

PD13528/JWB/LH/BOS

Planning Policy and Conservation Team
Surrey Heath House
Knoll Road
Camberly
Surrey
GU15 3HD

19 September 2024

Dear Sir / Madam,

**PRE-SUBMISSION SURREY HEATH LOCAL PLAN (2019-2038) – REGULATION 19 CONSUTLATION DRAFT
REPRESENTATIONS MADE ON BEHALF OF NETFLIX STUDIOS UK LTD**

We write on behalf of our client, Netflix Studios UK Ltd, who have a long-term interest in the Longcross Studios Site, Chobham Lane, Longcross, Chertsey, KT16 0EE.

This letter of representation is submitted in response to the Regulation 19 Pre-Submission Surrey Heath Local Plan (2019 – 2038) which has been published for public consultation. The purpose of the consultation is to establish whether the Draft Local Plan is legally compliant, meets the test of soundness, and meets the Duty to Cooperate.

Previous representations were submitted on behalf of Netflix Studios in response to the Regulation 18 Draft Local Plan, which outlined that whilst Netflix are supportive of the Council's approach to employment land, the Local Plan should be considered unsound in relation to the approach taken towards the Green Belt and the Longcross Studios land.

Alongside the publication of the Regulation 19 Pre-Submission Local Plan, the Council have released a number of evidence base documents, including *inter alia* the Green Belt Review Addendum (2023) and Employment Land Technical Paper (2023). This representation letter provides comments in respect of the draft policies within the Regulation 19 Pre-Submission Local Plan, and the associated evidence documents insofar as they relate to the future development of the Longcross site.

Whilst comments are made with a view of assisting the plan making process, Netflix wish to confirm their overarching support for the proposed removal of the Longcross Studios land from the Green Belt, and its allocation as Strategic Employment Land which will assist in delivering the planned investment in to the studios to deliver economic growth for the borough.

LONGCROSS STUDIOS

Longcross Studios is a 26ha employment site falling within the administrative areas of both Surrey Heath and Runnymede Borough Councils. 8.36ha of Longcross Studios ("the Site") falls within Surrey Heath, as indicated in the policy map extract shown in Figure 1 below.



Figure 1 - Surrey Heath Borough Council Boundary

BACKGROUND

Netflix is one of the world's leading streaming entertainment services with c277 million paid memberships in over 190 countries. The UK is their second largest hub for production globally, and Netflix have invested over \$6 billion¹ between 2020 in the creation and licensing of UK-made films and series, producing on average over 60 shows a year – including titles like *Bridgerton*, *Sex Education*, *The Witcher* and *The Crown*. In their entirety Netflix productions create over 10,000 jobs each year for cast and crew across the UK. As part of their long-term commitment to investing in the UK, and to meet their growing need for production facilities, Netflix are undertaking a series of immediate and long-term site improvements at the Longcross site. To date the improvements have focussed on land falling within Runnymede Borough Council, but the intention is to bring forward investment on land within Surrey Heath within the next 12-18 months to deliver enhanced facilities that will allow for multiple productions to be filming at the same time, improving employment opportunities to the benefit of the local economy.

The work at Longcross will further contribute to the wider filming industry which has a significant benefit to the British economy. The total direct contribution by the UK film industry to the Gross Domestic Product in 2019 was £8bn, and in 2023, the film and television spend in the UK was £4.23 billion, of which £3.31 billion was spent on inward investment². It is correct, therefore, to recognise the importance that a site of this nature will have to both the local and national economy. Indeed, Netflix has estimated that its own recent production activity in the South-West has contributed in excess of £132m to the region, creating more than 1,000 jobs with over 500 South West-based businesses benefiting directly.

¹ <https://about.netflix.com/en/news/netflix-reveals-6-billion-investment-in-british-creative-economy>

² <https://www.bfi.org.uk/news/official-bfi-2023-statistics>

CONSIDERATION OF THE REGULATION 19 LOCAL PLAN

Outlined below are our comments pertaining to the soundness of the Council's Regulation 19 local plan.

Proposals Map – Green Belt Boundary

Netflix welcome and strongly support the removal of the site from the Green Belt which in the Regulation 19 draft Local Plan which will assist with the future of the studios as a Strategic Employment Site.

The proposal to remove the site from the Green Belt is supported by the Council's own evidence base. The Green Belt Review and Addendum (2023) confirms that the Longcross land, identified as 'Previously Developed Land -7' (PDL7), is extensively developed and performs weakly against the Green Belt purposes. The assessment states that *"the site relates more to the built up areas of Longcross than the wider Green Belt and is well contained by surrounding development"*.

Montagu Evans has previously provided an assessment of the Site against the purposes of the Green Belt, as part of the representations submitted in response to the Regulation 18 consultation. These are not repeated here but would be happy to provide the Council and Inspector with additional information and/or site access to support the conclusions if of use to the examination of the plan.

On behalf of Netflix, we strongly support the Council's conclusions that the Longcross land does not perform well against the purposes of the Green Belt in this location. The decision to remove this land from the Green Belt to support its function as a Strategic Employment Site is, on balance, sound and aligns with the adjoining land in Runnymede Borough. However, it is noted that an area of the site in the south-west corner of the site has not been removed from the Green Belt and for a truly effective plan in regard to both this policy and ER2 it is requested that all land to the east of Burma Road is removed from the Green Belt.

Policy ER2 Strategic Employment Sites – Longcross Studios

At the Regulation 18 stage The Strategic Employment Land allocation was considered to be ineffective as the Longcross site was constrained by its Green Belt designation. This would have undermined the ability to meaningfully achieve the regeneration and redevelopment aspirations of the proposed policy, nor would it support the economic growth of the site.

Since the proposed removal of the site from the Green Belt, as part of the Regulation 19 draft Local Plan, the ambitions of the Strategic Employment policy can now be achieved without requiring the need to demonstrate compliance with restrictive Green let policies at the national and local level. Netflix support the policy direction of draft Policy ER2, which is now more achievable and effective following the draft removal of the site from the Green Belt.

Within the Regulation 19 Local Plan, the Longcross Site is one of 10 Strategic Employment Sites allocated by Surrey Heath under emerging Policy ER2 ("Strategic Employment Sites").

The Council's evidence base identifies demand for film and TV industry opportunities, thus a proactive approach to promoting growth and recognising the importance of this site as a key local employer, with spin off employment opportunities and supply chain demand in the local area.

As currently drafted, paragraph 2 of draft Policy ER2 sets out several priority employment sectors which will be supported at the identified Strategic Employment Sites. Netflix wish to highlight that the Film and Television industry is not included

within the list of priority sectors. Given the importance of the Longcross site, and the wider role of the Film and Television industry to the UK economy, it is requested that the draft policy is amended to recognise this sector.

The existing use of the Longcross Site for filming has not been recognised and therefore, for this policy to be considered entirely sound it must be justified and based upon proportionate evidence. It is recommended that for this policy to be sound, it should be revised to include the film and TV industry with the evidence base updated to reflect this. This would ensure that the opportunities that the employment land at Longcross present can be appropriately supported in a development control policy context.

Strategic Employment Land designation of the Site is therefore supported as it:

- Ensures the highest protection and safeguarding of the Site for employment uses;
- Supports the redevelopment and regeneration of the Site to provide floorspace for employment uses that meets the needs of the market; and
- Ensures that the Site will contribute to meeting the forecast increase in the total number of employment opportunities over the plan period.

The inclusion of the site within emerging Policy ER2 and associated designation on the local plan proposals map is supported as it meets the NPPF tests of soundness by providing a justified and effective designation that positively supports the delivery of important economic development in line with national policy.

Policy E3 Biodiversity Net Gain

Emerging Policy E3 states that development will be permitted provided that they can demonstrate BNG of at least 20% or the advised national minimum target, whichever is greater. The approach taken for this policy is considered to be unsound.

The national minimum target is not “advisory”; it is a legislative requirement that qualifying development must deliver. Whilst delivering BNG in excess of this target should be promoted and welcomed, Government as deemed 10% to be the appropriate level and thus only permitted development where it can demonstrate double this amount means that the plan is justified, effective or consistent with national policy.

Planning Practice Guidance clearly states that:

“Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.”

Paragraph: 006 Reference ID: 74-006-20240214

It is recognised that the Council’s evidence base includes reports and testing on BNG in relation to the need and viability impact in line with PPG. However, as drafted, the policy itself is not effective in a development management context and is therefore unsound.

Netflix has in-principle support for the delivery of enhanced habitats to combat the climate and biodiversity issues that the Country faces, but achieving increased levels is not always possible on sites, especially where the land within the application area is already of or adjacent to areas of a high quality.

At present, in a development control setting the policy reads as though applications will be refused where schemes do not deliver 20%, despite delivering the statutory requirement, which is confirmed by supporting paragraph 6.31. This approach has the potential to require the use of off-site credits which could be cost prohibitive.

It is therefore suggested that if a policy is desired for increased levels of BNG, the wording of Part 1 is revised to encourage higher levels or for applicants and/or a requirement to demonstrate why a higher level cannot be delivered due to physical and/or viability limitations.

This would ensure that where sites are able to do so, additional BNG will be provided without compromising the ability of sites to come forward as well as ensuring that the Plan remains consistent with any future changes to Policy. This would make the policy sound.

CLOSING

As outlined within this letter, Netflix support the proposed removal of the Longcross site from the Green Belt and proposed identification as Strategic Employment land in Policy ER2. We find the Regulation 19 Pre-Submission Local Plan sound in this regard, but do not support emerging Policy E3 in its current draft due to issues with its implementation in a for development management scenario.

We request that we are added to the Local Plan consultation database and are kept up to date with the emerging Local Plan. Additionally, we reserve our position to appear at the EiP Hearing Sessions. If the Council require any further information from Netflix in order to present the draft Local Plan to the Inspector, or to arrange a Site Visit, please do not hesitate to contact us.

We would also welcome the opportunity to meet with officers to discuss the future of the site. Please do not hesitate to contact Jon Bradburn [REDACTED], Lauren Hawksworth [REDACTED] or Bethan O'Sullivan [REDACTED] to arrange a site visit or request any further information about the Longcross Studios Site.

Yours sincerely,

[REDACTED]

MONTAGU EVANS LLP