



Historic England

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Our ref: L01574542 and

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Dear Ms Dorbeck

**Arrangements for Handling Heritage Applications Direction 2021
& T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**135-149 SHAFTESBURY AVENUE LONDON WC2H 8AH
Application Nos 2024/1005/L & 2024/0993/P**

Thank you for your letter of 19 February 2025 regarding further information on the above applications for listed building consent and planning permission. On the basis of the information available to date, we offer the following advice to assist your Authority in determining the application.

This letter repeats some sections of our previous advice for ease of reference.

Summary

The former Saville Theatre on Shaftesbury Avenue is a distinctive and handsome inter-war building with a significant sculptural frieze and strong geometry, sitting in a prominent location in the West End. This scheme would seriously damage the architectural and historic integrity of the listed building, through the scale of the upward hotel extension, its dominance of the host building, the loss of all remaining internal features and the rebuilding of the rear elevation. The heritage benefits presented as part of the scheme are not clearly linked to this proposal, and the lack of a true restoration of an auditorium within the historic building volume limits the heritage value of a return to theatre use.

Historic England commented on the initial version of this scheme in April 2024. We consider the changes made have not markedly reduced the harm the scheme would cause to the listed building by comparison to that first submission.

We maintain our objection to the application, which would cause a high level of harm to the listed building.



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Historic England Advice

Significance of the site

The Saville Theatre was designed by TP Bennett & Sons and theatre architect Bertie Crewe at the end of the 1920s. It sits in a prominent location in the heart of the West End, and became an acclaimed concert venue before being converted into a multi-screen cinema; it remains in active cinema use. It is listed at grade II, and has recently benefitted from an enhanced listing, which clarified the extent of surviving fabric and the special interest of the building.

The building has a strong, distinctive composition with art deco influences, focused on a giant entrance arch and an accomplished and award-winning integral sculptural frieze by Gilbert Bayes, a leading sculptor of his time. The frieze sits on a rusticated ground floor, and is complemented and balanced by the decorative roundels and cornice. The form, cornice, rustication and channelled brickwork unite with the frieze to give the structure a pronounced horizontal emphasis. Although the original metal-framed window to the arch has been (on the basis of current evidence) lost, and the modern canopy is out of character, the original design of the façade is entirely appreciable, and it makes a valuable contribution to the building's significance.

The flank and rear elevations are simpler than the front façade, with plainer brickwork and steel-framed windows. However, the cornice continues around the building and all elevations also have considered use of brick detailing, such as channelled brickwork and soldier courses meeting the return frieze terminations. The shell of the building remains almost entirely as built, apart from some post-war rebuilding to the west side of the rear, and reflects the original internal layout of the auditorium, circulation, front- and back-of house facilities and fly system. The exterior remains as a coherent whole, and all elevations contribute to the significance of the building.

The building originally contained a large auditorium on three levels, a foyer, several bars, and extensive back of house spaces. The subdivisions of the auditorium in the 1970s and early 2000s removed many of the public-facing elements of the interior. Surviving original elements include back of house rooms and staircases, an altered version of the basement bar, the steel fly grid and parts of the shell of the auditorium and wings. These elements contribute to the understanding of the site as a theatre, though this is limited by the loss of appreciable public spaces to connect them, and any known decorative detailing.

The former theatre forms part of the immediate context of two conservation areas. The southern part of the Denmark Street Conservation Area abutting the site contains a



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mix of building types but with a consistency of materials and scale. It includes an open space, Phoenix Garden, which connects the site with the churchyard of St Giles in the Fields (Grade I). The western part of the Seven Dials Conservation Area is bordered by Shaftesbury Avenue, and focuses on a distinctive radial layout of late-seventeenth-century origins with a granular and low-scale character. The eastern end of the site can be seen from the heart of the area, along Mercer Street. The former theatre makes a positive contribution to the setting of these areas.

Scheme intent and changes made since initial submission

The proposal is for demolition of the roof, interior, and other elements of the rear and flank façades, and extension of the building through a large upward extension and a much deeper basement. A theatre would be housed in the basement, with the majority of the above-ground structure used as a hotel, and a foyer and theatre bar at ground floor level. The broad principles of the scheme have remained the same throughout pre-application and two iterations of formal application submissions.

The primary relevant changes made to the scheme since the original submission are as follows:

- The height of the upward extension has been reduced from 39m to 34m (22m to 17m above 17m parapet), with the shoulder height reduced from c34.5m to c31.6m).
- The uppermost plant storey has been further set back.
- The breadth of the bulk of the upward extension has slightly expanded - it now sits exactly on the plane of the façades, except where it projects further out above the main entrance and to the rear north-east corner.
- The design detailing has altered, with a woven brick masonry with a narrow vertical articulation and less visible windows.
- The external walls of the fly tower above cornice level are now to be retained.
- The rear extension has a slightly reduced extent of demolition (with a stated intention to reduce this further if possible during construction).
- The theatre auditorium has been sunk deeper underground, with the basement depth increasing from 17.4m to 21.8m (compared to existing 7.8m).

In addition to these changes to the design, further information has been provided on some initial opening up works, assessment of options for accommodating a theatre within the existing building, and overall viability of theatre scheme options.

Impact of the scheme

a) The upward extension



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The upward extension would be five storeys high, plus a full-height plant enclosure; it would double the height of the above-ground structure. To shoulder height (below the set-back plant storey) it would increase the height of the building by 87%. The hotel use would be concentrated in this upward extension, though rooms would also be incorporated into the rear and flank sections of the main listed building. In short and mid-range views along Shaftesbury Avenue (particularly in winter), north up Mercer Street, and south across Phoenix Gardens, the roof extension would sit prominently above the distinctive and well-considered historic building.

The scale of the extension would radically and harmfully change the clear and considered geometry of the building, departing from the horizontality which characterises its architecture and provides such an effective setting for the Bayes frieze. It would be overbearing, making the listed building appear as a podium to the taller structure above, and seriously diminishing the clarity and strength of its design.

That the scale would cause real harm, despite the reduction in height since the submission, is clearly illustrated in visualisations from Shaftesbury Avenue. The slight increase in breadth and depth of the extension, with the bulk of the extension set on an exact plane, only accentuates this. The visual impact of the extension would be more harmful than the refused appeal scheme, which was not only of a lower height, but also set back considerably from the façade.

The visual impact of the proposal on the rear elevation would also remain dramatic. Although these views are of lower sensitivity they are still significant, and the visibility of the extension from the north would be even greater over the open space of the adjacent garden, from where it would be conspicuous. It would compromise the way in which this elevation conveys the theatre's original form and purpose.

The detailed design changes to the scheme have altered the façade treatment and added projections in two areas. The main façade treatment, though simpler, does not manage to reduce the harmful sense of scale, and in the case of the projections and to an extent the expression of the soffit, adds further distracting elements.

b) Extent of demolition

The scheme entails the demolition of all remaining original remaining interior fabric of the building, the roof, and a large portion of the rear elevation. This large central section of the rear elevation would be taken down and rebuilt in near-facsimile, and the flank elevations would have multiple new windows and doors inserted, with extensive change to historic fabric. The amendments made do mean the outward expression of the fly tower above cornice level, and a section of wall at each side of the rear façade, would now be retained.



Although part of the rear elevation was rebuilt following bomb damage, the majority is original fabric. The roof structure, the surviving internal elements, and the rear elevation of the building contribute to the integrity of the whole. The loss of the entire roof, and all remaining surviving elements inside the building apart from some relocated elements of fly tower equipment, and the degree of demolition to the rear elevation (combined with change to the flank elevations), would mean the loss of large amounts of original fabric. These elements of considerable demolition would reduce the integrity of the building and harm its significance.

c) Presented heritage benefits

The scheme includes some heritage benefits, including restoration of the façade, reinstatement of the historic arch and more sympathetic canopies, and addressing condition issues likely caused by corrosion of the steel frame. The application also presents the reinstatement of a theatre as a significant heritage benefit. The documents also state that elements of the fly equipment will be repurposed as decorative elements in the foyer.

While we agree that works to conserve the listed building and reinstate some lost or degraded features would create some heritage benefits, we consider they would be modest.

The documents state that repair works and addressing Regent's Street Disease are benefits of the scheme. The 2022 condition report and the 2025 initial intrusive survey report (looking at two damaged areas of the lower façade) state the need for further investigative works to confirm Regent's Street Disease and make further recommendations. Though we do not question the likelihood that some repair works are required, the urgency for and extent of these works is not clear. Furthermore, we question whether repair works are tied to this scheme, or whether any proposal or continued use would incorporate this work.

We consider that the potential heritage benefit of returning theatre use to the building would be limited in this scheme. The scheme would vastly increase the depth of the basement, and the theatre auditorium would be contained entirely below ground rather than in even an approximation of its original position in the building. The revised designs place it even deeper underground than in the original submission, with only very minimal spatial crossover between the historic and proposed auditoria. The theatre would also take up a much smaller volume of space than the proposed hotel. The layout and form of the theatre would not clearly respond to either the original internal configuration, or how that is reflected in the external architecture.



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d) Harm to other heritage assets

The harm to the listed building would cause some associated harm to the adjacent Seven Dials and Denmark Street Conservation Areas. Due to restricted sightlines and the height of some nearby buildings, impacts on these areas would not be widespread. However, the listed building currently has a positive presence in the setting of both historic areas, as it is seen along Shaftesbury Avenue, north up Mercer Street from the centre of Seven Dials, and south over the public open space of Phoenix Garden and from the paths beside the grade I listed St Giles. The scheme would cause highly prominent and harmful change to the listed building's exterior architecture, and considerably increase the bulk of development on the site, at odds with the prevailing character and existing landmarks. This would cause some harm to these conservation areas, and the reduction in height has not removed these impacts.

e) Relevant planning history

This site was the subject of a previous proposal for major change by previous owners in 2017, which was refused and that refusal upheld at appeal; the outcome of the appeal is a material consideration. The former proposal also entailed demolition of the interior and addition of a much smaller roof extension, in a hotel scheme incorporating a small cinema. The decision for that appeal stressed the contribution made by the fabric of the building, highlighted the large scale of the proposed three-storey extension, and stated that the latter would be overly dominant, causing a "significant" level of less-than-substantial harm. It also drew attention to the fact that hotel and restaurant uses would dominate the proposed cultural use.

We consider that this scheme causes a high level of harm to the listed building, and that this harm would be, even after the amendments, greater than that which would have been caused by the appeal scheme.

Relevant policy

Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose a statutory duty on local planning authorities to consider the impact of proposals upon listed buildings and their settings, and to pay special regard to preserving or enhancing the character or appearance of conservation areas.

Government guidance on how to carry out those duties is found in the National Planning Policy Framework (NPPF) 2024. The NPPF identifies in paragraph 208 that development should avoid or minimise conflict with the conservation of heritage assets. Paragraph 212 of the NPPF sets out that when considering the impact of any development on the significance of a heritage asset, the local planning authority



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should give great weight to the asset's conservation, irrespective of whether the harm would be substantial or less-than-substantial. Paragraphs 213 and 215 stipulate that any harm requires clear and convincing justification, and should be weighed against the public benefits of the proposal.

The London Plan forms part of the development plan, and its policy HC1(C) on heritage conservation and growth reinforces the requirement for development proposals affecting heritage assets to be sympathetic to their significance, and to avoid harm. It justifies this position by explaining the unique sense of place created by London's historic environment, and the irreplaceable nature of its heritage assets.

Policy D2 (Heritage) of the Camden Local Plan reinforces the policy thrust of the NPPF on assessing and weighing harm, and additionally states that the Council will resist proposals for extensions to a listed building where they would cause harm to its special architectural and historic interest. At paragraph 7.48, it specifically identifies the potential for the character and appearance of conservation areas to be affected by development outside them, because of the dense urban nature of the borough.

Policy D1 (Design) of the local plan emphasises the importance of the historic environment to any design considerations, with its first and second requirements relating to context, character, and heritage assets.

Policy C3 of the local plan states that the council will seek opportunities for new cultural and leisure facilities to sustain the borough's strong cultural offer and to serve the growing population.

Historic England position

The integrity of the former Saville Theatre as a historic theatre and a piece of well-considered architecture would be seriously damaged by such a major extension and wholesale change.

The scheme remains essentially a partial façade retention. The theatre use would be the subordinate use on the site, with the auditorium contained beneath a structural and plant zone, entirely below ground. The listed building proper would contain hotel rooms to the rear and sides and ancillary and bar space to the front and ground floor, with no real cultural function.

The design of the highly significant façade and the clarity of the historic theatre's form would be seriously diminished by the scale of the extension. The loss of most fabric beyond this façade would further eat away at its authenticity.





The amendments make only a minor change to the extent of harm, in the context of the serious levels of harm caused by the original submission. Though elements such as the retention of the fly tower outward expression make some attempt to maintain more of the authenticity of the building, this attempt is seriously undermined by the still-overwhelming scale of the upward extension.

We do not consider the presented heritage benefits of the scheme are of an extent which could weigh heavily against the harm. The applications are not for a conservation-led scheme, as the elements of restoration and repair have to be viewed in the context of the whole proposal and its extensive and insensitive proposals for change.

We consider that the harm caused by this scheme, if executed, would be at the high end of the range of less-than-substantial in the terminology of the NPPF. The heritage benefits presented would be modest in scope and do not seem likely to be reliant on this scheme; they do little to mitigate the overall effect on significance.

Given the designs tested to date, we consider it unlikely that small shifts in massing and form, articulation or materiality could mitigate the harm caused to any real extent. Harm could only be meaningfully reduced if the extension were further and substantively reduced in scale, so that it was truly subservient to the listed building, and the scheme reworked further to better respond to the historic structure.

The further information on viability of the scheme and the importance and adaptability of a theatre will be for your authority (with other specialist consultees) to assess. However, we would note that all assessments are predicated on the need to accommodate a theatre, with no assessment made of whether another combination of uses, potentially including continuation of cinema use or other cultural use, could be viable.

The extensive and permanent harm which would be caused by this scheme would be greater than the scheme refused by Camden in 2019, with the subsequent appeal making much of its negative impact on heritage. The scheme would conflict with heritage protection policy D2 of the development plan and would result in a seriously degraded and diminished historic asset in a prominent location in the borough. Such a high level of harm to a listed building is rarely proposed; as per the NPPF it should be given great weight, and should not be approved unless clearly and convincingly justified and outweighed by public benefits of sufficient value.

Recommendation

Historic England objects to the applications on the grounds of the high level of harm they would cause to the listed former Saville Theatre, as laid out above. The proposal



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would also cause some harm to two conservation areas.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 72(1) of the same Act obliges you to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

For the reasons set out in this letter, Historic England considers the harm caused by the scheme has not meaningfully reduced since the original submission. We therefore recommend that these applications are refused or withdrawn.

We would urge your Authority to take full account of the advice in this letter, and determine the applications in accordance with national and local planning policy and in consultation with your specialist conservation advice. We have drafted the necessary letter of authorisation for your Authority to determine the listed building consent application as you see fit and have referred this to the National Planning Casework Unit (NPCU) (copy attached). You will be able to issue a formal decision once the NPCU have returned the letter of authorisation to you, unless the Secretary of State directs the application to be referred to them.

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the local planning authority. The full GLAAS consultation criteria are on our webpage at the following link: <https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice/>

Yours sincerely

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