

Planning Committee

25 June 2025



Application No.	25/00508/FUL
Site Address	Shepperton Splash, New Road, Shepperton. TW17 0QQ
Applicant	GSR Productions
Proposal	Temporary change of use of land for car parking in support of temporary film-making operations
Case Officer	Russ Mounty
Ward	Shepperton and Laleham Green
Called-in	Cllr Howkins has 'called in' the application on the grounds of traffic and flooding.

Application Dates	Valid: 10.04.2025	Expiry: 05.06.2025	Target: Extension of time agreed to 30.06.2025
Executive Summary	<p>The proposal is for the use of the site for temporary car parking over the period mid-May to mid-November.</p> <p>The site is located within the Green Belt and the applicant has not presented material considerations that the Planning Authority (LPA) would consider to represent 'Very Special Circumstances'. However, recent events in the film industry and geopolitically, together with the Government's support for the UK economy and film making, in particular, are considered to provide very special circumstances that can be weighed against the harm.</p> <p>Overall, in this particular situation, at this specific time, it is considered that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed.</p> <p>The design and appearance of the temporary use reflects the existing use of the site and cumulatively for a temporary period is not considered to represent a significant adverse impact over the existing situation.</p> <p>The likely noise created by the proposal for a temporary period is not considered to have a significant material impact on the adjoining properties.</p> <p>The car parking is displaced parking, not additional parking and therefore the proposal is not considered to represent a significant material impact to highway safety or the overall highway network.</p>		

	<p>The site is located primarily within Flood Zone 2 wherein car parking is considered to be an appropriate use.</p> <p>On planning balance, it is considered that the proposal, in this specific instance is considered to be acceptable and is recommended for approval.</p>
Recommended Decision	Approve the application subject to conditions as set out in the Recommendation section (paras. 8.1, 8.2 and 8.3).

MAIN REPORT

1. Development Plan

- 1.1 The following policies in the Council's [Core Strategy and Policies DPD \(CS&P DPD\) 2009](#) are considered relevant to this proposal:
- SP1 (Location of Development)
 - LO1 (Flooding)
 - EM1 (Employment Development)
 - EM2 (Employment Development on Other Land)
 - SP6 (Maintaining and Improving the Environment)
 - EN1 (Design of New Development)
 - EN3 (Air Quality)
 - EN8 (Protecting and Improving the Landscape and Biodiversity)
 - EN9 (River Thames and its Tributaries)
 - EN11 (Development and Noise)
 - EN13 (Light Pollution)
 - EN15 (Development on Land Affected by Contamination)
 - SP7 (Climate Change and Transport)
 - CC2 (Sustainable Travel)
 - CC3 (Parking Provision)
- 1.2 It is also considered that the following Saved Local Plan policies are relevant to this proposal:
- GB1 (Green Belt)
- 1.3 Also relevant is the following Supplementary Planning Guidance:
- (SPG) - SPG on Parking Standards Updated 2011
- 1.4 The policies contained within the [National Planning Policy Framework](#) (NPPF) (2024) are also relevant
- 1.5 On 19 May 2022, the Council agreed that the draft Spelthorne Local Plan 2022 – 2037 be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September 2022 and the local plan was submitted to the Planning Inspectorate on 25th November 2022.
- 1.6 An Examination into the emerging Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved to request that the Planning Inspector pause the Examination for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the emerging Local Plan. This was agreed.
- 1.7 On 14 September 2023, a letter was received from the Housing Minister stating that the Housing Secretary was directing the Council “not to take any step to withdraw the plan from examination...” The Council resolved to extend

the pause in the Examination timetable until the proposed changes to the NPPF had been published before determining the next steps.

- 1.8 On 22 September 2023, the Inspector agreed to a further pause to the Examination and requested that the Council continue to address the issues that he identified in the first week of the Examination, in particular flood risk and its potential implications in relation to the site allocation and delivery strategy of the plan.
- 1.9 On 18 July 2024, Council considered a report into the resumption of the Local Plan Inquiry which had previously been agreed by the Corporate Policy and Resources Committee on 8 July 2024. The report set out the recent response from the Environment Agency, and the options for deciding whether or not Council agreed a request for further Main Modifications to the Local Plan in order to resume the Examination hearings and progress the Plan to adoption. Council agreed the option to progress the local plan and officers have now requested this from the Inspector.
- 1.10 On 24 October 2024, the Council agreed to re-instate 13 of the 15 Green Belt sites as housing allocations and requested the Planning Inspector to resume the Examination into the Local Plan.
- 1.11 On 12 December 2024, the Planning Inspectorate confirmed that the Local Plan examination would resume on the 27 January 2025. This has now taken place and the Examination closed on 18 February 2025. Adoption of the Local Plan by Council could be by September 2025 subject to the plan being found sound by the Inspector and public consultation undertaken on the Main Modifications (<https://spelthornelocalplan.info/evidence-base/>).
- 1.12 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:
 - ST1: Presumption in Favour of Sustainable Development
 - ST2: Planning for the Borough
 - PS1: Responding to the climate emergency
 - PS2: Designing places and spaces
 - PS3: Heritage, Conservation and Landscape
 - SP4: Green Belt
 - SP6: River Thames and its Tributaries
 - E1: Green and Blue Infrastructure
 - E2: Biodiversity
 - E3: Managing Flood Risk
 - E4: Environmental Protection
 - EC1: Meeting Employment Needs
 - ID2: Sustainable Transport for New Developments
- 1.13 The (NPPF) policy states at para 49 that: Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 1.14 Section 38(6) the Planning and Compulsory Purchase Act 2004 (https://www.legislation.gov.uk/ukpga/2004/5/pdfs/ukpga_20040005_en.pdf) requires applications to be determined in accordance with the development plan (unless material considerations indicate otherwise) and not in accordance with an emerging plan, although emerging policies may be a material consideration.
- 1.15 At this stage, the policies in the Pre-Submission Spelthorne Local Plan carry limited weight in the decision-making process. The adopted policies in the 2009 Core Strategy and Policies DPD carry substantial weight in the determination of this planning application.

2. Relevant Planning History

2.1 The site has the following planning history:

18/01143/FUL	Change of use to provide a water sports leisure facility with associated inflatables and floating jetty, toilets, changing rooms, first aid building, car parking and other associated facilities.	Approved 2020
SUN/FUL/5106/D	Provision of a private sports ground, playing field and recreational lake on 20 acres fronting the south side of New Road	Approved 1969

3. Description of Current Proposal

- 3.1 The application relates to a portion of the land and the adjoining lake known as Shepperton Splash which includes the River Ash, and land south of New Road and West of Nutty Lane in Shepperton.
- 3.2 There is an existing access to New Road which currently serves Shepperton Splash and the car boot sale which operates on Saturdays during the summer months. The car boot area, which is on adjoining land under the ownership of the applicant is separate from this facility.
- 3.3 Shepperton Splash typically operates on a regular basis from May to September, with the facility open 7 days a week during school summer holidays and operates on its longest days between 11am and 6pm.
- 3.4 The site is located within the Green Belt. The lake and River Ash are a Site of Nature Conservation Importance. To the southeast is a Nature Reserve including Nutty Wood, beyond which is the M3 motorway. To the southwest is open land and some distance away are the residential properties in Watersplash Road. To the north-west is the Queen Mary Reservoir. To the southeast is a commercial yard and beyond that the Longacre's Garden Centre and a Cattery.
- 3.5 The river and lake are within the Zone 3b functional flood plain (1:20 year probability), with the facilities and some of the existing main car park and land to the north-west being within Zone 2 (1:100 – 1000 year probability).
- 3.6 This application seeks permission for the temporary use of land at Shepperton Splash as car parking for a period of 24 weeks, sporadically from May to November 2025.
- 3.7 The applicant states that the parking would be in use on the application site for a 24-week shoot period, whilst filming is taking place at Shepperton Studios and the existing on-site parking is not available because some of these areas are being used for other film related uses. The applicant has confirmed that the scale of their production is much greater than the average

and demand fluctuates depending on the number of shoot units (film crews) filming simultaneously and the number of background artists.

- 3.8 The submission confirms that there would be no requirement for parking at the weekends which might conflict with car boot events and it would not conflict with the parking for Shepperton Splash.

4. Consultations

- 4.1 The following table shows those bodies consulted and their response.

Statutory Consultees

Consultee	Comment
County Highway Authority	.TBC

Non-Statutory Consultees

Consultee	Comment
Environment Health - Contamination	No objection
Environmental Health Officer (Noise)	No objection

5. Public Consultation

- 5.1 Twenty-six neighbour letters were sent and to date 24 letters of representation have been received objecting to the proposal. Reasons for objecting include:-

- This represents another expansion of the Studios
- Increased traffic pollution from 600 additional cars
- Increased traffic
- Increased highway dangers
- Increased danger to wildlife
- Increased noise
- The Studios has adequate space
- Increased impact on the highway network
- The community has to endure over 2 years of roadworks
- Health considerations from traffic
- Loss of greenspace
- Loss of weekly car boot
- Lack of communication from the production team involved
- Kempton Park would be a more appropriate location
- The road infrastructure is inappropriate for large vehicles and trailers

- Unsafe access
- Any trackway would be loud
- Productions should be delayed If parking is inadequate

5.2 In addition, 1 letter of representation has been received supporting the proposal.

Reasons for support include:-

- The recent depressed economics of the film industry
- The specific dynamics of the film industry is unique and should be supported
- The Studios creates and supports local freelance jobs

6. Planning Issues

- Is the development acceptable in principle
- Green Belt
- Design and appearance
- Impact on amenity of neighbouring residential properties
- Noise
- Transportation Issues
- Flooding
- Other matters

7. Planning Considerations

Principle of development

- 7.1 Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 7.2 The Government attaches great importance to the Green Belt and requires that substantial weight is given to any harm to the Green Belt.
- 7.3 Since inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances the principle of this proposal must be unacceptable unless this is clearly outweighed by other considerations.

Green Belt

- 7.4 The site lies within the Green Belt and Section 13 of the National Planning Policy Framework (NPPF) 2025 sets out the Government's policy with regard to protecting Green Belt land. It states that the Government attaches great

importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 7.5 The policy is reflected in the Council's Saved Local Plan Policy GB1, but it should be noted that this was saved from the 2001 Local Plan and therefore pre-dates the NPPF. Although there is a degree of consistency with the NPPF, the impact of the development on the Green Belt should be considered primarily against the policies of the NPPF, rather than policy GB1.
- 7.6 Paragraph 143 of the NPPF sets out the five purposes of the Green Belt:-
- To check the unrestricted sprawl of large built-up area;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.7 The Green Belt Assessment undertaken in connection with the emerging Local Plan identified the site, located within Area 42-a as strongly performing against the Green Belt purposes.
- 7.8 Any application on Green Belt land must be assessed against national and local Green Belt policy including the five purposes of the Green Belt, and should ensure that substantial weight is given to any harm to the Green Belt. This is considered in the paragraphs below.

Inappropriate development

- 7.9 The site is currently used in connection with the Shepperton Splash facility and a car boot sale operated under the Government's Permitted Development legislation. The revised layout comprises the areas used for these two uses, with the Shepperton Splash car park identified for the majority of the days where car parking would be required and the number of vehicles would be less than 120. The larger site would be required on approximately 34 days when the vehicle levels would exceed this number.
- 7.10 As a result of this and because of the timing over the summer period the applicant does not intend to utilise a temporary trackway, unless absolutely necessary. The proposal involves the use of the land for the parking of vehicles for a period from mid-May to Mid-November. The numbers would vary with the anticipation that 79 days of the 173 days requested would be used for parking, with none on weekends and 16 of the days exceeding 200 vehicles.
- 7.11 The proposed development would not fit into any of the limited 'exceptions' to inappropriate development listed in paragraphs 154 or 155 of the NPPF. The proposal therefore constitutes 'inappropriate development' in the Green Belt.
- 7.12 The NPPF states in paragraph 153 that: *'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in*

very special circumstances.’. It continues that: ‘*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.*’

- 7.13 The applicant’s planning statement indicates that Paragraph 154 does not class “material changes in the use of land” as inappropriate development in the Green Belt and that Paragraph 155 states that development in the Green Belt is not inappropriate where ‘*the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan*’, ‘*there is a demonstrable unmet need for the type of development proposed*’ and ‘*development would be in a sustainable location*’.
- 7.14 The LPA considers that the exception in Paragraph 154 is intended to allow compatible uses in the Green Belt and would not justify a proposal for car parking in association with a commercial use.
- 7.15 In addition, the LPA does not accept that the proposal meets the criteria set out in Paragraph 155. Whilst the proposal would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the area of the plan, there is not a demonstrable unmet need for parking. Shepperton Studios was permitted adequate parking on site for the operation of the studios. In addition, the location cannot reasonably be considered sustainable, this is a temporary parking area for the purposes of operational activity at Shepperton Studios.
- 7.16 The courts have considered the correct approach to openness, notably in *Turner v SSCLG* [2016] EWCA Civ 466 and *R (on the application of Samuel Smith Old Brewery and others) v North Yorkshire County Council* [2020] UKSC3. The courts have made clear that openness is open-textured and a number of factors are capable of being relevant when it comes to the facts of a specific case. The matters relevant to openness in any particular case are a matter of planning judgment. Relevant factors may include both visual and spatial considerations.
- 7.17 The essential character of the Green Belt is its openness and the use of the land for parking is considered to fundamentally change the characteristics of the site from its existing open character, notwithstanding the use at Shepperton Splash and the car boot uses. The loss of openness, even for a temporary period, must weigh against the scheme.
- 7.18 The LPA considers that the proposal represents inappropriate development in the Green Belt.

Assessment of harm

- 7.19 The NPPF sets out that the Green Belt serves five purposes against which proposed development within the Green Belt should be assessed. (as set out in paragraph 7.6)

- 7.20 The proposed development is considered to create unrestricted urban sprawl conflicting with the first of the five purposes. The site is outside of the built-up area of Shepperton Green, Littleton and Charlton, and there is currently a clear boundary between these residential areas and the open countryside within which the site sits.
- 7.21 The proposed use would be located on land currently relatively free of development and is considered to represent encroachment into the countryside. It therefore fails to comply with the third of the five purposes of the Green Belt. ('to assist in safeguarding the countryside from encroachment').
- 7.22 However, both the sprawl and the encroachment would be for a temporary period, after which the land would revert to its existing low level use. The outline application for Shepperton Studios (18/01212/OUT) argued that the parking provision for the Shepperton Studios Expansion would be sufficient for its operational needs and there appears to be no justified reason that this situation should occur again. As such, there is a degree of mitigation to this proposal.
- 7.23 The proposal does represent inappropriate development which is, by definition, harmful to the Green Belt and therefore requires very special circumstances to be considered acceptable. Substantial weight must be given to the harm this proposal represents to the Green Belt and the additional harm resulting from the use of the land as a temporary parking area.
- 7.24 The use of the land for parking in association with a film production at the Studios is a more intensive parking use than that of Shepperton Splash, which is also ancillary to the compatible use and the car boot sales, which is permitted development.
- 7.25 The particular circumstances relating to this proposal in terms of recent events in the film industry, geopolitical events, the Government's support for the UK economy and the support of the film industry in particular, together with the temporary period, the reversion of the land to its existing condition, and ensuring operational capacity at the Studios, are considered to weigh against the harm.
- 7.26 On balance, and as a matter of planning judgement, it is considered that in the particular circumstances relating to this requirement, for this temporary use, the harm to the Green Belt would be outweighed.

Design and Appearance

- 7.27 Policy EN1 of the Core Strategy and Policies Development Plan Document (CS&P DPD) states that the Council will require a high standard of design and layout of new development.
- 7.28 Section 12 of the NPPF: Achieving well-designed places, refers to design and in particular that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.

- 7.29 The proposal is for a temporary period, mid-May to Mid-November and the layout and appearance would be as existing. As such it would be generally acceptable in terms of its design and appearance.

Impact on amenity of neighbouring residential properties

- 7.30 Policy EN13 seeks to ensure that lighting proposals do not adversely affect amenity or public safety.
- 7.31 Reference has been made in representations to external lighting, however no lighting details have been provided by the applicant at this stage, although reference is made to using tower lights in the autumn. A planning condition is recommended to secure details of any proposed lighting to minimise any potential impact on neighbouring properties.
- 7.32 Policy EN1b of the Core Strategy and Policies DPD 2009 (CS&P DPD) states that: "New development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook."
- 7.33 The boundary of the proposed parking area is approximately 115m from the Imberpark Boarding Kennels on Nutty Lane, 201m from Manor Farm Yard and 245m from the first residential property on New Road.
- 7.34 Paragraph 5.10 of the applicant's Planning Statement indicates that the crew would be parking at the site then walking to the Studios. The applicant has subsequently stated that the crew would board pre-arranged minibuses that will shuttle them to the studio. Given that the proposal is for alternative car parking, not additional car parking, traffic disturbance would be no different to the existing situation, with the exception of the noise from car doors etc that may carry across the field. Were the crew to walk to the Studios there is potential for some noise and disturbance, although this cannot be quantified.
- 7.35 It is acknowledged that the proposal could create a level of noise and disturbance to the occupiers of surrounding properties, and those on New Road in particular, during early hours (06:30-07:00). However, the level over and above that of the existing traffic movements to the Studios would be limited and would be for a temporary period.
- 7.36 On balance, it is considered that overall, the proposal, for parking for a temporary period would not have a materially adverse impact on the amenities of neighbouring residential properties.

Noise

- 7.37 Policy EN11 of the CS&P DPD states that the Council will seek to minimise the adverse impact of noise by requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level.

- 7.38 The noise and disturbance of vehicles as they manoeuvre within the site and access and egress would likely cause some localised noise and disturbance, and this would be in addition to that caused by the use of the site for the Shepperton Splash and car boot sales uses. Although it would be a similar situation to the existing, since this is displaced parking, it would impact a different residential area.
- 7.39 The Planning Statement refers to the use of a trackway along the areas where vehicles are proposed to be parked or moving along, depending on weather. The applicant has confirmed that the intention is not to utilise a temporary trackway, unless absolutely necessary. However, concern has been raised that trackways create noise and whilst it is likely that some additional noise would result, the distance from residential properties and limited use would mitigate this concern. A planning condition is recommended to secure details of any trackway within the site. The use of a cellular, polypropylene trackway as agreed with the Lead Local Flood Authority for the proposal on the adjoining site would be sought.
- 7.40 The Council's Environmental Health Officer was consulted on the planning application and has raised no objection.
- 7.41 On balance, it is considered that overall, the proposal, for parking for a temporary period would not have a materially adverse impact as a result of noise on the surrounding area.

Transportation Issues

- 7.42 Policy CC2 of the CS&P DPD states that the Council will seek to secure more sustainable travel patterns by only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area.
- 7.43 Paragraph 111 of the NPPF states that '*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*'
- 7.44 The proposal is for the use of the land for displaced parking for a temporary period due to the volume of productions being undertaken within the Studios. This proposal is not considered to represent traffic generating development, since it is a displacement of existing parking on the Shepperton Studios site. In addition, since it is displaced parking for a temporary period in connection with the operation of the existing studios, it cannot reasonably be considered to represent an unacceptable impact on highway safety or to create residual cumulative impacts on the road network.
- 7.45 The applicant has provided a Studio Crew Parking movement order for the proposal which indicates that vehicles will be instructed to avoid Charlton Village and surrounding residential areas and that all vehicles will be checked in at a position within the site so any queuing occurs within the site boundary. The applicant suggests that this document can be referenced within a Condition such that the Council would have control.

- 7.46 However, the LPA does not consider that routing could reasonably be enforced and therefore recommends that the document be referred to in an informative.
- 7.47 Concern has been raised in representations in respect of increased traffic impact highway danger and impact on the network. However, as the proposal relates to displaced parking it cannot reasonably be considered to represent an increase in traffic, additional danger or further impact on the network beyond that already considered in approving the Studio Expansion.
- 7.48 Concern has also been raised that the access is unsafe, however this is an existing access used to serve the Shepperton Splash site. The County Highways Authority has raised no objection to safety of the access.
- 7.49 Concern has also been raised that the community has had to endure over 2 years of roadworks. The junction improvements, identified in respect of the outline planning application (18/01212/OUT) for the redevelopment of Shepperton Studios were required and timetabled by the County Highway Authority and are not directly related to this proposal.
- 7.50 On balance, it is considered that overall, the proposal the use of the site for displaced parking for a temporary period would not have a materially adverse impact on the highway safety or the highway network.

Flooding

- 7.51 Policy LO1 of the CS&P DPD seeks to reduce flood risk and its adverse effects on people and property. The NPPF states that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.
- 7.52 The proposed site is located primarily within the Flood Zone 2 which represents land having a medium probability of river flooding with a 1 in 100 risk. Highly vulnerable uses are not permitted in flood zone 2 and there is a requirement for development in this zone to be flood resilient/resistant. However, the north west corner of the site is within Flood Zone 3.
- 7.53 The proposal relates to the use of the land, there are no buildings or structures proposed, with the exception of a 'portaloo' welfare facility, and its use as parking is considered to be acceptable in flooding terms as this is not a highly vulnerable use.
- 7.54 The applicant has submitted a Flood Risk technical note which concludes that the majority of the site is located within flood zone 2, wherein car parking, a less vulnerable use, is considered to be appropriate, as set out in Technical Guidance to the NPPF. In addition, it concludes that since the land is currently used for parking for the Shepperton Splash and car boot sales uses at the site, the short-term nature over the predominantly drier months would represent a low level of risk.

- 7.55 The Lead Local Flood Authority (LLFA) was consulted and advised that as there is no change to the impermeable area or additional external works the LLFA has no comments.
- 7.56 On balance, it is considered that overall, the proposal for parking for a temporary period would not have a materially adverse impact on flood risk.

Other Matters

- 7.57 Representations have been made that this is another expansion of the Studios, that the Studios has adequate space and that other options should be considered. However, the proposal has not been submitted by Shepperton Studios and is for a temporary period to address a specific requirement. The outline application (18/01212/OUT) stated that the proposal would provide sufficient parking for the development, the absence of sufficient parking availability is therefore considered to carry no weight in the decision-making process. The application does not indicate that alternative sites were considered, however the LPA must determine the application submitted.
- 7.58 Concern has been raised with regard to the increase in traffic pollution and resulting health risks from additional cars, however the proposal is intended for displaced vehicles, not additional vehicles and this issue was considered by the Planning Committee in relation to the outline application (18/01212/OUT). The Council's Environmental Health Officer was consulted on the planning application and has raised no objection.
- 7.59 Representations have been received concerning the lack of communication from the production team. Whilst the LPA would encourage communication and engagement when seeking to submit a planning application, the LPA must determine the application submitted.
- 7.60 Concern has also been raised both about the loss of the car boot sale and conversely the traffic it generates. The proposal does not intend that the site would be used during weekends and the car boot sale is operated under the Government's Permitted Development legislation, therefore the traffic it generates is not subject to consideration by the LPA.
- 7.61 Support has been raised in connection with job creation within the industry. Whilst the LPA acknowledges that Shepperton Studios is a long-standing employer in the local area and generates significant employment benefits in a range of skills and employment opportunities, the Studios was approved sufficient on-site parking for their operational requirements and any failure of the occupiers to manage the space should not impact the local community on an on-going basis.

Equalities Act 2010

- 7.62 This planning application has been considered in the light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant

protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 7.63 The question in every case is whether the decision maker has in substance had due regard to the relevant statutory need, to see whether the duty has been performed.
- 7.64 The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstances.
- 7.65 The NPPF defines people with disabilities as individuals that have a physical or mental impairment, which has a substantial and long-term adverse effects on their ability to carry out normal day-to-day activities. This can include but is not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs. It is considered that it would be possible for individuals with disabilities to access the development.

Human Rights Act

- 7.66 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.67 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.
- 7.68 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.
- 7.69 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

Financial Considerations

- 7.70 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning

Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not.

7.71 The proposal is not a CIL chargeable development.

Recommendation

8.1 The options available to the Planning Committee for decision making are:

- To approve the application as set out in this report. This option is recommended. The report analyses in some detail the reasons why the application is considered to be acceptable in planning terms.
- To approve the application subject to additional /amended conditions and informatives. This option is not recommended, the conditions and informatives are set out below. The Planning Committee should be minded of paragraph 57 of the NPPF which states that :- *planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects ([National Planning Policy Framework](#))*.
- To refuse the application. This option is not recommended. The report assesses why officers consider the application to be acceptable

8.2 The application is recommended for approval, subject to conditions and informatives below.

8.3 **APPROVE** subject to the following conditions:

1. That this permission be for a limited period of 17 weeks only, until 07 November 2025 when the use hereby permitted shall be entirely discontinued and the land restored to its former condition.

Reason:-.The land is located within the Green Belt and the use is acknowledged by both the applicant and the Local Planning Authority as being inappropriate. The Local Planning Authority has acknowledged that very special circumstances exist in relation to this particular request at this specific time and this is not typical operating practices of Shepperton Studios.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan A.001 received 10 April 2025 & Revised Parking Layout received 10 June 2025.

Reason:-.For the avoidance of doubt and to ensure the development is completed as approved.

3. The use of the land in connection with the temporary use for crew parking, shall only occur on weekdays between 06:00. and 20:00.

Reason:-.To ensure that the proposed use of the land as a temporary parking area does not prejudice the reasonable enjoyment of neighbouring occupiers of their properties in accordance with policies SP6, EN1 and EN11 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

4. Prior to the use of the site for the parking of cars, in connection with the temporary use of the land for crew parking, details of the pre-arranged minibus service including the stop locations and running times shall be submitted to and approved by the Local Planning Authority. The use shall then be carried out in accordance with the approved details.

Reason:-. To minimise the potential impact on residential properties in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 and the National Planning Policy Framework 2024.

5. Prior to the installation use of of any temporary trackways in connection with the temporary use of the land for crew parking, details of the trackway and its installation shall be submitted to and approved in writing by the Local Planning Authority including the position, design and materials proposed. The installation of the trackway shall be carried out in accordance with the approved details.

Reason:-.To ensure that the proposed use of the land as a temporary parking area does not encroach into the Green Belt beyond that accepted as being very special circumstances and to protect the amenity of surrounding properties, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 and the National Planning Policy Framework 2024

6. Prior to the installation of any lighting on the site in connection with the temporary use of the land for crew parking, details of the proposed lighting towers, together with technical specifications, power source, noise level, proposed hours of operation, direction and light spill and specific locations shall be submitted to and approved in writing by the Local Planning Authority. The agreed external lighting shall at all times accord with the approved details.

Reason:-.To safeguard the amenity of neighbouring residential properties, the immediate area and in the interest of the security of the users of the temporary car park.

INFORMATIVES TO APPLICANT

- 3 The permission hereby granted shall not be construed as authority to carry out any works in the highway or any works that may affect a drainage channel/culvert or water course.

The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/the-traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: <https://www.surreycc.gov.uk/community/emergency-planning-and-community-safety/flooding-advice>

- 4 Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- 5 The use of the site for the temporary parking of vehicles should be undertaken in accordance with the submitted Studio Crew Parking movement order received 10 June 2025.