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2024/1005/L	Covent Garden Community Association (form completed by Amanda Rigby, Co-Chair)	42 Earlham Street Covent Garden London WC2H 9LA	14/04/2025 01:13:38	OBJNOT	This objection should be read in conjunction with our detailed letter of 10th May 2024 (with its 6 appendices). Having read all the new documents, our main question to the council now is “Why would Camden give permission to a scheme of doubtful viability which does so much harm, when an alternative scenario is available with equivalent or greater viability which causes no harm and delivers additional benefits?” ---- Covent Garden Community Association continues to object to the applications in the strongest terms. The following key changes have been made to the scheme since 2024, which are relevant to our objection: • An upward extension of 5.5 floors, rather than the previous 6.5 floors • A downward extension of 4 basements rather than the previous 2. • Details of the layout of a theatre in the basements. We have prepared a comparison of the bulk of successive schemes in the following drawing: (SEE FULL LETTER FOR DRAWINGS) The proposed height is almost double that of the existing building, and the basement depth is 3 times. Our position is that, while the slight reduction in proposed height is a move in the right direction, it does not come close to reducing the harm to the building and the conservation areas sufficiently. The 2021 appeal decision states at paragraph 33 that “the extension would be overly dominant and detract from the existing form and composition”. This referred to just 2-3 additional floors. The latest scheme is for 5.5 additional floors, so would be much more dominant and fly in the face of the 2019 refusal by Camden and the 2021 refusal by the Planning Inspector. Comparison of existing building dimensions with successive schemes : (SEE FULL LETTER FOR TABLE) Many local people have asked “why not just be honest and demolish the Art Deco building rather than visiting such an insult upon it?”. All the harms listed in our letter of 2024 remain, including: • Serious harm to the listed building and to its conservation areas context, explored in detail in our previous letter and in objections from expert bodies such as Historic England and the Seven

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Dials Trust.

- Loss of light to the Phoenix Garden and its already struggling flora; this is our precious and tranquil community outdoor space, so essential to the mental and physical health of local residents and workers. Harm would be exacerbated by proposed extension works to 125 Shaftesbury Avenue next door, collectively leaving the heart of the garden gloomy and bereft of sun for most of the year.

- Loss of cultural use. The site is allocated for theatre/cinema & cultural use in the latest version of Camden's local plan, ref. S19 (HCG4), as discussed below. This scheme would see the majority of the building used as a hotel and restaurant with far less provision for seats that the existing cinema use or the full-service theatre use.

- Unsustainable development involving unnecessary demolition, contrary to the NPPF and to Camden's Local Plan polices CC1 and CC2.

And even the applicant admits that this is well into the category of 'less than substantial harm'.

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This scheme offers less balance than the refused scheme

The 2025 scheme causes more harms than the 2017 scheme. We believe that all parties accept this.

However, in summary, the applicant's argument is that these harms are balanced by the provision of a theatre rather than a cinema in the basement of the development. This is, essentially, the only benefit being offered that was not already offered by the 2017 scheme.

The problem is that this theatre is not much better than the 266 seat cinema previously offered. It therefore fails to overcome the problem of balance encountered by the 2017 scheme.

The theatre is designed only for 294 seats. It may be able to be enlarged in the future, but that is not the proposal that has been applied for.

The application proposal has no fly gallery, and its back-stage space is minimal. It is not what we in the West End consider a 'proper theatre'. It is served by kitchens on 3 levels because it is intended for an expensive 'dinner theatre' experience. It would make a nice cabaret venue, similar to the theatre inside the Hippodrome casino. But it is neither returning the building to its designed full-service theatre use nor retaining its local cultural use as a successful low-cost local cinema.

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The preferable viability of full-service theatre use.

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The applicant's viability assessment, drafted by Montagu Evans dated 31/01/25 compares two options:

- Scenario 1: The proposed £112 million scheme (with no housing contribution): a 5 storey upward hotel extension with 211 rooms, plus roof plant, and a cabaret theatre laid out for 294 seats in new basements and a restaurant/bar on the ground floor

- Scenario 2: A £38 million refit of the existing building as a 900-seat theatre with no additional basement dig or upward extension.

The applicant claims that Scenario 2 is not viable. However, Camden's independent assessment dated 06/03/25 finds that the two Scenarios are likely to return a similar level of loss, in the order of £40 million (see second table on page 6).

In addition, the applicant uses just one offer from a theatre operator as a basis for their assessment of the viability of Scenario 2. But we know many operators who would be interested in taking on this venue and who may well be willing to offer more, as discussed in our letter of 2024 and its Appendix 4. Scenario 2 could be more profitable than Scenario 1, and even though it is a cheaper scheme it would still bring £4 million in local authority funding.

The option of adding a mansard restaurant has also not been considered, which local people would support and which would increase revenue and therefore the attractiveness of Scenario 2 even more.

Why would the council give permission to a scheme of doubtful viability which does so much harm, when an alternative scenario is available that causes no harm? Scenario 2 seems hardly to have been explored. Yet it would also bring back to life the existing theatre features that would be ripped out under Scenario 1. The stage house, for example, is a magnificent space. Much was made of this by the Planning Inspector. Yet, strangely, the applicant's viability assessment at page 6 implies that almost nothing is left. The appeal decision states at paragraph 23: "the ability to appreciate the height and volume of the stage house behind the screens allows a palpable sense of theatre space. The corner/rear stairwells and back office rooms provide an understanding of the theatre's layout and circulation. The lantern room and fly grid may be standard functional structures, but nevertheless are a fascinating survival of theatre engineering."

Given the precarious viability of Scenario 1, it is very possible that excavation and demolition works could start and then the developer run out of money. We would be left with an ugly carcass for decades to come. This happened at York Mansions and Clifton Mansions near Centrepoint, and even at the famous former magistrates' court in Bow Street.

We do not think that Scenario 1 is a wise way forward.

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Failure of this scheme to respect Camden's site allocation

The current scheme fails to respect the site's allocation for "theatre or cinema use" in the latest version of Camden's local plan, ref. S19 (HCG4).

The site allocation is attached for ease of reference. Amongst other things, it states that development must:

- Retain the Grade II listed building and ensure that its fabric and setting are protected, restored and enhanced, particularly the building's distinctive features.
However, this scheme proposes gutting the entire fabric of the building except for some bits of external walls and the frontage, which hardly protects it.

- Ensure that any roof extension will be of the highest architectural quality to complement and enhance the host building and be of a height and massing that is appropriate to the site's surrounding townscape and responds to the neighbouring conservation areas.
Given the Planning Inspector's judgement on the 2017 scheme, which involved much less height and an impression of less massing, the 2025 scheme does not comply.

- Work with the local community to protect and enhance the setting of Phoenix Gardens.
This scheme fails to protect the Phoenix Garden right from the start, making it near impossible to grow anything there, nor give children a welcoming environment in which to learn, nor provide the community with a green sunny space anymore.

It is worth noting that the before Odeon's lease was not renewed last year (against Odeon's wishes), the cinema had 739 seats and an unusually high level of occupancy. The full-service theatre (Scenario 2) would offer at least 900 seats. The current scheme provides far less of a cultural offering, with a cabaret theatre across 4 basement floors and the the majority of the building (all 11 floors above ground) being used as a hotel and restaurant. This does not fall within the site allocation's definition of theatre or cinema use.

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Operational concerns

Finally, we have a number of concerns in relation to the operation of a hotel with tightly packed rooms and an entrance at the back in this tranquil, residential location. We have problems with other hotels in the neighbourhood when noisy guests are unaware of the residential nature of the area.

Any entrance for any business use after 22:30 on New Compton Street should be restricted by planning condition to have full-time manned attendance and an operational management plan to ensure that customers treat the area and its local community with respect.

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					---- In sections 1a and 1b of our 2024 letter we examined both full-service theatre and full-service cinema use. In this 2025 letter we have explained why we believe that theatre use is a more viable, and far less harmful or risky option than the proposed scheme. Please refuse this application and encourage the owners of the building to return it to cinema use or to explore the options for full theatre use with an ancillary restaurant extension. We continue to look forward to a more hopeful future for this famous, beautiful, unspoiled gem of a historic building.