

SAVE MARLOW'S GREENBELT

RULE 6 PARTY STATEMENT OF CASE

Appeal by: Dido Property Limited (Guernsey)
Scheme: Marlow Film Studios
Location: Land Adjacent South Side Marlow Road and A404 Junction,
Westhorpe Park, Little Marlow, Buckinghamshire

Appeal Ref: APP/K0425/W/24/3351904

Rule 6 Party: Save Marlow's Greenbelt Limited
Submitted: 11th November 2024

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1. Introduction

Save Marlow's Greenbelt

- 1.1. This statement of case is made on behalf of Save Marlow's Greenbelt (SMG), a Rule 6 party in appeal APP/K0425/W/24/3351904 (Marlow Film Studios).
- 1.2. SMG is a community group whose purpose is to campaign for protection of the Green Belt around Marlow. SMG was formed in 2021 and is incorporated as a company limited by guarantee with four directors. The group has over 500 local members and operates under a formal constitution with a management committee of 12.
- 1.3. SMG has opposed several planning applications for development in Marlow's Green Belt including

- a. Construction of a battery energy storage facility (20/08321/FUL)
- b. Construction of a training centre for a professional football club (22/08176/FUL)
- c. Use of Spade Oak quarry for vehicle storage (CM/0046/21)

SMG supported the following Green Belt planning application

- d. Construction of a boathouse for use by local schools (22/05132/FUL)
- 1.4. SMG submitted several representations to Buckinghamshire Council opposing the planning application for Marlow Film Studios (22/06443/FULEA) and spoke at the Strategic Sites Committee meeting where it was refused.
 - 1.5. SMG agrees with each of the nine reasons for refusal that the Council provided in its planning decision notice.
 - 1.6. SMG is opposed to this appeal for the reasons set out in this Statement of Case.

Participation in the Inquiry

- 1.7. SMG opposes the Appellant's claim that the Scheme demonstrates 'Very Special Circumstances' that justify an inappropriate development in the Green Belt.
- 1.8. SMG aims to support and complement the Council's position on these matters.
- 1.9. In addition, SMG will provide evidence to demonstrate that the harm to the Green Belt is not clearly outweighed by the following proposed benefits.
 - a. Socioeconomic Benefits
 - b. Meeting the need for film and television facilities
 - c. Meeting local and national government policy
 - d. The requirement to co-locate with other comparative facilities within the West London cluster
- 1.10. SMG reserves the right to augment or amend its case in response to submissions from other participants in the inquiry.

Statement of Common Ground

- 1.11. SMG will not submit a Statement of Common Ground.
- 1.12. SMG does not agree to paragraphs 5.2 through 5.8 of the Appellant's Statement of Common Ground (September 2024).

2. Relevant Policies

National Planning Policy Framework

2.1. Section 13 – Protecting Green Belt land

[143] The Green Belt serves five purposes:

- a. to check the unrestricted sprawl of large built-up areas;
- b. to prevent neighbouring towns merging into one another;
- c. to assist in safeguarding the countryside from encroachment;
- d. to preserve the setting and special character of historic towns; and
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

[152] Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

[153] When considering any planning application, local planning authorities (and by extension, the Secretary of State), should ensure that substantial weight is given to any harm to the Green Belt. ‘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.

2.2. Annex 2: Glossary

Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

2.3. Proposed reforms to the National Planning Policy Framework, Draft Consultation

[9] Grey belt: For the purposes of Plan-making and decision-making, grey belt is defined as land in the Green Belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes (as defined in para 140 of this Framework) but excluding those areas or assets of particular importance listed in footnote 7 of this Framework (other than land designated as Green Belt).

Wycombe District Local Plan

2.4. RUR4 - Little Marlow Lakes Country Park

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

Local Policies

2.5. Buckinghamshire Greenbelt Assessment (2016)

[6.4.47] General Areas 60 and 67, located between Bourne End / Wooburn and Marlow, are identified as meeting the NPPF purposes strongly, specifically as a result of its role in preventing coalescence between Bourne End / Wooburn and Marlow (Purpose 2). The west of the General Areas also check the outward sprawl of the identified large built-up area of Marlow (Purpose 1), and the General Areas as a whole meet Purpose 3.

2.6. Little Marlow Gravel Pits, Supplementary Planning Guidance (2002)

The promotion of the establishment of a Country Park at the Gravel Pits supports the objectives of the District Council's Strategic Plan. In particular, it furthers the Environmental Strategic Aim to create a harmonious relationship between the environment, conservation and use of the District's resources, character and environmental quality

2.7. The Buckinghamshire Local Industrial Strategy (2019) identifies Pinewood and the wider creative and digital sector as one of four priority economic assets.

2.8. The Buckinghamshire LEP Economic Recovery Plan (2020) states "An important strand and future strength of economic recovery is to build upon these assets with a target of being at the forefront of screen-based production particularly for the growing streaming sector." Specific reference is also made to supporting opportunities for new studio development, including those proposed in Marlow.

2.9. The Buckinghamshire LEP Strategic Economic Plan (2016 – 2031) – Film production is noted as a high-value, research-based business activity that can drive growth over the next decade. It is also mentioned as one of their priority sectors for growth, as part of the wider creative industries.

2.10. The Buckinghamshire Local Skills Report 2022 – Buckinghamshire's Skills Advisory Panel (SAP) was established in 2019. Film and television are noted as a local priority sector for investment in local jobs and skills, and as such is expected to play a leading role in providing employment and upscaling local residents over the coming decade.

National Strategy

2.11. 'Invest 2035: The UK's Modern Industrial Strategy', UK Government

[Creative Industries] The UK's creative industries are world-leading, showcasing the best of its creativity and culture to the world. According to UN Trade and Development, the UK is the third largest creative services exporter behind the US and Ireland, worth \$87 billion in 2022. Globally, one in 10 songs streamed are from the UK. The UK is a global centre for screen production, with £4.23 billion in production spend in 2023, of which 78% was from inward investment. According to the Creative Industries Policy and Evidence Centre, the creative industries accounted for 67% of the UK's digital exports in 2021

[Creative Industries] The sector is expected to grow worldwide, creating further growth opportunities. The sector is highly innovative, attracting significant inward investment and producing goods and services that are world renowned. PwC estimates that the global Entertainment and Media sector will grow to \$3.4 trillion by 2028.⁷⁵ Half of global trade is expected to be digital by 2050

[Creative Industries] To enable growth in the sector, the Government will leverage UK creative industries' global comparative advantages by unlocking private investment, boosting exports, and developing its highly skilled workforce. The Government needs to ensure that the UK sector remains globally competitive as a home for world class talent while maximising access to important markets to tour and collaborate. The sector plays an important role in driving growth across regions and nations, through creative clusters and corridors across the country that spread opportunity and prosperity in communities, as well as driving growth by enhancing access to skills, spillovers, and knowledge sharing.

3. Background

The Site and Surroundings

- 3.1. The 36-hectare Site is situated to the east of Marlow within a 293-hectare parcel of Metropolitan Green Belt land.
- 3.2. The parcel was assessed as meeting the NPPF Green Belt purposes ‘strongly’ in an evaluation undertaken by Ove Arup & Partners Ltd in 2016.
- 3.3. The area of Green Belt, including the Site, was designated as ‘Little Marlow Lakes Country Park’ in the Wycombe District Local Plan of 2019. The Park is adjacent to the Chilterns National Landscape and contains a wealth of natural assets including lakes, woodland, grassland, wetland, parkland, streams and Thames riverside. The area provides significant biodiversity and serves as a habitat for a variety of wildlife including protected and priority species. It is a popular place of recreation for families, nature lovers and outdoor sports enthusiasts.
- 3.4. The Site was formerly used for gravel extraction and landfill purposes. It has subsequently been restored and now consists of grassland, hedgerows and clusters of trees. It is now well integrated into the country park and the overall landscape.

The Proposed Development

- 3.5. The proposed film studios will consist of 18 sound stages, 19 workshops, office accommodation, various meeting spaces and amenities, a backlot and 2 multistorey car parks.
- 3.6. The proposed development will provide a Gross External Area of 168,718 square meters within 5 plots.
- 3.7. The 18 sound stages, resembling large distribution warehouses, will be up to 22m high.
- 3.8. The office and workshop space will consist of a variety of two and three storey units up to 15m high.
- 3.9. The car parks will be over five levels and up to 20m high.

The Proposed Benefits

- 3.10. The Appellant claims that the Scheme would meet a growing need for studio space as *‘It is widely acknowledged within the film and TV industry that the current supply of studios is insufficient to meet demand’*. The Appellant estimates that there is a *‘need for London and the South East to have between 5.2m and 9.1m sqft by 2033’*.
- 3.11. The Appellant claims that the development would lead to an increase in Gross Value Added (GVA) of between £250m and £340m.

- 3.12. The Appellant claims the Scheme would create between 1,780 and 2,415 direct FTE jobs and between 1,120 and 1,520 indirect FTE jobs.
- 3.13. The Appellant claims that the Scheme would contribute significantly to developing the strengths of the West London Cluster for UK film production by providing state-of-the-art facilities for the international stage.
- 3.14. The Appellant claims that the proposed Site *'is the most sequentially preferable and deliverable Site in the cluster that is capable of delivering this scale and quality of space'*
- 3.15. The Appellant claims that the Scheme would *'support the government's goal of expanding the film and television sector and bolstering the UK's position as a global leader in the industry'*.
- 3.16. The Appellant claims that *'the Appeal Scheme will bring forward significant socioeconomic benefits for the local area'*.
- 3.17. The Appellant claims the Scheme would provide *'at least' 60 new training places per year for ten years, provide bursaries of £105,000 per annum for a period of 5 years'* and will *'help build awareness about the career opportunities in the industry by working with leading educational institutions'*.

Film and High-End Television Production

- 3.18. Film studios operate within the framework of the commercial rental sector. Their principal economic function is to supply temporary space to production companies for the creation of film and high-end television (HETV) content.
- 3.19. The United Kingdom has over 100 studios concentrated in 5 regional clusters. They provide approximately 6 million sqft of production space of which 2.1 million sqft was added between 2019 and 2022. The South East cluster, which extends over Essex, Hertfordshire, Greater London, Buckinghamshire, Berkshire and Surrey, provides more than 4 million sqft.
- 3.20. The film and HETV production subsector provides a direct, indirect, and induced contribution to the national economy of approximately £6.5bn. This represents 0.3% of the United Kingdom's total GVA.
- 3.21. The subsector attracts approximately £5bn of foreign direct investment (FDI). This accounts for 0.25% of the United Kingdom's total FDI and constitutes up to 85% of the total expenditure on UK film and HETV production.
- 3.22. Employment within the subsector exhibits significant volatility due to the project-based nature of the freelance work. 85,000 FTE workers were estimated to be employed in 2021, representing approximately 0.3% of the total UK labour market.
- 3.23. Employment in the UK film and HETV industry supply chain is not officially reported. Analysts estimate that between 95 and 127 indirect FTE jobs are generated for each 100,000 square feet of stage space.

- 3.24. Direct employment by UK film studios is not officially reported. Large studios with 500,000 sqft of stage space typically employ less than 100 permanent staff.
- 3.25. Analysts estimate that between 15,130 and 20,770 additional FTE employees will be required by the subsector by 2025.

LPA Assessment

- 3.26. There is a lack of certainty regarding the need for space. However, it is important to note that it is inherently difficult to accurately forecast future studio demand, largely due to the dynamic nature of occupier activity and the immediacy of requirements. This is further complicated on the basis that overall demand is global and is influenced by socio-economic and political factors, as well as wider creative industry factors. There is also a question as to what extent the size of the development 'critical mass', supports the economic case put forward for Marlow Film Studios and the related issue of whether the need could be met less harmfully elsewhere e.g. within the wider Metro London Cluster. Permission was granted for the expansion of Pinewood Studios, also in the Green Belt, but in contrast to Marlow that approval was for the expansion of the UK's largest established studios with an existing critical mass of stage space and supporting industries, which was not footloose. However, notwithstanding these uncertainties the proposal represents a significant investment in one of Buckinghamshire's key economic sectors and supports the delivery of the aims and ambitions of national and local economic strategies.
- 3.27. The proposals if successful as argued for by Volterra would create employment and skills and training opportunities and would also support local businesses, the tourism sector and an increase in GVA. The proposals would support the expansion of the successful Metro London cluster and promote skills development, in line with Government industrial strategy. The provision of purpose-built studios of this scale, would represent a significant economic opportunity given the scale of ambition the Government is now advancing in respect of the TV / Film sector. Critical to realising these opportunities, would be the proposed Skills and Workforce Development Plan and which would be secured as part of a consent. On this basis, the economic benefits are significant and can be afforded significant weight in the planning balance.
- 3.28. The applicant considers (Planning Statement Addendum February 2024) that the magnitude of the underlying benefit is greater than originally reported at the October 2023 Strategic Sites Committee and that the weight to be attributed to the economic benefit of the proposed development is significant at the upper end of the scale. It is not considered that the Update to the economic case has materially advanced the applicant's case given the consensus that the existing pipeline will be sufficient to meet demand until at least 2028, extant unimplemented consents for comparable scale studio development and the continuing and if anything greater, uncertainty over future market demand. In this scenario the economic benefits including employment creation and local job opportunities would be more limited.

- 3.29. The Buckinghamshire Local Industrial Strategy (2019) identifies Pinewood and the wider creative and digital sector as one of four priority economic assets. The Buckinghamshire LEP Economic Recovery Plan (2020) emphasises the role of these assets in driving recovery and with respect to the creative and digital sector states “An important strand and future strength of economic recovery is to build upon these assets with a target of being at the forefront of screen-based production particularly for the growing streaming sector.” Specific reference is also made to supporting opportunities for new studio development, including those proposed in Marlow.

4. Case

Summary

- 4.1. The Scheme constitutes an inappropriate development that would cause very significant harm to a valuable area of Green Belt.
- 4.2. The benefits are highly uncertain, they have questionable significance and they lack clarity. Taken together, they do not clearly outweigh harm to the Green Belt or other harms.
- 4.3. Therefore, 'Very Special Circumstances' have not been demonstrated and the application is contrary to paragraphs 142, 143, 152, 153, 154 and 155 of the National Planning Policy Framework (2023).

Harm to the Green Belt

- 4.4. The scale and extent of the Scheme would cause very significant spatial and visual harm to the openness of the Green Belt thereby undermining its purpose and the purpose of Little Marlow Lakes Country Park.
- 4.5. The claim that the "Site makes a limited contribution to the purposes of the Green Belt" is unfounded. Furthermore, the Site does not represent "Grey Belt" as it does not fall into the category of "Previously Developed Land" as defined in the NPPF.
- 4.6. The proposed reforms to the National Planning Policy Framework (2023), as outlined in the draft NPPF consultation document of August 2024, carry little weight in the determination of this appeal. Therefore, the obligation for the Appellant to demonstrate 'Very Special Circumstances' remains applicable.

Lack of Need

- 4.7. The need for the Scheme is overstated and uncertain.
- 4.8. SMG will demonstrate that there is a sufficient supply of existing and consented studio space to meet the needs of the film production industry and support credible growth.
- 4.9. SMG will demonstrate that the Scheme does not offer any significant differentiation from existing and consented studios. It would therefore not support any particular needs that could not be met elsewhere.

Lack of Justification for the Site

- 4.10. The importance of the Site is overstated and uncertain.
- 4.11. SMG will demonstrate that the depiction of the 'West London Cluster' is distorted and that the Scheme's contribution to its 'strengths', and to those of the broader South East cluster, would be marginal.

- 4.12. SMG will demonstrate that the Alternative Sites Assessment is not robust and cannot be relied upon.
- 4.13. SMG will demonstrate that neither the viability of the Scheme nor the extent of its economic impact depends on it being located at the proposed Site.

Lack of National Economic Benefits

- 4.14. The national economic impact of the Scheme is overstated and uncertain.
- 4.15. SMG will demonstrate that the Scheme's capacity to enable growth in GVA, in productivity and in employment would be limited by the oversupply of studio space, the shortage of skilled production crew and the normalisation of global expenditure on film and HETV content. Consequently, the extent of the Scheme's net economic benefit to the United Kingdom is uncertain.
- 4.16. SMG will demonstrate that, by exacerbating the oversupply of studio space, the Scheme is likely to weaken the business model of the UK studio market and potentially harm the broader UK film and HETV production industry.

Lack of Local Economic Benefits

- 4.17. The local economic impact of the Scheme is overstated and uncertain.
- 4.18. SMG will demonstrate that local employment at the Site would not be significant due to the sector's overwhelming reliance on itinerant freelance specialists. Moreover, given the low level of local unemployment, it is likely that the few permanent positions provided by the scheme will be the result of displacement rather than net job creation.
- 4.19. SMG will demonstrate that the contribution of local businesses to the Scheme's supply chain would not be significant due to its specialist nature and low dependency on geographical proximity. Furthermore, film studio workers are likely to make limited use of local amenities as their requirements would largely be met on-site.
- 4.20. SMG will demonstrate that the traffic congestion induced by the Scheme would reduce the efficiency, productivity and profitability of local businesses by impeding customer, employee and supplier access.

Lack of Social Benefits

- 4.21. The social benefit of the Scheme is overstated and uncertain.
- 4.22. SMG will demonstrate that the proposed training program is of insufficient scale and scope to meaningfully alleviate the shortage of skilled film workers and that it lacks sufficient detail to allow a proper assessment of its value. Moreover, the educational needs of local students are already met by several major studios nearby.
- 4.23. SMG will demonstrate that the proposed recreational amenities should be regarded as mitigation measures rather than enhancements as they do not provide meaningful value to the site, the surrounding area or the local residents.

5. Conclusions

- 5.1. The justification for Very Special Circumstances, and for the other harms caused by the Scheme, is largely dependent on the extent of its net economic benefits and the likelihood of their delivery. That is, those economic benefits which would be absent if the Scheme did not exist.
- 5.2. Benefits, such as employment and GVA, are primarily generated by the production companies that lease studio space, not by the studios themselves. Therefore, to provide a net economic benefit, the Scheme must enable production activity that would not otherwise have taken place in the UK.
- 5.3. The supply of existing and consented studio space is able to support a substantial expansion in production activity. Furthermore, there is considerable uncertainty about the rate at which the demand for studio space will increase. Therefore, it is not clear when, or if, production activity would be constrained by a shortage of space - other limiting factors are likely to predominate. Consequently, there is no certain or pressing need for the Scheme.
- 5.4. Production activity in the UK is largely funded by foreign direct investment. The level of FDI is influenced by global production expenditure, UK tax reliefs, exchange rates and the availability and cost of crew and studio space.
- 5.5. Since the supply of space exceeds demand, the Scheme would have a limited influence on FDI, regardless of its design or location. Consequently, it is unlikely that the Scheme would cause a meaningful increase in overall UK production activity. Therefore, the employment and GVA enabled by the Scheme would be largely due to displacement from other studios. This would result in a negligible net economic benefit.
- 5.6. The aforementioned risks, dependencies and uncertainties significantly reduce the weight of the Scheme's proposed economic benefits. By contrast, its harms are clear, substantial and certain. Therefore, in our opinion, the planning balance is very clearly against the Scheme as Very Special Circumstances have not been demonstrated.