



Northumberland County Council

North Northumberland Local Area Committee 18th May 2023

Application No:	22/03726/FUL		
Proposal:	Temporary conversion of the Mobilisation Store to provide a 96-seat, cinema facility, including the siting of a temporary toilet block adjacent to the building.		
Site Address	Berwick Barracks, Parade, Berwick-Upon-Tweed, Northumberland TD15 1DF		
Applicant:	Miss Mullarkey Wansbeck Workspace, Rotary Parkway, Ashington, NE63 8QZ	Agent:	Mr Paul East The Straw Yard, Parade, Berwick-upon-Tweed, TD15 2JS
Ward	Berwick North	Parish	Berwick-upon-Tweed
Valid Date:	27 October 2022	Expiry Date:	23 May 2023
Case Officer Details:	Name: Mrs Christina Dowling Job Title: Senior Planning Officer Tel No: 07752783678 Email: Christina.Dowling@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to conditions.



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1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee due to concerns raised by nearby residents regarding the impact of the proposals upon designated heritage assets, neighbouring amenity and highway safety.

1.2 The application has been reviewed by the Committee Chairs and the Director of Planning, who requested that a decision on the application was taken by the Committee for the reason that it does raise issues of strategic, wider community or significant County Council Interest. Councillor Seymour also requested that the application be determined by the Committee.

2. Description of the Application Site and Proposals

Background

2.1 This application for planning permission is for the temporary conversion of the Mobilisation Store (Mob Store) at Berwick Barracks, Parade, Berwick-Upon-Tweed, to provide a 96-seat cinema facility (together with space for two wheelchair users). The proposals also include the siting of a temporary toilet block adjacent to the building.

2.2 Berwick Barracks are Grade I Listed buildings and are amongst the first purpose-built barracks to be built in England, completed in 1721. The Mob Store is a curtilage listed structure dating from the early 20th century. It was used to store military equipment, however, it is understood that the Barracks has not had a military purpose since 1963. The Mobilisation Store has recently been used by English Heritage to store architectural fragments until 2022. However, it is now vacant.

2.3 As the Mob Store is a curtilage listed structure, an application for Listed Building Consent (22/03727/LBC) for the proposed works has therefore been submitted and appears elsewhere on this agenda.

2.4 Whilst works are undertaken to construct the New Maltings theatre in Berwick-Upon-Tweed, there is a requirement to rehouse key components of the Maltings to provide continuity of facilities for visitors and the community, and it is proposed that the Mob Store is temporarily converted to provide a sound-proofed cinema facility. It would be designed in such a way that the Mob Store could then be adapted into an archive facility when the New Maltings is completed and the cinema is no longer required.

2.5 The applicant's Design and Access Statement states that it is envisaged that the Mob Store building will be used as a temporary cinema venue for the Maltings for 2-3 years from its completion in 2023.

The Application Site

2.6 The Berwick Barracks are located within the settlement boundary of Berwick-Upon-Tweed, within the defined town centre. They are also located within the Berwick-Upon-Tweed Conservation Area. The Mob Store is located to the southern boundary of the Barracks, just inside the line of the Elizabethan fortifications, which are Grade I Listed.

2.7 The Barracks are bounded to the north by Parade and Parade Green, to the south and west by the residential properties of Ravensdowne, and to the east by the historic town walls and the grass sloped embankments of the ramparts, which is a designated Scheduled Monument.

2.8 The Mob Store building is modest in scale, with a length of approximately 25 metres and a width of approximately 9.5 metres. It is a single storey building, constructed in roughly coursed, rock-faced sandstone, with a slate roof with coped gables and kneelers. It retains its original cast iron framed multi-paned windows. Internally, there is a single space with a lightweight steel truss and boarded roof structure. To the rear is a small lean-to.

2.9 The Mob Store is accessed either through the main Barracks complex or from Ravensdowne (which is a narrow road to the west of the Barracks) via the shared service yard and staff car parking area.

The Proposals

2.10 The proposals include converting the Mob Store to provide a cinema with 96 fixed seats. The seats would be laid out as nine rows of ten seats and one row with six seats (with space on either side of the front row for two wheelchair users). The proposals also include an entrance lobby, a small reception area (for the purchase of tickets and snacks) and a projection room, formed by internal partitions.

2.11 Thermal and acoustic upgrades will occur internally. Proposed refurbishment works to the building include repairs to the roof and the replacement of lead flashings where necessary; the removal of stone copes and their replacement following the installation of lead dpc flashing; the redecorating of existing fascias, gutters and downpipes; the repointing of any friable areas of mortar with lime cement mix, and the application of black out vinyl to the inner faces of windows.

2.12 The perimeter walls of the Mob Store will have a new insulated wall lining introduced to improve the overall thermal efficiency. The existing windows will be overboarded to block out daylight, with acoustic vents included to allow free air movement to the rear of the existing windows and the inner face of the glass will have a blackout film applied.

2.13 A small temporary modular toilet block would be provided to the west of the Mob Store, immediately adjacent to the main entrance to the cinema, which will include a covered ramped area. The new structure will be contemporary in appearance, with stained larch plywood external cladding panels to the walls, a black profile aluminium sheeting roof, low level painted render blockwork and a recessed painted plywood panel with the "Maltings" logo/cinema sign.

2.14 The demolition of a small existing lean-to store to the east elevation of the Mob Store with a volume of approximately 4.0 cubic metres will enable the provision of a new external plant enclosure and air handling unit.

2.15 The applicant's Heritage Statement and Design and Access Statement states that pedestrian access for the proposed cinema will be via the existing gated access off Parade, through Parade Square. The gate will only be open when the cinema has screenings to limit access to the site.

2.16 Proposed vehicle parking for users of the cinema is limited to 3no. new disabled parking bays located to the west of the proposed toilet block building. These will be accessed via Ravensdowne, with the gates from Ravensdowne being closed during any shows. The applicant's Design and Access Statement states that these spaces can only be used if pre-booked by Blue Badge holders when purchasing tickets to the cinema, and that a member of staff will provide controlled access to the vehicle gates off Ravensdowne to ensure no other vehicles can use the spaces or wider service yard area. All other visitors arriving by motor vehicles would be expected to park in nearby car parks, including the car park on Parade.

2.17 12no. new cycle parking spaces (6 Sheffield cycle hoops under a covered cycle shelter) would also be provided close to the proposed disabled car parking bays.

2.18 The applicant has also provided details of the space within the courtyard that can currently accommodate 7no. car parking spaces. As the current operations of Berwick Barracks are daytime only, these spaces would be available for staff use during the evening. However, further information supplied by the applicant states that they anticipate only two members of staff would park on-site.

2.19 Waste produced by the proposed cinema will be stored in bins directly to the south of the temporary toilet block within a gated enclosure and will be moved onto the footpath on the day of collection.

2.20 The Heritage Statement and Design and Access Statement states that it is anticipated that the cinema will generally be open six days a week (Tuesday to Sunday), although it will sometimes be open on Mondays. It is likely that weekday opening times would be around 2pm to 10.30pm in line with The Maltings' current cinema programme. It is anticipated that weekends will be similar, with some Saturday morning screenings for families (from 10.30am). Additional information supplied by the applicant indicates that operation days would be variable and assumes the following:

- (i) Core weekly programme of matinee/early evening screening Tuesday to Saturday;
- (ii) Evening screening Thursday to Saturday;
- (iii) Family films on Saturday mornings; and
- (iv) Sunday to Monday screenings only during peak times such as school holidays and / or first week of release films (which they need to screen every day for a week).

2.21 Additional information supplied by the applicant indicates that with regard to ticket sales, (between April 2024 and March 2025) they would anticipate selling on average 40no. tickets on Mondays, Tuesdays, Wednesdays and Sundays, 50no. tickets on Thursdays and 60no. tickets on Fridays and Saturdays.

2.22 Further information supplied by the applicant states that additional daytime access to the site is required for downloading films, set up and cleaning etc.

2.23 The application form states that the proposed cinema would result in 3no. Full time employees.

3. Planning History

Reference Number: 17/02000/FUL

Description: Change of use to class B1 including replace existing window with door.

Status: PER

Reference Number: 21/00043/TREECA

Description: Trees in a Conservation Area: T817 - Sycamore - remove hanging branch over footpath, T818 - Sycamore - Prune to clear/bridge/light, T853 - Sycamore - crown reduce by 2.5m, T856 - Sycamore - remove the epicormic growth, T865 - Sycamore - Crown clean to remove the branch stubs, T874 - Sycamore - repollard, T875 - Sycamore - repollard, T879 - Sycamore - Remove the epicormic growth, T882 - Sycamore - shorten branch with decay by approx 3m, T885 - Sycamore - remove the epicormic growth, T901 - Sycamore - reduce the remaining crown down to approx height of the failed stem and blen sides to re-balance, T908 - Elm -remove the epicormic growth and T910 - Sycamore - remove 2/3 branches overhanging roof of adjacent property to give 3m clearance

Status: NOOBJ

Reference Number: 22/00023/FDN

Description: 5 Day Notice to remove 1no. Sycamore damaged to East of Berwick Barracks on upper footpath along ramparts. Location marked as yellow circle on attached pdf map.

Status: COMMNT

Reference Number: 22/03436/LBC

Description: Listed building consent to convert two buildings to accommodate audiences and temporary conversion of mobilisation store to provide a 105-seat cinema facility, including a temporary toilet block

Status: APPRET

Reference Number: 22/03727/LBC

Description: Listed Building Consent: Temporary conversion of the Mobilisation Store to provide a 96-seat, cinema facility, including the siting of a temporary toilet block adjacent to the building

Status: PDE

Reference Number: 23/00512/FDN

Description: 5 Day Notice to Pollard 9no. Sycamore trees at Greenside Place to prevent damage to trees in high winds and keep clear of street lighting and buildings. Pollard 8no. Sycamore trees at Grosvenor Gardens to keep trees healthy and minimise risk of branch drops on nearby roof tops and historic masonry and 1no. Sycamore tree to be pollarded due to tree decline with major dead wood in crown.

Status: COMMNT

Reference Number: N/00/B/0069

Description: Tree works at berwick ramparts.

Status: PER

4. Consultee Responses

Berwick-upon-Tweed Town Council (1)	Members noted the objections by members of the public, however, after consideration, they resolved to support the application.
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Berwick-upon-Tweed Town Council (2)	Members expressed concerns regarding the proposal and requested that NCC acknowledge the concerns of residents, recognise the need for a management plan for access and egress which minimises the impact on residents and that NCCs Highways Department tack account of the impact of anti-social parking in the area around the location.
Berwick-upon-Tweed Town Council (3)	After expressing gratitude for the additional information provided with regards to access to the site it was unanimously resolved to offer no objection to the proposals.
Berwick-upon-Tweed Town Council (4)	No objections subject to no objections from both environmental health and highways.
Building Conservation (1)	Support - subject to conditions to ensure no harm to significance. Large scale details of the bin store and plant enclosures, including how the gates would be secured – limited fixings into the stone boundary wall - to be submitted for approval.
Building Conservation (2)	Support - subject to condition to ensure no harm to significance. Colour / finish for the cycle shelter Large scale details of the bin store and plant enclosures, including how the gates would be secured – limited fixings into the stone boundary wall.
Historic England	We consider that the proposal presents a sensitive approach to the temporary use of a historic building, with the added benefits of repair and improved environmental performance. This reflects para. 197 of the National Planning Policy Framework which asks that the desirability of sensitively sustaining historic buildings and the social and economic value of doing so is considered in applications. No objection to the applications on heritage grounds.
County Archaeologist	No objection subject to a condition requiring a programme of archaeological mitigation being undertaken.
Environmental Protection (1)	No objection.
Environmental Protection (2)	Object – further information required, including foul water disposal, the applicant’s Noise Impact Assessment and noise attenuation.
Environmental Protection (3)	No objection subject to conditions relating to the verification of cinema noise, verification of noise from fixed plant, dealing with justified noise complaints, restrictions on construction working hours, restriction on construction delivery and collection hours, restrictions on the operational times of the cinema, and dealing with contamination not previously identified. Informatives are also suggested with regard to artificial illumination and statutory nuisance action should substantiated complaints be received.
Lead Local Flood Authority (LLFA) (1)	No objection.
Lead Local Flood Authority (LLFA) (2)	The additional information submitted is in relation to foul drainage. No comment.

Highways (1)	Additional information is required with regard to accident data, total capacity and events, existing and proposed car parking spaces, cycle parking and any changes to existing access, operations and staff parking.
Highways (2)	Additional information relating to accident data is still required.
Highways (3)	No objections subject to conditions relating to external lighting, the implementation of the car parking area, cycle parking and the completion of the highway works prior to occupation, the submission of details of surface water drainage, the submission of a Travel Plan, the submission of a Demolition and Construction Method Statement, no external refuse or refuse containers being stored outside of the approved refuse storage area, restrictions on the use to a cinema, the submission of a Deliveries and Servicing Management Plan, and the submission of a Car Parking Management Strategy. Informatives are also suggested with regard to alterations to the existing vehicle crossing point(s), the agreement of any offsite highway works, a highway condition survey, any required temporary traffic management measures, a reminder to not store building material or equipment on the highway and a reminder to not deposit mud/ debris/rubbish on the highway.
County Ecologist (1)	Foul Sewerage is to be disposed of by a new septic tank. In view of the proximity of protected sites, details of this, including location, capacity and predicted volume of foul water drainage. Please also provide details of where the effluent will discharge.
County Ecologist (2)	Further information is required on private foul water drainage systems. The justification for not connecting the foul water drainage to the main drains should clearly be set out. If a cesspit tank is the only justified option here, then the discharge or emptying process should be clarified including where the effluent will end up.
County Ecologist (3)	No objection subject to conditions, including bat roosts and the provision of two bat boxes installed to the east and west aspect of the building, the timing of works to protect birds nests and details of the destination of the contents of the cesspool which must avoid the use of specific Sewerage Treatment Works.
Natural England (1)	No objection. Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
Natural England (2)	No objection. The proposed amendments are unlikely to have significantly different impacts on the natural environment than the original proposal.
Strategic Estates	No response received.
Fire & Rescue Service	No objection.
Architectural Liaison Officer - Police (1)	Support. However, although the covered entrance is aesthetically pleasing there are concerns that the concealed recess may be a risk. From a crime and disorder perspective

	there should be a securable entrance door to the covered space.
Architectural Liaison Officer – Police (2)	Clarification has been provided and we note the extra security provision being proposed to prevent ad-hoc gatherings in the entrance ramp area.
Northumbria Ambulance Service	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	42
Number of Objections	8
Number of Support	8
Number of General Comments	0

Notices

Site Notice - Conservation Area and Affecting Listed Building, posted 11th November 2022

Press Notice - Berwick Advertiser, published 10th November 2022

Summary of Responses:

5.1 Representations have been received from 16no. contributors.

Objection

5.2 A total of 8no. objections have been received from the occupants of five residential properties within Ravensdowne. The issues raised by objectors are summarised as follows:

- A cinema is not appropriate for a quiet residential area
- Noise from cinema and comings and goings of pedestrians and vehicles
- The applicant's information is inconsistent in terms of how many screenings there would be in a day and how many days the cinema would operate
- Odours from toilet block septic tank
- Loss of privacy
- Loss of outlook – overlooking toilet block
- Impact on character of Conservation Area – this is a quiet residential area on the edge of the town centre and a large scale visitor attraction would not be in keeping and would be harmful to the character of the Conservation Area.
- Adverse impact on the Listed Building by acoustic mitigation and temporary toilet block
- Traffic and parking issues. On site parking is inadequate. The Parade car park is often full. People will park on Ravensdowne. Existing access from Ravensdowne is narrow. Emergency vehicles may not be able to access

Ravensdowne. Extra vehicle movements will impact on highway and pedestrian safety.

- Light pollution
- Construction work

5.3 It is noted that further objections have been received in response to the accompanying Listed Building Consent application. However, such comments are similar to those submitted in objection to the planning application.

Support

5.4 A total of 8no. supporting comments have been received. The issues raised are as follows:

- Proposals will assist in economic regeneration of Berwick. The Maltings Theatre and Cinema is a crucial asset to the Town and to the local economy. Maintaining cinema provision in the centre of Berwick is a crucial public benefit and a much-needed element of Berwick's economy.
- There will be investment in an underutilised historic asset and benefits will endure once the temporary use has ceased. The refurbishment work will pave the way for the subsequent adaptation of the building as a new Archive/ Records Centre.
- Proposals will bring the Mobilisation Store back in to use
- This is the best option for providing a cinema for the town whilst the Maltings is being rebuilt
- It will create a hub for arts and creativity
- An opportunity to start rebuilding the links between the Barracks and its local community, by encouraging people to visit the site
- Adequate car parking is available on the Parade, Wallace Green, Coxon's Lane, Church Street and Chapel Street

5.5 The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=RJIZM2QSK8P00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan 2016-2036 (Adopted March 2022)

STP 1 - Spatial strategy (Strategic Policy)

STP 2 - Presumption in favour of sustainable development (Strategic Policy)

STP 3 - Principles of sustainable development (Strategic Policy)

STP 4 - Climate change mitigation and adaptation (Strategic Policy)

STP 5 - Health and wellbeing (Strategic Policy)

ECN 1 - Planning strategy for the economy (Strategic Policy)

ECN 15 - Tourism and visitor development

TCS 1 - Hierarchy of centres (Strategic Policy)

TCS 3 - Maintaining and enhancing the role of centres (Strategic Policy)

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 3 - Public realm design principles

QOP 6 - Delivering well-designed places
TRA 1 - Promoting sustainable connections (Strategic Policy)
TRA 2 - The effects of development on the transport network
TRA 4 - Parking provision in new development
ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 - Biodiversity and geodiversity
ENV 7 - Historic environment and heritage assets
ENV 9 - Conservation Areas
POL 1 - Unstable and contaminated land
POL 2 - Pollution and air, soil and water quality
INF 1 - Delivering development related infrastructure (Strategic Policy)
INF 2 - Community services and facilities
INF 6 - Planning obligations
WAT 1 - Water quality
WAT 2 - Water supply and sewerage

6.2 National Planning Policy

NPPF - The National Planning Policy Framework (NPPF) (July 2021)

NPPG – National Planning Practice Guidance (2021, as updated)

6.3 Neighbourhood Planning Policy

Berwick-upon-Tweed is a designated area for neighbourhood planning, but a draft Neighbourhood Plan has yet to emerge.

6.4 Other Documents/Strategies

National Design Guide (2019)

Planning (Listed Building and Conservation Areas) Act 1990

Historic Environment Good Practice Advice in Planning 3: The Setting of Heritage Assets (2017)

Berwick-upon-Tweed Conservation Area Character Appraisal and Management Strategy (2008)

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Northumberland Local Plan (NLP) (2022). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 219 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that

may be given to them. The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.3 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. The main considerations in assessing this proposal are:

- Principle of Development
- Design, Scale and Visual Impact
- Impact on Heritage Assets
- Archaeology
- Residential Amenity
- Highways
- Ecology
- Contaminated Land
- Climate Change
- Broadband Connectivity
- Other Matters

Principle of Development

The spatial strategy, the economy and tourism

7.4 The Northumberland Local Plan's spatial strategy, set out in Policy STP 1, places Berwick-upon-Tweed in the top tier of 'main towns' that are to be the main foci for employment, housing, retail and services.

7.5 Policy TCS 1 confirms Berwick-upon-Tweed's defined centre as part of an upper tier of seven centres, where growth will be supported and encouraged in order to help maintain and reinforce that role.

7.6 Policy ECN 1 stresses that the Plan is seeking to deliver economic growth, including through supporting town centres as locations for employment and business, promoting tourism and the visitor economy, and recognising the role of the County's historic environment as a driver of economic development.

7.7 The 'Borderlands inclusive Growth Deal' covers Local Authority areas on either side of the England / Scotland border, which have a 'shared ambition' to boost green growth and attract new investment. The initiative has a number of limbs, one of which is "*Improving Places*", aiming to "*revitalise places across the Borderlands region to attract people to live, work and visit*". The ways in which the Growth Deal would facilitate this include "*strategic projects that will transform the role and perception of places in the region*", "*investing in smaller market towns to reinvigorate and repurpose towns*", and "*capitalising on ... heritage, cultural and recreational assets to promote the region as a destination to visit and as a place to live and work*".

7.8 These aims are to be translated into a major project for Berwick, the Berwick Theatre. The town's theatre, cinema and some other arts facilities currently occupy the 'Maltings' building and, under the initiative, this is to be transformed. The Growth Deal document states:

“The new Maltings Venue will be an iconic, multi-purpose cultural and entertainment complex, transforming the appeal of Berwick-upon-Tweed as an attractive, high quality visitor destination. ... The uplift in scale and configuration of the existing facilities will create a high-quality attraction that will be a major draw, delivering a step change in audience numbers and making a significant contribution to increasing visitors to Berwick-upon-Tweed. A larger auditorium will attract larger touring productions and higher profile headline live performances; with a dedicated, authentic cinema also part of the offer. The new environment will be highly accessible throughout, benefitting visitors and performers alike.”

7.9 The Council’s Economic Strategy sees the theatre project as a key aspect of a wider agenda to strengthen Berwick, which also looks to improve the strategic infrastructure, the town centre’s ‘offer’ and its overall attractiveness.

7.10 The Maltings scheme and facilitation of the project is important within the planning strategy for Berwick and the wider County. The appropriate temporary accommodation of the cinema and other functions from the Maltings is a key aspect of this facilitation and is therefore supported in principle.

7.11 The scale of what is being proposed at the Maltings is such that it is being developed to serve, not just the cultural demands of the town and its wide hinterland, but also the considerable number of people who visit the town each year. Policy ECN 15 of the Local Plan promotes Northumberland as a destination for tourists and visitors, facilitating the potential for the County to be a destination for, among other things, heritage and cultural visits. Main Towns and Service Centres are prioritised for the development of significant new facilities.

Town centre considerations

7.12 Section 7 of the NPPF deals with ensuring the vitality of town centres. Planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. The sequential approach encourages town centre uses (which includes cinemas) to be located in town centres.

7.13 The Barracks and its associated buildings lie within the town centre boundary. Within these defined boundaries, Policy TCS 3 of the Northumberland Local Plan promotes the role of centres as “*community and service hubs*”, as well as “*vital and viable centres for shopping, business, culture and leisure*”, and as “*places to live, work and visit*”.

7.14 Part 2(d) of Policy TCS 3, states that within the constraints of built conservation policies, small scale opportunities are allowed for the enhancement of town centre offer in the defined centre of Berwick-Upon-Tweed. Part 4 states that all development of additional Main Town Centre Uses will be considered positively if it will deliver social, economic and /or environmental benefits for the centre, but it must be in scale with the size and function of the centre.

7.15 As such, if cultural spaces and facilities, serving the local community and visitors, can be accommodated within a defined historic centre, this is to be preferred to an out of centre location. The repurposing of historic buildings in a constrained,

historic centre is supported, not just in terms of the facilities to be accommodated but also insofar as historic assets can be kept in use and maintained.

7.16 It is therefore considered that the proposed development is acceptable in principle and is in accordance with the National Planning Policy Framework and Policies STP 1, TCS 1, TCS 3, ECN 1 and ECN 15 of the Northumberland Local Plan.

Design, Scale and Visual Impact

7.17 Paragraph 126 of the NPPF states “the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

7.18 Paragraph 130 states planning decisions should ensure that developments add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and landscaping; are sympathetic to local character, including the surrounding built environment and landscape setting, establish a strong sense of place, and create places that are safe and accessible.

7.19 Policy QOP 1 of the Northumberland Local Plan states, amongst other things, that development proposals should make a positive contribution to local character and distinctiveness; create or contribute to a strong sense of place and integrate the built form of the development with the site overall, and the wider local area, having particular regard to matters such as building heights, the form, scale and massing, prevailing around the site; be visually attractive and incorporate high quality materials and detailing; respect and enhance the natural, developed and historic environment, including heritage, environmental and ecological assets, and any significant views or landscape setting; ensure that buildings and spaces are functional and adaptable for future uses; support health and wellbeing and enhance quality of life; support positive social interaction and a safe and secure environment, including measures where relevant to reduce the risk of crime and the fear of crime; not cause unacceptable harm to the amenity of existing and future occupiers of the site and its surroundings; incorporate, where possible, green infrastructure and opportunities to support wildlife, while minimising impact on biodiversity and contributing to environmental net gains; ensure the longevity of buildings and spaces, and secure social, economic and environmental benefits.

7.20 Policy QOP 2 requires development to provide a high standard of amenity and ensure that the physical presence and design of the development does not have a visually obtrusive or overbearing impact on neighbouring uses.

7.21 Consideration must therefore be given to the design and scale of the proposed development and its impact on visual amenity.

7.22 The proposed refurbishment works to the Mob Store are minor in nature. However, they will enhance the appearance of the building. The proposed temporary toilet block and covered entrance structure is relatively small in scale. However, it will obscure views of the Mob Store and would therefore detract to some extent from views from the west. Although it may not be considered to be an appropriate permanent structure due to its location and use of materials, it is considered to be

acceptable for a temporary period. The external plant enclosure has been designed to be lower than the adjacent boundary wall to minimise its impact.

7.23 Due to the relatively small scale of the proposed development, it is considered that its physical presence and design would not have a visually obtrusive or overbearing impact on neighbouring uses. The proposed recreational use will support health and wellbeing and enhance quality of life, and support positive social interaction. In addition, the proposal will result in a refurbished building that is functional and readily adaptable for future uses.

7.24 The Police Architectural Liaison Officer has been consulted on the proposed development and they have advised that they support the proposals. Although they initially raised a concern relating to the covered entrance, the applicant provided further clarification on matters, including extra security to prevent gatherings in the entrance ramp area. As such, it is considered that the proposed development would provide a safe and secure environment.

7.25 The proposed development is considered to be acceptable with regard to its design, scale and visual impact. As such, the proposals are in accordance with Policies QOP1 and QOP 2 and the National Planning Policy Framework in this respect.

Impact on Heritage Assets

7.26 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

7.27 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

7.28 Chapter 16 of the National Planning Policy Framework deals with making decision on heritage assets.

7.29 Policy ENV 1 of the Northumberland Local Plan requires that the character and/or significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by:

- a. Giving appropriate weight to the statutory purposes and special qualities of the hierarchy of international, national and local designated and non-designated nature and historic conservation assets or sites and their settings.

7.30 Policy ENV 7 requires developments to ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings. Where development proposals would cause less than substantial harm to the significance of designated heritage assets, this will be weighed against the public benefits of the proposal, including securing the optimum use that is viable and justifiable.

7.31 Policy ENV 9 requires that we ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings.

7.32 Historic England have been consulted on the proposed development. They have advised that the proposed internal works would have a light touch on the historic fabric, and they will also help to facilitate a more permanent use once the cinema use is no longer required. Externally, the toilet block addition has a greater design quality than most temporary structures, although because it obscures the main entrance it detracts from the Mob Store's appearance.

7.33 Nevertheless, Historic England consider that the proposal presents a sensitive approach to the temporary use of a historic building, with the added benefits of repair and improved environmental performance. This reflects paragraph 197 of the National Planning Policy Framework which asks that the desirability of sensitively sustaining historic buildings and the social and economic value of doing so is considered.

7.34 Historic England has therefore advised that they have no objection to the proposals on heritage grounds, subject to it being time-limited through condition.

7.35 The Council's Built Heritage and Design Officer has been consulted on the proposed development.

7.36 They have advised that the Mob Store is an open plan space. Some subdivision is proposed, however most of the space would remain open plan. The removal of the existing internal lobby would not harm the significance as this is a later addition. The ceiling frame structure would remain exposed within the cinema space and the partitions to form two lobbies, a reception and a projection room would not compromise the lightweight steel truss and boarded roof structure.

7.37 The windows are bespoke metal framed trellised windows and each section has a rose motif at its centre. Blackout vinyl would be applied internally to the glass panes, which is acceptable as a reversible temporary measure.

7.38 The proposed temporary toilet block would ensure that toilet provision is not required in the main Mob Store building, therefore retaining the historic open plan layout. The Built Heritage and Design Officer has advised that although the toilet block would have a limited impact on the overall setting, it would only be acceptable if for a temporary period. They have therefore requested that a condition is included to ensure that the proposed toilet block, together with the associated septic tank, are approved for a temporary period only. A condition has been included with regard to the proposed development being for a temporary period of 3 years, after which time any buildings, structures or works shall be removed from the site and the land restored to its former condition.

7.39 A bin storage enclosure would be provided to the rear of the temporary toilet block, with a post and gate attached to the existing wall. The Built Heritage and Design Officer has advised that details are required, including the method of securing the temporary screening and access gate. Such a condition has been included.

7.40 It is proposed to break out and re-lay the existing surface treatment to the west of the temporary toilet block to provide three accessible parking spaces and cycle parking. The Built Heritage and Design Officer has advised that the use of tarmac is appropriate, as it is evident elsewhere in the Barracks site.

7.41 A lean-to structure would be demolished at the east end of the Mob Store. This is a small outbuilding with low significance. A larger plant enclosure area would be formed between the wall of the Mob Store and the surrounding listed wall. The Built Heritage and Design Officer has advised that details of the access gate and post are required, limiting fixings into the stone boundary wall. Such a condition has been included.

7.42 The Built Heritage and Design Officer has advised that the proposed development complies with Policy ENV 7 (1) which requires new development to conserve and enhance the significance of heritage assets. They support the proposed development, and subject to the inclusion of conditions as stated above, they consider that the proposed development would result in no harm to significance.

7.43 It is considered that the proposed development would conserve and enhance the significance, quality and integrity of the heritage assets and their settings, including the listed buildings, their setting and any features of special architectural or historic interest, and the character and appearance of the Berwick-Upon-Tweed Conservation Area.

7.44 As such, the proposed development is considered to be in accordance with Policies ENV 1, ENV 7 and ENV9 of the Northumberland Local Plan and the National Planning Policy Framework with regard to its impact on heritage assets.

Archaeology

7.45 Section 16 of the National Planning Policy Framework deals with Archaeology.

7.46 Policy ENV 7 requires development proposals to ensure the conservation and enhancement of the significance, quality and integrity of heritage assets, including archaeological interest.

7.47 The County Archaeologist has been consulted on the proposed development.

7.48 For the most part the proposed works relate to alterations to the existing buildings, with the exception of localised demolition works (lean-to building), construction of the new toilet block (and associated services, including the cesspool tank), and new service connections.

7.49 These proposed works have potential to damage or disturb any unrecorded archaeological remains that may be present below the ground surface. Given the records of medieval midden material being recorded during archaeological works south of the Barracks in 1998, there is potential unrecorded archaeological remains to be damaged or disturbed by any excavations required by the above works.

7.50 The County Archaeologist has advised that there are no objections to the proposed development on archaeological grounds subject to a programme of archaeological mitigation being undertaken in association with the development works.

7.51 Subject to such a condition, the proposed development is considered to be acceptable with regard to its impact on archaeology and is in accordance with Policy ENV 7 of the Northumberland Local Plan and the National Planning Policy Framework.

Impact upon Residential Amenity

7.52 Policy QOP 1 (Design Principles) of the NLP sets out a number of design principles, one of which is that development proposals should not cause unacceptable harm to the amenity of existing and future occupiers of the site and its surroundings.

7.53 Policy QOP 2 (Good design and amenity) of the Northumberland Local Plan states that development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area. Developments will need to ensure that specific criteria are met, including requiring the physical presence and design of the development to preserve the character of the area and not have a visually obtrusive or overbearing impact on neighbouring uses, while outlook from habitable areas of the development is not oppressive and the best outcomes for outlook are achieved wherever possible. Also, appropriate levels of privacy, according to the use of buildings and spaces, are required to be incorporated into the design of the new development and are not unacceptably harmed in existing neighbourhood development. Furthermore, it is required that there are no unacceptable adverse impacts from noise, disturbances and any other harmful effects, resulting from either the development or from neighbouring uses on the development.

7.54 Paragraph 130 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.55 Objections have been received from nearby residents with regard to noise and disturbance associated with the proposed cinema itself and the comings and goings of pedestrians and vehicles. Residents are also concerned about potential odours from the proposed toilet block, which includes a cesspool tank. Residents are concerned that the proposals would result in harmful impacts on their residential amenity. A number of residents have commissioned their own noise impact assessment (NJD Environmental Associates) in response to the noise impact assessment submitted in support of the application (Sandy Brown Ltd).

Noise Associated with Cinema

7.56 The application is supported by a Noise Impact Assessment (Sandy Brown Ltd). A noise survey was carried out at the site to measure the existing background noise level at the nearest noise sensitive premises and to quantify the sound insulation of the existing buildings. The report states that the minimum background noise in the area is typically LA90 40 dB. The sound insulation of the building envelopes is comparatively poor, being limited by old single glazed windows, poorly sealed doors and slate roofs or exposed sarking boards with no insulation or ceilings below them. A 3D noise model has been created to predict the noise egress from the building with the intended use. The model highlights that cinema noise would be considerably above the background sound at low frequencies outside the nearest houses, and so

are likely to be clearly audible. The noise consultant provided recommendations for upgrading the windows of the Mob Store, including installing plasterboard covers inside the existing windows, and upgrading the roof with a plasterboard ceiling below the existing metal roof trusses. The proposed new fire exit door would need to be acoustically rated. The noise consultants have also given outline advice on noise control of building services, and for surface finishes to control the reverberation time in the cinema.

7.57 Following concerns raised by local residents and the submission of the residents' own noise assessment by NJD (that measured background noise levels to be lower than the applicant's consultant's levels) and further information requested by the Council's Environmental Protection Team, the applicant submitted a further report which included information with regard to how the background noise levels were recorded, cinema noise levels, cinema noise egress and building services noise.

7.58 The Council's Environmental Protection Team has been consulted on the proposed development. They have considered the proposals, together with the applicant's noise impact assessment, the residents' objections (including their own noise impact assessment) and the applicant's additional information.

7.59 The Environmental Protection Team requested further information with regard to the findings of the applicant's noise report and the proposed noise attenuation measures and requested a precise specification for areas such as ceilings, doors, window coverings and partition walls, to include confirmation of the acoustic attenuation provided by each element.

7.60 Following the receipt of additional information the Council's Environmental Protection Team has advised that they have no objection to the proposals, subject to the inclusion of planning conditions relating to the verification of cinema noise prior to the scheme being brought into use (to assess the level of cinema noise emissions at the boundary of the nearest noise sensitive receptors, which should meet the predicted noise level of 27dB LAeq at the boundary to the garden of the nearest noise residential receptor), the verification of fixed plant noise prior to the scheme being brought into use, restrictions on the operational opening hours of the cinema (9am to 10.30pm on all days), restrictions on the hours of construction works and restriction on the hours of construction deliveries/collections. All of these conditions have been included.

7.61 The Environmental Protection Team also requested a planning condition relating to how any justified noise complaints would be dealt with should they be received. However, it has since been agreed that such noise complaints would be more appropriately dealt with by the Council's Environmental Protection Team under the Environmental Protection Act 1990 in terms of statutory nuisance.

7.62 Local residents have stated that the applicant's information is inconsistent in terms of how many screenings there would be in a day and how many days the cinema would operate. The applicant has provided further information with regard to the anticipated number of screenings and the hours of operation of the cinema facility and these are outlined in paragraphs 2.20 and 2.21 of this report. The screenings will vary from day to day; however, they may take place every day, including Saturday mornings. Although the proposed cinema has capacity for 96 seats and space for two wheelchair users, the applicant anticipates selling on

average 40no. tickets on Mondays, Tuesdays, Wednesdays and Sundays, 50no. tickets on Thursdays and 60no. tickets on Fridays and Saturdays.

7.63 Given that the proposed use is for a relatively small building located within the town centre, it is considered that it is not necessary for the proposals to be restricted in terms of the number of screenings in any day. However, it is considered appropriate to restrict the opening hours of the use so that the cinema does not operate during unsocial hours, as recommended by the Council's Environmental Protection Team. As such, it is considered that the inclusion of a condition to restrict the hours of operation to between 9am and 10.30pm every day would be sufficient to ensure that the operation of the proposed cinema does not result in unacceptable impacts on residential amenity in terms of noise.

Noise and Disturbance Associated with Comings and Goings of Pedestrians and Vehicles

7.64 Residents of Ravensdowne are concerned that the comings and goings of pedestrians and vehicles associated with the operation of the proposed cinema will harm their residential amenities.

7.65 As outlined in paragraphs 2.15 to 2.18 above, pedestrian access for the proposed cinema will be via the existing gated access off Parade, and not via the existing access off Ravensdowne. A planning condition is included to ensure that pedestrian access for the users of the proposed cinema will be via Parade and that no pedestrian access will take place from the existing access from Ravensdowne.

7.66 Vehicle parking for users of the cinema is limited to 3no. proposed disabled parking bays which will be accessed via Ravensdowne. These spaces can only be used if pre-booked by Blue Badge holders when purchasing tickets to the cinema, and a member of staff will provide controlled access to the vehicle gates off Ravensdowne to ensure no other visitors vehicles can use the spaces or wider service yard area. All other visitors arriving by motor vehicles would be expected to park in nearby car parks, including the car park on Parade. Limited access for staff from the vehicular access off Ravensdowne will also be required, however, the applicant has advised that they anticipate only two members of staff would park on-site. A planning condition is included to ensure that on-site parking for the users of the cinema is restricted to the proposed 3no. disabled parking bays.

7.67 As such, it is considered that noise and disturbance associated with the comings and goings of pedestrians and vehicles associated with the proposed cinema use will be very limited and will not have an unacceptable impact on the residential amenities of the area, including on Ravensdowne.

Odours

7.68 The proposals include a cesspool tank associated with the proposed temporary toilet block. Residents are concerned that this may result in unpleasant odours that would be harmful to their residential amenities. The Environmental Protection Team requested further information on the proposed cesspool, including a justification as to why a cesspool tank was required rather than using a sewer connection for foul water from the development, and the intended frequency of emptying the cesspool tank.

7.69 The applicant submitted additional information that clarified the reason for the use of a below ground tank cesspool. The existing sewage system on the site discharges untreated directly to the sea and the nearest functional sewage system on Ravensdowne is at capacity and under certain conditions also discharges untreated to the sea. The submitted information and plans do not show any clear point of ventilation for gases and odours which might build up within the tank and would appear to be vented at the location of the tank at ground level. This has the potential to cause odours to be present in the location of the tank and not be vented away from local residential receptors and the development itself. The Environmental Protection Team recommends that ventilation is provided via a soil vent pipe at a suitable distance and height from the nearest residential receptors, preferably at the east façade of the Mob Store. They have not recommended a planning condition with regard to this. However, they have advised that the applicant should ensure that the potential for odours impacting residential receptors is mitigated to prevent the cause of any “statutory nuisance” which could lead to action under Section 79 of The Environmental Protection Act 1990. An informative with regard to this matter is therefore included.

Loss of Privacy and Outlook

7.70 Objections have also been received with regard to a loss of privacy associated with the proposed development and poor outlook from windows (associated with overlooking the proposed toilet block).

7.71 The proposed toilet block is relatively small in scale and although it is a temporary structure, it is of an acceptable design. Given the scale of the development, its design and use of materials, and the separation distances between the nearest residential properties and the proposed development, it is considered that there would not be any unacceptable loss of privacy or outlook associated with the proposals. Nor would the proposed development result in any unacceptable impacts with regard to matters such as overdominance.

Light Pollution

7.72 Residents have raised a concern with regard to light pollution associated with the proposed development.

7.73 The Council’s Environmental Protection Team has considered lighting impacts. They consider the site to fall within Environmental Zone E3 (Suburban - Medium District Brightness). No conditions are recommended with regard to lighting. However, the Environmental Protection Team has advised that the applicant should ensure that the potential for artificial lighting impacting residential receptors is mitigated to prevent the cause of any “statutory nuisance” which could lead to action under Section 79 of The Environmental Protection Act 1990. Such an informative is included.

7.74 Given the design of the proposed development, together with the separation distances between the proposed development and the existing nearby residential properties, it is considered that the development would not result in any substantive concerns regarding neighbouring amenity with regard to matters such as pedestrian and vehicular activity, noise, odours, overlooking and loss of privacy, loss of outlook, overbearing impacts and overdominance, overshadowing or loss of light with regard to the amenities of the existing residential properties.

7.75 Subject to the proposed conditions and informatives, the proposals are considered to be in accordance with Policies QOP 1 and QOP 2 of the Northumberland Local Plan and the principles of the NPPF in relation to impact upon residential amenity.

Highways

7.76 Policy TRA 1 of the Northumberland Local Plan promotes sustainable connections and states that the transport implications of development must be addressed as part of any planning application. Policy TRA 2 seeks to ensure that all development will minimise any adverse impacts upon the highway network. Policy TRA 4 sets out requirements for parking provision in new development.

7.77 Paragraph 111 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.78 Objections have been received from local residents with regard to matters such as additional traffic and vehicular movements, highway safety, vehicular access, and parking. They are concerned that the proposed on-site parking is inadequate. They consider that the Parade car park is often full, which may result in people parking on Ravensdowne, which is a narrow road. They are also concerned that emergency vehicles may not be able to access Ravensdowne. Residents are also concerned that the additional vehicle movements generated by the proposed development will impact on highway and pedestrian safety.

7.79 The applicant's Transport Statement states that the highway accident data has been reviewed for the most recently available five-year road safety record for the area surrounding the site and it is not considered that the data demonstrate any pre-existing patterns or trends of incidents that could be affected by the development proposals. A swept-path assessment has been undertaken which demonstrates that a large car can comfortably access the proposed three mobility standard parking spaces together with the largest anticipated service vehicle. As is the case for users of the existing Maltings site, standard parking provision for the relocated cinema venue is to be provided from the various town centre public car parks, with the closest being Parade Car Park located approximately 80m to the north-west.

7.80 The Transport Statement states that a total of 12no. cycle parking spaces will also be provided to cater for customers and staff access by bike. The proposed temporary facility will be similar in nature to the Maltings in terms of its town centre location (and proximity to the existing Maltings and surrounding public car parks) and proposed seating capacity/operations. As such, it is anticipated that the mode of travel utilised for both staff and visitors currently associated with the Maltings would remain. The applicant's Transport Statement states that it is therefore expected that the temporary relocation of the cinema would not in itself generate additional parking demand, with the town centre public car parks to remain sufficient in meeting the overall demand associated with the relocated facility.

7.81 The applicant's Transport Statement concludes that there are no outstanding reasons why the proposals should not be granted planning permission on highways grounds.

7.83 The Council's Highways Development Management Team has been consulted on the proposed development. They initially requested further information with regard to matters including accident data, total capacity, events, existing and proposed car parking spaces, staff car parking, cycle parking and any changes to existing access arrangements, which has been received.

7.84 The Highways Development Management Team has advised that the applicant has provided further information with regards to accident assessment data from the Traffic and Accident Unit (TADU). This indicates that there were no reported injury collisions within the study area during the study period and the most recent one was in 2005. The submitted details with regard to accident data is considered acceptable.

7.85 The Highways Development Management Team have advised that the proposal is for a temporary period, and it is located within the town centre. Given the anticipated trip generation from the proposed venue, they are satisfied that the parking provision required for these trips can be accommodated within the existing public car parks near to the site. As such, there are no unacceptable highway safety issues identified. Disabled parking is limited to 3no. spaces which will be controlled by being booked in advance and only 2no. members of staff would be expected to park on site. The Highways Development Management Team have advised that the applicant should promote the use of nearby car parks once the development is operational and they have requested that a Car Parking Management Plan is secured by condition. Such a condition is included.

7.86 To mitigate any impact during the construction phase of development, the Highways Development Management Team has advised that a planning condition is required with regard to the submission of a Demolition and Construction Method Statement and supporting plan, with suitable traffic management measures put in place for the safety of users and pedestrians in the vicinity of the site. A condition is also recommended for the submission of a Deliveries and Servicing Management Plan to secure details of servicing/delivery times and patterns to minimise disruption. A planning condition requiring the submission of a Travel Plan is also recommended, given this development is a visitor destination. All of these conditions have been included.

7.87 the Highways Development Management Team has advised that they have no objection subject to the inclusion of their recommended conditions relating to external lighting, the implementation of the car parking area, cycle parking and the highway works prior to occupation, the submission of details of surface water drainage, the submission of a Travel Plan, the submission of a Demolition and Construction Method Statement, no external refuse or refuse containers being stored outside of the approved refuse storage area, restrictions on the use to a cinema, the submission of a Deliveries and Servicing Management Plan, and the submission of a Car Parking Management Strategy. Informatives are also suggested with regard to alterations to the existing vehicle crossing point(s), the agreement of any offsite highway works, a highway condition survey, any required temporary traffic management measures, a reminder to not store building material or equipment on the highway and a reminder to not deposit mud/ debris/rubbish on the highway.

7.88 The Highways Development Management Team has requested a planning condition to restrict the use of the premises so that is only used as a temporary conversion and for no other purpose. A planning condition is included with regard to the development being for a temporary period of three years. However, it is not

considered that any further restriction on the proposed use is required as the planning application description specifies that the use is for a cinema and the detailed proposals relate to a cinema.

7.89 Residents have raised concerns regarding traffic and parking issues which may result in emergency vehicles not being able to access Ravensdowne. However, the Fire Officer has been consulted on the proposed development and has raised no objection.

7.90 It is therefore considered that subject to the above conditions and informatives, the proposed development would be acceptable in relation to highways matters. As such, the proposed development is considered to be in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan and the National Planning Policy Framework.

Ecology

7.91 Policy ENV 2 of the NLP seeks to minimise the impacts of development on biodiversity and geodiversity and to secure net biodiversity gains and /or wider ecological enhancements through new development.

7.92 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.93 Natural England has been consulted on the proposed development and they have advised that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes, and they therefore have no objection.

7.94 The Council's Ecology Team has been consulted on the proposals. In view of the proximity of protected sites, the Ecology Team requested further information on the proposed temporary toilet cesspool, including its capacity and predicted volume of foul water drainage, details of where the effluent will discharge, and a justification for not connecting the foul water drainage to the main drains.

7.95 Following the receipt of additional information, the Ecology Team has advised that they have no objection to the proposed development subject to conditions, including the protection of bat roosts and the provision of two bat boxes installed to the east and west aspect of the building, the timing of works to protect birds nests, and details of the destination of the contents of the proposed cesspool (which must avoid the use of specific Sewerage Treatment Works).

7.96 It is therefore considered that subject to such conditions, the proposed development would be acceptable with regard to its impact on biodiversity. As such, the proposals are considered to be in accordance with Policy ENV2 of the Northumberland Local Plan and the National Planning Policy Framework in this regard.

Land Contamination/Ground Gas

7.97 Policy POL 1 requires development proposals to demonstrate that unacceptable risks from contamination will be prevented.

7.98 The Council's Public Protection Team has been consulted on the proposed development.

7.99 With regard to contaminated land, they have advised that no significant ground intrusive works are proposed other than the installation of a below ground cesspool tank. The site is mostly hardstanding and therefore any pathway to ground contamination would remain in place. However, a condition has been recommended with regard to the means of addressing any unexpected contamination should it be encountered during the installation of the underground cesspool tank and any other groundworks. Such a condition has been included.

7.100 With regard to ground gas protection, the site lies just outside of a Coal Authority Development Low Risk Area and it is not within a "radon affected" area as show in the PHE/BGS radon potential dataset. Therefore, there would be no requirement to retrofit gas protection for either of these gas risks and the end receptors would not be vulnerable to the presence of such gases.

7.101 Subject to the recommended condition regarding unexpected contamination, the proposed development is considered to be acceptable with regard to contaminated land and ground gas. As such, the proposed development would be in accordance with Policy POL 1 of the Northumberland Local Plan.

Climate Change

7.102 The NPPF (paragraph 14) seeks to achieve sustainable development through overarching objectives including environmental objectives. The environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.103 Local Plan Policy QOP1 sets out a number of design principles. Proposals will be supported where design makes a positive contribution to local character and distinctiveness, creates or contributes a strong sense of place, incorporates high quality materials, respects and enhances the natural and built environment, including heritage, ensures that buildings are functional for future uses, supports health and wellbeing and enhances quality of life, protect general amenity, supports positive social interaction, incorporates where possible green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.104 Local Plan Policy QOP 5 relates to sustainable design and construction. In order to minimise resource use, mitigate climate change, and ensure development proposals are adaptable to a changing climate, proposals will be supported where they incorporate passive design measures which respond to existing and anticipated climatic conditions and improve the efficiency of heating, cooling, ventilation and lighting amongst other matters.

7.105 The supporting documents which accompany the application do not provide any information with respect to sustainable design and construction. It is therefore appropriate to attach a condition to the permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP1 and QOP5.

Broadband Connectivity

7.106 Policy ICT2 of the Northumberland Local Plan requires provision of full fibre broadband connections in new developments. Where this cannot be provided, alternative solutions may be appropriate where justified. The Policy states that where no broadband provision is included, developers will be required to demonstrate, including through consultation with broadband providers, that connections are not deliverable, and/or viable.

7.107 The current application does not state whether full-fibre broadband connections are proposed. It is recommended that further details of the proposed broadband connectivity for the development be secured by condition, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the NPPF.

Other Matters

Drainage

7.108 Policy WAT 2 (Water supply and sewerage) of the Northumberland Local Plan requires the satisfactory provision of adequate water supply and sewerage infrastructure. Policy WAT 3 (Flooding) refers to the potential for both on and off-site flood risk and requires proposals to demonstrate how flood risk will be minimised. Policy WAT 4 (Sustainable Drainage Systems) requires SuDS to be incorporated where necessary to control surface water run off.

7.109 As outlined above, the proposed temporary toilet block arrangements have been assessed as being acceptable. In addition, the LLFA have been consulted on the proposed development and they have confirmed that they have no comments to make on the proposals.

7.110 It is therefore considered that the proposed development would be acceptable in relation to Policies WAT 2, WAT3 and WAT 4 of the Northumberland Local Plan.

Equality Duty

7.111 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.112 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

7.113 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the

economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.114 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.115 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The proposed development is located within Berwick-Upon-Tweed Town Centre. The National Planning Policy Framework and the Northumberland Local Plan encourage town centres uses, such as cinemas, to be located within town centres in accordance with the sequential approach. The proposed development would assist in maintaining and enhancing the vitality and viability of the town centre, the economic regeneration of the town, and it would also facilitate the Maltings theatre project. The principle of the development is therefore supported.

8.2 The development is considered to be acceptable with regard to its impact on heritage assets, including the curtilage listed building of the Mob Store, the setting of the Grade I Listed Buildings at the Barracks, the Berwick-Upon Tweed Conservation Area and archaeology. The proposals would bring a vacant heritage asset back into use and the proposed refurbishment works would assist in its retention and future use when the temporary cinema is no longer needed. Works such as the temporary toilet block and internal alterations to provide fixed seating are readily reversible following the expiry of the temporary permission.

8.3 The concerns of nearby residents have been carefully considered with regard all matters, including impacts on residential amenity. However, given the detailed design of the development, its scale and the separation distances to nearby residential properties, together with the proposed vehicular and pedestrian access arrangements, it is considered that the proposed development is acceptable with regard to its impact on the residential amenities of the area.

8.4 The proposed development has been assessed with regard to highway safety, access and parking arrangements and is considered to be acceptable.

8.5 The proposals are also considered to be acceptable with regard to any impacts on biodiversity, land contamination and drainage.

8.6 The proposed development is for a temporary period of three years only. It is in accordance with the policies contained within the Northumberland Local Plan and the relevant sections of the National Planning Policy Framework and is therefore recommended for approval subject to conditions.

9. Recommendation

9.1 That this application be GRANTED permission subject to the following conditions:

Conditions/Reason

Temporary Permission

01. The development to which this permission relates is granted for a temporary period of three years, expiring on 01 June 2026. The use to which this permission relates shall not be carried out after the expiry date. Any buildings, structures or works implemented under this permission shall be removed from the site no later than the expiry date and the land restored to its former condition on or before that date.

Reason: At the request of the applicant and the use of the building is not considered to be suitable on a permanent basis for permanent retention by reason of its design in accordance with the National Planning Policy Framework and Policy ENV7 of the Northumberland Local Plan.

Approved Plans

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and documents. The approved plans and documents for this application are:

- i) Proposed Site Plan/Location Plan (Drawing Number: 1049(03)002)
- ii) Proposed Ground Floor Plan and Proposed Extended Site Plan (Drawing Number: 1049(20)003 Rev H) (Amended)
- iii) Proposed Elevations (North and South) (Drawing Number: 1049(21)003 Rev A) (Amended)
- iv) Proposed Elevations (East and West) (Drawing Number: 1049(21)005)
- v) Proposed Elevations (North and South - Outside Site Boundary) (Drawing Number: 1049(21)004)
- vi) Proposed Sections (A-A; B-B; C-C; and D-D) (Drawing Number: 1049(21)006)
- vii) Proposed GA Detailed Section (B-B) and Part North Elevation (Drawing Number: 1049(21)011)
- viii) Proposed Demolitions (Floor Plan and North and East Elevations) (Drawing Number: 1049(08)003)

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.

Materials

03. The materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the National Planning Policy Framework and Policies QOP 1, ENV 7 and ENV 9 of the Northumberland Local Plan.

Colour Finish of Cycle Shelter

04. Prior to the installation of the cycle shelter hereby permitted, details of the colour finish of the cycle shelter shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in the interests of visual amenity and the significance, quality and integrity of the listed building in accordance with the National Planning Policy Framework and Policies ENV7, ENV9 and QOP1 of the Northumberland Local Plan.

Bin Store and Plant Enclosures

05. Prior to the installation of the bin store and plant enclosures hereby permitted, large scale details of the bin store and plant enclosures, including details of how the gates would be secured (with limited fixings into the stone boundary wall) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in the interests of visual amenity and the significance, quality and integrity of the listed building in accordance with the National Planning Policy Framework and Policies ENV7, ENV9 and QOP1 of the Northumberland Local Plan.

Programme of Archaeological Work

06. A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site-Specific Requirements document (dated 09/12/22). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site-Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.

b) The archaeological recording scheme required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

c) The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological interest in accordance with the NPPF and Policy ENV7 of the Northumberland Local Plan.

Bat Roosts/Bat Boxes

07. Works to the buildings likely to affect known roosts shall not in any circumstances commence unless the local planning authority has been provided with either:

a. licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or

b. confirmation that the site is registered on a Bat Mitigation Class Licence issued by Natural England; or

c. written justification by a suitably qualified ecologist confirming why a licence is no longer required.

The applicant should note that Natural England require that licence applications are accompanied by survey data from the previous survey season or within twelve months of the application being made.

The development shall then only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the report (Bat survey for Berwick Barracks, EcoNorth 2022) which details the methods for maintaining the conservation status of (Common Pipistrelle bats), unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

The measures specified include:

- Works will not commence until those contractors involved have received a toolbox talk from a suitably qualified ecologist (the named ecologist on the Natural England license, or their accredited agent) to ensure they are aware of the presence of bat roosts on site, what to do in the event a bat is encountered at any time, and the working methods which must be implemented through the works period.
- Works on all buildings will proceed to a method statement produced by a suitably qualified ecologist (SQE), and which will form part of the license for the gym and mob store.
- No lighting will be installed which would illuminate bat roost sites either within the works area or adjacent buildings.
- Roosting opportunities for bats will be retained and created wherever possible on site as part of the works, including the installation of 2no. general purpose bat boxes, one of which will act as a receptor site in the event any bats are found during the works period. These will be placed on each side of the building as shown on drawing Number 1049(21)004.

- Works with the potential to affect roosting bats will not commence during the winter period (November to March inclusive) in order to ensure no hibernating bats are adversely affected. In the event works prior to this time have made the relevant sections of the structure unsuitable for such use prior to the start of November, works may continue throughout the winter period.
- No timber treatments which are poisonous to bats will be used

Reason: To maintain the favourable conservation status of a European protected species and maintain the biodiversity value of the site in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

In accordance with guidance issued by Natural England in bat mitigation licensing please note that breathable roofing membranes must not be installed into a roof used by bats. If the use of roof membranes is necessary, only Bitumen type 1F felt with a hessian matrix will be permitted under licence. In this case the bat population is such that no roofs in this development should use breathable roofing felt, as completely sealing older buildings from bats is unlikely to be possible throughout the life of the roof.

Birds Nests

08. Works with the potential to affect active bird nests will not commence during the nesting period (March - September inclusive) unless a checking survey by a Suitably Qualified Ecologist (SQE) has been undertaken no more than 5 days prior which confirms that no active nests are present or would be affected. In the event any active nests are identified at this time, the SQE will implement a buffer zone around these features into which no works will progress until the SQE confirms (via further checks / surveys) that the nest is no longer active.

Reason: To protect nesting birds as required under the Wildlife and Countryside Act 1981.

Disposal of Contents of Cesspool

09. Prior to the first use of the development the contract between the developer and the cesspool maintenance must be provided to and agreed in writing by the Local Planning Authority. This must set out the destination of the contents of the cesspool which must avoid the following:

Sewerage Treatment Works: Belford, Bowsden, Fenwick, Haggerston Castle Caravan Park, Holy Island, Lowick, Shoresdean, Waren Mill.

This must remain in place for the lifetime of the development.

Reason: To avoid impact to the Coastal European designated sites through the addition of nitrates into the Lindisfarne Nutrient Neutrality catchment.

Verification Noise Assessment / Addendum Report for Cinema Noise

10. Prior to the scheme being brought into use the applicant shall employ a competent acoustic consultant to assess the level of cinema noise emissions from the development at the boundary of the nearest noise sensitive receptors and the

applicant shall submit a report based on the consultant's findings to the Local Planning Authority for written approval.

The assessment shall confirm that a noise source of 85dB LAeq within the cinema shall meet the predicted noise level of 27dB LAeq at the boundary to the garden area of the nearest noise residential receptor.

Where the A-weighted noise from a cinema soundtrack is audible or can be measured above the ambient noise level at the Nearest Noise Sensitive Receptor, then appropriate mitigation measures shall be agreed and implemented in full within a timescale approved in writing by the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with the National Planning Policy Framework and Policies QOP2 and POL 2 of the Northumberland Local Plan.

Verification Noise Assessment / Addendum Report for Fixed Plant

11. Prior to the scheme being brought into use the applicant shall employ a competent acoustic consultant to either assess the level of fixed plant noise emissions from the development at the nearest noise sensitive receptors or carry out a desk-top assessment of the noise impacts based upon the final selection of plant to be installed as part of the development.

The assessment shall be undertaken in accordance with the methodology described in BS 4142:2014+A1:2019. The applicant shall submit a report based on the consultant's findings to the Local Planning Authority for written approval.

Where the noise levels from the fixed plant are in excess of 5dB below the background noise level (LA90) as shown in Table 2 of the Acoustic Report (Sandy Brown Ltd, ref: 22109-R01-A dated 4 April 2022) at the Nearest Noise Sensitive Receptors, appropriate mitigation measures shall be agreed and implemented in full within a timescale approved in writing by the Local Planning Authority.

* T shall be assessed as one hour during daytime (0700 - 2300) and five minutes at night (2300 - 0700).

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with the National Planning Policy Framework and Policies QOP2 and POL 2 of the Northumberland Local Plan.

Construction Period – Restriction on Noisy Activity

12. During the construction period, there should be no noisy activity from mobile plant, pneumatic equipment, power tools etc. audible at the site boundary, on Sundays or Bank Holidays or outside the hours:

Monday to Friday - 0800 to 1800.

Saturday 0800 to 1600.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with the National Planning Policy Framework and Policies QOP2 and POL 2 of the Northumberland Local Plan.

Construction Period – Restriction on Deliveries and Collections

13. Deliveries and collections to and from the site during the construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00

Saturday - 08:00 to 16:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with the National Planning Policy Framework and Policies QOP2 and POL 2 of the Northumberland Local Plan.

Opening Hours

14. During the operational period, no part of the cinema shall be open for any business outside the days and times of:

Monday to Friday, Saturday, Sunday and Bank Holidays - 0900 to 2230.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with the National Planning Policy Framework and Policies QOP2 and POL 2 of the Northumberland Local Plan.

Dealing with Unexpected Contamination

15. If during redevelopment contamination not previously identified is discovered, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants in accordance with the National Planning Policy Framework and Policy POL 1 of the Northumberland Local Plan.

External Lighting - Highways

16. The development shall not be brought into use until details of the external lighting of the building(s) and external area(s) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be

implemented before the development is brought into use and retained as such thereafter.

Reason: In the interests of amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

Implementation of Car Parking

17. The development shall not be brought into use until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been hard surfaced, sealed and marked out in parking bays, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA4 of the Northumberland Local Plan.

Highway Works

18. Development shall not be brought into first use until full details of the proposed highway works (footpath/footway and access/egress arrangements including surfacing) have been submitted to and approved in writing by the Local Planning Authority. The building(s) and site shall not be occupied until the highway works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

Implementation of Cycle Parking

19. The development shall not be brought into use until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity, and sustainable development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

Surface Water Drainage - Highways

20. Prior to the development being brought into use, details of surface water drainage to manage run off from private land shall have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run-off in the interests of highway safety, the amenity of the area and to protect the integrity of the highway in accordance with the National Planning Policy Framework.

Full Travel Plan

21. The development shall not be brought into use until details of a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full Travel Plan shall be implemented in accordance with the approved details. This Full Travel Plan must include:

- i. the contact details of a suitably qualified Travel Plan Co-ordinator;
- ii. an implementation programme;
- iii. an on-site assessment including details of transport links to the site, on-site facilities and any transport and parking issues and problems, to include measures targeting visitors to the site;
- iv. clearly defined aims and objectives in relation to travel modes;
- v. clearly defined senior management and staff responsibilities and roles in the implementation of the Travel Plan;
- vi. details of and results from an initial staff travel to work survey;
- vii. clearly specified ongoing targets for staff travel mode shares;
- viii. a plan for monitoring and reviewing the effectiveness of the Travel Plan to be submitted to the Local Planning Authority regarding implementation.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

22. Demolition/ Construction Method Statement (including Plan)

Development shall not commence until a Demolition and Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition/ construction period. The Demolition and Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

Refuse - No external refuse outside of the premises

23. No external refuse or refuse containers shall be stored outside of the approved refuse storage area except on the day of refuse collection.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan

Deliveries and Servicing Management Plan

24. The development shall not be brought into use until a Deliveries and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Deliveries and Servicing Management Strategy shall be adhered to throughout the occupation period. This Deliveries and Servicing Management Plan must include:

- i. details of the access, routes and vehicles associated with the site;
- ii. details of the timings for deliveries and servicing of the site;
- iii. details of the annual numbers of HGV's associated with the deliveries/servicing of the site and delivery vehicle types including loading and unloading areas and submission of plans;
- iv. a plan for monitoring and reviewing the effectiveness of the Deliveries and Servicing Management Strategy.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

Car Parking Management Strategy

25. The development shall not be brought into use until a Car Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Car Parking Management Strategy shall be adhered to throughout the occupation period. This Car Parking Management Strategy must include:

- i. details of the provision, and management of, Electric Vehicle Parking and Infrastructure for staff;
- ii. details of management and mitigation measures to ensure no overspill car parking associated with the development occurs within neighbouring roads;
- iii. a plan for monitoring and reviewing the effectiveness of the Car Parking Management Strategy.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA4 of the Northumberland Local Plan.

On-Site Car Parking

26. On-site car parking for the users of the proposed cinema hereby permitted shall be restricted to the proposed 3no. disabled parking bays as shown the Proposed Ground Floor Plan and Proposed Extended Site Plan (Drawing Number: 1049(20)003 Rev H) (Amended) and as specified within the applicant's Heritage Statement and Design and Access Statement.

Reason: In the interests of residential amenity, in accordance with the National Planning Policy Framework and Policy QOP2 of the Northumberland Local Plan.

Pedestrian Access

27. Pedestrian access for the users of the proposed cinema hereby permitted shall be via the existing gated access off Parade and no pedestrian access shall take place from the existing access from Ravensdowne, as specified within the applicant's Heritage Statement and Design and Access Statement.

Reason: In the interests of residential amenity, in accordance with the National Planning Policy Framework and Policy QOP2 of the Northumberland Local Plan.

Climate Change

28. Notwithstanding the details submitted with the application, prior to the provision of the internal partitions and fixed seating to the Mob Store and to the installation of the proposed toilet block, a scheme to demonstrate how the development will minimise resource use, mitigate climate change and ensure proposals are adaptable to a changing climate to achieve sustainable design and construction in the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The development and measures shall thereafter be implemented in accordance with the approved details, including prior to the development being brought into use where relevant, and shall be retained thereafter.

Reason: To achieve a sustainable form of development, and in the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and the amenity of surrounding residents, in accordance with Policy QOP 5 of the Northumberland Local Plan and the National Planning Policy Framework.

Broadband Connectivity

29. Prior to the occupation of the development, details confirming the installation of a full fibre broadband connection shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where an alternative broadband connection is proposed, prior to the occupation of the development, sufficient justification for such an alternative shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where no broadband connection is proposed, prior to the occupation of the development, sufficient justification for the lack of broadband provision shall be submitted to and approved in writing by the Local Planning Authority in order to discharge this condition.

Reason: To ensure the development is served by high quality communications infrastructure, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the National Planning Policy Framework.

Informatives

1. Any fixed, external lighting to be installed as part of this development should have regard of the ILP Guidance Notes for the Reduction of Obtrusive Light, SKU: GN01-20, 2020:

<https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2021/>

Following the ILP guidance, the Environmental Protection Team would recommend that the site falls within Environmental Zone E3 (Suburban - Medium District Brightness) which sets a pre-curfew lighting limit of 10 lux and a post-curfew one of 2 Lux which is not to be exceeded at the nearest residential receptors. The applicant should ensure that lighting does not cause an annoyance to any nearby receptors.

Experience of lighting installations has shown that complaints about artificial lighting normally arise from poorly designed or installed lighting schemes. It is recommended that the applicant ensures any lighting contractor installs the proposed lighting scheme in line with consideration of local impacts and that the ILP guidance is adhered to minimise the impact of lighting as part of this development.

2. The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice.
The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.
3. You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at: North Northumberland northernareahighways@northumberland.gov.uk
4. You are advised that any offsite highway works required in connection with this permission are under the control of the Northumberland County Council and will require an agreement pursuant to the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.
5. You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.
6. You are advised to contact the Council's Traffic Management Section at streetworks@northumberland.gov.uk before and during the construction period in respect of any required temporary traffic management measures to allow access to the site.

7. Reminder to not store building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

8. Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

Background Papers: Planning application file(s) 22/03726/FUL