

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	243097
Site Address:	Land to the South East of Oldhouse Farm, Shinfield
Expiry Date:	14 February 2025
Proposal: Prior approval submission for use of a backlot for external filming including temporary film sets (PN Class E) from July 2025 until April 2026.	

PLANNING CONSTRAINTS/STATUS

Flood Zones 2 and 3
Local Authorities
Affordable Housing Thresholds
Borough Parishes
Scale and Location of Development Proposals
Ground Water Zones
Nuclear Consultation Zone
Borough Wards
Landscape Character Assessment Area
Local Plan Update Submitted Sites
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones
Safety Hazard Areas MAH Pipelines
Gas Pipes
Great Crested Newt Consultation Zone
Strategic Development Location
PRoW within WB Consultation Zone
Bat Roost Habitat Suitability

PLANNING POLICY/LEGISLATION

Town and Country Planning Act 1990 (as amended)

Section 55	Provides that 'development' includes the carrying out of building operations on land, and 'building operations' includes structural alterations or additions to buildings.
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The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Section 7	Prior approval applications: time periods for decision
Class E, Part 4 Para E.3	Prior approval application: temporary outdoor filming

PLANNING HISTORY		
Application No.	Description	Decision & Date
082495	Proposed erection of 70-metre-high anemometer mast for measuring the speed of wind for a period of 2 years.	Approve 25/09/2008 -
081260	Application for submission of details to comply with the following conditions of planning consent F/2008/1725: 3. Samples/details of materials/finish. 4. Land restoration.	Approve 04/09/2008 -
101497	Application to vary condition 4 of planning permission F/2008/1725 to allow anemometer mast to be retained for a further 18 month period (until 07/06/12).	Refused 15/10/2010 -
101726	The proposed erection of 25 year operation and subsequent decommissioning of a wind energy development comprising of the following elements: four wind turbines, each with a maximum overall height (to vertical blade tip) of up to 130 metres, together with new and upgraded access tracks, temporary works, hardstanding areas, control and metering building, cabling, improved vehicular access from Cutbush Lane and the A327, an anemometry mast and compensatory flood storage.	Refused 28/04/2011 -

CONSULTATION RESPONSES	
Internal	
SDL Flood Risk Officer –	The Flood Risk Officer has requested additional information from the agent/developer and has stated that if approved additional conditions would need to be imposed on the decision notice.
SDL Highways –	No objection
SDL Environmental Health –	No objection
External	
SDL Environment Agency –	No objection

REPRESENTATIONS	
Parish/Town Council	No objection.
Ward Member(s)	No comments received.
Neighbours	No comments received.

Commented [CC1]: Is Naveen not happy now with conditions?

Commented [2R1]: He is happy now that we have added the conditions he has imposed.

APPRAISAL

Site and Proposal Description:

1. The application site is located to the east of Shinfield, more precisely, South of Cutbush Lane and South East of Oldhouse Farm. The site is surrounded by the existing Shinfield Studios, Oldhouse Farm and British Museum Archive Facility, amongst verdant landscape features synonymous with semi-rural character. The application site masses an area of circa 1.04 HA, which is within the maximum provision under Class E Part 4 of the General Permitted Development Order (as amended).
2. The application proposes an outdoor filming back lot, including temporary structures for movie making. This application, though independently submitted, does contribute to the wider aims of Shinfield Studios, which contributes significantly to the Borough's economy with job creation and Gross Value Added¹ (GVA)
3. A similar application for a Prior Notification has been submitted and approved by the Local Planning Authority (221645) which sits directly adjacent to the proposed site.

Assessment:

4. The application is assessed in line with Class E Part 4 of the General Permitted Development Order (as amended). The considerations for Part E are as follows:
5. **E.3—(1)** *The following provisions apply where under Class E a developer is required to make an application to a local planning authority for a determination as to whether the prior approval of the authority will be required.*
6. **(2)** *The application must be accompanied by— (a)a written description of the proposed development;*

The applicant has provided a clear written description of the proposed development which is acceptable to comply with Part 2(a).
7. **(b)a plan indicating the site and showing the proposed development;**

The applicant has provided a site plan that clearly shows the proposed development's location, which is acceptable to comply with Part 2(b).
8. **(c)the developer's contact address;**

¹ Gross Value Added is the measure of the value of goods and services produced in an area, industry or sector of an economy

The applicant has provided the developer's contact address within the submitted covering letter which is acceptable to comply with Part 2(c).

9. *(d) the developer's email address if the developer is content to receive communications electronically; and*

The applicant has provided the developer's email address within the submitted covering letter which is acceptable to comply with Part 2 (d).

10. *(e) a site-specific flood risk assessment,*

The applicant has provided a site-specific flood risk assessment which is acceptable to comply with Part 2(e).

11. *together with any fee required to be paid.*

The applicant has paid the required fee for the application to the processed and the council are in receipt of the payment confirmation from the Planning Portal.

12. *in the opinion of the local planning authority the development is likely to result in a material increase or a material change in the character of traffic in the vicinity of the site, the local planning authority must consult—*

(a) where the increase or change relates to traffic entering or leaving a trunk road, the highway authority for the trunk road;

(b) the local highway authority, where the increase or change relates to traffic entering or leaving a classified road or proposed highway, except where the local planning authority is the local highway authority; and

WBC Highways has been consulted due to the application's potential to increase traffic levels on site. WBC Highways were consulted on 11/12/2024 and responded on 31/12/2024 confirming no objections to the proposals.

13. *(c) the operator of the network which includes or consists of the railway in question, and the Secretary of State for Transport, where the increase or change relates to traffic using a level crossing over a railway.*

The proposal does not have any impact on and is not sited on/ nearby any railway networks.

14. *(6) On receipt of the application, the local planning authority must consult the Environment Agency(1) where the development is—*

(a) in an area within Flood Zone 2 or Flood Zone 3; or

(b) in an area within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency for the purpose of paragraph (zc)(ii) in the Table in Schedule 4 to the Procedure Order.

The Environment Agency has been consulted due to the site's location between Flood Zone 2 and 3. EA were consulted on 11/12/2024 and responded on 17/11/2024 stating that they did not need to be consulted on this particular application. It is noted that the Drainage team have no objections subject to conditions.

15. (7) *The local planning authority must notify the consultees referred to in subparagraphs (5) and (6) specifying the date by which they must respond (being not less than 21 days from the date the notice is given).*

All required consultations were sent on 11/12/2024 for a period of no less than 21 days from date of validation.

16. (8) *The local planning authority must give notice of the proposed development—*

(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which—

(i) describes the proposed development;

(ii) provides the address of the proposed development;

(iii) specifies the date by which representations are to be received by the local planning authority; or

(b) by serving a notice in that form on any adjoining owner or occupier.

A site notice is not required as per the Council's validation checklist, it is sufficient to send consultation letters which were sent to all adjoining owners/occupiers on 11/12/2024. Therefore, satisfying the requirement.

17. (9) *The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application, which may include—*

(a) assessments of impacts or risks; or

(b) statements setting out how impacts or risks are to be mitigated.

The applicant's covering letter, site layout plan and report on proposed time, location and activities are sufficient to determine the application in this instance.

18. (10) *The local planning authority must, when determining an application—*

(a) take into account any representations made to them as a result of any consultation under sub-paragraphs (5) or (6) and any notice given under sub-paragraph (8);

(b) and have regard to the National Planning Policy Framework issued by the Department for Communities and Local Government in March 2012⁽²⁾, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

One representation received as a result of the posted Site Notice concerning archaeology, noise levels and traffic impacts. These are discussed in the below section alongside relevant consideration of the NPPF (as amended).

Principle of Development:

19. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay unless material considerations indicate otherwise.

Character of the Area:

20. The application site, as outlined in the site description above, is located in a quasi-rural countryside location. Neighbouring the proposed site, is Oldhouse Farm which in part hosts Light Industrial, Training and Ancillary Offices in line with recent part approval of a certificate of existing lawfulness. True north of the application site lays the Shinfield Studios and British Museum, consisting of large scale buildings for commercial use up to 18.5 metres in height. To the North West of the site lays the Science Park and Media Centre just off Cutbush Lane East. With the above in mind, the character of the area is considered mixed, and though prior to recent developments the land would have been considered rural, the surrounding character has changed, hence classification as 'quasi-rural'. As such, the proposed use is compatible with the surrounding area, and would not have any detrimental impacts on its character.

Countryside:

21. The application site is situated within designated countryside and outside of the South of the M4 SDL. As such, the site can be concluded to be located outside development limits as defined by policies CP9 of the Core Strategy and updated through CC02 of the MDD, policy CP11 of the Core Strategy and reflected in Policy 1 of the Shinfield Neighbourhood Plan.
22. Development in countryside locations is not normally permitted unless the criteria within policy CP11 are met. The proposal does not fall specifically into the categories as outlined with CP9 or CP11 and therefore is in principle not strictly in accordance with planning policy. This said, like to the approved studios, an assessment needs to be made as to whether special circumstances apply to the scheme on its own merits considering all material factors including the significant economic potential for the site (see below).
23. Core Strategy policy CP11 has a presumption against development in the countryside which is echoed by CC02 of the MDD. These policies, however, should not be read in isolation. Regard should also be made in respect to the objectives of the policies. The principle objectives of these are to maintain and define the separate identity of settlements through preventing urban sprawl and to protect the countryside.
24. Further to the above, the site though located within the designated countryside does accord in part with the wording within CC02 of the MDD, Policy CP11 of the Core Strategy and reflected in Policy 1 of the Shinfield Neighbourhood Plan in that it does not detrimentally disrupt nor impact the settlement boundary, especially considering the 9-month temporary nature of the application.
25. Notwithstanding this, the purpose of the Prior Approval process is to allow for ease for applicants to set up outdoor filming areas. The facility would be temporary in nature as governed by the Prior Approval regulations and the land will need to be restored to its former condition at the end of the designated time period for the proposed use of the site.

Neighbouring Amenity:

26. The proposal would be sited approx. 320 metres from the closest residential dwelling. Though the process of filming would increase noise levels on site from the existing green field use, considering the Oldhouse Farm's recently established Light industrial lawful use (for a 10 year or greater period) sitting in the gap between the application site and residential dwellings along Cutbush Lane as well as the sound stages/workshops in place, the increase in noise levels would not be significantly detrimental to surrounding neighbours, nor

more significant than existing. Indicative noise impacts have been submitted, as well as steps taken to reduce any noise levels arising from the development. These include on set power to be provided silent generators, construction crews to be working as quietly as possible.

27. The proposal would have no significant impact on any adjoining occupiers in relation to overlooking, overshadowing or overbearing.

Highways:

28. This application has been supported by a transport statement which is viewed as welcome by WBC's Highways Officer. Any traffic generated by this temporary application would not have an adverse impact on the highway network, however, would contribute to the overall traffic generated by the entire site. The LPA would have expected a construction management plan to have been submitted however, any construction and remediation would need to follow the principles of the approved Construction Environmental Management Plan (CEMP) (Abbey Letchford partnership Ltd, Reference A282-R015/D dated 15/09/21) that was submitted with the application (211841) for the full studio site. A condition has been attached to secure this.
29. The route from the studio to the backlot would be via Cutbush Lane East and then Oldhouse Lane which as there are no alternative routes. It has been stated that minibuses could be used to transfer staff and actors from the parking from the main studio sites to the backlot which is welcome.

Trees and Landscape:

30. MDD LP Policies CC03 and TB21 stipulate the protection and retention of existing landscape features on site. Though some grassland will be lost with the proposed outdoor filming backlot, due to the temporary nature of the application, and attached remediation condition, this will not detrimentally impact the landscape character of the area.
31. Additionally, three trees located within the south-western boundary of the site have been identified as being Trees of Ecological Importance (though not Veteran trees) and will need to be protected from any impacts arising from the proposals.
32. The application proposed to feature heras fencing boundary treatment surrounding the site. Though this feature is considered intrusive to the verdant quasi-rural character of the area, it would not be out of keeping with adjoining

British Museum, Shinfield Studios and Oldhouse Farm and would be removed from site at the end of the filming period.

Ecology:

33. Core Strategy Policy CP7, carried forward by MDD LP Policy TB23, requires appropriate protection of species and habitats of conservation value. The site was last visited by Ecological Planning & Research Ltd (EPR) in October 2023, when the habitat present was mapped as 'Other Neutral Grassland' UK Habitat Classification (UK Hab). The area to the East of the track at Oldhouse Farm was mapped as cereal crop. This habitat is of negligible ecological importance in itself, and is temporary/ephemeral in nature. Considering the above, the temporary nature of filming (9 months maximum), and requirements within the General Permitted Development Order Part 12 Class E (as amended) the applicant is not required to carry out a BNG assessment on this occasion in line with the Environment Act 2021 to mitigate any 'loss' in biodiversity. A condition has been attached that ensures after filming, the land is cleared and remedied to its previous condition which is sufficient to prevent any detrimental impacts on ecological grounds.

Built Heritage:

34. Listed buildings and conservation areas are classed as designated heritage assets under the NPPF (2021) and in the Council's Local Plan policies. There are two designated heritage assets within 50 metres of the application site; these are the Oldhouse Farmhouse (Grade II listed building) and Barn, approx. 50m south of Oldhouse Farmhouse (Grade II listed building). Given the already approved studio development in which this site lies, as well as the adjacent Oldhouse Farm industrial estate/ business part and intended temporary time scale for the structure to remain on site it is believed there is no significant additional impact to the setting of the identified designated heritage assets closest to the site. As such from a heritage stance there is no objection raised.

Archaeology:

35. Core Strategy Policy CP3 and MDD LP Policy TB25 require the archaeological impact of development to be taken into consideration. Though no details have been submitted, due to the proposal's temporary nature, the requirements of Class E Part 4, minimum incursion into the soil to facilitate the proposed

development (as no foundations required) and conditioned requirement to effectively remediate upon temporary use ceasing, there are no concerns in regard to archaeological impact. It should also be noted that within the neighbouring Shinfield Studio's site, low archaeological potential was established by the trial trenching.

Other Matters:

36. The LPA have considered the above in line with the National Planning Policy Framework (as amended), and acted accordingly.

37. (11) *The development must not begin before the occurrence of one of the following—*

(a) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;

(b) the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or

(c) the expiry of 56 days following the date on which the application under subparagraph (2) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.

Conditions and Further Considerations:

38. Class E Part 4 of the GPDO (as amended) requires two standard conditions to be attached to any Prior Approval, as well as further information to be provided prior to each 'filming period' of 9 months. The considerations, additional conditions as well as the applicant's provision of this information are discussed as follows:

Conditions

39. E.2—(1) Class E development is permitted subject to the condition that—

40. *(a) any structure, works, plant or machinery provided under the permission must, as soon as practicable after the end of each filming period, be removed from the land;*

Reason: To ensure the land within the application site returns to it's prior state, condition and use following 9 month filming period as stipulated within Class E (Part 12) of the GPDO as amended.

The LPA has attached this as a removal condition to approval, which was agreed in writing by the applicant on 11/12/2024.

41. *(b)the land on which any development permitted by Class E has been carried out must, as soon as reasonably practicable after the end of the filming period, be reinstated to its condition before that development was carried out.*

Reason: To ensure the land within the application site returns to it's prior state, condition and use following 9 month filming period as stipulated within Class E (Part 12) of the GPDO as amended.

The LPA has attached this as a remediation condition to approval, which was agreed in writing by the applicant on 11/12/2024.

Commented [CC3]: Dated needed

42. The LPA on this occasion considering the location and scale of development have added additional conditions to the granting of this Prior Approval, these are as follows:

"Construction and Remediation Plan - The construction and remediation of this site will need to follow the principles set out in the full the approved Construction Environmental Management Plan (CEMP) (Abbey Letchford partnership Ltd, Reference A282-R015/D dated 15/09/21) that was submitted with the application for the main site (211841).

Reason: To minimise the environmental impacts of construction and to protect residential amenity. Relevant policy CP1 and CP3.

"Applicant shall submit a Drainage Compliance Report to the LPA, confirming that the existing drainage system has been constructed in accordance with the approved FRA. The applicant shall implement and maintain a Drainage Maintenance and Monitoring Plan for the duration of the temporary use of the site (5 years). The plan shall include regular inspections, maintenance schedules, and monitoring of the surface water drainage system to ensure it continues to function as designed and does not contribute to increased flood risk on or off-site.

Reason: To ensure the drainage system remains effective and does not increase flood risk during the temporary use of the site. This is in accordance with the National Planning Policy Framework (NPPF) and Wokingham Borough Council's Core Strategy Policy CP1.

The developer shall ensure that no built development or changes to ground levels occur within the **5% annual exceedance probability flood extent** or the **1% annual exceedance probability flood extent plus 14% climate change allowance**, as detailed in the approved Flood Risk Assessment (FRA) and Technical Note Addendum. Any deviations from this condition must be approved in writing by the Local Planning Authority.

Reason: This condition is critical to ensure that the development does not exacerbate flood risk, either on-site or elsewhere, by adhering to the approved flood risk mitigation measures. It directly addresses the requirements of NPPF Paragraph 167 and Wokingham Borough Council's Core Strategy Policy CP1, which focus on reducing flood risk and ensuring that development does not increase the risk of flooding.

Further Considerations:

43. (2) Class E development is permitted subject to the condition that before the start of each new filming period the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

The applicant intends to begin filming in this location in July 2025, to complete in April 2026. In line with the intended start date commencing relatively shortly, the applicant has provided this information in advance for consideration at the same time as the Prior Approval application itself. This does not permit continuous filming on site, and full details will still be required to be submitted to the LPA after the initially applied for (July 2025 to April 2026) 9 month filming period ceases.

44. (a) the schedule of dates which make up the filming period in question and the hours of operation,

The applicant has provided a schedule of dates which make up the filming period including minimal night time filming.

(b)transport and highways impacts of the development,

The applicant has provided this as a part of the PA, which was considered by WBC Highways following a no objection response (as detailed within the Highways consideration section above, paragraphs 28-29).

45. (c)noise impacts of the development,

Steps will be taken to reduce any noise levels arising from the development. These include on set power to be provided by silent generators, construction crews to be working as quietly as possible. If any significant changes arise, the LPA should be first contacted with details provided.

46. (d)light impacts of the development, in particular the effect on any occupier of neighbouring land of any artificial lighting to be used, and

There does seem to be the inclusion of Special Effects (SPX) and smoke effects being used during filming and also night time filming within the redl line boundary. If any significant changes arise, the LPA should be first contacted with details provided. The site is also within a reasonably isolated location which will help offset the lighting.

47. (e)floodng risks on the site,

The applicant has provided this as a part of the submission. The Environment Agency were consulted on 11/12/2024 and did not respond within the statutory consultation period and have raised no objections.

48. and the provisions of paragraph E.3 apply in relation to that application.

The applicant has displayed accordance with Paragraph E.3 above.

Conclusion:

49. Overall, with the above considered, the proposed Prior Approval application for outdoor filming and temporary sets meets the criteria as outlined within Class E Part 4 of the GPDO (as amended) and therefore does not require a full application to consider the details submitted. Prior Approval is not required in this instance.

RECOMMENDATION

Conditions agreed:	Yes 12 February 2025
Recommendation:	Prior Approval Not Required
Date:	13 February 2025
Earliest date for decision:	5 January 2025

Recommendation agreed by: (Authorised Officer)	Connor Corrigan
Date:	13 February 2025