

Item No: 3
Application No: 23/00705/LBC
Date valid: 30 May 2023
Target decision date: 25 July 2023
Author: Julia Dawson
☎: 0191 643 6314
Ward: Whitley Bay

Application type: listed building consent

Location: 11 Spanish City Plaza, Whitley Bay, Tyne And Wear, NE26 1BG

Proposal: Construction of an external roof terrace and associated structures to the western elevation of the former Carlton Club and internal alterations

Applicant: Mark And Lorraine Holmes

Agent: Miss Amelia Robson

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider are:

- Impact on the character and appearance of the Listed Building

1.1 Consultation responses and representations received as result of the publicity given to this application are set out in the appendix to this report.

2.0 Description of the Site

2.1 The site to which the application relates is the former Carlton Bingo Hall (previously the Empress Ballroom) which adjoins the Spanish City Dome. It is a Grade II Listed building.

2.2 The listing description is as follows:

2.3 Theatre and amusement arcade. 1908-10 by Cackett and Burns Dick for Whitley Pleasure Gardens Ltd; L.G. Mouchel engineers. Patent Hennebique 'ferro- concrete' (reinforced concrete); bronze statues. Free Baroque style. 2-storey 3-bay main block flanked by 3-storey towers and one-storey 4-bay wings. Central block: 7 wide steps to 3 double doors under bracketed keyed arch with deep panelled soffit. Bracketed fascias to shops in outer bays defined by pilasters with garland and wreath ornament; pilasters and entablature to first floor

with 3 renewed windows. Tower doors have bracketed canopies under lunettes; 2 upper stages contain sash window in architrave and slit windows. Cornice. One-storey wings have pilasters defining bays and wreaths to fascia. Central dome has colonnaded lantern and iron finial; drum has 12 round windows in projecting panels. Other roofs flat. Towers crowned by bronze statues of cymbal players. Door head in right tower and pilasters in right wing obscured by signs at time of survey.

3.0 Description of the Proposed Development

3.1 Listed building consent is sought for the construction of an external roof terrace and associated structures to the western elevation of the former Carlton Club. The works will include the installation of two stair enclosures, a glazed acoustic screen, decorative handrails and balustrade; and internal alterations to allow for the stairwells.

4.0 Relevant Planning History

16/00149/FUL - Change of use and refurbishment of the dome, including two extensions to the east and west elevations to include a new visitors entrance. First floor extension to the ground floor roof. Reinstatement of previously removed 1910 historic features, including new cupolas to the existing towers, loggias to both terraces at first floor level. Reinstatement of shopfronts, doors and windows – Approved 20.04.2016

16/00150/LBC - Listed building consent for the refurbishment of the dome, including two extensions to the east and west elevations to include a new visitors entrance, an accessible lift and feature stair. First floor extension to the ground floor roof. Reinstatement of previously removed 1910 historic features, including new cupolas to the existing towers, loggias to both terraces at first floor level. Reinstatement of shopfronts, doors and windows and the removal of the central floor area within the dome at first floor level – Approved 12.05.2016

17/00993/FUL and 17/00994/LBC - Making good of the South West and South East elevation of Carlton Bingo Empress Ballroom, following the demolition of the adjacent building as part of a separate planning permission. The works materially affect the external appearance of the Grade II Listed property, to make external walls water tight and a new render to improve the appearance of the fanade – Approved 10.11.2017

20/01563/FUL and 20/01564/LBC - Redevelopment of former Carlton Club (Bingo Hall) into various commercial uses to include function room/wedding suite, cabaret/performance venue, late night venue/cocktail bar, restaurant, circulation/including 2no pop up bars, 2no commercial units to new upper floors, including the construction of new two storey extension with second floor external terrace and internal alterations – Approved 16.03.2021

23/00404/AMEND - Non Material Amendment to planning approval 20/01563/FUL in order to revise the wording of condition 28 of the permission and amend the description of the development as follows: Redevelopment of the former Carlton Club (Bingo Hall) into a mixed-use establishment to include food and drink (excluding Sui Generis - Hot Food Takeaway), leisure, live music

performances and events uses with associated facilities including the construction of new two storey extension for offices – Approved 27.04.2023

23/00657/LBC - External alterations to the north, east, south and west elevations, revisions to the internal layout and the replacement of the pyramidal rooflight to the north side of the auditorium with a historically accurate domed rooflight. – Pending consideration (DELEGATED)

23/00659/FUL - Variation of conditions 1 (approved details), 6 (solar panels) and 17 (refuse storage area) of planning approval 20/01563/FUL – Pending consideration (DELEGATED)

23/00704/FUL - Construction of an external roof terrace and associated structures to the western elevation of the former Carlton Club – Pending Decision

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

5.2 Government Policy

5.2 National Planning Policy Framework (NPPF) (September 2023)

5.3 National Planning Practice Guidance (NPPG) (As amended)

5.4 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

6.0 Main Issues

6.1 The main issue in this case is the impact of the proposed works in the character and appearance of the Grade II Listed Building.

7.0 Character and Appearance

7.1 Impact on Character and Appearance/Listed Building

7.2 The National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. It states that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place.

7.3 In respect of designated heritage assets the NPPF states that in determining planning when determining the impact on the significance of a heritage asset great weight should be given to the asset's conservation. The more important the asset the greater the weight should be. This is irrespective of whether any

potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

7.4 Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

7.5 Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

7.6 Policy DM6.1 of the Local Plan states that applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis the characteristics of the site, its wider context and the surrounding area.

7.7 Policy S6.5 seeks to pro-actively preserve, promote and enhance its heritage assets by amongst other matters respecting the significance of assets.

7.8 Policy DM6.6 states that proposal that affect heritage assets or their settings, will be permitted where they sustain, conserve and where appropriate enhance the significance, character and setting of heritage assets in an appropriate manner.

7.9 Policy AS8.15 seeks to integrate growth and development at the Coast with the protection and enhancement of the built and natural environment, in particular the heritage assets at Whitley Bay.

7.10 Any development proposal that would detrimentally impact upon a heritage asset will be refused permission, unless it is necessary for it to achieve wider public benefits that outweigh the harm or loss to the historic environment and cannot be met in any other way.

7.11 The applicant has submitted a Heritage and Conservation Statement in support of the applications for planning permission and listed building consent. This sets out the history of the site (and wider Spanish City complex), designations and an examination and assessment of the architectural significance of the areas within the host building – auditorium, gallery, crush space, stage, ground and first floor extensions, and the impact of the proposed development on the significance of the listed building.

7.12 The application site is Grade II Listed. The Statement describes The Spanish City as an Edwardian seaside pleasure complex located on the seafront at Whitley Bay, Tyne and Wear. It was built in 1910 and originally consisted of four separate design elements: rotunda, north range, theatre and pleasure

grounds. Its layout has an angled linear nature where the rotunda acts as the rotation point. Off the rotunda to the north is the North Range and the former Theatre to the south. The Theatre sits at a large single storey with surrounding two storey extensions and back of house accommodation. Although the complex is constructed predominantly in reinforced concrete the Theatre has load-bearing brickwork walls and a welsh slate roof covering over. The complex fronts onto a plaza and promenade to the north. The Spanish City site has undergone considerable change over the years with the Spanish City Dome being restored and reopened as part of a major regeneration project.

7.13 Specifically, the application site (former Carlton Bingo) was originally constructed in 1910 as a theatre. It was then converted to the Empress Ballroom room in 1920, and later converted into a bingo hall in 1961. Ground and first floor extensions were added to the building over the years, and various internal alterations were undertaken.

7.14 The Statement sets out how it is the intention for the building to be repurposed into a vibrant social hub containing bars and street food outlets. To achieve this aim, the development proposals include the reinstatement of an external terrace and associated structures on the western elevation of the building. The proposed roof terrace measures 186m² in area including two stair enclosures situated at north and south ends, creating direct access from the interior of the former Theatre. The stair enclosures are rectangular in plan and proposed to be constructed from frameless glass. Each enclosure accommodates a new staircase interfacing with existing 1920 staircases within the first-floor extension. A new platform lift is incorporated into the southernmost enclosure. The terrace is enclosed by balustrading which matches the design used as part of the rotunda redevelopment works and echoes the design of the balustrading existing in 1910. A glazed acoustic screen at 1.8m high is incorporated behind the balustrading that provides reduction in noise levels for nearby residential properties.

7.15 The development proposal will require removal of the 1920's and 1961 roof, to be replaced with a new structure to take the self and imposed loadings of the new roof terrace. The Statement advises that, externally, there will be negligible impact visually at the existing roof line level is proposed to be the new terrace level. There will be a degree of disturbance internally, to mitigate this impact it is proposed to repair and/or replace existing ceiling plasterwork within 2no. 1920's staircases on a traditional basis replicating coving profile detail.

7.16 The Statement sets out that the introduction of two access staircases to the proposed roof terrace is key to the operation of the proposed activity at the site, without it the proposal would not be feasible. It is also important in providing means of safe egress in the event of emergency. New elements of the development proposals are to be designed in a contemporary manner that supports the setting and appearance of historic detailing. The new stair enclosures have been designed so that the massing, location, and therefore visual impact is reduced in the setting and context of the Theatre and Rotunda elements of the Spanish City Complex.

7.17 The Statement also examines the setting and visual impact of the design proposals on the heritage asset from short-range and long-range views and set out the heritage benefits as follows:

- Reintroduction of a roof terrace to the west elevation first incorporated in 1910 developing understanding of historic and architectural significance of the Spanish City Complex.
- Retention of art deco scheme within key spaces of first floor of west elevation.
- Regeneration of last vacant element of the Spanish City Complex site.
- New work designed in a contemporary manner that supports the setting and appearance of heritage asset.
- Improved understanding of the site development history through investigation and sampling integrated with development proposals.
- Installation of decorative balustrading echoes 1910 detailing and reinforces link with recent rotunda redevelopment.
- Visual impact of development proposals kept to a minimum through appropriate use of materials and sensitive design.

7.18 The Council's Design Officer has provided Heritage comments on the proposed works. He has noted that some elements of the works would result in some loss of historic fabric which would result in harm, i.e. the replacement of the roof will result in the loss of ceiling roses, coving and ornamental wall moulding (although some fabric could be re-used or replications), and the proposed columns which will need to penetrate the existing floor. Furthermore, whilst the submitted Roof Terrace Design Statement demonstrates that there would be no impact on long range views, there will be an impact from one close-range view, which would result in harm.

7.19 The Design Officer has noted that the staircase enclosures are proposed to be frameless glass to maximise transparency, which will help to reduce some of the harm. He has also noted that the 1.8m high glazed acoustic screen and advised that this should be frameless, with minimal fixings, and have a low level of reflection to ensure that it is not a dominant feature of the design.

7.20 Overall, it is noted that the proposed development would cause some internal harm with the loss of historic fabric. The external terrace and associated features would be a distracting modern element in some viewpoints of Spanish City Dome and result in some external harm. However, although at the higher end, the harm identified would be less than substantial and when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

7.21 Any harm to the significance of a designated heritage asset requires clear and convincing justification. This harm should be weighed against the public benefits of the proposal. This refers to anything which delivers the economic, social or environmental objectives of sustainable development.

7.21 The building has been vacant since 2019. The proposals would facilitate the re-use of the building which would be accessible to the public. Having a viable future use will ensure that the building fabric is maintained in a good condition. This would also secure the last remaining undeveloped part of the Spanish City

complex. The harm identified is highly regrettable, however on balance, the public benefits are considered to outweigh the harm.

7.22 The proposed works are also in keeping with the objectives of policies AS8.15, AS8.17 and AS8.18 which seek to provide new and improved facilities at this site.

8.0 Conclusion

8.1 Members need to determine whether the proposed works are acceptable in terms of their impact on the significance and the character and appearance of the heritage asset (Grade II Listed Buildings). Officer advice is that the proposed works are acceptable for the reasons set out within this report and are therefore in accordance with the advice in NPPF and policies DM6.1, S6.5, DM6.6, AS8.15, AS8.17 and AS8.18 of the Local Plan. It is therefore recommended that listed building consent is granted subject to the suggested conditions.

RECOMMENDATION: Application Permitted

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications.

- Application Form
- Location Plan 1159-EX-P0-90-008-P03, 24.05.23
- Proposed Elevations 1159-EL-20-201-P05 , 24.05.23
- Proposed Elevations 1159-EL-20-202-P05, 24.05.23
- Proposed Roof Plan 1159-RF-27-100-P06, 24.05.23
- Proposed Sections 1159-SE-21-300-P04, 24.05.23
- Proposed Sections 1159-SE-21-301-P03, 24.05.23
- Proposed Site Plan 1159-SI-90-105-P01, 24.05.23
- Proposed Staire Enclosure Elevations EL-[20]-204 P01, 23.08.23
- Proposed Ground Floor Plan P0-[20]-100 P09, 23.08.23
- Proposed First Floor Plan P1-[20]-102 P09, 23.08.23
- Proposed Upper Ground Floor 1159-P0-20-101-P05, 24.05.23
- Proposed Roof Terrace Second Floor Plan 1159-P2-20-103-P08, 24.05.23
- Roof Terrace Design Statement, 1159-RE-[00]-500-P02, 26.05.23
- Method Statement for Proposed Columns, Rev.P01, 25.08.23
- Heritage & Conservation Statement, V2, 26.05.23

Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Standard Time Limit 3 yr LBldg Consent MAN07 *

3. Notwithstanding the submitted details and prior to the installation of any external lighting in connection with the approved development, full details of its location and design must be submitted to and approved in writing by the Local Planning Authority. Such details must provide clarification of the lighting levels all

neighbouring sensitive receptors. External lighting that may affect the sites suitability for bats will be avoided. If required this will be limited to low level, avoiding use of high intensity security lighting. All external lighting must be installed in accordance with the approved details and retained thereafter.

Reason: In order to protect the residential amenity of the nearby residents, the character and appearance of the host site and surrounding area and to ensure that local wildlife populations are protected in the interests of ecology having regard to policies DM6.1, DM6.2, DM5.7 and DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

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|-----|--|-------|-----------------|
| 4. | Materials Building Schedule Before Devel | MAT03 | *S6.5 and DM6.6 |
| 5. | Materials Surfaces Schedule Before Devel | MAT04 | *S6.5 and DM6.6 |
| 6. | Heritage new plasterwork | DES05 | * |
| 7. | Heritage new brickwork | DES06 | * |
| 8. | Heritage new rainwater goods | DES10 | * |
| 9. | Heritage matching arch joinery | DES12 | * |
| 10. | Heritage making good | DES13 | * |

11. Prior to commencement of any works in connection with this approved development, a level 3 building recording and analysis must be submitted to and approved in writing by Local Planning Authority for inclusion in the Historic Environment Records (HER). This must be undertaken in accordance with Historic England's 'Understanding historic buildings: a guide to good recording practice' and include high resolution digital copies of any photographs.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 205 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

12. Notwithstanding the approved details and prior to the commencement of any works in relation to the removal of the existing roof, a method statement for the removal of the roof shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in complete accordance with the approved details.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

13. Notwithstanding the approved details and prior to commencement of any works in connection with the approved development, a schedule for the removal, replacement, and reinstallation of architectural features should be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

a) Where features are proposed to be stored and re-used, an appropriate location should be identified.

b) Where features are proposed to be replicated and replaced, details are required of replacement mouldings, materials, and fixings.

c) Locations for the reinstallation of features.

The works must be carried out in complete accordance with the approved details and retained thereafter.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

14. Prior to the commencement of the approved works, details of measures required to protect the interior features from damage during the construction period shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works shall only be carried out when the approved protective measures are in place.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

15. Prior to the commencement of any works associated with the new roof structure, a temporary scaffold metal roof must be erected. This must be retained in situ until such time that the new roof structure is watertight.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

16. Prior to its installation, full details of the design of the metal balustrade shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the balustrade shall be installed in complete accordance with the approved details, maintained in good order and shall at no time be allowed to fall into disrepair.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6

17. Prior to their installation, a fully detailed design of the frameless glass staircase enclosures, which must have no visible framing or fixings, shall be submitted to and approved in writing by the Local Planning Authority. The detailed design must include the following:

- a) Glazing specification
- b) Glazing thickness
- c) Glazing reflection
- d) Joining method between glazing
- e) Details of opening methods

Thereafter, the frameless glass staircase enclosures shall be installed in complete accordance with the approved details, maintained in good order and shall at no time be allowed to fall into disrepair.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

18. Prior to its installation, a fully detailed design of the glass screen, which must have no visible framing or fixings, shall be submitted to and approved in writing by the Local Planning Authority. The detailed design must include the following:

- a) Glazing specification
- b) Glazing thickness
- c) Glazing reflection
- d) Joining method

Thereafter, the glass screen shall be installed in complete accordance with the approved details, maintained in good order and shall at no time be allowed to fall into disrepair.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

19. Prior to their installation, full details of the design and installation method of the internal columns, must be submitted to and approved in writing by the Local Planning Authority. The details must include the impact on the historic fabric and a scheme of mitigation. Thereafter, the internal columns must be installed in complete accordance with the approved details.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

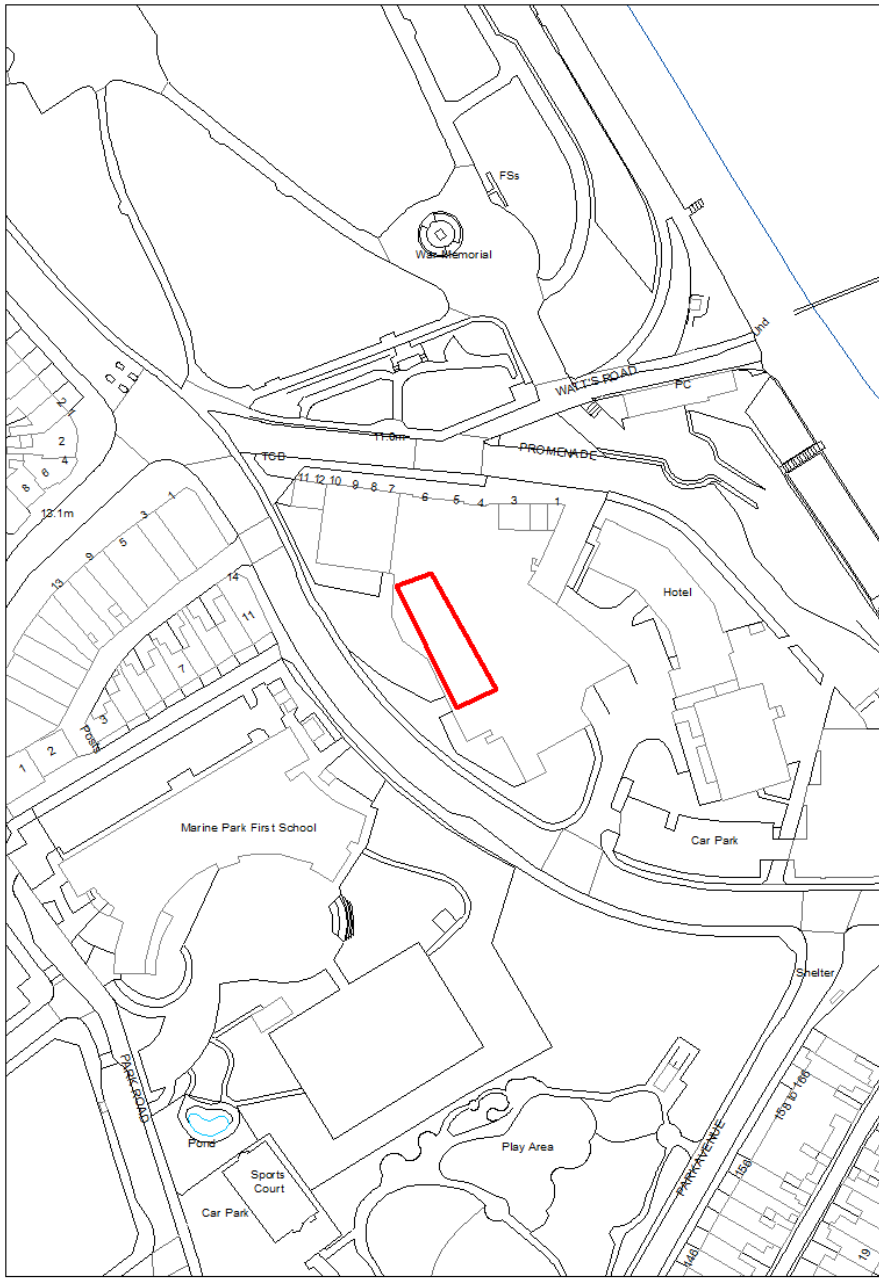
20. Prior to its installation, full details of any fixed utility infrastructure associated with the approved development, such as (but not exclusive to) new plumbing, drainage, vents and ductwork must be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works must be carried out in complete accordance with the approved details.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

21. Notwithstanding the approved plans, there shall be no other fixed external items (such as furniture) installed at the application site in association with the approved development unless planning permission and/or listed building consent has first been obtained from the Local Planning Authority.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):



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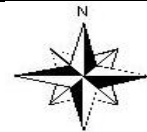
Location: 11 Spanish City Plaza, Whitley Bay, Tyne And Wear, NE26 1BG

Proposal: Construction of an external roof terrace and associated structures to the western elevation of the former Carlton Club and internal alterations

Not to scale

Date: 14.09.2023

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Appendix 1 – 23/00705/LBC Item 3

Consultations/representations

1.0 Representations

3no. objections; these are summarised below:

1.1 Objections:

- This is an historic building of great local significance with a superb sprung dance floor.
- Stack attracts drunken loutish behaviour which creates demand for extra policing.
- We do not want a down-marketing effect that attracts "trouble".
- Insufficient parking.
- We do not want a repeat of problems of the past (associated with Whitley Bay drinking establishments).

2.0 Spanish City Dome (current operators and tenants):

A detailed objection has been submitted; this concludes with the following:
In respect of 23/00705/LBC which is the listed building element of the new proposal we object due to the impact this new form of development will have on the setting of the Dome and Spanish City listed building

2.1 Marine Park First School (Headteacher):

1.4 We are very concerned that the roof terrace will overlook classrooms as well as outdoor learning and play areas during the operational hours of a school. We are equally concerned that activity on the terrace will be visible to children in 6 classrooms (in the ground and first floor) as well as outdoor learning and play areas. There are 30 children that learn in each classroom for 6.5 hours per day (120 children in total). The playground is used by up to 520 children each day. The view of the terrace risks normalising a drinking culture from a young age as well as the risks of witnessing anti-social behaviour.

1.5 Our preference would be to limit operation of the terrace to outside of school hours. Alternatively, we request the inclusion of a condition to fully obscure the western elevation to eliminate overlooking from the terrace and the visibility of drinking and associated anti-social activity that could be witnessed by children that attend Marine Park First School.

3.0 Internal Consultees

3.1 Design (Conservation)

3.2 Following comments dated 3rd July which raised concerns, further information has been submitted. Updated comments are set out below.

3.3 A new roof terrace is proposed on the second floor of a 1920s extension to the west of the original building. The 2015 Conservation Plan identifies that the two staircases in this area have considerable significance. The walls around the southern staircase are identified as having exceptional significance.

3.4 The existing roof is proposed to be removed and replaced with a new roof structure for use as a roof terrace. It is proposed to retain the existing eaves height and use the space within the building for the new roof structure. This will reduce the external impact of the roof terrace, however this will result in the loss of internal fabric which is identified as high significance. This includes ceiling roses, coving and ornamental wall mouldings. Some fabric could be re-used or replicated but some would be lost. This would result in harm.

3.5 To support the new roof structure, nine new internal columns are proposed which would need to penetrate below the existing floor. Some columns would be visible, and they would result in the loss of historic fabric. This would result in harm.

3.6 Two large glass staircase enclosures are proposed. Within the submitted Roof Terrace Design Statement, an assessment of key views has been undertaken as part of the application. These show that there would not be an impact on long range views but there would be an impact from one close-range view. Much of Spanish City's townscape merit is embodied in the Dome which is a significant focal point in the town. Viewpoint 4342 shows that the view of Spanish City Dome would be obscured. This would result in harm.

3.7 The staircase enclosures are proposed to be frameless glass to maximise transparency. This will help to reduce some of the harm. There are concerns about whether an acceptable detailed design that reflects the minimalist concept is feasible. The applicant has been unable to provide a detailed design at this stage and has requested for this to be conditioned. A detailed condition for the design is required which sets out specific design criteria.

3.8 The design of the metal balustrades would match those on the front of Spanish City. Behind the balustrades, a 1.8 metre glazed acoustic screen is proposed. The glass should have a low level of reflection to ensure that it is not a dominant feature of the design. The glass screen should be frameless with minimal fixings. This should be conditioned.

3.9 There is no information provided about lighting. This can be conditioned. No information has been provided about the design of outdoor furniture. Any fixed outdoor items should be conditioned.

3.10 Overall, the proposal would cause some internal harm with the loss of historic fabric. The external terrace and associated features would be a distracting modern element in some viewpoints of Spanish City Dome and result in some external harm.

3.11 The harm identified would be less than substantial although this is at the higher end. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Any harm to the significance of a designated heritage asset requires clear and convincing justification. This harm should be weighed against the public benefits of the proposal. This refers to anything which delivers the economic, social or environmental objectives of sustainable development.

3.12 The building has been vacant since 2019. The proposals would facilitate the re-use of the building which would be accessible to the public. Having a viable future use will ensure that the building fabric is maintained in a good condition. This would also secure the last remaining undeveloped part of the Spanish City complex. The harm identified is highly regrettable, however on balance, the public benefits are considered to outweigh the harm.

3.13 Suggested Conditions:

3.14 MAT03 Materials Building Schedule; MAT04 Materials Surfaces Schedule; DES05: New Plasterwork; DES10: New Rainwater Goods; DES12: Matching Architectural Joinery; DES13: Making Good.

3.15 Prior to commencement of any works in connection with the approved development, a level 3 building recording and analysis must be submitted to and approved in writing by Local Planning Authority for inclusion in the Historic Environment Records (HER). This must be undertaken in accordance with Historic England's 'Understanding historic buildings: a guide to good recording practice' and include high resolution digital copies of any photographs. Reason: To provide an archive record of the historic building or structure and to accord with paragraph 205 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

3.16 Notwithstanding the approved details and prior to the commencement of any works in relation to the removal of the existing roof, a method statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in complete accordance with the approved details. Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

3.17 Notwithstanding the approved details and prior to commencement of any works in connection with the approved development, a schedule for the removal, replacement, and reinstallation of architectural features should be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- a) Where features are proposed to be stored and re-used, an appropriate location should be identified.
- b) Where features are proposed to be replicated and replaced, details are required of replacement mouldings, materials, and fixings.
- c) Locations for the reinstallation of features.

The works must be carried out in complete accordance with the approved details and retained thereafter.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

3.18 Prior to the commencement of the approved works, details of measures required to protect the interior features from damage during the construction

period shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works shall only be carried out when the approved protective measures are in place.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

3.19 Prior to the commencement of any works associated with the new roof structure, a temporary scaffold metal roof must be erected. This must be retained in situ until such time that the new roof structure is watertight.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

3.20 Prior to its installation, full details of the design of the metal balustrade shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the balustrade shall be installed in complete accordance with the approved details, maintained in good order and shall at no time be allowed to fall into disrepair.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

3.21 Prior to their installation, a fully detailed design of the frameless glass staircase enclosures, which must have no visible framing or fixings, shall be submitted to and approved in writing by the Local Planning Authority. The detailed design must include the following:

- a) Glazing specification
- b) Glazing thickness
- c) Glazing reflection
- d) Joining method between glazing
- e) Details of opening methods

Thereafter, the frameless glass staircase enclosures shall be installed in complete accordance with the approved details, maintained in good order and shall at no time be allowed to fall into disrepair.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

3.22 Prior to its installation, a fully detailed design of the glass screen, which must have no visible framing or fixings, shall be submitted to and approved in writing by the Local Planning Authority. The detailed design must include the following:

- a) Glazing specification
- b) Glazing thickness
- c) Glazing reflection
- d) Joining method

Thereafter, the glass screen shall be installed in complete accordance with the approved details, maintained in good order and shall at no time be allowed to fall into disrepair.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

3.23 Prior to their installation, full details of the design and installation method of the internal columns, must be submitted to and approved in writing by the Local Planning Authority. The details must include the impact on the historic fabric and a scheme of mitigation. Thereafter, the internal columns must be installed in complete accordance with the approved details.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

3.24 Prior to its installation, full details of any fixed utility infrastructure associated with the approved development, such as (but not exclusive to) new plumbing, drainage, vents and ductwork must be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works must be carried out in complete accordance with the approved details.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

3.25 Prior to the installation of any new external lighting in connection with the approved development full details, to include detailed design and exact location, must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the lighting must only be installed in complete accordance with the approved details.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

3.26 Notwithstanding the approved plans, there shall be no other fixed external items (such as furniture) installed at the application site in association with the approved development unless planning permission and/or listed building consent has first been obtained from the Local Planning Authority.

Reason: To ensure that the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

Informative – Any new signage would require listed building consent.

4.0 External Consultees

4.1 The Northumberland and Newcastle Society

4.2 The Northumberland and Newcastle Society (N&N) recommends grant of planning approval for this scheme is deferred subject to clarification of the matters referred to below.

4.3 The Society is an enthusiastic supporter of the outstanding restoration work that has been undertaken on this truly iconic building. We welcome the commitment to respectful and sustainable reuse of all elements of the historic Spanish City site.

4.4 We acknowledge there is balance to be found in minimising interventions that impact on the historic fabric of the building whilst simultaneously facilitating its viable long term use. We note this scheme has attracted controversy with a range of opinions both in favour and opposed to it proceeding.

4.5 In our assessment there are 2 elements to the scheme, i.e. those affecting the external features of the building and those affecting the interior.

4.6 In dealing with the external features, the Society commends the aim to bring the roof terrace back into use, we believe the proposed external elevations are both respectful of historic fabric and add visual value. We would seek clarity on whether the terrace overlooks nearby properties and if so what mitigation measures would be required. We also note the commitment to there being no music on the terrace and would expect this to be subject to an explicit planning condition.

4.7 The scheme makes reference to interior alterations that would appear to facilitate food outlets, however we found the proposal unclear on the detail of what interventions are required around services and design. In addition there are references included that make provision for new floors and staircases with statements to the effect that these 'respect the building'. Given the care and attention to detail applied to the generic renovation of Spanish City such interventions require an explicit explanation to assess their impact on historic fabric.

4.8 We acknowledge the concerns of others in seeking to ensure the highest standards of quality and presentation are applied to the proposed bars, fast food and other outlets. We also note there may be some commercial conflict with the offering in the Rotunda next door and other nearby premises.

4.9 In summary the Society believes it is of great importance that the outstanding efforts applied so far to the regeneration of Spanish City as a whole are maintained with appropriate, sympathetic and sensitive additions that truly add to the appeal of this amazing heritage asset.