

Application No:	Consultees Name:	Received:	Comment:	Response:
2022/5537/P	Rodney Steele	26/03/2023 16:01:37	OBJNOT	<p>I am the owner occupier of a first floor studio flat in Phoenix House above the proposed development. I have lived here since 1994. My flat is directly above the proposed bar area.</p> <p>My comments are based on my experience of noise in my flat from some past uses of the existing shop unit underneath, particularly when it was a hairdresser playing music from speakers attached to the fabric of the building and when it was a cafe with a tiled floor when I could hear the scraping of chairs and tables. This is exacerbated by the way noise travels within the structure of the building. In addition, I have heard noise through my kitchen and bathroom windows from activities in the ground floor light well to the rear of the shop units. I am also currently disturbed within my flat by the sounds of pedicabs on Charing Cross Road, some of which play amplified music. Any increase in the frequency of these pedicabs in the vicinity would increase the negative impact of this on my amenity. Also, I have experience from being a visitor to the home of a friend of the noise impact within residential flats of people gathered outside pubs to smoke and drink and then to say farewells after the premises close. This noise always becomes much louder after dark, probably for a number of reasons. Finally, I find the smell of smoking offensive and any smoking under my flat could well result in this smell entering the flat particularly in the summer when I need reasonably to open windows to manage heat and air flow.</p> <p>This experience has made it clear to me that the proposals for which planning permission are being sought will have a significant negative effect on the amenity of my flat unless (a) there is a significant upgrade to the noise insulation between my flat and the ground floor level to a level judged by noise professionals to be sufficient to ensure noise transmission will not occur, together with no amplifiers or similar attached to the fabric in such a way that their sound will travel through the structure of the building and (b) there are measures put in place to ensure that patrons of the theatre and the proposed bar area (which I understand will also be let for external functions) cannot smoke, drink or otherwise linger (and attract pedicab traffic) on the Charing Cross Road pavement. This would also have the benefit of ensuring that patrons do not restrict the passage of the significant number of passing pedestrians already using what is quite a narrow pavement on Charing Cross Road.</p> <p>I have met with the Phoenix Theatre management who have described to me their plans for the work including their investigations of the need for noise insulation. I am grateful for their time spent doing this. I understand from them that building regulations will require some improvement to noise insulation but would like to see confirmation from Camden that sufficient noise insulation to address (a) will be a condition for any granting of planning permission.</p> <p>However, the Phoenix Theatre's plans do not appear currently to be adequate to address (b). The best way to ensure (b) would be to prevent the proposed new doors on to Charing Cross Road from the bar area being used for normal entrance or exit but instead be reserved for emergency access. If this was not done, some mitigation might be introduced by management measures although it is difficult to see that these would be sufficient in practice. The Phoenix Theatre management have described to me their current thoughts on management and these sound seriously inadequate as a means to address this issue. I therefore suggest that it would be reasonable for Camden to refuse planning permission for these doors for anything other than emergency access and urge you to do this.</p> <p>Finally, I am, of course, concerned about construction noise. The investigative works undertaken so far demonstrate that this will be considerable. I trust that planning conditions will include a requirement that these</p>

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				are restricted to reasonable hours.

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2022/5537/P	Colin Savage	26/03/2023 15:06:02	WREP	Dear Sir/Madam

RE: 2022/5537/P

Site Address: Phoenix Theatre 112 Charing Cross Road London WC2H 0JP

I write on behalf of The Phoenix Artist Club Ltd, London's leading theatre bar and restaurant at 104 to 110 Charing Cross Road, London, WC2H 8BU. We have been trading as such since 1988.

Whilst we support the idea of creating a new theatre frontage for the Phoenix Theatre on Charing Cross Road, we would like to raise the following material planning considerations:

#### Loss of light

The plans show the main bar and lounge entrances to Charing Cross Road, but fail to acknowledge that this falls directly onto pavement sky lights forming part of our demise as laid out in the plans of our lease. There are no plans for queuing or placement of signage which will be on our premises.

#### Adequacy of parking/loading/turning and Traffic Generation

There are no plans for parking which will be required for disabled access (vis a vis the planned install of a lift to accommodate same), coach access for group tour bookings, deliveries to the proposed bar and restaurant operation - and our own need for deliveries on a weekly basis. There is no provision for any smoking area in a street littered with cigarette butts.

As ATG have now effectively become our Landlord we have also asked that the plans be expanded to provide Disabled Access to our business as it would be easy to expand the lift shaft to visit our premises as well as the theatre rotunda. As responsibility for Disabled Access on new builds lies with the Landlord we would appreciate ATG incorporating this into their plans.

#### Highway safety

There is no provision for highway safety on a bus route which runs opposite to the main direction of car travel where we have attended to two people who have been killed by stepping out from the pavement and not realising the buses run in a different direction.

#### Noise and disturbance resulting from use

We are most worried that the plans do not contain any acoustic barriers between The Phoenix Artist Club and the proposed new theatre area. This is for protection of both parties. Although ATG have undertaken an Acoustic Report, which we include the limited information they have given us, they have not laid out any plans to mitigate sound from the foyer permeating either our premises or the flats above but more importantly protection that the sound from the amplified live performances at The Phoenix Artist Club do not permeate their business. At present we have not had any sound complaints from the flats above or the shops (which are empty after 5pm) – however this will change and it is imperative that our business is protected from any noise complaint in the future at this planning stage.

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#### Drainage and Flood issues

Over the last 30 years at the Phoenix Artist Club we must have been flooded by drainage water at least once a year, if not more. The drains built into the original building from the 1930s all travel through the basement (our premises) to exit out onto Charing Cross Road with the main sewage trap being under the carpet in our main room. The building cannot cope with the amount of rain water and sewage from the modern usage of the flats above as it is, without adding on an additional 8 toilets. We can see nothing in the plans which will expand the ability of the drainage system which cannot cope at the moment.

#### Effect on listed buildings and conservation areas

Our licensed premises and the proposed premises lie within the Seven Dials Special Policy Area. Our alcohol licence is attached to the address 104 to 110 Charing Cross Road the area of this proposed new premises. We therefore cannot see how they will be granted a variation of their alcohol licence from the Phoenix Theatre (marked areas) to this new premises because it is against Camden policy to expand alcohol sales in this area, and this premises is already covered by our alcohol licence.

#### Design, appearance and materials

The plans submitted show the fire exit, serving the Phoenix Artist Club and the residential units, being changed to accommodate the new ticket and bar/restaurant area, potentially increasing the amount of individuals using this emergency route in the event of an incident requiring all three units to evacuate at the same time (residential, PAC and Theatre).

The plans show doors effectively closing off the fire corridor to facilitate passage across same by theatre guests, effectively obstructing the only available fire exit from the PAC and residential units. This exit route is also used to gain access to service units serving the residents and PAC to the rear of the current retail units, with no obvious method of this continuing unobstructed during theatre operating hours. This means there is no provision for the removal of rubbish from the flat waste chutes or for cycle storage.

If you would like any further information please do not hesitate to contact me on [colin.savage@phoenixartsclub.com](mailto:colin.savage@phoenixartsclub.com) or on my mobile 07767 692656.

Thank you

Colin Savage  
On behalf of The Phoenix Artist Club Ltd