

<b>Committee date</b>	Tuesday, 10 January 2023
<b>Application reference</b>	22/00322/FULM Warner Bros. Studios Leavesden, Warner
<b>Site address</b>	Drive, Watford Hertfordshire WD25 7LP
<b>Proposal</b>	The provision of new sound stages, workshops, production and post-production offices, Studio support facilities (including new welfare and café building) and new roundabout to provide vehicular access to the Studios and Island Site; the construction of decked car parking and a pedestrian footbridge (Island Site); the use of land to the west of the Studios for film production and associated activities (Backlot 2); ecological improvements to existing field (Lower Field) together with site-wide landscape and necessary utilities and infrastructure works, bund construction, and ground re-profiling. (Duplicate application to Three Rivers District Council).
<b>Applicant</b>	Warner Bros Studios Leavesden
<b>Agent</b>	Terence O'Rourke Limited
<b>Type of Application</b>	Full Planning Permission
<b>Reason for committee Item</b>	Major Application
<b>Target decision date</b>	12 <sup>th</sup> January 2023
<b>Statutory publicity</b>	Watford Observer, Site Notice and Neighbour Letters
<b>Case officer</b>	Alice Reade, alice.reade@watford.gov.uk
<b>Ward</b>	Woodside

## 1. Recommendation

The application be referred to the Secretary of State for the Department for Levelling Up, Housing and Communities in accordance with the Town and Country Planning (Consultation) (England) Direction 2021.

Provided the Secretary of State does not call in the application for his/her own determination, the application be delegated to the Associate Director of Planning, Infrastructure and Economy to grant planning permission subject to the conditions detailed in section 8 of this report.

## 2. Site and surroundings

- 2.1 The 51.78 hectare application site lies to the north of Watford just within the M25 and north of Hunton Bridge M25 spur roundabout. The residential area of Leavesden is to the east including properties at Ashfields. Abbots Langley is

to the north and Watford to the south. To the west of the site are open fields with some residential roads and individual properties.

- 2.2 Leavesden Studios has been used for film making since the mid 1990s and from 2000 by Warner Bros, becoming Warner Bros Studios Leavesden (WBSL). The Studios comprise the main part of the original Leavesden Aerodrome dating back to the 1930s and operated from 1967 to 1994 when the site was occupied by Rolls Royce for aero engine manufacture. The site has seen additions of further sound stages, production areas and the Harry Potter Studio Tour following planning permissions granted between 2010 and 2018.
- 2.3 The majority of the site lies within Three Rivers District. Only approximately 10% of the site is within the Watford Borough to the south of the application site.
- 2.4 The site within Watford Borough is not within a Conservation Area or other designation and has no policy designations under the Watford Local Plan 2021-2038. The application site outside of the Watford Borough boundary within Three Rivers District is within the Metropolitan Green Belt.

### **3. Summary of the proposal**

#### **3.1 Proposal**

Full planning permission is sought for the provision of new sound stages, workshops, production and post-production offices, Studio support facilities (including new welfare and café building) and new roundabout to provide vehicular access to the Studios and Island Site; the construction of decked car parking and a pedestrian footbridge (Island Site); the use of land to the west of the Studios for film production and associated activities (Backlot 2); ecological improvements to existing field (Lower Field) together with site-wide landscape and necessary utilities and infrastructure works, bund construction, and ground re-profiling.

- 3.2 As noted previously, only a small part of the application site falls within Watford Borough area. As such, duplicate applications have been submitted to Three Rivers District Council and Watford Borough Council. The lead application with TRDC (Ref 22/0491/FUL) was considered at their Planning Committee of 15<sup>th</sup> December 2022. The report to that committee is Appendix 2 to this report. The Three Rivers Committee approved the officer's recommendation as follows:

*The application be referred to the Secretary of State for the Department for Levelling Up, Housing and Communities in accordance with the*

*Town and Country Planning (Consultation) (England) Direction 2021. Provided the Secretary of State does not call in the application for their own determination, the APPLICATION BE DELEGATED TO THE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES TO GRANT PLANNING PERMISSION 22/0491/FUL following the completion of a S106 Agreement and subject to the conditions set out at section 8 below.*

- 3.3 The proposed development on the application site is split between 5 main areas as listed/described below:
- 1) Central Site
    - i) 11 new sound stages totalling 28,614sqm, up to 18m-21m maximum heights
    - ii) 4 ancillary production offices, up 3 storey/12m totalling 9,040sqm
    - iii) 3 workshops, 14.5m in height at eaves level
    - iv) Amenity building, single storey of 660sqm
    - v) Security gate to studio south gate
  - 2) Island Site
    - vi) Studio parking deck will comprise a total of 2,500 parking spaces over ground, first, second, third floors and roof deck. Part 11m and part 15m in height. Accessed from Gadeside via the proposed South Gate roundabout.
    - vii) Studio support light facility comprising 4,856sqm over two floors and up to 11m height.
  - 3) Western Site
    - viii) Backlot 2 for outside film production
    - ix) Lower Field to include a new 12 acre area that is accessible for public use via Gypsy Lane and Old Mill Road. Planting will include: 40 new trees including an orchard and semi-mature oak trees, 4,857sqm of new woodland planting, 429sqm of coppice planting and 1,565sqm of native scrub planting. A naturalised floodwater basin will also be created enabling a wetland habitat whilst providing for surface water attenuation.
  - 4) Triangle Site
    - x) Southern access roundabout on Gadeside serving studios and studio parking deck
    - xi) Pedestrian access bridge from studio parking deck to the studios
  - 5) Northern Access

xii) Works to the Studio North Gate Warner Drive/Aerodrome Way roundabout include widening the access road.

### 3.4 **Procedural Matters**

#### *Environmental Impact Assessment*

The proposed development falls within schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The applicants have not sought for a formal screening or scoping opinion under the EIA regulations, however, they have undertaken an EIA and submitted an Environmental Statement dated March 2022. This assessment considers the potential impacts of the development in respect of effects to landscaping and visual amenity, traffic, air quality and in respect of ecological assets. Following submission of amendments and additional information, an Environmental Statement Addendum, dated July 2022, was received. All relevant notifications and consultations under the aforementioned EIA Regulations have been undertaken in respect of the EIA application for the original environment Statement and subsequent Addendum.

### 3.5 *Referral to Secretary of State*

As set out under the Town and Country Planning (Consultation) (England) Direction 2021, where a Local Planning Authority proposes to approve inappropriate development within the Green Belt of 1000m<sup>2</sup> or more, the application must be referred to the Secretary of State for the Department for Levelling Up, Housing and Communities before any planning permission can be issued. The Secretary of State has the power to call-in the application for his/her own determination. As the proposed development falls within this criteria, the application will need to be referred to the Secretary of State under this Direction. This report details the consideration in respect of proposed approval and section 8 of the report details the officer's recommendation for members' consideration.

### 3.6 *Three Rivers District Council Application*

The lead application with Three Rivers (Ref 22/0491/FUL) was considered at their Planning Committee of 15<sup>th</sup> December 2022. The report to that committee is Appendix 2 to this report. The Three Rivers Committee approved the officer's recommendation as follows:

*The application be referred to the Secretary of State for the Department for Levelling Up, Housing and Communities in accordance with the Town and Country Planning (Consultation) (England) Direction 2021. Provided the Secretary of State does not call in the application for their own determination, the APPLICATION BE DELEGATED TO THE DIRECTOR*

*OF COMMUNITY AND ENVIRONMENTAL SERVICES TO GRANT  
PLANNING PERMISSION 22/0491/FUL following the completion of a  
S106 Agreement and subject to the conditions set out at section 8  
below.*

**3.7 Conclusion**

The area of land of the application site that is within Watford Borough is not designated Green Belt following the adoption of the Local Plan 2021-2038. The remainder of the application site, within Three Rivers District, is located within the Metropolitan Green Belt. In accordance with the policy considerations of the National Planning Policy Framework, the proposed development in the Green Belt would be inappropriate development which, by definition, would be harmful to the Green Belt and should not be approved except in very special circumstances.

- 3.8 The assessment has found that the significant economic and social benefits, collectively combine to constitute material considerations of sufficient weight to provide 'very special circumstances' that clearly outweigh the identified harm. Specifically, the expansion of the Studio production and related facilities at Warner Brothers Studios Leavesden would result in a multi-million pound investment in the nationally significant WBSL facility. This has been shown in the applicant submission to have substantial positive direct and indirect beneficial contributions to the local, regional and national economy. The development also offers a significant opportunity for the expansion of the film industry within Hertfordshire and many related other skills and opportunities arising from this industry.
- 3.9 The development also offers notable other benefits including the provision of Lower Field which will be maintained in perpetuity as an accessible green space for ecological and environmental benefits. The proposed development will deliver a significant landscaping scheme including trees, woodland planting and new wetland habitable offering a Biodiversity Net Gain of 12.65% (habitat units) and 51.90% (hedgerow units) which would be in accordance with the forthcoming Environment Act when it becomes law.
- 3.10 For Watford, the development includes some key transport benefits including the Hempstead Road improvements and improved cycle routes to arrange by the Highway Authority with developer funding. It is noted that these works would align with the strategies of the Local Cycling and Walking Infrastructure Plan (LCWIP) and Transforming Travel in Watford (TTIW)
- 3.11 Other benefits include the proposed solar PV will generate over 1,600,000kWh per year. Whilst the primary purpose is to power the Studios, any surplus will

be exported to the wider electricity network for public use. This is afforded some weight in the planning balance. As a result of the extent of PV proposed, all electricity used on application site will come from 100% renewable energy. The development is estimated to demonstrate an 86% reduction in overall regulated carbon emissions which is significantly above the Local Plan requirement of 16%. The Development is also to achieve BREEAM 'Excellent' in accordance the Local Plan.

- 3.11 The technical information submitted with the application demonstrates that the development would not result in adverse impacts to the highway network, neighbouring properties, wildlife, groundwater safety or air quality.
- 3.12 The social, economic and environmental benefits are afforded significant weight in the overall planning balance which collectively combine to provide 'very special circumstances' that clearly outweigh the identified harm to the Green Belt and enable planning permission to be granted subject to conditions.

#### **4. Relevant policies**

- 4.1 Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

#### **5. Relevant site history/background information**

- 5.1 The site has been subject to numerous planning permissions over the past 30 years in relation to its temporary and permanent use as film studios. Many of these permissions relate only to Three Rivers District. The main planning permissions covering the permanent use of the site for film studios and the Harry Potter Studio Tour are:
- 5.2 10/00051/FUL (TRDC ref. 10/0080/FUL) - Continued use of land and buildings for film production and associated activities including retention and refurbishment of existing studios to accommodate stages, backlot, workshops, offices, production facilities, canteen /commissary and ancillary studio facilities and services, replacement and extended workshops, stage and offices. Two new stages (approx. 13,000 sqm floorspace) for the storage and public exhibition of film sets and artefacts (including cafe and gift shop), new accesses from Aerodrome Way, revised internal road layout and parking, extended backlot, landscaping and associated works. Approved with a S106 Agreement. This consent has been implemented

- 5.3 The various consents granted by Watford Council and Three Rivers District Council covering the whole site permit the following development and uses:
- i) The continued use of the land and buildings for film production and associated activities including the retention and refurbishment of existing studio buildings.
  - ii) Erection of a replacement 'Mill' building and new workshop building to the northern part of the site.
  - iii) Erection of two new stages (J and K) for the storage and public exhibition of film sets and artefacts, including cafe and gift shop, located between the main studio complex and Aerodrome Way. These new stages house the 'Warner Bros. Studio Tour London: The Making of Harry Potter', and have since been extended.
  - iv) Two new accesses from Aerodrome Way, with cessation of the previous access onto South Way.
  - v) Revised internal road layout and parking, new gatehouses, extended backlot, landscaping including new bunding and associated works.
  - vi) Consent for an external water tank used to film water based scenes.
  - vii) Construction of additional workshops, two new sound stages and production offices (M, N and O).
  - viii) Additional Studio Tour and Studio parking.
  - ix) Studio Tour hospitality events.

- 5.4 15/01300/OUTM (TRDC ref. 15/1852/FUL)  
Hybrid Application to include full planning permission for sound stages, workshops, post production facility and extension to the Studio Tour car park together with outline planning permission (matters reserved: appearance and landscaping) for extension to the Studio Tour, workshops, production support building, Studio parking deck, Studio cafe extension, Studio support facilities and associated works. Approved with a S106 Agreement and included the following:

Detailed elements:

- i) L Stage Workshop located adjacent to existing L Stage to the south of the Studios site to replace existing temporary workshop structures at the backlot.
- ii) P Stage located on the northern part of the Studios site, opposite N & O and M Stages to be a new permanent sound stage.
- iii) Q and R Stages and ancillary production offices within a new permanent sound stage with three storey offices attached to the northern elevation to the west of C Stage.
- iv) Post production facility to the south of the main Studio buildings to include re-recording stages, cutting rooms and a preview theatre.

Outline elements:

- v) Studio Tour Extension - new stage to extend from the southern elevations of J & K Stages onto part of the existing visitor car park including additional single storey staff accommodation located around K Stage, with a maximum height of 10m.
- vi) Workshop on an existing hardstanding area to the north of the site, known as Car Park 5 (CP5).
- vii) Studio Café Extension to meet enhanced catering needs.
- viii) Production Support Building adjacent to the backlot and proposed Q & R Stages, to be used for a range of support activities including workshop, wardrobe, make-up and special effects.
- ix) Island Site development - accommodation for a range of Studio support facilities such as workshops and production services together with supporting office accommodation with access via a new arm on the existing Aerodrome Way/High Road/Ashfields Way signalised junction.

## **6. Main considerations**

6.1 The main issues to be considered in the determination of these applications are:

- (a) Principle of development
- (b) Economic impacts
- (c) Green Belt consideration
- (d) Character and appearance
- (e) Impact on neighbouring properties
- (f) Highways, access and parking
- (g) Environmental matters
- (h) CIL and S106

6.2 (a) Principle of development

The land of the application site within Watford Borough is not designated for development or for a specific use within the Local Plan 2021-2038. Strategic Policy SS1.1, Spatial Strategy, states that:

*Outside the Core Development Area, proposals will be supported where they optimise densities to make efficient use of land and manage change with greater regard to the existing context and local character. Development should make the most of its location, such as access to public transport, cycling and walking and seek to provide off-site infrastructure to enhance them, and facilitate access to services and facilities.*



- 6.3 The application site is of longstanding commercial use and with established use by the applicant as film studios and the studio tour. It is therefore considered that the proposed expansion of the buildings and associated facilities for this use would accord with the existing character and context in principle. It is noted that the land of the application site within Watford Borough has been previously granted outline permission for development in conjunction with the film studios, including new buildings at the 'Island' site, and this forms a material planning consideration supporting the principle of development.
- 6.4 The majority of the application site (approximately 90%) is land outside of Watford Borough and within the adjacent Three Rivers District. It is recognised that the Development Plan for Three Rivers includes Policies PSP2, CP1 and CP6 of the Core Strategy (adopted October 2011) and Policy SA8 of the Site Allocations Local Development Document (adopted November 2014) which identify the 'the nationally important film studios' and support their expansion pursuant to economic and employment objectives.
- 6.5 Subject to assessment of all other matters, it is considered that the principle of the proposed expansion of the studios and associated employment opportunities would be in accordance with the Spatial Strategy set out in Strategic Policy ST1.1 of the Local Plan.
- 6.6 (b) Economic Impacts  
Paragraph 81 of the NPPF seeks the building of strong economy stating that: *Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.*
- 6.7 Paragraph 83 of the NPPF continues that: *Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.*

- 6.8 The existing operations at WBSL are demonstrably of significant local and national economic value. The submission has provided extensive detail to support that WBSL is an integral part of the UK film industry. It is one of the largest and most technological advanced creative facilities, currently home to 548,200 square feet of state of the art sound stages; a 125 acre backlot; the largest water tank in Europe; and over 535,000 square feet of workshop, storage and office space. Alongside the Studio facilities, it is home to the Warner Bros. Studio Tour 'The Making of Harry Potter'. In 2019 the Studio Tour hosted over two million visitors, of which almost 600,000 were from overseas, and it remains one of the UK's most popular paid tourist attractions.
- 6.9 The Economic and Social Impact Assessment states that following the opening of Stages T, U and V in 2021, the annual level of film and TV production at WBSL would reach £405.8 million in 2022, up from £373.8 million in 2021. In terms of employment, entry pass data indicates that on average a total of 3,900 people are on site every day involved in film and TV production, over 50% of which live locally.
- 6.10 The implementation of the proposed Masterplan will require in excess of £250 million in infrastructure investment between late 2022 and the end of the 2026. It is estimated that the opening of the additional sound stages would attract an additional £208 million in annual film and TV production at WBSL and raise the total annual level of film and TV production at WBSL to £613.8 million. The full implementation of the Masterplan will add 1,625 FTEs (full time equivalent jobs) of employment and £85.7 million in GVA (gross value added) to the local economy by 2027. As a result, by 2027 WBSL's annual contribution to the local economy will increase to 5,891 FTE and £360.9 million GVA.
- 6.11 The economic benefits of the proposed development would be consistent with the aims of Hertfordshire LEP's Strategic Economic Plan to promote and develop film/TV in south west Hertfordshire as part of a wider cluster with a footprint that includes London and Buckinghamshire.
- 6.12 The application has therefore demonstrated on the basis of its existing success and future forecasts that it would bring significant benefits to the local, regional and national economy. These economic and social impacts of the proposed development, namely job creation and GVA, should also be afforded significant weight. The national significance to the UK creative and tourism industries of WBSL and the need for the facility to expand at Leavesden are also recognised and again should be afforded significant weight in the determination of the application.

6.13 (c) Green Belt considerations

The small area of land of the application site that is within Watford Borough is not designated Green Belt following the adoption of the Local Plan 2021-2038. The remainder of the application site, within Three Rivers District, is located within the Metropolitan Green Belt.

6.14 As recognised by the NPPF Chapter 13, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF states that the Government attaches great importance to Green Belts. Paragraph 147 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that the construction of new buildings constitutes inappropriate development in the Green Belt. The NPPF also states that LPAs should ensure that substantial weight is given to any harm to the Green Belt, and that very special circumstances for construction of new buildings in the Green Belt will not exist unless the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

6.15 Paragraph 149 of the NPPF advises that a Local Planning Authority should regard the construction of new buildings as inappropriate development, subject to the following exceptions:

- 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. 7.2.

- 6.16 Paragraph 150 of the NPPF advises that certain forms of development are not inappropriate in the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including the land within it. These include the following:
- 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.
- 6.17 The proposed development includes works of the reuse of one building (L Stage) and the enhancements to the Lower Field which would be considered as not being inappropriate development under Paragraph 149 of the NPPF.
- 6.18 The proposals for the substantial new buildings across the site and permanent use of 'Backlot 2' for production are not considered to fall within any of the exceptions set out in paragraph 149. The development would therefore constitute inappropriate development within the Green Belt and would also have a harmful impact on the openness of the Green Belt.
- 6.19 The NPPF makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 6.20 It is therefore incumbent upon the applicant to demonstrate that 'very special circumstances' exist for these elements of the application.
- 6.21 The applicant has presented a strong case that there are 'very special circumstances' to justify the otherwise inappropriate development, namely

the economic, social and associated benefits of the proposed development which they consider to be of national significance. These include:

- the national significance of WBSL to the UK creative and tourism industries;
- the attraction of WBSL's backlot to overseas film makers;
- the economic and social benefits of the proposed development;
- the need to capitalise on the global growth and demand for purpose built film production facilities and services;
- the specific operational need for the proposed development to be located at WBSL;
- the absence of alternative areas within WBSL outside the Green Belt to accommodate the proposed development;
- the retention of the Lower Field (8.3 ha) as accessible open space with associated ecological / environmental benefits of the impact; and
- the proposed minimisation as far as practically possible of effects on the openness and visual amenity of the Green Belt.

6.22 As detailed by the applicant, and as considered in sections 6.8 to 6.12 of this report, the proposed expansion of WBSL is considered to be of significant local and national economic benefit, offering substantial employment and investment and further strengthening the UK film industry. The existing successful use of the wider WBSL at this location and the existing ownership of the application site by WBSL, further support the likely deliverability of these benefits should planning permission be granted. Accordingly, it is considered that the significant economic and social benefits associated with the nationally significant WBSL and its proposed expansion, collectively combine to constitute material considerations of sufficient weight to amount to 'very special circumstances' that clearly outweigh the identified harm to the Green Belt to enable planning permission to be granted subject to conditions.

6.23 Therefore, whilst the proposal would amount to inappropriate development in the Green Belt, the 'very special circumstances' demonstrated, on balance, are considered to outweigh the harm of the proposal on the Green Belt, by virtue of its inappropriateness and any other harm, in accordance with paragraph 148 of the NPPF. It is again noted that the designated Green Belt is not within the Watford Borough and is within the larger area of this application site within the Three Rivers District. This assessment made by Watford Borough Council officers in respect of the Green Belt matters is, however, consistent with the decision of Three Rivers District Council in respect of their lead application for this development (TRDC Ref 22/0491/FUL)

and their full consideration of the Green Belt matters detailed in the officers report to committee attached as Appendix 2 to this report.

- 6.24 As set out under the Town and Country Planning (Consultation) (England) Direction 2021, where a Local Planning Authority proposes to approve inappropriate development within the Green Belt of 1000m<sup>2</sup> or more, the application must be referred to the Secretary of State for the Department for Levelling Up, Housing and Communities before any planning permission can be issued. The Secretary of State has the power to call-in the application for his/her own determination. As the proposed development falls within this criteria, the application will need to be referred to the Secretary of State under this Direction.
- 6.25 (d) Visual impacts  
The NPPF sets out the importance of and elements of good design in paras. 126, 130 and 134. Strategic Policy QD6.1 of the Watford Local Plan sets out that in all areas that lie outside the Core Development Area and the Protected Areas, the degree of change will be more limited than in the Core Development Area but is expected to result in a gentle uplift in the density of the area. Development proposals in these areas should be led by the existing characteristics of the local area and will reinforce and where appropriate enhance the character of the local area. More detailed design policy requirements are set out in policies QD6.2 Design Principles, QD6.3 Public Realm and QD6.4 Building Design.
- 6.26 The area around the site is mixed in character. To the north-east of the main application site is the existing Studios and Studio Tour. To the north-west is the residential area of Abbots Langley. To the west of the site are open fields with some residential roads and individual properties. To the north-east on Aerodrome Way there are existing commercial units at Leavesden Park with residential properties beyond to the east. To the south are residential areas beyond the A41 North Orbital Road. Whilst it is acknowledged that part of the site is within the Green Belt, having regard to the mixed character of the area including the existing Studios and Studio Tour, it is considered that the proposed uses of the application site would not be out of character with the generality of existing uses of land in its locality.
- 6.27 The arrangement, layout, scale and materiality of the proposed buildings reflect and complement the existing buildings on site. The proposed development includes substantial landscaping improvements which will successfully enhance many areas of the site and around the buildings with substantial landscaping proposals.

- 6.28 The tallest proposals of the development, including sound stages up to 21m height, would be located within the central areas of the site and away from areas of public realm. These would therefore integrate into the established wider site and not create adverse visual impacts to the context.
- 6.29 The more outwardly visible areas of the development include the ancillary office buildings at the south of the Central site. These would consist of 3 storey office buildings creating active frontage onto Gadeside whilst being of a layout, scale, design and materiality that would create a well-integrated continuation of existing buildings in this group.
- 6.30 The Island Site consists of the main Watford elements of the proposal. This is proposed to include the studio deck car park with a notable height of between 11m to 15m. It is, however, located centrally to the Island Site to allow for space to be maintained around it to boundaries and to neighbouring properties. It is noted that the proposed Island building is within the parameters of the buildings previously approved in this part of the site. The car park building includes areas of solid walls and horizontal banding to add interest whilst also screening cars from view and limiting light pollution.
- 6.31 The proposed pedestrian access bridge would provide a link for staff and visitors from the studio deck car park to the main Studio site. This entrance will be served by a dedicated security building, acting as the arrival tower for visitors coming from the Island Site parking structure via the footbridge and will include a security hub, WC facilities and secure bicycle and golf buggy parking and charging. The footbridge proposed at 100m long, with a cross section height of 2.8m, would span over the highway and will be a significant new visible addition to the street. The bridge will maintain a 5.5m height road clearance and is proposed to be of a steel structure, fully enclosed with glazed sides and vertical aluminium fins. This will create a lightweight visual structure that will not be harmful visually and will accord with the materiality and design approach for the wider site.
- 6.32 In summary it is considered that the proposed uses, the height and scale of the proposed buildings, and the site coverage by buildings and hard surfaced areas would not be demonstrably harmful to the existing built character of the area and the pattern and form of development in the area. Although the application proposes a significant degree of development across the site, the scale, layout and design of the proposed development would be acceptable and would not have demonstrably harmful impacts on the character and appearance of the public realm, the general locality or the wider landscape. The proposed development would represent the quality of design sought by the NPPF and Local Plan and would be acceptable in this regard.

6.33 (e) Impact on neighbouring properties

Paragraph 130 of the NPPF advises that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.34 To the east of the Island Site are the houses of Ashfields which are within Watford Borough. Planning application 15/01300/OUTM granted outline consent for development on the Island Site in the form of 13,200m<sup>2</sup> of support facilities such as workshops, production services, offices and 480 car parking spaces. The consent was for a building up to 15m in height. The Studio Parking Deck proposed on the Island Site as part of this current application follows these approved parameters being a maximum of 15m in height adjacent to Gadeside, with a lower height of 11m to the east closest to Ashfields.

6.35 It is also noted that the parking deck has been designed to look more like a building (rather than open sided car park), with a greater proportion of solid to open walls and horizontal banding. This approach improves the appearance of the building compared to a more open car park and mitigates noise and light pollution impacts.

6.36 The proposed buildings on the Island Site would also maintain generous distances to the nearest properties. The buildings are centrally positioned to provide space to the site boundaries. The south-east corner of the car park would be over 80 metres from the closest property in Ashfields. It is also noted that a detailed landscape strategy has been submitted with the application and includes extensive landscape planting around the Island Site, particularly the eastern boundary, and includes a planted earth mound to act as both a visual and acoustic barrier.

6.37 The support facility building on the Island Site, adjacent to the car park, will have a maximum height of 11m, reflecting the lower height of the car park. As with the parking deck, extensive landscaping is proposed around the perimeter. The eastern flank elevation of Building 75 would be located approximately 90 metres from the closest properties on Ashfields.

6.38 Whilst it is acknowledged that the Studio Parking Deck and support facility would be large structures that would be visible to properties to the east, it is considered that the separation distances maintained would be sufficient to



ensure that there would be no demonstrable harm through either overshadowing, loss of light or overlooking. Additionally, and as noted above, a comprehensive landscaping strategy is proposed to soften the development and would serve in part as a visual barrier.

- 6.39 The pedestrian access bridge would be substantially screened from properties to the east by the Studio Parking Deck and support facility (Building 75) so would be likely to have no adverse impact on residential amenity. The sound stages and supporting offices/workshops would be separated from residential properties to the south by the North Western Avenue, with a separation distance of over 100m at the closest point. The offices would front Gadeside (with North Western Avenue beyond) with the higher sound stages located more centrally within the site away from the site boundaries. The buildings on this part of the site would be read against the backdrop of existing Sound Stages and supporting buildings within the wider WBSL site and it is not considered, accordingly, that they would result in demonstrable harm through either overshadowing, loss of light or overlooking.
- 6.40 To the west of the application site there are individual residential properties and residential roads within Three Rivers District. There would be some views of the proposed buildings and Back Lot 2 site from these dwellings, however, these are limited and a comprehensive landscape strategy is proposed to complement the existing vegetation/planting. The submitted Operational Management Plan (OMP) for Backlot 2 states that no temporary structures will exceed 15m in height without prior approval from the local planning authority and that no structure or storage will be located within 20m of any highway or public right of way. As such, whilst there would be views, it is not considered that the development or temporary structures would result in demonstrable harm to neighbouring amenity or the amenity of users of the public footpath, through visual intrusion, overshadowing or loss of light.
- 6.41 (f) Highways, access and parking

Paragraph 110 of the NPPF advises that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and d) any significant impacts from the development on the transport

network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

- 6.42 Paragraph 111 of the NPPF states that ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.
- 6.43 Strategic Policy SS1.1 and Policy ST11.4 of the Local Plan states that proposals will contribute towards a modal shift, greener travel patterns and minimising the impact on the environment. Pedestrian, cycling and passenger transport will be prioritised.
- 6.44 Policy ST11.5 states that a Transport Statement or Transport Assessment is required to support planning applications for all developments that will impact upon the transport network, in accordance with Hertfordshire County Council thresholds.
- 6.45 The application was accompanied by a Transport Assessment and Travel Plan (March 2022), both prepared by Markides. The submitted details were reviewed by National Highways (NH) as part of the Three Rivers application and by HCC as the Highway Authority (HCCHA). These consultees requested additional information/clarification during the application and had detailed discussions with the applicant’s instructed consultant, Markides. The HCCHA have now confirmed to Watford that they raise no objection to the proposed development subject to a number of conditions and the completion of a S106 Agreement to secure necessary infrastructure contributions. These transport improvements are to be secured via the Three Rivers District application on behalf of Hertfordshire County Council and will include:
- Travel Plan
  - Staff shuttle bus
  - Upgrade of the Hempstead Road corridor into central Watford estimated at £9,525,600 (Q3 2022 prices).
  - Improvements to the pedestrian/cycle underpass below the A41/Hempstead Road roundabout, estimated at £600,000.
  - Toucan crossing of the A411 and signage improvements estimate at £626,400.
  - Cycle infrastructure contributions £1,226,400 (Indexed to January 2019).
  - Bus improvement schemes of minimum contribution of £175,000 per year for five years (total £875,000 (Indexed to January 2019)).

- 6.46 The transport improvements to be secured by the County Council will improve connections within Watford and these improvements would align with the strategies of the Local Cycling and Walking Infrastructure Plan (LCWIP) and Transforming Travel in Watford (TTIW)
- 6.47 The development includes a new car park of 2,500 parking spaces on the Island Site. It is intended to meet both the demand of the additional studio space being created, and to reintroduce the capacity on site to deal with the 1000 space buffer that the Studio has tried to maintain for extreme peaks. This new parking is in addition to the existing multi-storey car park on the main Studio site which accommodates 2,250 spaces.
- 6.48 Policy ST11.5 of the Local Plan sets out an approach to maximum parking standards in pursuant to objectives for a modal shift in transport. The maximum standards are set out in Appendix E of the Local Plan. This does not, however, include a maximum standard specific to the film studio use. In such cases, the policy guidance is for the parking provision to be considered on a case by case basis. In this instance, the car parking requirements have been evaluated within the Transport Assessment and the proposed development offers benefits which align with the sustainable travel ambitions set out within the Local Plan Chapter 11 'A Sustainable Travel Town'. The proposed development also includes disabled parking provision and EV parking provision to be secured by condition and cycle storage pursuant to Policies ST11.4 and ST11.5 of the Local Plan.
- 6.49 For the above reasons, the proposed development would not have an unacceptable impact on highway safety and it would make satisfactory provision for necessary enhancements to pedestrian, cycling and passenger transport infrastructure. The proposal therefore accords with Policies SS1.1, ST11.4 and ST11.5 of the Local Plan.
- 6.50 (g) Environmental matters  
*i) Energy and Sustainability strategy*  
Strategic Policy CC8.1 states that the Council will support proposals that help combat climate change and new development will need to demonstrate how it contributes positively towards this. Policy CC8.2 of the Local Plan states that proposals should be designed to reduce their impact on the environment and should use resources efficiently as part of the construction and operation of a building. Pursuant to this, non-residential major developments should aim to achieve BREEAM Excellent standard and a planning condition should secure a Compliance Certificate of BREEAM Excellent standards.

- 6.51 The application is accompanied by a Design and Access Statement and an Energy Statement Report (March 2022) prepared by Ramboll. The Energy Statement Report sets out that the energy strategy is based on the energy hierarchy of prioritising passive design and a general energy demand reduction before the incorporation of Low and Zero Carbon technologies
- 6.52 The development includes on-site energy generation with photovoltaic (PV) solar panels. The proposed solar array will occupy 13,213m<sup>2</sup> of roof space and generate over 1,600,000kWh per year. Whilst the primary purpose is to power the Studios, any surplus can be exported to the wider electricity network for public use. As a result of the extent of PV proposed, all electricity used on site will come from 100% renewable energy.
- 6.53 A BREEAM 2018 New Construction 'Excellent' rating is being targeted across the site. Through water efficient sanitary ware, the buildings will be targeting a 40% reduction over the typical baseline water consumption.
- 6.54 The proposed development is therefore meeting or exceeding energy and sustainability policy of Chapter 8 of the Local Plan.
- 6.55 *ii) Trees and landscaping*  
The site includes trees subject to Tree Preservation Order (TPO) 310 protecting trees to south of the site and TPOs 315 and 107 protecting trees within the Lower Field and Island Site respectively.
- 6.56 The application is accompanied by an Arboricultural Assessment and Method Statement (ref. 21011-AA-PB, 8 March 2022) prepared by Barrell and a detailed planting strategy for the site has also been submitted as summarised. The following planting is included:
- 186 new trees to be planted including an orchard and semi-mature Oak trees;
  - 19,519sqm of new woodland planting;
  - 487sqm of native hedgerow;
  - 429sqm of coppice planting;
  - 1,565sqm of native scrub planting;
  - 425 linear metres of formal hedgerows;
  - 3,458sqm of ornamental shrub planting.
- 6.57 The vast majority of the tree removals are considered to be of low quality and the extensive proposals for new and replacement planting would mitigate the impact over the longer term. The submitted details demonstrate that existing trees to be retained could be adequately protected.

6.58 *iii) Wildlife and Biodiversity*

There are 3 Local Wildlife Sites within the surrounding area, one wholly within the site bring within Three Rivers District. The application is accompanied by an Ecological Impact Assessment (March 2022) prepared by LC Ecological Services which was undertaken to assess the potential ecological effects of the proposed development. Walkover surveys have been completed in 2007, 2015, 2021 and 2022. Phase 2 surveys were undertaken to obtain further information on which protected species were likely to be impacted by the proposed works and include badger activity surveys; bat activity transects; breeding bird surveys; invertebrate surveys and reptile surveys. In total, 28 Important Ecological Features (IEFs) were identified, including 17 designated sites, 3 habitats and 1 fauna of regional importance, and 3 habitats and 4 fauna of local importance. The Assessment concludes that the development scheme and mitigation measures will result in a minor positive impact overall. Additional information has been provided by the application following initial comments from Hertfordshire Ecology. Hertfordshire Ecology have confirmed they have no objections subject to conditions to secure details.

6.59 *iv) Biodiversity Net Gain*

The forthcoming Environment Act proposes to mandate the requirement for biodiversity net gain (BNG) in legislation, through changes made to the Town and Country Planning Act 1990. The Bill proposes to achieve a threshold 10% gain in biodiversity and this is likely to become law in 2023. Policy NE9.8 of the Local Plan also seeks for 10% biodiversity net gain to be measured through an appropriate Defra Biodiversity Metric.

6.60 The proposed developments measures seek to achieve an increase in biodiversity net gain across the site. Most significantly this includes the 'Lower Field' where it is proposed that the whole 'Lower Field' (8.3 hectares) will be protected and kept, managed and maintained as accessible green space for ecological/environmental benefits with extensive planting and a naturalised floodwater basin creating a wetland habitat whilst providing surface water attenuation. The application submission asserts that the proposed development will deliver a BNG of 12.65% (habitat units) and 51.90% (hedgerow units) which would be in accordance with the Environment Act when it becomes law.

6.61 *v) Flooding and surface water drainage*

The site is located within Flood Zone 1 and therefore has a 'low probability' of fluvial flooding. As the site area is over 1 hectare, the application is accompanied by a Flood Risk Assessment and Drainage Strategy (March 2022) prepared by Quattro Consult.

- 6.62 Due to resourcing issues, the Lead Local Flood Authority (LLFA) at Hertfordshire County Council has advised that they are currently unable to respond planning consultations and no comments have been provided from them in respect to this application or the Drainage Strategy proposed. The LLFA publish policies and guidance on sustainable drainage and they recommend that new development follows these. A condition is also recommended to secure the full drainage strategy which the LLFA will be subsequently consulted on.
- 6.63 *vi) Ground water and contamination*  
The application is accompanied by the following documents in respect of contamination and ground water contamination:
- Geo-Environmental Site Assessment (March 2022) prepared by Ramboll; and
  - Additional Environmental Assessment (28/02/22) prepared by Ramboll.
- 6.64 The development site is located within an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) corresponding to Pumping Station (THEG) which is for public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water. Affinity Water raise no objection, subject to planning conditions, in order that the risks to public water supply can be properly considered.
- 6.65 The Environment Agency (EA) have advised that the provided information provides a degree of confidence that it will be possible to manage the risks posed to controlled waters by this development, however, they consider that further detailed information will be required before built development is undertaken. They therefore raise no objection subject to a number of planning conditions.
- 6.66 The Council's Environmental Protection Officer has raised no objection subject to conditions.
- 6.67 The requirements of the conditions requested by the Environment Agency, Affinity Water and the Environmental Protection Officer significantly overlap in their requirements. Therefore to avoid duplication and to align with the conditions of the duplicate Three Rivers application, some of these conditions have been combined.
- 6.68 *vii) Air Pollution*  
The application is accompanied by an Environmental Statement. Chapter 8 of the Environmental Statement specifically deals with air quality. The

application is also accompanied by a Construction Environment Management Plan (CEMP). The Environmental Protection Officer recommends conditions be applied to any permission granted requiring the development to be carried out in accordance with the CEMP.

6.69 *viii) Noise*

The application is accompanied by a Noise Assessment (ref. 206/0600/R2, March 2022) prepared by RSK Acoustics. The Assessment has considered noise from construction, road traffic noise and noise associated with the soundstages and Backlot 2. It acknowledges that the proposals include elements that have the potential to produce noise with risks of disturbance to nearby residents. It sets out how the design, including landscaping, has sought to minimise noise emissions where practical and that noise from the majority of activity is unlikely to be a material concern. The Assessment concludes that noise impacts would be minor, but if necessary, conditions could be attached to any permission granted.

6.70 The submitted Construction Environmental Management Plan sets out measures during construction phases including measures to avoid adverse noise and this is secured by condition.

6.71 The application is also accompanied by an Operational Management Plan for Backlot 2 (OMP)'. The proposed OMP includes a number of measures where advance notification and/or prior approval of the local planning authority is required, for example, in relation to lighting, night shoots and special effects. The OMP also details WBSL's standard procedure where neighbour notification letters are distributed to approximately 5,000 homes in the vicinity in advance of filming activity incorporating night shoots and/or special effects. Although the Backlot is not within Watford Borough, compliance with the OMP is required to protect Watford residents and is recommend to be secured by condition.

6.72 *ix) Light pollution*

The application is accompanied by an External Lighting Strategy and Impact Assessment (March 2022) prepared by Ramboll. The purpose of the report is to assess the impact of the site's proposed external lighting design strategy. In order to minimise obtrusive lighting and comply with best practice/guidance, the lighting strategy adopts the following principles:

- No excessive lighting levels, aim for lowest compliant lighting.
- Avoid directional or vertical illumination. Mount horizontally with minimal tilting.
- Position lighting to avoid sensitive areas.

- Maximise uniformity.
- Keep Light Column height as low as possible, ideally below 9m.
- Minimise light spill, zero upward light (flat cut lanterns required).
- Restrict timing to avoid bat activity, time clock and contractor controlled is recommended.
- Locate luminaires in appropriate places to avoid light spilling to unwanted zones.

6.73 The Lighting Strategy proposes general lighting for use during site operation (dusk – 11pm) and safety lighting post curfew (11pm – 6am). General lighting will utilise both building mounted fittings and column mounted fixtures, whereas safety lighting will mainly utilise column mounted fittings. The site is divided into zones, taking into account the nature of the area and to minimise the impact of lighting on the surrounding environment. Light fittings in zone E4 (middle of the site away from site boundaries with sensitive receptors) will be mounted above roller shutter doors at high level to reduce blinding effect on drivers within the site and to increase safety. In zone E3 lighting will mainly consist of column fittings not higher than 8m and some building lighting. In zone E2 (western part of Backlot 2, east of Gypsy Lane) lighting will utilise a combination of bollard fittings and lighting columns as appropriate. In zone E1 (Lower Field) lighting is not proposed.

6.74 Having regard to the above lighting design details, it is considered that the external lighting for the proposed development will be unobtrusive for adjacent residential properties and this is External Lighting Strategy is recommended to be secured by condition.

6.75 (h) CIL and S106

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted. Liability to CIL only arises for certain uses, specifically residential (general market and specialist), hotel and retail uses (Classes A1-A5). In this case, the proposed uses within Watford Borough are either ancillary to the main studio use or will constitute office or other uses. As such, the proposal will not be liable for CIL in this case.

6.76 The existing main studio use and Studio Tour is the subject of a number of planning obligations with Three Rivers District Council relating to the operation of the Studio Tour and the use of the site for hospitality events as approved and secured in the 2015 applications. These would be unchanged.



6.77 In respect of the new proposals subject to this application, Three Rivers District Council have set out heads of terms for a new s.106 agreement is to be completed between the applicant and Three Rivers District Council as part of their duplicate application ref. 22/0491/FUL. Contributions secured for highway and transport improvements are on behalf of Hertfordshire County Council which is the Highway Authority for both Three Rivers District and Watford Borough and relate to works relevant to both districts. The other planning obligations do not relate directly to development within Watford Borough and, as such, no planning obligations are required in respect of the application being considered by Watford Council.

## 7. Consultation responses received

### 7.1 Statutory consultees and other organisations

Consultee	Comments	Officer response
Environment agency	Further detailed information is sought to be secured by condition set out by the EA	Noted
HCC Highway Authority	No objection subject to conditions and S106 to be secured with Three Rivers	Noted
HCC Lead Local Flood Authority	No capacity for response	Noted and detailed drainage strategy to be secured by condition
HCC Growth and Infrastructure	Does not include residential development so no obligation sought	Noted
HCC Waste	Comments made to be noted	Noted
Herts Ecology	Re-consulted on additional info. No objection subject to securing details	Noted
Affinity water	Conditions requested	Noted
Thames Water	No objection	Noted

### 7.2 Internal Consultees

Consultee	Comments	Officer response
Environmental Protection Officer	Air quality- needs CEMP condition Contamination – no objection subject to conditions	Noted

Waste and recycling officer	Not applicable to residential waste needs	Noted
-----------------------------	---	-------

### 7.3 Interested parties

Letters were sent to 523 properties in the surrounding area. Responses have been received from 4 properties comprising 3 in objection and 1 general comment. The main comments are summarised below, the full letters are available to view online.

Comments	Officer response
Development should not be carried out on Green Belt	It is considered that there are very special circumstances in respect of the economic, social and other benefits of the proposed development that outweigh the harm to the Green Belt. This is considered in sections 6.13 to 6.24 of this report.
The existing studio production creates noise and light pollution which would worsen.	The potential for noise and light pollution are considered in technical documents submitted with this application and would be managed by conditions recommended.
The development of the island site would remove the wildlife and habitat of that area.	Looking at the application site overall, the development would include significant landscaping improvements with a net gain in biodiversity.
The proposed island development is bigger and with larger ground coverage than the buildings approved in this area in 2015 permission and would be harmful to adjacent properties at Ashfield.	The proposed development is within the height parameters of the approved scheme and includes significant distances to properties and new landscaping. For these reasons and as detailed in sections 6.34 to 6.38 of this report, no adverse harm is likely to occur.
There is insufficient justification for the additional parking.	The impact of the proposed parking provision has been considered in full in the Transport Assessment.
The existing studio and studio tour create traffic queues which would worsen. Traffic works secured under previous approved consents have not been successful and independent transport consultants	The highway impact of the proposed development has been considered in full in the Transport Assessment. The Highway Authority has reviewed this and do not object to the proposals and have agreed the various highway and transport

should be employed.	improvements under this application.
Adverse impacts of construction.	The submitted Construction Environmental Management Plan sets out measures during construction phases including to avoid adverse traffic impacts, noise, dust and air pollution and this is secured by condition.
The road weight limit on Ashfields is regularly exceeded by HGVs and ANPR cameras are requested to monitor this area.	This would be a matter for Hertfordshire Council County and has not been requested by them in respect of this planning application.

## 6 Recommendation

The application be referred to the Secretary of State for the Department for Levelling Up, Housing and Communities in accordance with the Town and Country Planning (Consultation) (England) Direction 2021.

Provided the Secretary of State does not call in the application for his/her own determination, the application be delegated to the Associate Director of Planning, Infrastructure and Economy to grant planning permission subject to the following conditions:

### Conditions

#### 1. Time Limit

The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### 2. Approved Drawings and Documents

The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

MERLIN-DNA-ZZ-00-DR-A-00001

MERLIN-DNA-ZZ-00-DR-A-00002 – P6

MERLIN-DNA-ZZ-00-DR-A-00003 – P5

MERLIN-DNA-ZZ-SX-DR-A-00005 – P3

MERLIN-DNA-ZZ-SX-DR-A-00007 – P1

MERLIN-DNA-ZZ-SX-DR-A-00009 – P1

MERLIN-DNA-ZZ-00-DR-A-10000  
MERLIN-DNA-ZZ-01-DR-A-10001  
MERLIN-DNA-ZZ-02-DR-A-10002  
MERLIN-DNA-ZZ-03-DR-A-10003  
MERLIN-DNA-ZZ-R1-DR-A-10004  
MERLIN-DNA-ZZ-EL-DR-A-20000  
MERLIN-DNA-ZZ-SX-DR-A-30000  
MERLIN-DNA-2E-00-DR-A-10100  
MERLIN-DNA-2E-01-DR-A-10101  
MERLIN-DNA-2E-02-DR-A-10102  
MERLIN-DNA-2E-R1-DR-A-10103  
MERLIN-DNA-2E-EL-DR-A-20100  
MERLIN-DNA-2E-SX-DR-A-30100  
MERLIN-DNA-2F-00-DR-A-10200  
MERLIN-DNA-2F-01-DR-A-10201  
MERLIN-DNA-2F-02-DR-A-10202  
MERLIN-DNA-2F-R1-DR-A-10203  
MERLIN-DNA-2F-EL-DR-A-20200  
MERLIN-DNA-2F-SX-DR-A-30200  
MERLIN-DNA-ZZ-00-DR-A-10300  
MERLIN-DNA-ZZ-01-DR-A-10301  
MERLIN-DNA-ZZ-02-DR-A-10302  
MERLIN-DNA-ZZ-03-DR-A-10303  
MERLIN-DNA-ZZ-R1-DR-A-10304 – P2  
MERLIN-DNA-ZZ-EL-DR-A-20300 – P2  
MERLIN-DNA-ZZ-SX-DR-A-30300 – P2  
MERLIN-DNA-73-00-DR-A-10400  
MERLIN-DNA-73-M1-DR-A-10401  
MERLIN-DNA-73-01-DR-A-10402  
MERLIN-DNA-73-R1-DR-A-10403  
MERLIN-DNA-73-EL-DR-A-20400  
MERLIN-DNA-73-SX-DR-A-30400  
MERLIN-DNA-72-00-DR-A-10400  
MERLIN-DNA-72-M1-DR-A-10401  
MERLIN-DNA-72-01-DR-A-10402  
MERLIN-DNA-72-R1-DR-A-10403  
MERLIN-DNA-72-EL-DR-A-20400  
MERLIN-DNA-72-SX-DR-A-30400  
MERLIN-DNA-18-00-DR-A-01400  
MERLIN-DNA-18-01-DR-A-01401  
MERLIN-DNA-18-R1-DR-A-01402

MERLIN-DNA-18-EL-DR-A-01403  
MERLIN-DNA-18-SX-DR-A-01404  
MERLIN-DNA-18-00-DR-A-10400  
MERLIN-DNA-18-M1-DR-A-10401  
MERLIN-DNA-18-01-DR-A-10402  
MERLIN-DNA-18-R1-DR-A-10403

MERLIN-DNA-18-EL-DR-A-20400  
MERLIN-DNA-18-SX-DR-A-30400  
MERLIN-DNA-56-00-DR-A-10500  
MERLIN-DNA-56-R1-DR-A-10501  
MERLIN-DNA-56-EL-DR-A-20500  
MERLIN-DNA-56-SX-DR-A-30500  
MERLIN-DNA-80-00-DR-A-10600  
MERLIN-DNA-80-01-DR-A-10601  
MERLIN-DNA-80-02-DR-A-10602  
MERLIN-DNA-80-03-DR-A-10603  
MERLIN-DNA-80-04-DR-A-10604  
MERLIN-DNA-80-R1-DR-A-10605  
MERLIN-DNA-80-EL-DR-A-20600  
MERLIN-DNA-80-SX-DR-A-30600  
MERLIN-DNA-80-SX-DR-A-30602  
MERLIN-DNA-76-00-DR-A-10700  
MERLIN-DNA-76-01-DR-A-10701  
MERLIN-DNA-76-R1-DR-A-10702  
MERLIN-DNA-76-EL-DR-A-20700  
MERLIN-DNA-76-SX-DR-A-30700  
MERLIN-DNA-75-00-DR-A-10900  
MERLIN-DNA-75-M1-DR-A-10901  
MERLIN-DNA-75-R1-DR-A-10902  
MERLIN-DNA-75-EL-DR-A-20900  
MERLIN-DNA-75-SX-DR-A-30900

MERLIN-DNA-41-00-DR-A-10800  
MERLIN-DNA-41-01-DR-A-10801  
MERLIN-DNA-41-R1-DR-A-10802  
MERLIN-DNA-41-EL-DR-A-20800  
MERLIN-QCL-ZZ-XX-DR-C-0030-P01  
MERLIN-QCL-ZZ-XX-DR-C-0031-P01  
MERLIN-QCL-ZZ-XX-DR-C-0004-P01  
MERLIN-QCL-ZZ-XX-DR-C-0002-P04  
4477-C2.00 O  
1366-SC-201-P2

1366-SC-202-P2

1366-SC-203-P2

MERLIN-TOR-ZZ-ZZ-DR-L-90-0001 Rev J  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0002 Rev E  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0003 Rev D  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0004 Rev F  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0005 Rev D  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0006 Rev C  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0007 Rev B  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0008 Rev D  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0009 Rev B  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0010 Rev D  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0011 Rev F  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0012 Rev I  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0013 Rev C  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0014 Rev C  
MERLIN-TOR-ZZ-ZZ-SH-L-90-0001 Rev D  
MERLIN-TOR-ZZ-ZZ-DR-L-90-0016 Rev A  
21011-2 21134-MA-XX-XX-DR-C-0002 P03  
21134-MA-XX-XX-DR-C-0003 P01  
21134-MA-XX-XX-DR-C-0001 P02  
21134-MA-XX-XX-DR-C-1100 P02  
21134-MA-XX-XX-DR-C-1101 P02  
21134-MA-XX-XX-DR-C-1102 P02  
21134-MA-XX-XX-DR-C-1103 P02  
21134-MA-XX-XX-DR-C-1104 P02  
21134-MA-XX-XX-DR-C-1105 P02  
21134-MA-XX-XX-DR-C-1106 P02  
21134-MA-XX-XX-DR-C-1107 P02  
21134-MA-XX-XX-DR-C-1108 P02

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Highway Details

No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- i) Roads, footways.
- ii) Cycleways.
- iii) Foul and surface water drainage.
- iv) Visibility splays
- v) Access arrangements

- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policies ST11.4 and ST11.5 of the Watford Local Plan 2021-2038.

4. Access Completion

Prior to the first use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number (21134-MA-XX-XX-DR-C- 1102 P04) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with policies ST11.4 and ST11.5 of the Watford Local Plan 2021-2038.

5. Surface Water

Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To avoid the carriage of extraneous material or surface water from or onto the highway in accordance with policies ST11.4 and ST11.5 of the Watford Local Plan 2021-2038.

6. Electric Vehicles

Prior to the first occupation / use of the development hereby permitted, provision shall be made for 20% of the car parking spaces to have active provision for EV charging and 80% of the car parking spaces to have passive provision for EV charging.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policy ST11.5 of the Watford Local Plan 2021-2038.

7. Cycle Parking

No new built development shall commence until a scheme for the parking of cycles including details of the design, level and siting has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before any new buildings are first occupied (or brought into use) and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policy ST11.5 of the Watford Local Plan 2021-2038.

8. Construction Management Plan

No new built development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- k. Phasing Plan.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies ST11.4, ST11.5 and ST11.6 of the Watford Local Plan 2021-2038.

9. Source of Illumination

The new sound stages hereby permitted shall not be occupied until the intensity of illumination has been provided at a level that is within the limit



recommended by the Institution of Lighting Professionals in the publication 'Technical Report No 5: Brightness of Illuminated Advertisements' and 'Guidance Note for the Reduction of Obtrusive Light GN01:20'.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy ST11.6 of the Watford Local Plan 2021-2038.

10. Highway Improvements – Cycle Network

A) Design Approval

Notwithstanding the details indicated on the approved drawings, no on-site works above slab level for the new buildings shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing numbers 21134-MA-XX-XX-DR-C-0001 P02, 21134-MA-XXXX-DR-C-1100 P02, 21134-MA-XX-XX-DR-C-1101 P02, 21134-MA-XX-XXDR-C-1102 P04, 21134-MA-XX-XX-DR-C-1103 P02, 21134-MA-XX-XX-DR-C-1104 P02, 21134-MA-XX-XX-DR-C-1105 P02, 21134-MA-XX-XX-DR-C-1106 P02, 21134-MA-XX-XXDR-C-1107 P02 and 21134-MA-XX-XX-DR-C-1108 P01 have been submitted to and approved in writing by the Local Planning Authority.

B) Implementation / Construction

No new building shall be occupied until the improvement works referred to in part A of this condition have been completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policies ST11.1, ST11.3, ST11.4 and ST11.6 of the Watford Local Plan 2021-2038.

11. Highway Improvements – A41 Toucan to the Hempstead Road underpass

A) Design Approval

No on-site works above slab level shall commence until a detailed scheme for the provision of a toucan crossing of the A41 connecting the local cycle network improvements shown on drawing number 21134-MA-XX-XX-DR-C-1100 P02 to the A41 pedestrian/ cycle subway below the A41/ Hempstead Road roundabout have been submitted to and approved in writing by the Local Planning Authority.

B) Implementation / Construction

Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policies ST11.1, ST11.3, ST11.4 and ST11.6 of the Watford Local Plan 2021-2038.

12. Travel Plan

At least 3 months prior to the first occupation of the new buildings hereby permitted a detailed Travel Plan for the Studio Site shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied, subject to approved modifications agreed by the Local Planning Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies ST11.1, ST11.3, ST11.4 and ST11.6 of the Watford Local Plan 2021-2038.

13. Materials

The buildings shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as stated on the application form and shown on the approved plans and no external materials shall be used other than those approved.

Reason: To prevent the development being constructed in inappropriate materials in accordance with Policies QD6.2 and QD6.4 of the Watford Local Plan 2021-2038.

14. Energy Statement

The new sound stages hereby permitted shall not be first occupied until the energy saving and renewable energy measures detailed within the approved Energy Statement (March 2022) prepared by Ramboll are incorporated into the approved development.

Reason: To achieve the energy and sustainability measures pursuant to Policies CC8.1 and CC8.2 of the Watford Local Plan 2021-2038.

15. Operational Management Plan

The use of the Replacement Backlot and Support Facilities (Backlot 2) as shown on drawing number MERLIN-DNA-ZZ-00-DR-A-00002-P6 shall at all times be carried out in accordance with the approved Operational Management Plan (March 2022).

Reason: In the interests of the visual amenity of the area and residential amenity of neighbouring occupiers and ecology and pursuant to Policy NE9.8 of the Watford Local Plan 2021-2038.

16. Boundary treatment

All boundary treatments shall be maintained in accordance with the details shown on the approved plans.

Reason: In the interests of visual amenity and security in accordance with Policies QD6.1 and QD6.2 of the Watford Local Plan 2021-2038.

17. Noise

All permanent plant, machinery and equipment installed or operated in connection with the development shall be so enclosed and/or attenuated so that noise there from does not exceed a level of 45 dB(A) during the day and 30 dB(A) during the night when measured at a distance of 1 metre away.

Reason: To ensure that the nearby residential properties are not subjected to excessive noise and disturbance pursuant to Policy CC8.5 of the Watford Local Plan 2021-2038.

18. Remediation Strategy

Prior to the commencement of each phase of the built development approved by this planning permission a remediation strategy to deal with the risks associated with contamination of the relevant phase in respect of the development hereby permitted, must be submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of land

contamination or water pollution in line with NPPF paragraph 174 and Policy CC8.5 of the Watford Local Plan 2021-2038.

19. Verification Report

Prior to any part of the built development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the NPPF and Policy CC8.5 of the Watford Local Plan 2021-2038.

20. Long term monitoring

If identified in respect of Condition 18 (Remediation Strategy), the relevant phase of the development hereby permitted shall not commence until a long-term monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority. Alternatively if a long-term monitoring and maintenance plan is not deemed necessary for a given phase of the development, a written statement based on prior contamination assessment shall be submitted to, and approved in writing by, the Local Planning Authority, confirming that long term monitoring and maintenance measures are not required and the reasons why the measures are not required.

Reason: To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 174 of the NPPF and Policy CC8.5 of the Watford Local Plan 2021-2038.

21. Previously unidentified contamination

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 ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the NPPF and Policy CC8.5 of the Watford Local Plan 2021-2038.

22. Infiltration to surface water

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the NPPF and Policy CC8.5 of the Watford Local Plan 2021-2038.

23. Piling

Piling/other foundation designs 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: To ensure that the proposed development does not harm groundwater resources in line with paragraph 174 of the NPPF and Policy CC8.5 of the Watford Local Plan 2021-2038.

24. Decommissioning of boreholes

Prior to the commencement of any built development, a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of that phase of the permitted development where boreholes are to be located.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies. This is in line with paragraph 174 of the NPPF and Policy CC8.5 of the Watford Local Plan 2021-2038.

25. Surface Water drainage contamination

Prior to the commencement of any built development, details of a Surface Water Drainage Scheme that considers ground contamination and public water supply as a receptor of that contamination shall be submitted to and approved in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition due to the potential presence of contaminated land and the risk for contaminants to remobilise through direct infiltration causing groundwater pollution potentially impacting public water supply in accordance with paragraph 174 of the NPPF and policies CC8.5 and NE9.5 of the Watford Local Plan 2021-2038.

26. Surface Water Drainage

No construction works shall commence until a detailed surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include surface water storage/attenuation for the 1 in 100 year storm event with a 10% allowance for climate change.

Reason: To reduce the risk of flooding by ensuring the satisfactory disposal and storage of surface water from the site pursuant to Policy NE9.5 of the Watford Local Plan 2021-2038.

27. Lighting

External lighting shall be erected only in accordance with the External Lighting Strategy and Impact Assessment (03/08/2022) prepared by Ramboll unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies NE9.8 and CC8.5 of the Watford Local Plan 2021-2038.

28. Construction Environmental Management Plan

The development shall be carried out in full accordance with the approved Construction Environmental Management Plan Rev 6, dated 30/11/22.

Reason: In the interests of the environment, landscape and ecology pursuant to Policies NE9.8 and CC8.5 of the Watford Local Plan 2021-2038.

29. Mechanical Ventilation Strategy

The development shall be carried out in full accordance with the approved Ventilation and Extraction Statement prepared by Ramboll March 2022 (Rev 04, dated 08/03/22).

Reason: In the interests of the environment and amenity of neighbouring residents and pursuant to Policy CC8.5 of the Watford Local Plan 2021-2038.

30. Landscaping as approved

Within 3 months of the date of the planning permission hereby permitted, a programme for the implementation and management of the soft landscape details and bunds hereby approved and shown on drawings: MERLIN-TOR-ZZ-ZZ-DR-L-90-0002 Rev E, MERLINTOR-ZZ-ZZ-DR-L-90-0003 Rev D, MERLIN-TOR-ZZ-ZZ-DR-L-90-0004 Rev F, MERLINTOR-ZZ-ZZ-DR-L-90-0005 Rev D, MERLIN-TOR-ZZ-ZZ-DR-L-90-0006 Rev C, MERLINTOR-ZZ-ZZ-DR-L-90-0007 Rev C, MERLIN-TOR-ZZ-ZZ-DR-L-90-0008 Rev D, MERLINTOR-ZZ-ZZ-DR-L-90-0009 Rev B, MERLIN-TOR-ZZ-ZZ-DR-L-90-0010 Rev D, MERLINTOR-ZZ-ZZ-DR-L90-0011 Rev F, MERLIN-TOR-ZZ-ZZ-DR-L-90-0012 Rev I, MERLIN-TOR- ZZ-ZZ-DR-L-90-0013 Rev C, MERLIN-TOR-ZZ-ZZ-DR-L-90-0014 Rev C, MERLIN-TOR-ZZZZ-SH-L-90-0001 Rev D, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawings and programme unless otherwise agreed in writing.

Reason: To ensure that the approved landscaping is satisfactorily implemented and maintained, in accordance with Policies NE9.1, NE9.2 and NE9.5 of the Watford Local Plan 2021-2038.