

Application ref: 2022/5537/P  
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Date: 3 July 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](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

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

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**

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.

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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 only be carried out 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.

- 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](http://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](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974 4444 or email [planning@camden.gov.uk](mailto: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>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned in the upper left quadrant of the page. The signature is fluid and cursive.

Daniel Pope  
Chief Planning Officer