score is therefore unnecessary.

2.8 Policy DM32: Managing Development in the Green Belt. This short Policy is admirably clear. It states:



*1. Development in the Green Belt is inappropriate. Exceptions to this in Wycombe District comprise:*

*a) Development that accords with a made Neighbourhood Plan, or;*

*b) Development that the NPPF classifies as not inappropriate, but only when subject to the following clarifications:*

*i Development for agriculture and forestry only when it is reasonably necessary for an existing agricultural trade or business;*

*ii Essential rural workers dwellings in accordance with DM27;*

*iii The replacement or extension of dwellings only when they accord with DM43;*

*iv. Limited infilling only within the built-up villages identified on the Policies Map and in accordance with the definition in paragraph 6.222 below;*

*v Limited affordable housing for local community needs only in accordance with DM25.*

*2. Inappropriate development will be refused unless there are very special circumstances. Very special circumstances will exist when the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*

2.9 The proposed development does not accord with any of the exceptions in sub-paragraph 1 of the Policy, and none of these exceptions are claimed by the applicants. It therefore remains inappropriate. The application must then be subject to the test regarding “very special circumstances” which is set out in sub-paragraph 2, and the case of “very special circumstances” which the applicants put forward will be analysed in Section 4 below.

2.10 Policy DM30: The Chilterns Area of Outstanding Natural Beauty. The site does not lie within the AONB but is immediately adjacent to it. Paragraph 3 of this Policy states:

*3. Development in the setting of the Area of Outstanding Natural Beauty must not have a significant adverse impact on the natural beauty of the Chilterns Area of Outstanding Natural Beauty.*

2.11 The application site is clearly part of the setting of the AONB, not the least because it is physically adjacent, and it would be incomprehensible to argue that a development of 168,718 square metres of tall, block-like buildings would not have a very significant adverse impact on the natural beauty of the AONB. Section 5 below provides further analysis in this regard.



2.12 Policy RUR4: Little Marlow Lakes Country Park. The WLP indicates that the whole of the application site lies within a larger area, extending to the East of Marlow from the A404 towards Bourne End, designated as the Little Marlow Lakes Country Park.

2.13 The five paragraphs of this Policy make it very clear that the whole area is “allocated for outdoor recreation” (within the Green Belt). The introductory wording to the Policy, at Paragraph 5.5.20, is again very clear:

*“The whole of the area of the Little Marlow Lakes Country Park lies within the Green Belt. Development opportunities are therefore limited. By designating the area a Country Park it further limits development opportunities to those associated with outdoor sport and recreation, as long as it preserves the openness of the Green Belt, that further the purposes of the Country Park.”*

2.14 Paragraph 5.5.27 of the WLP includes the following wording:

*“Generally development should reflect the open nature of the site and the long distance views of and over the site from the Area of Outstanding Natural Beauty, from Winter Hill, and vantage points from footpaths across the river. Development must also respect and enhance the setting and amenities of both the Little Marlow Conservation Area, which is washed over by the site, and the Abbotsbrook Conservation Area, which lies to the east, and have regard to the listed buildings and their settings. The setting and amenities of the River Thames must also be preserved and policies for the landscape and river protection will apply. Areas of existing or potential wildlife habitat should be maintained and enhanced.”*

2.15 At this point it is worth mentioning again that this Policy is part of a Plan which was examined four years ago, in 2018, and adopted by Councillors in 2019. It is not part of an obscure and outdated policy document. Furthermore, the designation is always referred to positively as “The Little Marlow Lakes Country Park”, rather than “the proposed country park” or “the intended country park”. There can be no doubt about the intention and validity of this designation.

2.16 The proposed development simply fails to comply with this Policy. It is not a proposal for outdoor sport or recreation, or for activities or buildings associated with those uses. The densely packed, tall buildings which are proposed in no way can be said to preserve the openness of the Green Belt. It does not respect or enhance the setting of any conservation area, listed building, or the River Thames. Any wildlife habitat which exists within the site is likely to be destroyed by the development.





2.17 Paragraph 5.5.27 also states that *“any development [within the Little Marlow Lakes Country Park] must take into account the Supplementary Planning Guidance which was produced in March 2002 or any updated guidance that replaces it.”*

2.18 The March 2002 guidance is found on the Buckinghamshire Council website and is **Little Marlow Gravel Pits Supplementary Planning Guidance**. It is a document published jointly by the former Wycombe District Council and the former Buckinghamshire County Council, setting out *“planning requirements and expectations”* for the future development of the area. It is a thorough and professional 28-page document which should be read in detail by Councillors before they make their decision on this application.

2.19 The Supplementary Planning Guidance (SPG), which is specifically referenced in the WLP (the current Development Plan) is briefly dismissed in the applicants’ Planning Statement, paragraph 8.40, as “some 20 years old now”, as if its age cancels the validity of what the document actually says. The SPG must be taken into account in determining this application.

### 3. National Planning Policy Framework

3.1 National planning policy guidance is given, by Government, in the National Planning Policy Framework (NPPF), most recently updated in July 2021.

3.2 The key paragraphs, in the NPPF, which are relevant to a decision on this planning application are paragraphs 149 and 150, which state as follows:

*“149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: a) buildings for agriculture and forestry; b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; e) limited infilling in villages; f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: - not have a greater impact on the openness of the Green Belt than the existing development; or - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously*



*developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

*150. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are: a) mineral extraction; b) engineering operations; c) local transport infrastructure which can demonstrate a requirement for a Green Belt location; d) the re-use of buildings provided that the buildings are of permanent and substantial construction; e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.”*

3.3 The development proposed clearly does not fall within any of the listed exceptions, and is therefore inappropriate.

3.4 The applicants suggest at paragraph 8.22 of their Planning Statement that the development should be approved because it is “sustainable”, quoting paragraph 38 of the NPPF in their favour. Our response is that most, if not all, applicants nowadays claim that their development is “sustainable”, but sustainability itself (if proven) does not provide a get-out clause for conformity with Green Belt policy.

3.5 There is nothing in the most recent revision of the NPPF (July 2021) which indicates that local planning authorities should give particularly favourable consideration to applications promoted by the film or media industries, indeed those industries are not mentioned in the Framework.

#### **4. Very Special Circumstances**

4.1 We have established that the proposal represents inappropriate development in the Green Belt when measured against the current Local Plan (WLP) and against the NPPF. The applicants agree with this (para 10.2 of their Planning Statement). The application must then be subject to the test regarding “very special circumstances” which is set out in sub-paragraph 2 of WLP Policy DM38.

4.2 It is for the applicants to convince the decision-maker that any claimed “very special circumstances” are sufficiently powerful to override the presumption against, and inappropriate nature, of new buildings in the Green Belt. The applicants’ case for very special circumstances is set out in paragraph 1.9 of their Planning Statement, as follows:

*“The Site is located within the Green Belt where development would ordinarily be restricted. However, Marlow Film Studios, due to:*



- *its significant socio-economic benefits;*
- *the contribution it makes to meeting the current pressing need for studio space;*
- *the great weight of national and local government policy encouraging this form of development in this location; and,*
- *the scarcity of land within the West London film studio cluster, where the conditions are right for a film studio to thrive and survive.*

*Very special circumstances are considered to exist to justify Marlow Film Studios in the Green Belt.”*

4.3 The applicants’ case, however, does not stand up to analysis. We will take the four claims in order.

4.4 Significant socio-economic benefits: This is an entirely speculative planning application submitted by a development company. Naturally, best-case scenarios are put forward by the applicants in order to support their application, but the history of the film and media industries in the United Kingdom is one of boom and bust, feast and famine. Should planning permission ultimately be granted for this development it is likely to be five or more years before filming is commenced on the site. In a fast-moving world there is no way of knowing what the state of this industry will be, by then. Meanwhile the applicants would have the benefit of a permission for 168,718 square metres of buildings over 36 hectares of Green Belt.

4.5 Current pressing need for studio space: For good reason, “need” is rarely taken as a valid argument in support of a planning application. “Need” is easily defined by an applicant in their own terms, and is an expression of their own perceived “need” rather than that of the wider community.

4.6 In any event, we question the need. There are proposals currently for very large amounts of development for additional space for film / tv production, in the South East of England. These include:

- Shinfield Studios: proposals for 14 stages and workshops
- Warner Brothers Leavesden: A Master Plan 2022 proposes new sound stages, workshops, production offices
- Sky Studios Elstree North: proposals for 470,000 sq feet (43,664 sq metres) of stages
- Pinewood Studios: planning permission for major expansion in April 2022, revisions to further increase the floorspace are likely to be submitted

- Sunset Studios, Waltham Cross: 21 sound stages proposed, creating 4800+ jobs
- Eastbrook Studios, Dagenham: proposals for up to 12 sound stages creating around 1200 jobs.

4.7 It is difficult to accept that, if all of these proposals proceed, there will continue to be a “pressing need” for studio space. From outside the industry, there seems to be a race to obtain planning consents. There is absolutely no justification for a Green Belt site near Marlow being part of this race.

4.8 Great weight of national and local government policy encouraging this form of development in this location: Although the applicants bring forward a number of statements and strategies which appear to support their proposed development or something resembling it, none of these relate to town and country planning, and therefore carry little or no weight in the determination of this application. As we have seen in paragraph 3.5 above, the NPPF is silent on the matter of film and media industries.

4.9 Furthermore, the suggestion that national and local policies encourage the proposed development **in this location** (Green Belt land to the east of Marlow) is bizarre and completely untrue.

4.10 Scarcity of land in the West London film studio cluster: The West London Film Studio Cluster appears to be a construct of this planning application and has no status or significance in planning terms. Nevertheless, the list in paragraph 4.6 above of contemporary planning proposals includes three which are within this “cluster”, i.e. those at Leavesden, Elstree, and Pinewood. The developments proposed at these sites are massive, and not indicative of any scarcity.

4.11 Three of the contemporary major development sites listed in paragraph 4.6 are located outside the “cluster”. These are Shinfield, Waltham Cross, and Dagenham.

4.12 Again, these are massive development proposals, and strongly suggest that film studio development does not need to be located within this “cluster” area.

4.13 We can conclude, therefore, that none of the four “very special circumstances” put forward by the applicants carry any weight, and the presumption against the inappropriate development of new buildings in the Green Belt must apply to this speculative application.

## 5. Other Considerations

5.1 Finally, we ask Councillors to consider a variety of other factors which weigh heavily against the proposed development. Even were the Council to disagree with CPRE Buckinghamshire and the hundreds of residents who have made strong representations against this development, and judge that the balance were to come out in favour of a development the size of Marlow Town Centre in the Green Belt, with buildings up to 21 metres high, there are other factors which make this particular proposal unacceptable.

5.2 The Setting of the Chilterns AONB: This important matter has been comprehensively covered by the Chilterns Conservation Board in their letter of 12<sup>th</sup> July 2022. CPRE Buckinghamshire entirely agrees with, and endorses their detailed and comprehensively researched comments. Their comments regarding the many viewpoints from which the development will be visible are especially important, looking at views from points within the AONB as well as views from locations (such as Winter Hill, in Berkshire) where views towards the AONB will be permanently despoiled.

5.3 The setting of the River Thames: The stretch of the River Thames between Marlow and Bourne End is peaceful and tranquil. It is also beautiful, and is a wonderful place to walk, ponder, and observe. We request Councillors who are not already familiar with the area to walk this stretch of the river and to imagine, within a short distance, the hurly-burly of a busy and active film studio, with its attendant noise and vehicle movements, together with the looming presence of a large number of huge, tall and block-like buildings.

5.4 Noise: The applicants argue that the proposed studios will be unlike many other places of employment, operating on 24-hour schedules. This level of activity and associated noise will completely transform the character of the locality, which will resemble an industrial estate.

5.5 Lighting: It is impossible to imagine that the proposed 24-hour operation, on this large site, will not involve the provision of lighting, not only “normal” lighting in the interests of safety after dark, but also specialist lighting associated with filming. Once again, this level of disruption to an existing quiet and tranquil area of Green Belt is not supported by any argument of very special circumstances.

5.6 Reflection: It is certain that new, tall buildings will present some reflectivity when viewed from positions around the site. We consider this to be a feature of the development which will be highly damaging to the Green Belt and to the setting of the AONB. The Council should not consider approving this application without an independent study of the potential for reflection of sunlight associated with this

development, and an analysis of its consequences. Any additions to the buildings to render them less reflective may well result in them appearing even more ugly than initially designed, and even more unsuitable for a rural location.

5.7 Public transport interchange: The development incorporates an “entry square and mobility hub including public bus interchange with services to Maidenhead / Elizabeth Line and High Wycombe, as well as Marlow and Bourne End”. There is a probability that this would become, effectively, a park and ride location for car-borne commuters from High Wycombe and other places, seeking to access the Elizabeth Line but unsure of the availability of car parking spaces in Maidenhead. This would, of course, have nothing whatsoever to do with the nearby film studios, and although it may be an unintended, or intended, consequence of the proposed development, has no justification within a Green Belt location.

5.8 Importance of local green space: The application site occupies an important part of an area of local green space outside the built-up area of Marlow. It is quite distinctive from the town and provides an area for peaceful activity, walking and relaxation. It is generally accepted that green open spaces are beneficial for mental and physical health, and many learned papers have been published to that effect, for example, “The importance of greenspace for mental health” by Jo Barton and Mike Rogerson in [BJPsych Int](http://BJPsych.Int). 2017 Nov; 14(4): 79-81, published online at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5663018/>., and “Green space, mental wellbeing and sustainable communities” by Stephen Morton on the [gov.uk](http://gov.uk) website at <https://publichealthmatters.blog.gov.uk/2016/11/09/green-space-mental-wellbeing-and-sustainable-communities/>.

5.9 Even more recently, CPRE has published its own key findings on this matter in its document *Local Green Space - A Tool for People and Nature's Wellbeing* (February 2022) which argues persuasively for local planning authorities to consider increasing the amount of local green space close to and within towns. The applicants will argue that they plan to retain some public access on their site and preserve footpaths, but these would be alongside busy urbanised activity rather than a relaxed, stress-free rural environment.

## 6. Conclusion

6.1 Section 2 of this representation argues that the proposed development is inappropriate in the Green Belt (an argument with which the appellants agree) and further that it runs contrary to the allocation of the site in the current Development Plan as part of the Little Marlow Lakes Country Park. The fact that a Country Park has not yet been finalised is no reason to dismiss the idea as unlikely, given that its

establishment was a clear Policy of the Local Planning Authority, tested through Examination 4 years ago, and adopted as Policy for the period up to 2033, just three years ago.

6.2 Section 3 above shows that the proposal is contrary to the advice set out in the NPPF regarding new buildings in a Green Belt, and that there is no national planning Policy which supports a massive development of this scale in a Green Belt location.

6.3 Section 4 argues that the 4 “very special circumstances”, argued by the applicants, are based on invention, supposition, and best-case scenarios, and that none of these, either individually nor in combination, begin to outweigh the presumption against the development.

6.4 In Section 5 we add some other important issues which would weigh strongly against the proposed development, even were the Council to consider that the applicants’ case possessed some merit.

6.5 This application has profoundly shocked local people who have, over past decades, understood the real need for mineral extraction in this area, who have experienced the disturbance that this can cause to rural life, and who have waited patiently for it to be restored in keeping with its very special rural location. At the time of writing this representation, several hundred local people have written letters to the Council objecting to this application.

6.6 As a long-established and respected environmental charity in Buckinghamshire, CPRE Buckinghamshire wishes to add its clear voice to those who consider that this speculative planning application must be **rejected**. CPRE Buckinghamshire will be very pleased to support the Council’s case, following such a rejection, at any Appeal or Local Inquiry.

Yours sincerely