



Report to Planning Committee 10 November 2022

Director Lead: Matt Lamb, Planning & Growth

Lead Officer: Lisa Hughes, Business Manager – Planning Development, x 5565

<b>Report Summary</b>	
<b>Report Title</b>	<i>Local Development Orders for Filming at Newark Heritage Sites</i>
<b>Purpose of Report</b>	<p><i>(a) To seek Members’ approval to go through the process of consultation on the proposed Local Development Orders</i></p> <p><i>(b) For Members to be aware of the benefits of the proposed Local Development Orders (LDOs)</i></p>
<b>Recommendations</b>	<p><i>That Planning Committee</i></p> <p><i>(a) Grant authority to the Business Manager - Planning Development to refine the draft LDOs, in consultation with Council and partner colleagues, ahead of public and statutory consultation stages</i></p> <p><i>(b) Consider the draft LDOs and note any observations or recommendations for amendments</i></p> <p><i>(c) The final LDOs will be presented to Planning Committee for approval following the above.</i></p>

## **1.0 Background**

Commercial filming constitutes development that requires planning permission and for the majority of filming, the permission falls within Schedule 2, Part 4, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015. However, there are certain exclusions which cannot benefit from this permission and this includes where the land or the site contains a listed building or scheduled monument. In such instances, planning permission is required. The District Council receives requests to film at Newark Castle and Newark Palace Theatre & National Civil War Centre (NCWC) frequently, but it is generally not practical for those wishing to film to go through the planning permission process.

Local Development Orders (LDOs) are a tool that planning authorities can use, under Section 61A of the Town and Country Planning Act 1990, to grant planning permission for a type of development within a defined area as long as certain conditions are met. A LDO is a ‘local’ version of the General Permitted Development Order. To adopt a Local Development Order, the drafted Order must be subject to a period of consultation,

consideration of responses and can include conditions such as a schedule for reviewing the LDO.

## **2.0 Proposal/Options Considered and Reasons for Recommendation**

It is proposed that Newark & Sherwood District Council create two LDOs to allow filming projects that comply with the conditions of the LDO to proceed at Newark Castle and the Palace Theatre & NCWC.

The likely conditions of the LDO are shown in the appendices associated with this document, although there are a few details still to be clarified with colleagues/partners before proceeding to public consultation. The conditions aim to ensure that the development (filming) will not negatively impact: the built and archaeological heritage of the sites; neighbours and the public; the environment; and highways. The LDO will also suggest inclusion of a condition that as soon as practical after filming the site is returned to its original state, with the removal of all equipment etc.

Currently, it is difficult for the Heritage & Culture team to effectively respond to enquiries they receive about filming at heritage sites. As things stand, if the Heritage & Culture team ask Planning Officers if prospective film makers need planning permission for projects at Newark Castle and Place Theatre & NCWC, then the answer is 'yes' and this deters many. There is no compulsion for NSDC to create Local Development Orders to deal with the issue of filming at heritage sites, however, there are benefits to adopting an LDO to help deal with this matter. The issues around filming at heritage sites are multifaceted, but by creating LDOs we can remove the planning layer of complexity so that the Heritage & Culture team only need consider the operational practicalities when responding to potential film-makers.

A benefit of proceeding with the LDO would be potentially unlocking a new source of revenue for the Heritage & Culture team; fees for filming at the sites could be re-invested to safeguard and enhance the District's heritage offer. Increased possibility of filming at these sites will also allow the indirect promotion of the town and District through the products of filming. Although some resources in terms of officer time will be invested in creating and then reviewing the LDOs, ultimately less officer time will be spent in dealing with filming enquiries due to the planning elements of permission having already been considered. It is considered that the increased efficiency the LDO would allow regarding filming enquiries and projects will enhance the Council's professional reputation.

## **3.0 Implications**

In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability, and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

## **Background Papers and Published Documents**

Appendix 1 – Draft Local Development Order - Filming, Newark Castle

Appendix 2 – Draft Local Development Order - Filming, Palace Theatre NCWC