



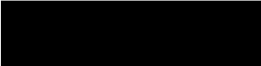
GERALDEVE
A NEWMARK COMPANY

One Fitzroy 6 Mortimer Street
London W1T 3JJ



Planning and Built Environment
London Borough of Camden
5 Pancras Square
London
N1C 4AG

FAO: David Fowler



12 April 2024

Dear David

**125 Shaftesbury Avenue, London WC2H 8AD
Application for Planning Permission
Town and Country Planning Act 1990 (as amended)**

We write on behalf of our client, the You Me Bum Bum Train Theatre Company ('YMBBT') Ltd (the 'Applicant'), to submit a planning application for the temporary change of use of floors one to four, and floor nine of 125 Shaftesbury Avenue, London WC2H 8AD (the 'Site'). This building was formerly used as an office (Class E) but is now vacant on the upper floors. It is proposed to use these floors as a leisure use/theatre (Sui Generis) for use by YMBBT, for a temporary period of 12 months.

The Applicant therefore seeks planning permission for the following:

"Use of the existing ground floor entrance, first to fourth floors and ninth floor of 125 Shaftesbury Avenue as immersive theatre space, and ancillary events space (sui generis) for a temporary period between 1 September 2024 to 30 September 2025."

No physical works are proposed as part of this application and the planning application will not create any new gross internal floorspace at the Site.

Site and Surroundings

The application site is located in the London Borough of Camden. The building fronts on to four streets: Shaftesbury Avenue, Charing Cross Road, Phoenix Street and Stacey Street. Both Shaftesbury Avenue and

Gerald Eve LLP is a limited liability partnership registered in England and Wales (registered number OC339470) and is regulated by RICS. The term partner is used to refer to a member of Gerald Eve LLP, Newmark GE Services LLP or an employee or consultant with equivalent standing and qualifications. A list of members and non-members who are designated as partners is open to inspection at our registered office One Fitzroy 6 Mortimer Street London W1T 3JJ and on our website.

Charing Cross Road are busy traffic routes through the area, whilst Stacey Street and Phoenix Street are quieter pedestrian routes from Soho to St Giles.

The existing building is a standalone basement, ground plus nine upper storeys 1970's/80's building which has been used primarily as offices (Class E) since its construction. 125 Shaftesbury Avenue lies in the Holborn and Covent Garden Ward of Camden. The site finds itself between, but not associated with, very distinct character areas of London including St Giles, Soho, Covent Garden and Holborn.

The building itself is not listed. The Odeon cinema, to the northeast of the building, is listed Grade II and the Phoenix Theatre to the north west is listed Grade II. Other surrounding listed buildings include St Giles-in-the-Fields Church to the north, which is listed Grade I and the Palace Theatre to south which is listed Grade II*.

The Site is not within a conservation area but adjoins the Seven Dials (Covent Garden) and Denmark Street Conservation Areas. The Site is not located within protected views or viewing corridors within the London View Management Framework.

The Site has an excellent public transport accessibility level with the highest possible rating of PTAL 6b.

Relevant Planning History

Planning permission was granted for the following on the 22 May 2018 under application ref. 2016/5202/P:

“Remodelling, refurbishment and extension of existing office building (Class B1) at upper floor levels, roof level and within lightwells to provide 9,682sqm additional floorspace, including terraces, a new public route, a relocated office entrance (Charing Cross Road), rooftop plant and flexible retail uses (Classes A1/A3), along with associated highway, landscaping and public realm improvements.”

This permission was not implemented and has now lapsed.

Background to the Applicant and the proposal

The proposals seek to use levels one to four and nine temporarily as an immersive theatre by the You Me Bum Bum Train Theatre Company (YMBBT). The company is a not-for-profit interactive theatre company who work closely with their charity partner Raise Your Hands. Raise your Hands is a charity whose mission is to provide a sustainable source of funding for exceptional small charities working with young people.

The Applicant is recognised as a leader in innovative theatre, which seeks to engage non-traditional theatre audiences and build confidence and skills in a community of volunteers who build and run the show.

YMBBT specialises in producing theatre shows in disused buildings which have not previously been used as arts spaces. This Site is therefore ideal given that levels one – four and nine are currently vacant. The concept seeks to provide an experience across a number of stages on multiple floors. Audience members are pseudo participants, known as Passengers.

The last show, which took place in the Foyles building in Manette Street (now Ilona Rose House) in 2015/16 received wide critical acclaim, including five 5 star reviews from the national press. This show won many awards, including The Evening Standard Theatre Award and the Oxford Samuel Beckett Theatre Award.

Please refer to the enclosed Presentation, prepared by YMBBT for more information on YMBBT and their intentions at the Site.

The proposals would lead to the following land use floor area changes at the Site:

| Land Use | Existing (GIA sqm) | Proposed (GIA sqm) | Uplift (+/-) |
|--------------|--------------------|--------------------|--------------|
| Class E | 9939.6 | 0 | -9939.6 |
| Sui Generis | 0 | 9939.6 | +9939.6 |
| Total | 9939.6 | 9939.6 | 0 |

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires proposals to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. The statutory development plan consists of:

- i. The London Plan, being the Spatial Development Strategy for Greater London (2021); and
- ii. The Camden Local Plan (2017).

The National Planning Policy Framework ('NPPF') (2023) is a material consideration which is also relevant to these proposals.

Emerging planning policy

Camden Council first consulted on their draft Site Allocations Local Plan ('SALP') between 13 February and 27 March 2020. A second round of consultation was undertaken between 30 November 2021 and 24 January 2022 to reflect national, regional and neighbourhood level planning changes. A call for sites and issues and options on the Local Plan Review was carried out between 4 November 2022 and 13 January 2023.

Camden Council consulted on the draft new Local Plan (Regulation 18) from 17 January 2024 to 13 March 2024. The Local Plan will cover the period from 2026 – 2041 and is targeting adoption in Summer 2026.

The draft Local Plan is still at an early stage and having regard to the three tests set out in Paragraph 48 of the NPPF, carries very limited weight.

Planning Assessment

Land Use – Immersive Theatre and ancillary drinking establishment

The proposed use of the first to fourth and ninth floors of 125 Shaftsbury Avenue are for an immersive theatre experience. YMBBT are also proposing a drinking establishment on the ninth floor, which will be ancillary to the immersive theatre use.

The London Plan encourages the promotion and enhancement of the unique concentration and diversity of cultural, arts, entertainment, nighttime economy and tourism functions within the CAZ under Policy SD4.

Similarly, Policy HC6 of the London Plan requires boroughs to support evening and night-time cultural venues such as pubs, night clubs, theatres, cinemas, music and other arts venues.

The continued growth and evolution of London's diverse cultural facilities and creative industries is supported in Policy HC5 of the London Plan. This policy states in part A 1 that development plans should consider the use of vacant properties and land for pop-ups or meanwhile uses for cultural and creative activities during the day and at night-time to stimulate vibrancy and viability and promote diversity in town centres, Cultural Quarters and other areas.

Local Plan Policy TC2 states that the Council will seek to protect and enhance the role and unique character of each of Camden's centres and will seek to provide for and maintain, a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice.

Policy E2 of the Local Plan states that the Council will resist development of business premises and sites for non-business use unless it is demonstrated to the Council's satisfaction that the site or building is not suitable for its existing business use.

The proposed temporary use also accords with Camden Council's plans to develop an evening and night time strategy for Camden which will seek to support late night heritage and create a more diverse and inclusive night time economy.

The upper floors of the building are vacant. The floorplates and core configuration are inefficient and the space planning is irregular which does not suit modules for modern tenancies and occupation. Likewise, the existing floor to floor heights are restrictive and the building services are outdated. The Owner is currently exploring longer term options for the Site. Whilst the building is vacant, it is considered that a temporary theatre production is a suitable use for the building, in line with Policy HC5 of the London Plan. This use will bring the building back into active use, which will improve the character and function of the surrounding area and this part of the CAZ.

With regards to the proposed use, immersive theatre and ancillary drinking establishment (sui generis) use is an acknowledged main town centre use within the Camden Local Plan. Given that the Site is located within Central London, the proposed use is considered acceptable in principle as it would complement the area's more traditional theatres.

Overall, the proposed use is acceptable in principle in line with policies in the London Plan and Camden's Local Plan.

Operational Management

YMBBT has prepared an Operational Management Plan ('OMP'). The OMP covers the operation of the uses proposed.

The OMP sets out the operational hours, capacity, transport and servicing, waste strategy, accessibility and local engagement.

Amenity - Noise

Local Plan Policy A1 seeks to protect the quality of life of occupiers and neighbours through ensuring their amenity is protected. Noise is a factor that will be considered to protect the local amenity of communities, occupiers and neighbours.

Local Plan Policy A4 seeks to ensure that noise and vibration is controlled and managed. Planning permission will not be granted for development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided and will not harm the continued operation of existing uses. Policy TC4 also seeks to ensure that the development of food and drinking uses does not cause harm to the character, function, vitality and viability of a town centre, the local area or the amenity of neighbours.

A key part of the immersive theatre concept is that the show remains a mystery to unsuspecting audience members. Therefore, sound will not transmit between scenes or outside of the building to maintain the mystery. As such, noise would not be audible outside the building as window covering and soundproofing will be installed. In addition, the proposals do not include new plant equipment.

The maximum capacity for the show is 75 people who would use the existing entrance at 125 Shaftesbury Avenue, situated some distance away from the nearest residents.

The proposals are therefore considered to be in accordance with Local Plan Policies A1 and A4.

Transport and Servicing

Policy CC5 of the Local Plan states that developments should include facilities for the storage and collection of waste and recycling.

Policy T1 of Camden's local plan promotes cycling in the borough.

The OMP sets out that the waste management for the proposal will be managed in accordance with the existing waste collection infrastructure and on-site storage facilities.

Cycle parking for staff members is available within the demise of the building. Cycle parking for visitors is available in an existing cycle parking area on Stacey Street.

Please refer to the enclosed OMP for more information.

Overall, it is not considered that the proposals will alter the existing transport, pedestrian and servicing movements, in line with Camden Local Plan Policy CC5 and T1.

Conclusion

Overall, it is considered that the proposals for a temporary immersive theatre would be beneficial. The theatre would utilise a number of vacant floors within the existing building, bringing the building back into active use. In turn, this would improve the character and function of the area by whilst providing opportunities for people to gain skills.

It is considered that the proposals for which planning permission is sought complies with the relevant statutory tests and planning policies within the Camden Local Plan. It is also considered that there are no material considerations of sufficient weight to determine that the application is other than in accordance with the Development Plan, on this basis, planning permission should be granted for the application accordingly.

Supporting Documents

In support of each of the applications, we enclose the following documents:

- Completed Application Form and certificates;
- Site Location Plan, prepared by DSDHA;
- Completed CIL Form, prepared by Gerald Eve;
- You Me Bum Bum Train Presentation, prepared by YMBBT;
- Existing and proposed plan drawings, prepared by DSDHA; and
- Operational Management Plan, prepared by You Me Bum Bum Train.

The requisite application fee has been paid online using the Planning Portal.

We look forward to receiving confirmation of registration and validation of the applications in due course. In the meantime, please do not hesitate to contact Natalie Davies [REDACTED] or Katie Fong [REDACTED] of this office should you have any questions regarding the above.

Yours faithfully,

[REDACTED]

Gerald Eve LLP
NDavies@geraldeve.com

[REDACTED]