

Local Development Order for Filming at Newark Palace Theatre & National Civil War Centre

Statement of Reasons

The Local Development Order (LDO) has been drafted to enable and control filming at the Palace Theatre and the National Civil War Centre (NCWC) in Newark-on-Trent. Filming at this site requires planning permission, which slows down and has effectively made unviable many potential projects. The LDO provides a framework through which permission for filming has been granted.

Allowing more external filming projects to go ahead will have several benefits:

- A new opportunity to generate income for the Heritage & Culture Business Unit of Newark & Sherwood District Council.
- Further opportunities to raise the profile of the Theatre, the town and the district through media channels.
- Enhancement of The District Council's reputation of being forward-looking, dynamic and helpful.

This LDO will support realising these benefits with minimal cost in terms of officer hours, once the LDO has been adopted. The order will allow filming enquires to be responded to efficiently and ensure opportunities to host filming at the Theatre and NCWC are not missed through unnecessary delays.

The LDO also includes conditions, to safeguard against the potential adverse effects of filming on: historic features; natural resources and habitats; neighbours and the public. This is set out in Part III – Conditions. This section sets out all conditions for compliance, including filming and illumination hours.

Policy Framework

The LDO is consistent with and will help deliver a number of national and local planning policies and guidance. Legislation for preparing and granting a Development Order is set out within Section 61A of the Town and Country Planning Act 1990

The National Planning Policy Framework (NPPF) 2023 advises that local planning authorities should consider using Local Development Orders to set the planning framework for areas or categories of development, where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area.

Additionally, the NPPF provides the framework for a number of areas that need to be considered when looking to approve development. For the purposes of this LDO, the following chapters are applicable:

- Achieving sustainable development
- Decision-making
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)

- Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
- Core Policy 7 – Tourism Development
- Core Policy 14 – Historic Environment
- NAP1 - Newark Urban Area

Allocations & Development Management DPD

- DM5 – Design
- DM9 – Protecting and Enhancing the Historic Environment

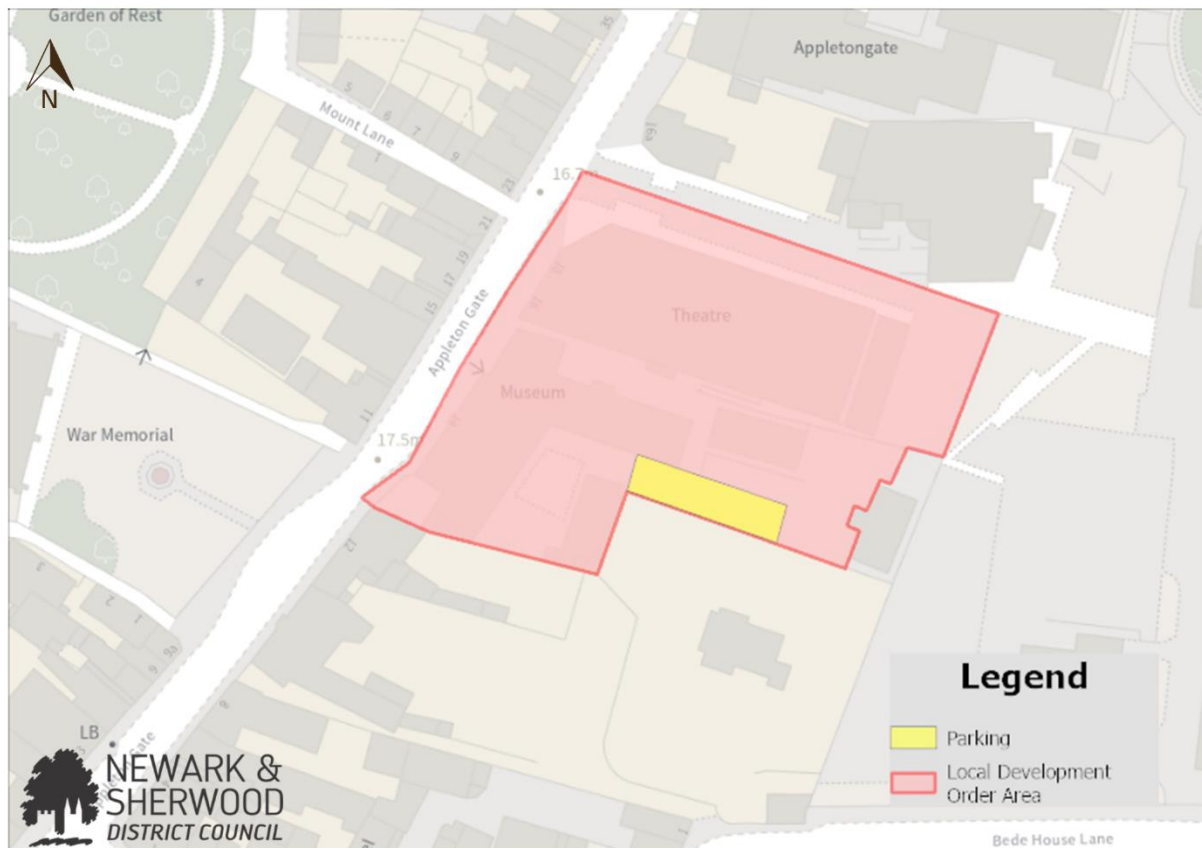
Additionally, both the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 are applicable.

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Local Development Order

Part I - Area covered by the Local Development Order (LDO)

The Palace Theatre and National Civil War Centre Filming Local Development Order



Part II - Description of Development

In pursuance of the powers under the above Act, Newark & Sherwood District Council hereby gives notice that planning permission has been approved for the carrying out of the development referred to below, subject to the conditions listed under Part III:

Permitted Development

- (a) The temporary use of any land or buildings for the purpose of commercial film-making; and
- (b) The provision on such land, during the filming period, of any temporary structures, works, plant or machinery required in connection with that use.

Development not permitted

The development is not permitted by the above if:

- i. the use of the land is for overnight accommodation.

Reason: Temporary structures sufficient for overnight accommodation are likely to materially harm the historic fabric of the site.

- ii. any temporary structure, works, plant or machinery is affixed to the historic fabric or features of the site.

Reason: The site includes a listed building, the materials of which must not be damaged, altered or defaced.

- iii. any temporary structure, works, plant or machinery would involve the disturbance of more than 100mm depth of surface soil/ground material.

Reason: The site is of archaeological interest and the soil should not be disturbed unnecessarily.

Part III – Conditions

Preamble

In these conditions:

'the Council' means Newark & Sherwood District Council

'the Development' means the works authorised by the Order;

'the Grounds' means the area of the Order shown edged red above outside of any built form – the Palace Theatre building, Civil War Centre building, Power House (rehearsal room), two ancillary buildings, boundary wall and any built form attached to any of these buildings/structures;

'the Local Planning Authority' means Newark & Sherwood District Council;

'the Order' means the Newark District Heritage Site Filming Local Development Order;

'the Site' means the area of the Order shown edged red above.

1. This Order permits filming subject to the condition that –

(a) the hours of filming are undertaken between 08:00 and 22:00 only and at no other time.

(b) noise impacts of the Development shall be limited to no more than 35 A-weighted decibels dB(A) at the nearest receptor between the hours of 08:00 and 20:00; and 30 dB(A) at the nearest receptor between 20:00 and 22:00. No noise arising from filming or any ancillary development or works shall take place outside of these hours.

(c) illumination of the Grounds shall be limited to the hours of 07:30 and 21:00; or sunset, whichever is earlier. Lighting for filming is not permitted outside of these hours. Additionally,

- i. there shall be no intermittent lighting directed into or onto any highway
- ii. lights shall not be shone directly towards residential or business properties at any time without specific permission (from the owner/occupier)
- iii. No lighting equipment shall be sited so as to:
 - Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civic or military)
 - Obscure, or hinder the ready interpretation of any traffic sign, railways signal or aid to navigation by water or air; or
 - Hinder the operation of any device use for the purpose of security, surveillance or for measuring the speed of any vehicle
- iv. Neither the visual amenity of the Site nor the safety of the public may be compromised by the provision of lighting and equipment.

(d) any temporary structure, works, plant or machinery provided shall not exceed the height of the existing highest element of any building on the Site, or 2800kgs weight.

- (e) any structure, works, plant or machinery provided under the Order must, as soon as practicable after the end of each filming period, be removed from the Site.
- (f) the land on which any Development permitted by this Order 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.
- (g) notifying the Local Planning Authority 10 working days prior to commencing filming of the intention to film. The notification shall include:
 - i. a written description of the proposed Development;
 - ii. a plan indicating the site and showing the proposed Development;
 - iii. the schedule of dates which make up the filming period in question;
 - iv. the developer's contact address;
 - v. the developer's email address if the developer is content to receive communications electronically

Other Statutory Requirements

Whilst the Order grants planning permission for filming at the Palace Theatre & National Civil War Centre, it does not grant other consents that may be required under other legislation. It will remain the responsibility of the developers to ensure that all other statutory requirements beyond the scope of the planning system are adhered to.

Failure to comply with the relevant statutory requirements could result in any Development being unlawful and may result in appropriate enforcement action being taken by the Council and/or other agencies. It is the responsibility of the developer that the Development to be in accordance with all relevant legislation.

Process details

If a planning application is not required, please allow up to six weeks for the process of liaising with the heritage & culture team to arrange filming.

The works shall be carried out in accordance with the approved details agreed with the Senior Operations Manager, Heritage & Culture.

These details will include at least:

- (a) dates and times of filming
- (b) maximum noise levels at different times during filming
- (c) scheduled on site liaison and orientation
- (d) compliance with site safety measures
- (e) the structure, works, plant or machinery to be used.

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