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Your ref: 2024/0993/P

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29 April 2024

**Subject: 2024/0993/P. Part demolition, restoration and refurbishment of the existing Grade II listed building, roof extension, and excavation of basement space, to provide a theatre at lower levels, with ancillary restaurant / bar space (Sui Genesis) at ground floor level; and hotel (Class C1) at upper level; provision of ancillary cycle parking, servicing and rooftop plant, and other associated works. 135-149 Shaftesbury Avenue London WC2H 8AH.**

I am a member of the Planning and Conservation Working Group for the London Historic Parks and Gardens Trust, trading as London Parks and Gardens (LPG). LPG is affiliated to The Gardens Trust (TGT) — a statutory consultee in respect of planning proposals affecting sites included in Historic England's Register of Parks and Gardens.

LPG is the County Gardens Trust for Greater London and makes observations on behalf of TGT in respect of Grade II registered sites and may also comment on planning matters affecting other green open spaces of historic interest, especially when included in [LPG's Inventory](#). In this instance we are aware that the site is within a conservation area and is on the LPG Inventory as [The Phoenix Garden](#).

The Phoenix Garden, established in 1984, occupies a historically significant location that once formed part of the St Giles Leper Hospital's orchard, founded by Queen Maud in the 12th century. Over the centuries, the site transitioned from church land to residential housing, and then to a car park following bomb damage in WWII. In 1984, it was transformed into a community garden by the Covent Garden Open Spaces Association. Today, it is an ecological haven supporting both ornamental and native species, which in turn encourage local wildlife.

The Phoenix Garden is an integral part of the Denmark Street Conservation Area and enjoys protection under the London Squares Preservation Act of 1931. As such, any proposed development must be scrutinised carefully to ensure it does not undermine its historical, environmental, and amenity value.

Having read the materials provided on the planning portal, LPG note(s) the following:

- **Reduction in Sunlight:** The *Daylight, Sunlight, and Overshadowing Report* for the proposed development reveals significant reductions in sunlight for the Phoenix Garden,

especially between October and February. This is a critical period for plant growth and overall garden usability. Specifically, the garden is predicted to experience a 33.8% reduction in sunlight during March, a time crucial for the emergence of many plant species and for visitor engagement. The impact is particularly severe in the "West Area" of the garden, which, although maintaining just enough sunlight to meet the 50% threshold for two hours of sunlight per day, still faces substantial reduction. The southern half, used for community and rental purposes, does not meet the necessary sunlight threshold, posing a risk to its functionality and enjoyment.

- **Effect on Community Space and Ecosystem:** The reduction in sunlight directly threatens the garden's ecosystem and its appeal to the community. The southern part of the garden, a valuable space for community gatherings and events, will be disproportionately affected, leading to a potential loss in its usability and enjoyment for the local residents. The ecological balance, which the garden currently supports, is at risk of being disrupted, thereby diminishing its role as a community and wildlife sanctuary.
- **Inadequate Mitigation Proposals:** While it has been suggested that the garden could be legally redefined into two distinct areas—one for community use and another as a nature reserve—this does not address the core issue of sunlight reduction. Instead, it only compartmentalises the problem without offering a viable solution. Collaborative efforts among local stakeholders, including long-standing volunteers and representatives from London Parks & Gardens, should be prioritised to develop a more comprehensive strategy to safeguard the garden's needs.
- **Stakeholder Communication:** The Phoenix Garden's management has committed to keeping stakeholders updated on new developments and impact reports. It is imperative that this commitment extends to an open dialogue with all interested parties, ensuring a united front in protecting the garden from the adverse effects of the proposed development. LPG urges the applicant and council to work together with the management of the Gardens to ensure its future success and conservation continues for not only the benefit of wildlife, but the local community.

Given the significant historical, ecological, and community value of the Phoenix Garden, it is crucial that any proposed development be reconsidered to avoid substantial negative impacts. The observations detailed above highlight the serious risks posed by the current proposal. Therefore in conclusion, whilst we are supportive of the return of theatre use to this historic site and of its restoration, we consider there should be a reduction in height of this current proposal so as to avoid any future harmful impacts toward the Phoenix Garden.

On these grounds, LPG **objects** to this application and strongly urges the council to refuse it. Should new information come to light, LPG reserves the right to alter its observations.

Yours sincerely,



Nicholas Petridis

For and on behalf of the Planning & Conservation Working Group

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