



Report to Planning Committee 6 August 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Julia Lockwood, Senior Planner (Conservation)

Report Summary			
Application No.	26/00503/LBC		
Proposal	A painted mural situated on one of the external walls to the courtyard		
Location	Palace Theatre 16 - 18 Appleton Gate Newark On Trent NG24 1JY		
Applicant	Newark and Sherwood District Council	Agent	Miss Jorja Le Gallienne C/O Newark Book Festival
Web Link	26/00503/LBC A painted mural situated on one of the external walls to the courtyard Palace Theatre 16 - 18 Appleton Gate Newark On Trent NG24 1JY		
Registered	20 April 2026	Target Date Extension of time	15 June 2026 7 August 2026
Recommendation	Approve, subject to conditions.		

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as the applicant is Newark and Sherwood District Council.

1.0 The Site

- 1.1 The application site is occupied by the Palace Theatre, a prominent Grade II listed building situated on Appleton Gate. It is physically connected by a modern extension to the National Civil War Centre (a Grade II* building comprising the former Tudor Hall and Headmaster's House of the Old Magnus School). To the rear of the single storey modern in-fill is a rear courtyard often accommodating tables and chairs providing an external seating area between the two buildings. The two buildings provide interconnecting services.

- 1.2 There are numerous 18th century Grade II listed buildings along Appleton Gate, both opposite the Theatre and on the same side of the road leading towards the town centre. The site is also within the designated Newark Conservation Area.

2.0 Relevant Planning History

- 2.1. Numerous applications have been submitted for new/upgrading/repair works and below are the list of applications submitted this year alone:
- 2.2. 26/00961/LBC - Proposed internal lighting works and associated electrical upgrades, pending consideration.
- 2.3. 26/00785/LBC - Proposed internal safety works consisting of:
 - New Catwalks on Box Tops
 - New Catwalk Platform & Ladder to the stage left fly floor
 - Replacement Stage Safety Fire Curtain,
 pending consideration, included in this Committee agenda.
- 2.4. 26/00704/LBCLDC - Application for Certificate of Lawfulness for Proposed Works to a Listed Building to fit hooks to walls in order to drape ropes across, Certificate issued 22.06.2026
- 2.5. 25/02069/LBCLDC - Application for Certificate of Lawfulness for Proposed Works to a Listed Building for replacement of some of the existing ironmongery including push bars, escutcheon plates, locksmith, and door handles with new brass plated ironmongery, approved 30.01.2026.
- 2.6. 25/02009/LBCLDC - Certificate of Lawfulness for Proposed Works to a Listed Building for removal of existing thermostat and relocation of new thermostat to side of stage, approved 19.01.2026

3.0 The Proposal

- 3.1 The application seeks listed building consent for the painting of a mural onto part of the south-facing external wall of the Theatre immediately adjacent to the rear of the flat roofed in-fill modern extension that sits between the Theatre and the National Civil War Centre. The lower section of this wall sits below the fire escape staircase and is finished in a render and currently painted a magnolia colour. The north boundary of the external courtyard is formed by an external brick wall forming part of the Civil War Centre.





- 3.2 The mural would measure approx 4m wide by 2.2m high and would sit below the row of existing window cills and would appear as shown in the mock-up proposed design below. It has been designed to celebrate Newark Book Festival. The Assessment submitted states that it would enhance the cultural offer of the site as it would be appreciated by visitors to the 1920 café outdoor seating area and the many school and community groups who use this area to walk between the Learning and Community Spaces, café and Visitor Information Centre.



- 3.3 Documents assessed in this appraisal:

- Application Form
- Site Location Plan
- Photo of Affected Area
- Photograph of Design of Mural
- Photograph of Mural In Place
- Heritage Impact Assessment

4.0 Departure/Public Advertisement Procedure

- 4.1 Occupiers of 22 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.
- 4.2 Site visit undertaken on 27 April 2026.

5.0 Planning Policy Framework

- 5.1. The Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') provides a presumption in favour of the preservation of Listed Buildings and preservation or enhancement of the character and appearance of Conservation Areas.
- 5.2. The Courts have accepted that Section 54A of the Town and Country Planning Act 1990 does not apply to decisions on applications for Listed Building Consents, since in those cases there is no statutory requirement to have regard to the provisions of the development plan. However, Local Planning Authorities are required to be mindful of their duty under the legal framework in determining such matters, i.e. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and take account of the following other material considerations:
- National Planning Policy Framework 2024 (as amended Feb 2025)
 - Planning Practice Guidance (online resource)
 - Historic England (2016) Making Changes to Heritage Assets: Advice Note 2
 - Newark and Sherwood Amended Core Strategy (adopted 2019) – Core Policy 14: Historic Environment
 - Allocations and Development Management DPD (adopted 2013) – Policy DM9: Protecting and Enhancing the Historic Environment
 - Draft Amended Allocations and Development Management Plan DPD – Policy DM9: Protecting and Enhancing the Historic Environment

6.0 Consultations and Representations

Please Note: Comments below are provided in summary - for comments in full please see the online planning file.

Statutory Consultations

- 6.1. None.

Town/Parish Council

- 6.2. Newark Town Council – No objection.

Representations/Non-Statutory Consultation

- 6.3. No comments have been received from any third party/local resident.

7.0 Comments of the Business Manager – Planning Development

- 7.1. The key issues are the impact on the special historic and architectural interest of the listed buildings and their setting and on the wider historic environment.
- 7.2. The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 'Presumption in Favour of Sustainable Development' of the Allocations and Development Management DPD.
- 7.3. As the application concerns the designated heritage assets of a listed building, listed building setting and the conservation area, sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') are particularly relevant. Section 16(2) requires the decision maker in considering whether to grant listed building consent for any works, to *"have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."* Section 72(1) also requires the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.
- 7.4. Core Policy 14 of the Amended Core Strategy states that the District Council will seek to secure the continued conservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment, in line with their identified significance as required in national policy. Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of the designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) and this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Policy DM9 of the Allocations and Development Management DPD states that all development proposals concerning heritage assets will be expected to secure their continued protection and enhancement, contribute to the wider vitality, viability and regeneration of the areas in which they are located and reinforce a strong sense of place. In Conservation Areas development proposals should take account of the distinctive character and setting of individual conservation areas including open spaces and natural features and reflect this in their layout, design, form, scale, mass,

use of materials and detailing. Impact on the character and appearance of Conservation Areas will require justification in accordance with CP14.

- 7.5. The importance of considering the impact of new development on the significance of heritage assets is expressed in Part 16 of the NPPF. Paragraph 8 of the Framework states that protecting and enhancing the historic environment is part of achieving sustainable development.

Summary of Significance of Heritage Asset(s)

- 7.6. The Palace Theatre (Grade II) was built in 1920 for Miss Emily Blagg, a notable local builder. The building was altered in the mid-20th century and was again altered and restored in 1988. The building is constructed of brick with a stucco front façade and stucco dressings. There are hipped and mansard slate roofs as well as artificial slate roofs. The main entrance has a dentilled cornice and 2 square piers. Round towers with cupolas and onion domes are situated on the 3 corners located at the front of the building, visible from the main street. The building houses a theatre and formerly 2 shops (evident from the timber shopfronts still facing the street frontage). The significance of the building is derived from its architectural features and detailing, historic association with Emily Blagg, and its historic and continued use as a theatre.
- 7.7. The proposed mural would directly face onto the Grade II* listed Former Magnus School was previously a grammar school with an adjoining headmaster's house, but was previously converted for use as the District Education Office and in 2015 was formed into the National Civil War Centre.
- 7.8. The former grammar school sits behind the former headmaster's house and the 2-storey property was built c.1532. The building was constructed using coursed rubble and brick with ashlar dressings and a plain tile roof. Visible to the right of the headmaster's house is a 3-light mullioned window and single light window. Below the windows sits a reset chamfered segmental pointed street gateway, with a 2-leaf panelled door. The tablet above is inscribed and notes that it was founded in 1529 by Reverend Thomas Magnus. There is also a Tudor archway with hood mould, which is partially visible from the street.
- 7.9. The former headmaster's house was constructed c.1817 by John Sadler Shepherd. The former headmaster's house is comprised of 3 storeys and was built using brick with stone dressings and a slate roof. The property fronts onto the main street (Appleton Gate). There are brick bands on the first and second floor, wooden eaves cornice, and a coped parapet. There are 6-over-6 glazing bar sash windows on the ground and first floors and 3-over-3 sash windows on the second floor. The windows located on the slightly protruding central bay are round headed and sit below a pediment. There is a central fielded 6-panel door with fanlight, with an open pediment on brackets rising from pilasters, which is constructed of stone.
- 7.10. The significance of the Former Magnus School buildings is derived from their age, architectural features and detailing, as well as their historic social use as a school and association with Reverend Thomas Magnus and John Sadler Shepherd.
- 7.11. The Palace Theatre, the Civil War Centre and the numerous other Grade II listed

buildings along Appleton Gate make a valued positive contribution to the character and appearance of Newark Conservation Area. The Theatre and Civil War Centre are valuable assets used by the local and wider community, the latter being a regional/national attraction.

Impact on the Special Interest of the Listed Buildings

- 7.12. The proposal mural would be in stark visual contrast to the existing plain magnolia painted wall with the book binders shown at an unusually large scale within an intimate small space. However, it is not overly prominent, it is relatively small scale for a mural being at ground floor level only, it would add visual and cultural interest and is unlikely to be viewed as particularly intrusive or an incongruous feature.
- 7.13. The wall represents the side elevation of the Theatre, tucked underneath an existing external modern metal fire escape staircase and to the rear of the single storey modern extension and therefore of limited significance in itself. Apart from being an important structural wall of the theatre building, it adds little to the overall architectural interest of the building, and the mural would respect the only architectural features of a row of blocked windows by commencing below the window cills. Furthermore, the mural represents a feature that is reversible and could be easily painted over in the event that it is no longer required. As such, it is considered that the proposal would not result in any harm to the historic and architectural special interest of the Palace Theatre.
- 7.14. In relation to the impact on the setting of the adjacent Grade II* listed, although relatively close to it and facing onto it, the mural would face a blank historic brick wall with no openings within it. As such, it is not considered that the mural would result in harm to the setting or significance of these high grade listed buildings.
- 7.15. Most of the large windows within the single storey modern extension are obscurely glazed and as such, the proposed mural would not be seen from the frontage of Appleton Gate and therefore would have no impact on the setting of surrounding listed buildings along the street and would preserve the character and appearance of Newark Conservation Area.

8.0 Implications

- 8.1. In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.
- 8.2. Legal Implications - LEG2627/8687

Planning Committee is the appropriate body to consider the content of this report. A Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of the application.

9.0 Conclusion

- 9.1. In compliance with Section 16 of the Act, special regard should be given to the desirability of preserving the listed building. Although the proposed mural represents a modern intervention, it is considered that it would result in no harm and would preserve the special historic and architectural interest of the Palace Theatre Listed Building, it would result in no harm to the setting and significance of the adjacent Grade II* Listed Buildings and it would preserve setting and significance of nearby Grade II Listed Buildings as well as the character and appearance of Newark Conservation Area.
- 9.2. The proposed works would also comply with Core Policy 14 of the Amended Core Strategy and Policy DM9 of the Allocations and Development Management DPD and the guidance within the NPPF, and it is therefore recommended that the works be approved, subject to conditions.

10.0 Conditions

01

The works to which this consent relates shall be begun no later than three years from the date of this consent.

Reason: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02

The works hereby approved, for a painted mural situated on one of the external walls to the courtyard, shall be carried out in accordance with the following approved plans and associated documents:

- Application Form
- Site Location Plan
- Photograph of Design of Mural
- Photograph of Mural In Place
- Heritage Impact Assessment

Reason: To ensure that the works take the agreed form envisaged by the District Planning Authority when determining the application and thus result in a satisfactory form of works.

Informatives

01

The Listed Building Consent is granted in strict accordance with the approved plans and specifications contained in this application. It should however be noted that:

- a) You and your agent or any other person responsible for implementing this consent

should inform the Local Planning Authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter, as any unauthorised works undertaken could constitute a criminal offence under the Planning (Listed Building and Conservation Areas) Act 1990 and could be liable for enforcement action.

b) The owner and/or developer is advised that the proposed works may require approval under the Building Regulations. Any amendments to the hereby permitted scheme that may be necessary to comply with the Building Regulations must also be approved in writing by the Local Planning Authority in order that any planning and listed building implications arising from those amendments may be properly considered.

02

Any damage caused by or during the course of the carrying out of the works hereby permitted should be made good within 3 months after they are complete. All new works unless specified on the approved plans and works of making good, whether internal or external, should be finished to match the adjacent work with regard to the methods used and to material, colour, texture and profile.

BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.

Committee Plan - 26/00503/LBC

