

Phoenix Theatre, 112 Charing Cross Road, London, WC2H 0JP



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

Phoenix Theatre, 112 Charing Cross Road

Site photos and plans



Figure 1 (above): View of site from Charing Cross Road



Figure 2 (above): The ground floor of the Phoenix Theatre on the junction of Charing Cross Road and Phoenix Road

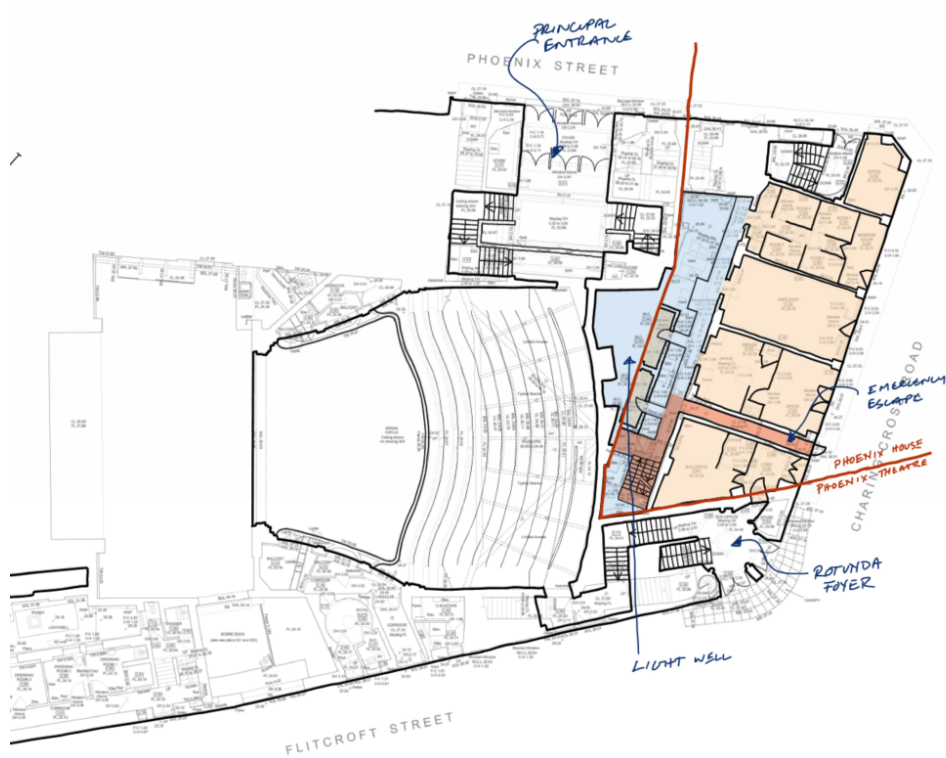


Figure 3 (above): Existing ground floor plan showing the existing entrances into the Phoenix Theatre



Figure 4 (above): View of the lightwell area from first floor level including external access walkways of Phoenix House to the right



Figure 5 (above): Roof of the Phoenix Theatre

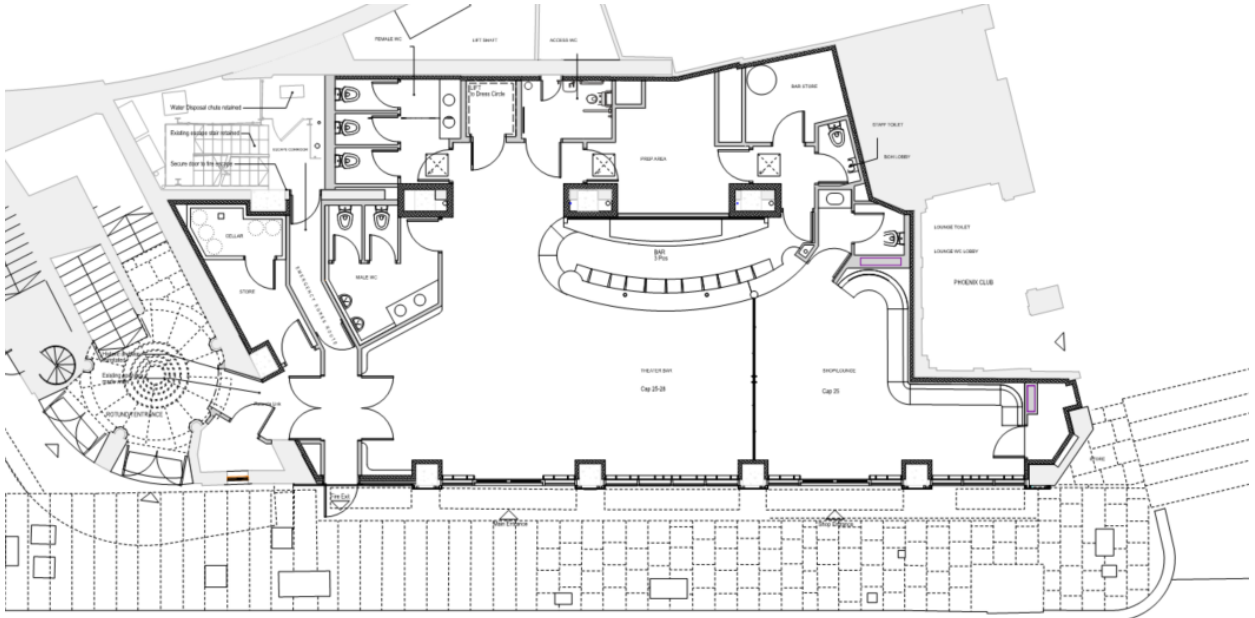


Figure 6 (above): Existing and proposed ground floor plan

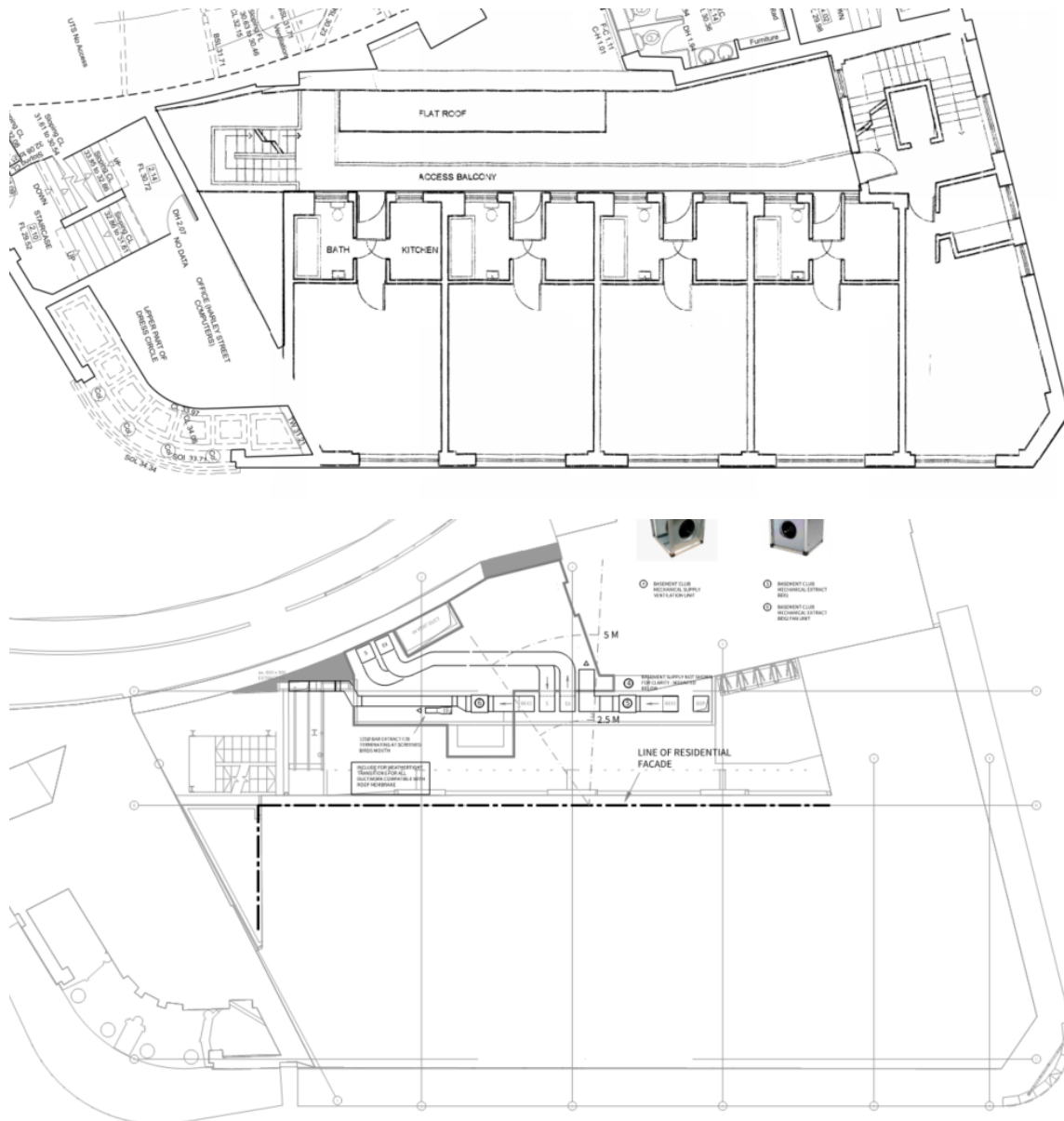


Figure 8 (above): Existing and proposed upper circle (Second floor) plan

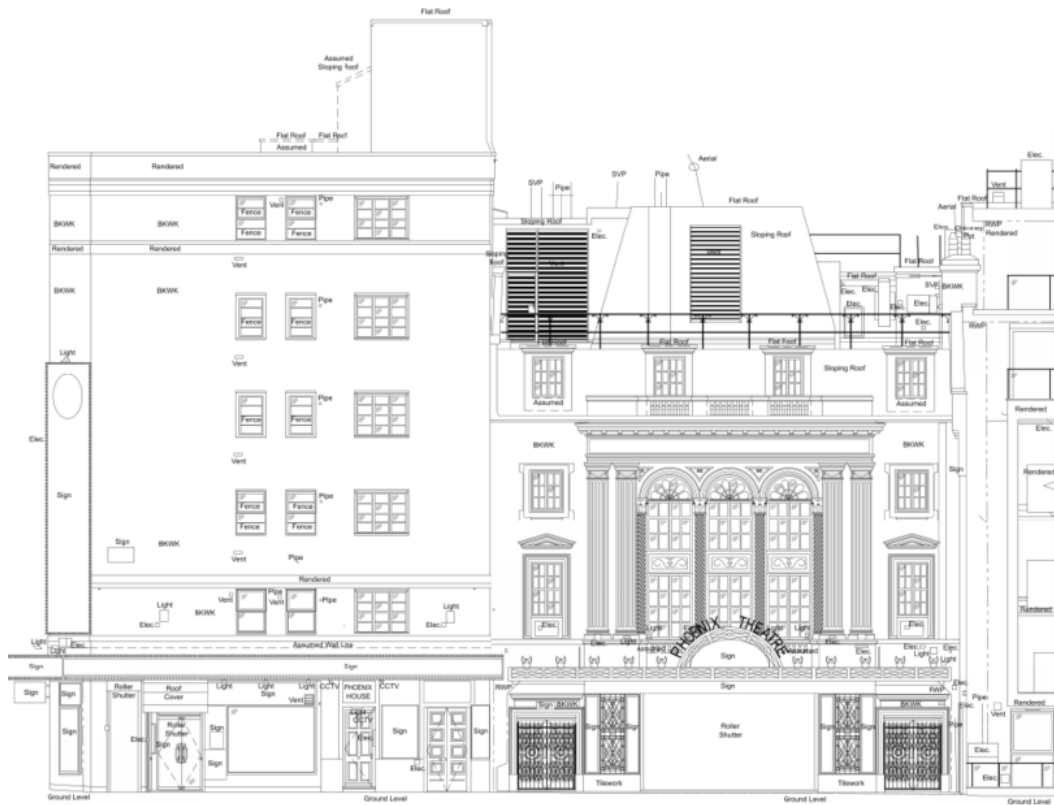


Figure 10 (above): Existing and proposed southern side elevation (from Phoenix Street)

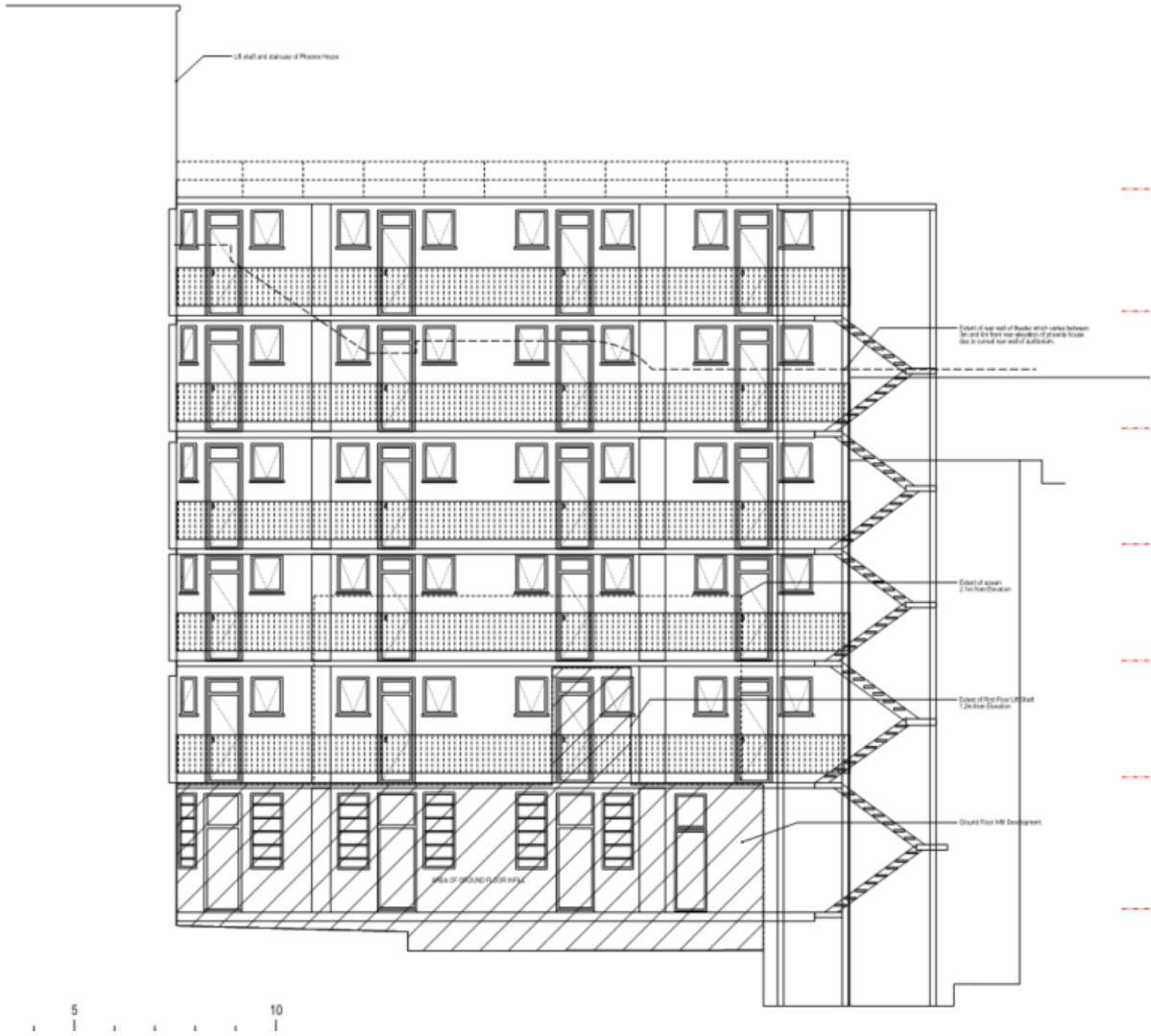


Figure 11 (above): Existing and proposed rear elevation of Phoenix House

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	22/03/2023
		N/A / attached		Consultation Expiry Date:	02/04/2023 (original site notice) 22/06/2023 (updated site notice)
Officer			Application Number(s)		
Elaine Quigley			(i) 2022/5537/P (ii) 2023/0874/L		
Application Address			Drawing Numbers		
Phoenix Theatre 112 Charing Cross Road London WC2H 0JP			See draft decision notices		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
<p>(i) Change of use of existing commercial units on Charing Cross Road from Class E(a) to ancillary theatre use (sui generis) to provide flexible area for uses including bar, lounge, ticketing and merchandising and associated alterations to shopfronts, infill extension within the rear lightwell to provide a passenger lift with installation of mechanical plant and associated screening at first and second floor levels, additional roof top plant and alterations to the ground floor fenestration including replacement canopy to Charing Cross Road</p> <p>(ii) External and internal works including installation of roof top plant, new opening to rear auditorium including adaptation of seating to accommodate wheelchairs, creation of new and enlargement of existing entrance into the entrance foyer all in association with the existing theatre and works associated with the unlisted Phoenix House</p>					
Recommendation(s):		(i) Grant conditional planning permission (ii) Grant conditional listed building consent			
Application Type:		Full Planning Permission Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>ORIGINAL PLANS 1 letter of objection has been received from Flat 3, Phoenix House, 104-110 Charing Cross Road raising the following concerns:</p> <p>1. Amenity (Noise)</p> <ul style="list-style-type: none"> Noise from the new bar transferring through to flats above which has been experienced with the previous tenants of the café and hairdressers. Associated noise from patrons smoking or drinking outside the new bar that would be harmful to the amenity of the residential occupiers Frequency with pedicabs in the vicinity would increase harmful impact on amenity of flats within Phoenix House The above issues can only be resolved if (i) significant upgrade to the sound insulation between the ground floor and the upper floor flats to ensure no noise transference (ii) patrons should not be allowed to smoke or drink outside the new bar. This should be achieved by restricting the open door openings to only be used for emergency access from the building. Construction noise <p><i>Officer's response: Please refer to paragraphs 7.8 and 7.10 – 7.11 of the Amenity Section 7</i></p> <p>REVISED PLANS Following the receipt of revised plans to include additional plant on the roof of the theatre, as well as the submission of a noise impact assessment, additional site notices were displayed. No further consultation responses were received following the additional consultation period.</p>					
Local groups comments: The Phoenix Artists Club, Music Venue Trust and The Theatres Trust	<p>ORIGINAL PLANS Phoenix Artist (Arts) Club occupies the basement of the building and objects to the proposal raising the following concerns</p> <p>1. Amenity (Loss of light)</p> <ul style="list-style-type: none"> Doors on Charing Cross Road will open onto pavement lights <p><i>Officer's response: Please refer to paragraphs 7.8 of the Amenity Section 7</i></p> <p>2. Amenity (Noise)</p> <ul style="list-style-type: none"> No acoustic barriers proposed between the Artists Club and the proposed new theatre area. Acoustic report doesn't include foyer permeating the basement premises or the flats above No protection of sound from the amplified live performances at the Phoenix Artists Club do not permeate into the new bar above. The Phoenix Artists Club needs to be protected from any noise complaints from the theatre in the future as there have been no recent noise complaints from the flats or the 					

shops from performance held at the Artists Club.

Officer's response: Please refer to paragraph 7.6 of the Amenity Section 7

3. Adequacy of parking / loading and turning

- No plans showing parking for disabled access, coach access for group tour bookings, deliveries to the proposed bar and restaurant and general deliveries
- No provision for smoking area in the street

Officer's response: Please refer to paragraph 9.2 of the Transport Section 9 and paragraph 7.11 of the Amenity Section 7

4. Highway safety

- No provision for highway safety on a bus route which runs opposite to the main direction of car travel

Officer's response: Please refer to paragraph 9.5 of the Transport Section 9

5. Disabled access lift

- ATG as landlord for the building is encouraged to provide disabled access to the basement occupied by the Artist Club

Officer's response: Please refer to paragraph 5.3 of the Access for All Section 5

6. Drainage and flood issues

- No details included in the plans to expand the drainage system which cannot cope with the existing uses

Officer's response: Please refer to paragraph 10.2 of the Other Issues Section 10

7. Policy

- The site is within the Seven Dials Special Policy Area which states that no new alcohol licenses will be granted in this area. Not sure how they will be granted a variation to the alcohol licence as the application premises uses the same address as the Phoenix Artists Club which has an alcohol licence.

Officer's response: Please refer to paragraph 4.5 of the Land Use Section 4

8. Design, appearance and materials

- The existing fire exit serving the Phoenix Artist Club and the residential units is being changed to access the new ticket and bar / restaurant use increasing the number of people using the emergency route at one time. The exit route is also used to gain access for servicing for the Artists Club and residential flats. The proposal would restrict removal of rubbish from the flat waste chutes or the cycle storage.

Officer's response: Please refer to paragraph 10.1 of the Other Issues Section 10

Music Venue Trust – objects

- No assessment has been made of how the expanded theatre will function without impacting on the current operations of the Phoenix Arts Club

Officer's response: Please refer to the Amenity Section 7

Noise

- Greater focus is needed on acoustic mitigation. A noise survey would be required to ensure the proposed acoustic mitigation is effective
- Application needs to be considered against the Agent of Change principle as the application in its current form would place the Phoenix Artists Club's future at risk

Officer's response: Please refer to paragraph 7.8 of the Amenity Section 7

The Theatres Trust: Supports the application.

- Acknowledge that the venue suffers from having under-provision of front of house space and inadequate accessibility. Therefore the principle of seeking opportunities to address current deficiencies is supported.
- The acquisition of the ground floor commercial units will help make the theatre more attractive to producers, better meet the needs and expectations of audiences and allow expansion of its ancillary offer to help optimise use of the building.
- The existing units have been on short term leases and have poor quality shopfronts and some have been vacant for some time. The proposal would further enhance quality and diversity in the mix of uses within this important part of the West End within the CAZ.
- Design of the new shopfronts with revised windows and doors reflects the symmetry and architectural language of the levels above, in design which takes inspiration from the 1920s/ 30s era in which the theatre was built which is supported.
- An existing opening next to the Charing Cross Road entrance may have originally served as a box office / ticket counter based on a historic image that is available. The opening up to provide a new box office counter which will be accessible is welcomed and reinstates the original function so is a further intervention that would be supported.
- The partially infill void at the rear of Phoenix House is externally an area of low significance in design and heritage terms because it is not visible from public areas and would not obscure any important historic character or features to the theatre.
- Loss of historic fabric to allow the entry point for the lift can be justified through the clear public benefit of making the dress circle accessible. On similar grounds we can support revisions to seating arrangements
- Note comments from the Music Venues Trust. The existing units

could be occupied by similar potentially noise-generating users within Class E. A condition could be attached requiring the submission of an acoustic report with appropriate mitigation measures

REVISED PLANS

Following the receipt of revised plans to include additional plant on the roof of the theatre, as well as the submission of a noise impact assessment, additional site notices were displayed. No further consultation responses were received following the additional consultation period.

Site Description

The site is part of a urban block which is located on the corner of Charing Cross Road which lies to the west, Phoenix Street which lies to the south, Stacey Street that lies to the east and Flitcroft Street which lies to the north. The site comprises Phoenix House and the Phoenix Theatre. Phoenix House is 6 storey's and was constructed between 1945 and 1950. This building is not listed but is considered to make a positive contribution to the character and appearance of the conservation area. The ground floor of the building comprises four retail units (Use Class E) and also includes the box office for the Phoenix Theatre which is a Grade II listed building. The upper floors of Phoenix House are occupied as residential flats. To the rear of Phoenix House lies a lightwell that serves as a rear service area for the ground floor retail units and provides access to the residential units on the upper floors via external decked access walkways. The flats are accessed from Phoenix Street.

The Phoenix Theatre is a Grade II listed building. It dates from around 1929-1930. It was designed by Giles Gilbert Scott, with Bertie Crewe and Cecil Masey and includes a curved prow which marks the Rotunda entrance on the corner of Flitcroft Street and Charing Cross Road. One of the other entrances into the theatre which forms part of the elevation of buildings fronting Phoenix Street lies to the south. The basement floor is occupied by the Phoenix Artist's Club which is accessed from Phoenix Street. The Ambassador Theatre Group (ATG) is the applicant who owns the building and has acquired a long lease for the ground and basement floors of Phoenix House.

The block also includes 1-8 Stacey Street and 1a Phoenix Street which are occupied by residential flats. These properties do not form part of the application site.

The site lies within the Denmark Street conservation area. The eastern side of Charing Cross Road falls within the Camden borough boundary with the western side falling within the City of Westminster borough boundary. The surrounding area is a mix of commercial and residential uses. The site benefits from a high level of accessibility to public transport to almost all parts of London via the underground stations of Leicester Square and Tottenham Court Road and multiple bus routes.

Relevant History

Phoenix House

Planning permission was **granted** (ref 2004/5547/P) on 31/03/2009 for erection of a two storey infill extension at roof level to provide four x 1 bed and two x 2-bed self-contained flats, including the re-use of an existing lightwell for residential circulation space, together with an extension of the fly tower. This permission has expired.

Planning permission was **granted** (ref 2016/5190/P) on 30/06/2017 for erection of 2 storey roof extension with garden room and terrace at rooftop level to provide 2 x 2 bedroom flats. This permission has been implemented before the expiry date of the permission (30/06/2020) and a lawful development certificate (ref 2020/1174/P) was issued on 07/05/2020. No major works have started on site to date.

Planning permission was **granted** (ref 2018/0403/P) on 28/02/2018 for alterations including changes to materials, removal of rear brise soleil, change in orientation of PV panels, realignment of 5th floor south elevation windows and new window to stairwell, replacement of metal screen and balustrade with Kalwall screen, and removal of internal lifts; as non-material amendments to planning permission granted under ref: 2016/5190/P dated 30/06/2017 (erection of 2 storey roof extension with garden room and terrace at rooftop level to provide 2 x 2 bedroom flats).

Planning permission was **granted** (ref 2018/3308/P) on 18/09/2018 for variation of condition 3 (approved drawings) of planning permission ref: 2016/5190/P dated 30/06/2017 (as amended by ref: 2018/0403/P dated 28/02/2018) for the erection of 2 storey roof extension with garden room and terrace at rooftop level to provide 2 x 2 bedroom flats; namely to increase the footprint of the rooftop structure to the rear (east) elevation and revisions to the design of this elevation.

Phoenix Theatre

There are a number of listed building permissions relating to internal works to the theatre however the most recent are listed below.

Planning permission was **granted** (ref 2009/5798/P) on 09/02/2010 for erection of new canopy (following removal) on corner of Flitcroft Street and Charing Cross Road and light box from the corner of Charing Cross Road/Flitcroft Street to elevation on Phoenix Street, and works associated with installation of architectural lighting on facade of theatre and associated adverts (Sui Generis). Associated advert consent (ref 2009/4652/A) and listed building consent (ref 2009/4667/L) were also granted consent on 09/02/2010.

Listed building consent was **granted** on 23/10/2018 for internal alterations for Stalls Bar and Foyer Bar at Phoenix Theatre.

An advertisement application has been submitted (ref 2023/2083/A) for installation of 1 x curved 3D built light box letters fixed to a black background with rear lighting around the perimeter and related signage in existing poster box and 1 x 3D light box on column at theatre entrance. This application is pending consideration by the Council.

Relevant policies

Camden Local Plan 2017

Community, health and wellbeing

C2 Community facilities

C3 Cultural and leisure facilities

C5 Safety and security

C6 Access for all

Protecting amenity

A1 Managing the impact of development

A4 Noise and vibration

Design and Heritage

D1 Design

D2 Heritage

D3 Shopfronts

Town centres and shops

TC2 Camden's centres and other shopping areas

TC4 Town Centre Uses

Transport

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

Assessment

1.0 PROPOSAL:

1.1 Permission is sought for change of use of existing commercial units on Charing Cross Road from Class E(a) to ancillary theatre use (sui generis) to provide flexible area for uses including bar, lounge, ticketing and merchandising and associated alterations to shopfronts, infill extension within the rear lightwell to provide a passenger lift with installation of mechanical plant and associated screening at first and second floor levels, additional roof top plant and alterations to the ground floor fenestration including replacement canopy to Charing Cross Road. The internal alterations are detailed below.

External works

1.2 The works to Phoenix House would include

- Change of use of 4 commercial units (Class E) fronting onto Charing Cross Road to multiple purpose area ancillary to the theatre to include a bar, lounge, kitchen for reheating and cold food prep, ticketing and merchandising / retail area
- Installation of new shopfronts on the ground floor of Phoenix House
- Replacement of existing theatre canopy
- Erection of an infill extension at the rear of Phoenix House to install a disabled lift and associated overrun from ground floor to dress circle
- Installation of mechanical plant within the rear lightwell area and on the roof of the Phoenix Theatre with associated ducting

Internal works

1.3 The works to the theatre would include:

- Creation of enlarged opening between the existing box office area and shop units to make a link between the listed and unlisted parts of the building
- Installation of new platform lift
- Additional WC's
- New door opening in rear wall of the dress circle
- Removal / adaption of 8 seats to create 4 wheelchair spaces within the dress circle
- Creation of new, and enlargement of existing entrance into Rotunda entrance foyer

AMENDMENTS / ADDITIONAL INFORMATION

1.4 During the course of the application the following amendments have been made to the proposal and additional supporting documents have been received:

- Enlargement of ground floor window opening on the front elevation omitted from the scheme
- New sculptural feature on the southern corner of the building omitted from the scheme
- Amendments to the design of the new shopfronts
- Installation of additional plant on the roof of the Phoenix Theatre
- Noise assessment submitted
- Additional overlay drawings of the rear elevation of Phoenix House

2.0 ASSESSMENT

2.1 The main considerations as part of this proposal are:

- 3. Need for a new multi-functional area
- 4. Land use
- 5. Access for all
- 6. Heritage and design
- 7. Amenity
- 8. Sustainability
- 9. Transport
- 10. Other issues

3.0 NEED FOR A NEW MULTIFUNCTIONAL AREA

3.1 The Phoenix Theatre has a capacity of 1012. It currently has five bar spaces which operate as

follows:

- Grand Circle – 44 standing
- Dress Circle – 64 standing
- Foyer Bar – 38 standing
- Stalls Bar – 58 standing
- Ambassador Lounge (VIP only) – 28 standing

3.2 The numbers above represent the maximum capacity of people standing in these spaces. However, the most recent Fire Risk Assessment (June 2022) recognises that many of these spaces have transitory uses, affecting capacity and ability to purchase refreshments at the bar. The functional capacity for these spaces are therefore less than the above.

3.3 Due to the age and protected status of the listed building, the opportunities to upgrade the hospitality offer of the 93 year old theatre are limited. The ground floor area fronting onto Charing Cross Road provides the space to create a foyer space that encompasses all the facilities that would be expected from a theatre including a bar and lounge area on the ground floor and a merchandising space.

3.4 The outside presence of the theatre has been identified by producers as being inadequate. Although the technical provision is satisfactory, the hospitality space and customer journey is not reflective of a quality experience and the theatre is keen to enhance the long-term appeal of the theatre as an international venue by focusing on access and improved audience experience.

4.0 LAND USE

4.1 The 4 existing ground floor units comprise 115 sq. m of commercial floor space (Class E use) that is used as retail units. It is proposed to subsume these uses within the theatre use to provide a multi-purpose space. A new box office and theatre bar would be created with a capacity for 25-28 people, and a merchandising space / lounge with a capacity of 25 people. A kitchen area would also be provided that would be used to reheat and prepare cold food only.

Loss of existing retail units

4.2 The site lies within the secondary frontage of Tottenham Court Road Central London Frontage. Policy TC2 seeks to protect the secondary frontages as locations for shops together with a broader range of other town centre uses to create centres with a range of shops, services and food and drink and entertainment uses which support the viability and vitality of the centre. The retail frontage from 1 Phoenix Street to 124 Charing Cross Road currently contains 6 commercial units (four of which are located within the application site, with the other two occupied by Chipotle and TK Maxx. Currently 4/6 are in (former) A1 use (66%). As a result of the development, there would be three units (this site, Chipotle and TK Maxx), with a 33% (former) A1 uses. It would be material to note that TK Maxx occupies a large unit that incorporates 3 units and if counted as three units, would increase the (former) A1 rate to 60% of this secondary frontage. The Use Classes Order has been amended (2020) such that commercial uses are now by and large grouped together in Class E which essentially includes commercial, business, and service uses. As such, the strict requirement for proportions of (Class A1) retail in the town centre is no longer applicable. Nevertheless, the intention of the Local Plan Central London Frontage policies to protect the function, character, vitality, and viability of the town centre remains (discussed in paragraph 4.3 below). Taking these points into consideration there would be no objection to the loss of the retail units within this Central London location subject to suitable new uses being provided which make an equal contribution to the vitality and viability of the centre.

Theatre use - New bar / lounge

4.3 The site is situated in a prominent location within Central London and close to theatreland. Retail, food, beverage and entertainment activity forms part of the character of the area and this is generally consistent with the aims and objectives of the Central Activities Zone. The existing retail units include a live ticket events shop (StubHub), a vape shop (Vape Shop), a massage / reflexology salon (Fantasia), and a corner shop that includes the sale of drinks and snacks (Corner Shop). The existing retail units are small in size and tired in their appearance and 2 of the units appear to have been

vacant since July 2022. Policy C3 is strongly supportive of cultural facilities like theatres. The new space would be multifunctional, and the uses would be dependent on the needs of the visiting production. There would be a foyer space, access amenity, lounge space, bar and box office and merchandise space. The bar area would act as an extension of the theatre foyer and would principally be used by customers who would be attending a performance at the Phoenix Theatre. It would have a capacity for approximately 25-30 patrons. If unused, the proposed merchandising area would be used flexibly as a lounge area that would have a capacity for approximately 25 patrons. The uses proposed would be functions that are typical of town centre uses and reflective of the character of this area which is close to theatreland. It is considered that the uses would reactivate this part of the secondary shopping frontage. Given the site's location within close proximity to theatreland, it is considered that the proposed uses would continue to support the character, function, vitality and viability of the Central Activities Zone.

Cumulative impact of food, drink and entertainment uses:

4.4 It is noted that the site is located within the Seven Dials Cumulative Impact policy area. Policy TC4(b) of the Camden Local Plan states that the Council will consider the cumulative impact of food, drink and entertainment uses, taking into account the number and distribution of existing uses and non-implemented planning permissions and any record of harm caused by such uses. There is one restaurant venue at no. 114 Charing Cross Road (Chipotle) which lies directly to the north of the site on the other side of Flitcroft Street and a Salsa Bar to the south at no. 96 Charing Cross Road. Having checked the Council's Enforcement records and consulted with the Council's Environmental Health team, there have been no records of noise or disturbance associated with these other food/drink and entertainment uses. On the other side of Charing Cross Road is Soho Place Theatre which includes a bar/restaurant on the ground floor. Soho Place Theatre opens from 09:00 to 01:00 (Monday to Saturday) and 09:00 to 23:00 on a Sunday. This site falls within the City of Westminster. Given the number of food and drink and entertainment uses within this part of Charing Cross Road and taking into consideration the size of the ground floor area that would be used for ancillary theatre uses (115 sq. m), the proposal would not be considered to result in a significant expansion of licensed floorspace within this protected area and would be considered acceptable.

Hours of opening

4.5 A new premises licence (ref PREM-LIC\1264) was granted on 08/06/2023 by Camden's Licensing Committee which included licensing controls regarding trading hours and activity. The hours of opening agreed are 08:00 to 00:00 midnight Monday to Sunday. The proposed opening times would be considered reasonable for a theatre use in this Central London location. As the new bar and lounge area at ground floor level would be ancillary uses to the theatre it would be appropriate to attach the same conditions.

5.0 ACCESS FOR ALL

5.1 A principle driving force behind the proposal is to respond to an evolving need to improve and expand the step-free access for both patrons and wheelchair users. As a 93-year-old building that is situated in the middle of residential buildings there is minimal scope to improve the access within the listed building currently. The new shopfronts would provide level access into the ground floor bar / lounge area which complies with Policy C6.

5.2 The proposal would include the installation of a platform lift between the ground floor and the dress circle level at first floor to provide level access to the auditorium. A total of 4 wheelchair spaces would be created within the dress circle and would be accessed from the new platform flat. Associated internal works to improve disabled access would also include widening of the Rotunda Entrance Foyer at ground floor level to allow wheelchair access via another of the existing entrances. Building Regulations recommends a minimum of 1% of the venue's capacity should be wheelchair seating. The current capacity of the theatre is 1012. The number of recommended wheelchair seating spaces would therefore be 11. There is 1 fully compliant wheelchair space at present that is accessed via Flitcroft Street. This is located in a box at the front of the dress circle. If the wheelchairs are small they can technically accommodate two but this would not comply with evacuation best practice. Due to the complexities of the site and the restrictions associated with the listed status of the theatre, it would not be possible to meet the Building Control recommended number of wheelchair

seats. The 4 new wheelchair spaces would meet the highest practicable standards of accessible and inclusive design which is accepted and helps to meet the aspirations of Policy C6.

5.3 The Phoenix Artists Club, located in the basement, has written to encourage the landlord (ATG) to provide disabled access to the basement. The basement area does not form part of the current application however this may be something that the landlord would consider as a future project to improve disabled access within the building.

6.0 HERITAGE AND DESIGN

Statutory Duty and Assessment of Harm

6.1 In considering the proposal, special regard has been given to the desirability of preserving the listed building and its setting, and its features of special architectural or historic interest, under s.16 and s. 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

6.2 Special attention has also been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s. 72 of the aforementioned statute as amended.

EXTERNAL WORKS

Shopfronts:

6.3 Traditionally it seems there have always been shopfronts on the Charing Cross Road frontage (albeit not listed, although the building is considered to make a positive contribution to the conservation area). The proposals involve the removal of the existing shopfronts, which are non-original and out-of-keeping. A series of windows incorporating entrance doors to the bar and retail space would be proposed as replacements. The proposed shopfront designs follow the original Art Deco style of the upper floor windows. The original design of the shopfronts included full-height glazed openings and transoms. This resulted in the shopfront glazing being out-of-scale, both with the host building and with the adjacent theatre entrance creating an industrial appearance that was considered to be out-of-keeping with the character and appearance of the conservation area. This element of the scheme has been revised to remove the transoms and the width of the windows reduced in height to match the top of the door openings on the Rotunda entrance to the theatre. The proposed changes would improve the overall scale of the shopfronts and would be considered acceptable subject to a condition requiring further details to be provided. The proposal originally included the installation of powder-coated metal backed sheeting along the pilasters on the Phoenix Street and Charing Cross Road ground floor elevations. This was considered by the applicant as a recognisable shopfront material, durable and could be easily replaced when damaged. The applicant was encouraged to revisit this as it was not considered an appropriate material for a historic building. Following further discussions, a ceramic panel has been proposed which can be textured and coloured in a multitude of ways. The proposed finishes would be considered a more appropriate material for the pilasters between the shopfronts. Further details of finishes and manufacturers specifications would be secured by condition.

Change to window dimensions on the front elevation:

6.4 It was originally proposed to alter a small metal ground-floor window with diagonal glazing bars to the right of the main entrance within the Charing Cross Road elevation. The window is one of a pair positioned on either side of the theatre entrance, which are important historic features likely to be attributed to Gilbert Scott. This approach was not considered appropriate for a grade II listed building, and the applicant was advised to retain the existing window. The applicant has omitted this element of the scheme from the proposal in order to explore this issue further.

New lift:

6.5 The proposal would include an extension behind the auditorium at upper circle level which occupies a position above an existing plant area within the lightwell between the theatre and the Charing Cross Road housing block. The extension would accommodate a lift from ground-floor level to the dress circle of the auditorium with a lobby to store wheelchairs during performances, giving level access to the dress circle. It would be topped by a flat roof which would be home to air conditioning units.

6.6 The extension would be an addition to the envelope of the main theatre auditorium which generally retains its original form. It would appear the theatre has not been extended in its 90 year existence, other than at roof level for various plant and other accretions. The extension would be back-of-house within the lightwell, so not visible from the street. The extension would be separated from the access decks in an area which already is somewhat unsightly.

6.7 The proposed extension would not be visible from the street so would not affect the appearance of the listed building as seen from Charing Cross Road and surrounding streets. As such, it would be a subservient addition to the listed building in an area of secondary importance on the site, which would be in keeping with the rear wall of the auditorium in terms of its height, bulk, form, footprint, scale and materiality.

New canopy:

6.8 The proposed works also include renewing the existing theatre canopy and signage which stretch along the Charing Cross Road frontage and into Phoenix Street on the south side. No objections would be raised to the principle of removing and replacing the existing canopy which is non-original (the proposals do not include the recently-renewed curved canopy over the principal theatre entrance). Any replacement and new signage as well as lighting of the canopy and signage would require advertisement consent and would not form part of this permission. It must be noted that a advert application has been submitted to the Council and is pending consideration (see planning history section above for further details).

Roof top plant:

6.9 The proposal would include installation of air handling unit and an extension to the existing ductwork onto the roof of the theatre and the installation of a 1.8m screen to enclose the existing condenser unit. All the plant would be mounted on big foot pedestals in order to minimise risk of damaging the existing roof finishes. There would be no harm to the historic fabric of the listed building and this would be considered acceptable.

INTERNAL WORKS

Change of use:

6.10 There would be no objections regarding the conversion of the shops to bar/retail use in terms of the impact on the listing building.

Enlargement of existing openings with the Rotunda:

6.11 The proposed works would make a link between the listed and unlisted parts of the block through the Rotunda Foyer entrance into the newly created bar area. The link involves the creation of modest openings between the existing box office area and the shop units themselves, requiring minimal intervention in terms of historic fabric, other than the reinstatement of an original archway directly off the theatre entrance foyer which is welcomed subject to a condition requiring details of the design.

Enlargement of the curtilage of the listed building:

6.12 The works would increase the size of the curtilage of the listed theatre building by embracing the existing shop units, with implications on the list description and on future planning decisions. The building owners are therefore encouraged to consider a listing review to take such changes into account to be undertaken by Historic England. An informative would be attached to the listed building consent advising the applicant of this.

New door opening within the rear wall of the dress circle:

6.13 In order to access the auditorium from the proposed lift, it would be necessary to create a door opening in the angled section of the existing rear wall, on its southern end. As currently there are no openings in this external wall enclosing the back of the dress circle, the design of the proposed wheelchair-accessible door needs to be carefully considered in terms of its visual impact on the interior of the listed building. The original design of the proposed door opening was imposing in terms of its appearance and was considered overly ornate in relation to the existing auditorium entrance doors. The door design was revised during the course of the application to be replaced by a simple 6

panel solid timber door opening that would be less competitive. Having reviewed the revised plans it is considered that the new door is still slightly too ornate. A condition would be attached requiring details of the new door to be submitted to ensure that it is of a simple appropriate design.

New wheelchair seating:

6.14 It is proposed to create 4 wheelchair spaces at the back of the dress circle, by the removal/adaptation of a total of 8 original seats adjacent to the 3 access points from the rear circulation corridor. The seats have high quality metal side brackets which form their arms, which would be adapted so that the 4 pairs of seats would each be removed for a wheelchair customer. It is also proposed to remove/adapt 4 sections of the historic panelled screen at the back of the seats which defines the rear circulation corridor to create sufficient space for wheelchair access. As it has been established that both the seats and the screens are original features of the theatre auditorium any alteration would cause a level of harm to the designated heritage asset. This has been weighed against the create of 4 new wheelchair seats that would improve disabled access within the theatre. The applicant has confirmed that the required number of original seating would be removed and replaced once the wheelchair seating is no longer required after the performance. The improved disabled access and creation of additional disabled seating would be considered a public benefit that would outweigh the less than substantial harm identified by the removal and detachment of the panels. Fully annotated large scale (1:1/1:2) plans, sections and elevations would be required to be submitted prior to commencement of the relevant part of the works.

6.15 Historic England were consulted on the listed building application. They have given authorisation to determine the application for listed building consent as the Council thinks fit. The Secretary of State endorsed this authorisation on 31/03/2023.

7.0 AMENITY

Daylight, sunlight and outlook:

7.1 Daylight and sunlight to small high level windows along access balconies to Phoenix House flats have been examined as being the only windows to adjoining residential premises that would be affected by the proposal. The windows serve kitchens and bathrooms. The proposal would include the demolition of the existing ground floor toilet and disused water tanks at first floor level within the lightwell and erection of an infill extension at ground and first floor level to provide the new platform lift enclosure. This extension would be located at the back of the access deck that provides access to the upper floor flats. It would extend 2m in length and would be located in front of a high level window that serves a bathroom and the front door of one of the first floor flats. It would not be considered to have a harmful impact on daylight or outlook to the flats within the upper floors of Phoenix House. The new mechanical plant and associated screen at first and second floor levels would be located on the flat roof of the existing extension within the lightwell to the rear of Phoenix House. The plant and associated screen would be approximately 2.5m from the windows of these flats. It is acknowledged that the separation distance is modest however given the fact that the affected windows serve non-habitable rooms, the impact to the daylight to and outlook from and 3 of the flats on the first floors to and from these non-habitable rooms would be considered acceptable. The louvre screen in front of the mechanical plant is not required for acoustic purposes therefore the details of the materials and finishes are still being explored. A condition would be attached requiring the details to be submitted prior to the relevant part of the works.

7.2 Phoenix House occupies a southwest northeast orientation in relation to the roof on which the new mechanical plant would be installed at roof top level. There would be a 9.6m separation distance between the rear elevation of Phoenix House and the west elevation of the new air handling unit that would measure 1.6m in height. There would be no loss of daylight, sunlight or outlook to the nearest residential units as a result of the roof top equipment

Privacy:

7.3 There would be no loss of privacy to neighbouring occupiers as a result of the proposal.

Noise (from mechanical plant)

7.4 The proposed plant includes an air conditioning unit and associated 1.8m high screen and an air

handling unit with associated pipework. These would be centrally located within the roof of the theatre. New plant and associated screening would also be installed within the rear lightwell at first and second floor level.

7.5 The Council's Environmental Health officer has reviewed the submitted information that includes the noise levels from the mechanical plant. It has been confirmed that appropriate noise guidelines have been followed within the report. The Council's Environmental Health officer is satisfied that the submitted acoustic information with specified noise mitigation at the nearest and potentially most affected noise sensitive office and residential receptors meets the requirements of the Local Plan subject to standard noise conditions being attached. The standard noise conditions have been attached to ensure that the proposal meets the requirements of policy A1 and A4.

Noise (from the new ground floor uses):

7.6 A number of concerns about noise have been raised by a local resident within Phoenix House which would be above the new bar / lounge area and objections have been received from the Phoenix Artists Club who occupy the basement of the building as well as the Music Venue Trust who support the concerns of the Artists Club. These concerns relate to the possible noise transference from the bar / lounge area to the residential flats above and to and from the club the occupies the basement. The Artists Club is a multi-use creative space that provides a range of entertainment events including a music venue, cabaret and events space. They are concerned that any new operators may raise excessive noise complaints that could put the venue under sustained risk of permanent closure and are concerned that the agent of change principal has not been addressed. The agent of change principal works where a new venue or noise generating development which is built near to an existing residential development, the onus will be on the new development to put in place noise mitigation measures. A noise report has been submitted which includes details of the sound insulation that would be provided within the ground floor area to try to minimise sound transference to these existing sensitive uses. The Council's Environmental Health officer has reviewed this information and is satisfied with the details subject to a condition being attached to ensure that the sound insulation is installed in line with the approved details.

Smells

7.7 The proposal would include a kitchen area that would be used to reheat food and prepare cold food. Consequently there would be no significant cooking smells from the kitchen. A condition would be attached to ensure that the kitchen is used to reheat or prepare cold food only.

Disturbance:

7.8 Concerns have been raised by the club in the basement in relation to the new doors of the ground floor bar / lounge area that would front Charing Cross Road opening outwards onto the pavement lights that provide light into the club area. Unfortunately it is not possible to restrict people standing on this part of the pavement as they wait to enter the theatre. A condition would be attached to any permission to ensure that the doors at ground floor level would not open outwards onto the highway to minimise any obstruction to the pavement lights and to ensure that the doors would not result in any highway safety issues to pedestrians using this part of the street.

Management of patrons:

7.9 The proposed bar area would have a capacity for approximately 25-30 patrons. If used, the proposed merchandising area would be used flexibly as a lounge area when any future production would be too small or wouldn't require a merchandising space. This area would have a capacity for approximately 25 patrons. Resulting in the space having the potential to be used and occupied by approximately 55 people.

7.10 Concerns have been raised by local residents about the management of people outside the new bar area and resultant noise and disturbance from patrons smoking and drinking particularly as new door openings would allow increased access to the theatre building along Charing Cross Road. It must be noted that the Charing Cross Road is a busy thoroughfare with people walking from Tottenham Court Road south towards Shaftesbury Avenue. There is an existing entrance / exit from the theatre onto Charing Cross Road via the Rotunda on the corner of Charing Cross Road and

Flitcroft Street. The majority of patrons leaving the theatre from Phoenix Street entrance / exit or the Rotunda leave via Charing Cross Road. It would be considered that the new ground floor entrance doors from the theatre onto Charing Cross Road would provide an alternative entrance / exit from the theatre that would allow people to enter and leave the performances more efficiently. This would ensure that there would be no additional harmful noise and disturbance than is already experienced at the site and along this part of Charing Cross Road. There are signs next to the theatre entrances asking customers to leave quietly. Staff are located at appropriate points to guide patrons and security staff are present to prevent customers from congregating or smoking directly outside of the doors. Given that the applicant (ATG) has a theatre management plan in place at the theatre which would be extended to the new ground floor area, it would be considered unnecessary in this instance to secure an operational management plan as part of this permission. A condition would be attached to ensure no music played on the premises would be audible to neighbouring occupiers particularly those residents within the upper floors of Phoenix House.

Smoking

7.11 There are also concerns about people smoking outside the bar which would cause a nuisance for the residents of Phoenix House. The applicant has advised that there is existing provision for smokers and this will continue to be used. It is an area on the opposite side of the theatre foyer entrance door on Phoenix Street. Door staff currently direct all smokers to this non-residential location and this dedicated area and procedure will remain in place.

8.0 SUSTAINABILITY

Mechanical plant:

8.1 There are existing air conditioning units within the lightwell that serve the retail units and the club within the basement. The proposal would include the relocation of the basement bar air conditioning units to the roof of the theatre. The applicant has provided written advice from the mechanical engineer that outlines how the use of the theatre and new bar requires cooling due to its nature. This demonstrates that natural ventilation would not be suitable in the context of the site, specifically referring to the site limitations in the building's layout, design and use that would make other forms of ventilation inadequate.

8.2 Given the age of the building, the nature of the use as a theatre where window openings are not always possible to provide passive ventilation, and the fact that the proposal is not associated with a comprehensive refurbishment scheme (which could reduce overheating via passive measures), the active cooling is considered acceptable in this instance.

9.0 TRANSPORT

Servicing

9.1 There is a southbound bus lane outside the front of the site on Charing Cross Road which prevents servicing from taking place at any time, whilst Phoenix Street is narrow and again subject to loading restrictions and Flitcroft Street is a pedestrian only route. Concerns have been raised about adequacy of parking / loading and turning of delivery vehicles. Servicing of the site would only be able to take place from the rear from Stacey Street from the resident parking bays. The applicant has confirmed that there would be no change to the existing servicing arrangements for the theatre with loading of goods undertaken from the stage door on Stacey Street.

Parking

9.2 Concerns have also been raised in relation to disabled parking provision, coach access for tour groups and general deliveries associated with the new bar. There is no provision for car or coach parking within the immediate vicinity and the existing theatre does not provide any coach parking or drop-off points. Coaches drop-off away from the theatre and patrons would walk from there. The majority of patrons visit the existing theatre by either using public transport or walking and this would not change as a result of the proposal. Disabled permit holders can park on Stacey Street and this would not change as a result of the proposal.

9.3 It is assumed that the construction works would require the suspension of the resident parking bays to enable deliveries to take place. It is considered that with these arrangements in place a

Construction Management Plan is not necessary for this development. Concerns have been raised by local businesses about construction noise. All developments involve an element of construction noise as part of the implementation of works. In this case, the level of construction is minimal with the majority of works associated with the fit out of the bar. An informative would be attached to any permission reminding the applicant of the limitations to the hours when construction work can be carried out.

9.4 As discussed in the amenity section above, a condition would be attached to any permission to ensure that the new doors at ground floor level would not open outwards onto the highway to minimise any obstruction to the pavement lights and to ensure that the doors would not result in any highway safety issues to pedestrians using this part of the street.

9.5 Concerns have been raised about lack of provision for highway safety on a bus route that runs opposite to the main direction of vehicle travel. It would not be considered necessary to provide any additional highway safety measures to the highway. This would be the responsibility of Highways or Transport for London as this part of Charing Cross Road is designated as a red route.

9.6 In summary there would be no transport objections to the proposed development and there would be no requirement to attach any transport related conditions or obligations.

10.0 OTHER ISSUES

Fire escape:

10.1 Concerns have been raised that the existing fire exit serving the Phoenix Artist Club and the residential units at ground floor level is being changed to access the new ticket and bar use increasing the number of people using the emergency route at one time. The applicant has confirmed that the fire exit serves the rear of the retail units and has been fire risk assessed by RB Health and Safety Solutions who are currently in discussion with London Fire Brigade. The existing emergency escape route needs to be maintained and this would be accommodated by introducing an internal cross over to the route. This would enable the bar and the rotunda entrance to be properly connected and continue to operate as an integral part of the theatre whilst still maintaining the fire escape route for the Artists Club and residents of Phoenix House.

Drainage:

10.2 The Phoenix Artists Club is concerned that there are no details in the plans to expand the drainage system which cannot cope with the existing uses. The applicant has confirmed that there are no changes proposed to the drainage system or capacity. Any drainage issues or leaks apparent within the theatre and ground floor units would be fixed by the applicant as part of these works.

13.0 RECOMMENDATION

13.1 Grant conditional planning permission

13.2 Grant conditional listed building consent

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 26th June 2023, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2022/5537/P
Contact: Elaine Quigley
Tel: 020 7974 5101
Email: Elaine.Quigley@camden.gov.uk
Date: 21 June 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Montagu Evans LLP
70 St Mary Axe
London
EC3A 8BE
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Phoenix Theatre
112 Charing Cross Road
London
WC2H 0JP

DECISION

Proposal:

Change of use of existing commercial units on Charing Cross Road from Class E(a) to ancillary theatre use (sui generis) to provide flexible area for uses including bar, lounge, ticketing and merchandising and associated alterations to shopfronts, infill extension within the rear lightwell to provide a passenger lift with installation of mechanical plant and associated screening at first and second floor levels, additional roof top plant and alterations to the ground floor fenestration including replacement canopy to Charing Cross Road.

Drawing Nos:

Existing Drawings

559-PWL-ZZ-ZZ-DR-A-00-010; 559-PWL-ZZ-ZZ-DR-A-00-100; 559-PWL-ZZ-ZZ-DR-A-00-110; 559-PWL-ZZ-ZZ-DR-A-00-120; 559-PWL-ZZ-ZZ-DR-A-00-170; 559-PWL-ZZ-ZZ-DR-A-00-200; 559-PWL-ZZ-ZZ-DR-A-00-201; 559-PWL-ZZ-ZZ-DR-A-00-210; 559-PWL-ZZ-ZZ-DR-A-00-320; 559-PWL-ZZ-ZZ-DR-A-00-330.

Proposed Drawings

559-PWL-ZZ-ZZ-DR-A-PL_100 rev P1; 559-PWL-ZZ-ZZ-DR-A-PL_110; 559-PWL-ZZ-ZZ-DR-A-01_120 rev P1; 559-PWL-ZZ-ZZ-DR-A-01_170; 559-PWL-ZZ-ZZ-DR-A-01_175; 559-PWL-ZZ-ZZ-DR-A-01_200; 559-PWL-ZZ-ZZ-DR-A-PL_201; 559-PWL-ZZ-ZZ-DR-A-01_310; 559-PWL-ZZ-ZZ-DR-A-01_320 rev P3; 559-PWL-ZZ-ZZ-DR-A-01_330 rev P7;

559-PWL-ZZ-ZZ-DR-A-22-400 rev P1; 559-PWL-ZZ-ZZ-DR-A-01_405; 559-PWL-ZZ-ZZ-DR-A-01-415; J1542-2D-Z(00)-003 rev 2A; J1542-2D-Z(00)-005 rev P3A.

Demolition Drawings

559-PWL-ZZ-ZZ-DR-A-DM-100; 559-PWL-ZZ-ZZ-DR-A-DM-110; 559-PWL-ZZ-ZZ-DR-A-DM-200; 559-PWL-ZZ-ZZ-DR-A-DM-320; 559-PWL-ZZ-ZZ-DR-A-DM-330

Supporting documents

Design, Access and Heritage Statement P1 prepared by Pawlik + Wiedmer dated December 2022; Phoenix Theatre Noise assessment report prepared by Sandy Brown Associate dated 27/04/2023; Noise Impact Assessment prepared by NOVA Acoustics Ltd dated 23/05/2023; Access Statement prepared by ATG and Heritage Statement prepared by Montagu Evans dated 16/12/2022.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Drawings

559-PWL-ZZ-ZZ-DR-A-00-010; 559-PWL-ZZ-ZZ-DR-A-00-100; 559-PWL-ZZ-ZZ-DR-A-00-110; 559-PWL-ZZ-ZZ-DR-A-00-120; 559-PWL-ZZ-ZZ-DR-A-00-170; 559-PWL-ZZ-ZZ-DR-A-00-200; 559-PWL-ZZ-ZZ-DR-A-00-201; 559-PWL-ZZ-ZZ-DR-A-00-210; 559-PWL-ZZ-ZZ-DR-A-00-320; 559-PWL-ZZ-ZZ-DR-A-00-330.

Proposed Drawings

559-PWL-ZZ-ZZ-DR-A-PL_100 rev P1; 559-PWL-ZZ-ZZ-DR-A-PL_110; 559-PWL-ZZ-ZZ-DR-A-01_120 rev P1; 559-PWL-ZZ-ZZ-DR-A-01_170; 559-PWL-ZZ-ZZ-DR-A-01_175; 559-PWL-ZZ-ZZ-DR-A-01_200; 559-PWL-ZZ-ZZ-DR-A-PL_201; 559-PWL-ZZ-ZZ-DR-A-01_310; 559-PWL-ZZ-ZZ-DR-A-01_320 rev P3; 559-PWL-ZZ-ZZ-DR-A-01_330 rev P7; 559-PWL-ZZ-ZZ-DR-A-22-400 rev P1; 559-PWL-ZZ-ZZ-DR-A-01_405; 559-PWL-ZZ-ZZ-DR-A-01-415; J1542-2D-Z(00)-003 rev 2A; J1542-2D-Z(00)-005 rev P3A.

Demolition Drawings

559-PWL-ZZ-ZZ-DR-A-DM-100; 559-PWL-ZZ-ZZ-DR-A-DM-110; 559-PWL-ZZ-ZZ-DR-A-DM-200; 559-PWL-ZZ-ZZ-DR-A-DM-320; 559-PWL-ZZ-ZZ-DR-A-DM-330

Supporting documents

Design, Access and Heritage Statement P1 prepared by Pawlik + Wiedmer dated December 2022; Phoenix Theatre Noise assessment report prepared by Sandy

Brown Associate dated 27/04/2023; Noise Impact Assessment prepared by NOVA Acoustics Ltd dated 23/05/2023; Access Statement prepared by ATG and Heritage Statement prepared by Montagu Evans dated 16/12/2022.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Plan, elevation and section drawings at scale 1:10, showing the new shopfront frames, mullions, details of the pilaster finishes and details of how these would be set into the existing openings.

b) Plan, elevation and section drawings at scale 1:20 showing the new louvred screens including details of materials and finishes.

c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 The use hereby permitted shall be carried within the following times 08:00 to 00:00 midnight.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies D1, A1, A4, TC1 and TC2 of the London Borough of Camden Local Plan 2017.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies D1, A1, A4, TC1 and TC2 of the London Borough of Camden Local Plan 2017.

- 6 Design sound insulation at the development hereby approved shall meet the specified specifications set out in Section 6 of acoustic report Ref: 23077-R02-A dated 27 April 2023 and to meet a minimum internal noise level of NR20 within residential dwellings.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises are not adversely affected by noise from commercial operations of the development in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 7 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies D1, A1, A4, TC1 and TC2 of the London Borough of Camden Local Plan 2017.

- 8 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical existing background noise level by at least 10dBA, or by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 9 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 10 All new external doorways, except for fire doors or for access to utilities, should not open outwards towards the public highway or footway. The proposed doors must either open inwards or have a sliding door so they do not restrict the flow of pedestrians or risk being opened onto those passing by.

Reason: In order to enhance the free flow of pedestrian movement and promote highway safety and amenity in accordance with policies D1 and T1 of the Camden Local Plan 2017.

- 11 No primary cooking of raw food shall take place on the premises.

Reason: To protect the amenity of neighbouring occupiers and to safeguard the character and appearance of the area, in accordance with policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the

Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email planning@camden.gov.uk.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Chief Planning Officer

Application ref: 2023/0874/L
Contact: Elaine Quigley
Tel: 020 7974 5101
Email: Elaine.Quigley@camden.gov.uk
Date: 21 June 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Montagu Evans LLP
70 St Mary Axe
London
EC3A 8BE
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

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

DECISION

Proposal:

External and internal works including installation of roof top plant, new opening to rear auditorium including adaptation of seating to accommodate wheelchairs, creation of new and enlargement of existing entrance into the entrance foyer all in association with the existing theatre and works associated with the unlisted Phoenix House.

Drawing Nos:

Existing Drawings

559-PWL-ZZ-ZZ-DR-A-00-010; 559-PWL-ZZ-ZZ-DR-A-00-100; 559-PWL-ZZ-ZZ-DR-A-00-110; 559-PWL-ZZ-ZZ-DR-A-00-120; 559-PWL-ZZ-ZZ-DR-A-00-170; 559-PWL-ZZ-ZZ-DR-A-00-200; 559-PWL-ZZ-ZZ-DR-A-00-201; 559-PWL-ZZ-ZZ-DR-A-00-210; 559-PWL-ZZ-ZZ-DR-A-00-320; 559-PWL-ZZ-ZZ-DR-A-00-330.

Proposed Drawings

559-PWL-ZZ-ZZ-DR-A-PL_100 rev P1; 559-PWL-ZZ-ZZ-DR-A-PL_110; 559-PWL-ZZ-ZZ-DR-A-01_120 rev P1; 559-PWL-ZZ-ZZ-DR-A-01_170; 559-PWL-ZZ-ZZ-DR-A-01_175; 559-PWL-ZZ-ZZ-DR-A-01_200; 559-PWL-ZZ-ZZ-DR-A-PL_201; 559-PWL-ZZ-ZZ-DR-A-01_310; 559-PWL-ZZ-ZZ-DR-A-01_320 rev P3; 559-PWL-ZZ-ZZ-DR-A-01_330 rev P7;

559-PWL-ZZ-ZZ-DR-A-22-400 rev P1; 559-PWL-ZZ-ZZ-DR-A-01_405; 559-PWL-ZZ-ZZ-DR-A-01-415; J1542-2D-Z(00)-003 rev 2A; J1542-2D-Z(00)-005 rev P3A.

Demolition Drawings

559-PWL-ZZ-ZZ-DR-A-DM-100; 559-PWL-ZZ-ZZ-DR-A-DM-110; 559-PWL-ZZ-ZZ-DR-A-DM-200; 559-PWL-ZZ-ZZ-DR-A-DM-320; 559-PWL-ZZ-ZZ-DR-A-DM-330

Supporting documents

Design, Access and Heritage Statement P1 prepared by Pawlik + Wiedmer dated December 2022; Phoenix Theatre Noise assessment report prepared by Sandy Brown Associate dated 27/04/2023; Noise Impact Assessment prepared by NOVA Acoustics Ltd dated 23/05/2023; Access Statement prepared by ATG and Heritage Statement prepared by Montagu Evans dated 16/12/2022.

The Council has considered your application and decided to grant subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Drawings

559-PWL-ZZ-ZZ-DR-A-00-010; 559-PWL-ZZ-ZZ-DR-A-00-100; 559-PWL-ZZ-ZZ-DR-A-00-110; 559-PWL-ZZ-ZZ-DR-A-00-120; 559-PWL-ZZ-ZZ-DR-A-00-170; 559-PWL-ZZ-ZZ-DR-A-00-200; 559-PWL-ZZ-ZZ-DR-A-00-201; 559-PWL-ZZ-ZZ-DR-A-00-210; 559-PWL-ZZ-ZZ-DR-A-00-320; 559-PWL-ZZ-ZZ-DR-A-00-330.

Proposed Drawings

559-PWL-ZZ-ZZ-DR-A-PL_100 rev P1; 559-PWL-ZZ-ZZ-DR-A-PL_110; 559-PWL-ZZ-ZZ-DR-A-01_120 rev P1; 559-PWL-ZZ-ZZ-DR-A-01_170; 559-PWL-ZZ-ZZ-DR-A-01_175; 559-PWL-ZZ-ZZ-DR-A-01_200; 559-PWL-ZZ-ZZ-DR-A-PL_201; 559-PWL-ZZ-ZZ-DR-A-01_310; 559-PWL-ZZ-ZZ-DR-A-01_320 rev P3; 559-PWL-ZZ-ZZ-DR-A-01_330 rev P7; 559-PWL-ZZ-ZZ-DR-A-22-400 rev P1; 559-PWL-ZZ-ZZ-DR-A-01_405; 559-PWL-ZZ-ZZ-DR-A-01-415; J1542-2D-Z(00)-003 rev 2A; J1542-2D-Z(00)-005 rev P3A.

Demolition Drawings

559-PWL-ZZ-ZZ-DR-A-DM-100; 559-PWL-ZZ-ZZ-DR-A-DM-110; 559-PWL-ZZ-ZZ-DR-A-DM-200; 559-PWL-ZZ-ZZ-DR-A-DM-320; 559-PWL-ZZ-ZZ-DR-A-DM-330

Supporting documents

Design, Access and Heritage Statement P1 prepared by Pawlik + Wiedmer dated December 2022; Phoenix Theatre Noise assessment report prepared by Sandy Brown Associate dated 27/04/2023; Noise Impact Assessment prepared by NOVA

Acoustics Ltd dated 23/05/2023; Access Statement prepared by ATG and Heritage Statement prepared by Montagu Evans dated 16/12/2022.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Fully annotated plan, elevation and section drawings of new internal door at a scale of 1:1/1:2 and 1:10.

b) Fully annotated plans, sections and elevations at a scale of 1:1/1:2 of the remodelled internal seats and of the timber screens. Details as to how and where the removed elements will be stored when wheelchair spaces are in use should also be submitted..

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

DECISION

Informative(s):

- 1 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 2 The works are likely to increase the size of the curtilage of the listed theatre building by incorporating the existing shop units into the theatre. This may have implications on the list description and on future planning decisions. The theatre owners are therefore encouraged to consider a listing review to take such changes into account, which should be undertaken by Historic England.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer

DRAFT

DECISION