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Camden Planning Department
London Borough of Camden
5 St Pancras Square
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Attention: Laura Dorbeck

Dear Madam

The Saville Theatre, 135-149 Shaftesbury Avenue WC2
Planning Application Ref 2024/0993/P and 2024/1005/L

I wrote objecting to this application a year ago. Since then there have been two 'revised' sets of drawings, though sadly the revisions have failed to address the fundamental aspects of the proposed development that makes the scheme so objectionable namely: a grossly inappropriate scale of the development, inflicting substantial and irreversible damage to a listed building, the failure to address the Inspector's findings following the public Inquiry in 2021, and causing permanent damage to the precious public open space/community garden by substantially reducing the daylight penetration into the garden which is vital to ensure good growing conditions and the quality of the space for users.

My comments previously submitted are still valid; rather than repeat them I trust that they will be properly reported to committee when the application is considered next week. However I wish to draw your attention to some new salient points.

Heritage England state succinctly the broad principles of the scheme have remained the same throughout the pre-application stage and the two stages of the formal application and despite very clear advice from all the statutory consultees (Heritage England, The Theatres Trust) and the planning precedent following the Inspector's report in 2021 when he refused a scheme that was less harmful than that what is now under consideration. Despite all the external advice the applicant has continued to push for permission.

The only rational explanation is that the applicants have been encouraged by Camden planning department that they will receive a recommendation for approval whereas the department should have made it abundantly clear that the scheme would not receive their recommendation; it would have saved a great deal of time and expense if the developers had been advised that it would be wise to withdraw their application. What I fear is that the blindness of the planning department to the clear evidence that the scheme is so badly at variance with planning policies will result in the Council once again forcing the public to take legal action to thwart the development.

It appears the only justification the developers are making for this development is that they are providing a theatrical use within the development. However the allocated space is NOT the dominant use as about 60% of the total floor area will be for a hotel. The Inspector made it very clear that any scheme for the listed building must start from the standpoint that the dominant use should be cultural/theatre. In addition the viability reports that the developer have submitted even allowing for the inevitable slant that is to be expected, acknowledges that the proposed scheme is unviable. The developer's viability reports also indicate that a conservation-led approach retaining the theatre as the predominant use, would be as financially viable as the application that has been submitted.

The Theatre Trust have indicated that there are existing theatre operators who wish to develop a West End theatre of around 800-1000 seats in line with the capacity of the existing building and the ex-Saville Theatre is clearly the only known building available for such a venture right in the heart of Theatre-land. Of all the organisation who would know about the prospects of returning the Saville Theatre to a live theatre venue, it is the Theatre's Trust but it would appear Camden planning officers consider they know better. The fact that the Camden Plan calls for the Council to protect and enhance theatres within the borough appears to be conveniently forgotten and fudged by implying a 'token' cabaret theatre buried in the basement at level -4 is all that can be achieved, repeating the developer's narrative that their massive hotel led scheme is the only way any theatrical use can be incorporated. This is palpable nonsense.

There is the suggestion that the cabaret area will be dedicated to Cirque du Soleil the renown alternative circus-like production company that emanated from Montreal in the 1980/90s that has a string of awards and whose shows were generally of a very high artistic merit. Committee members should be aware that none of the instigators and artistic champions of Cirque du Soleil are now involved in the company. The last remaining artistic link was severed when Guy Laliberté a founder of the company back in 1984, sold his remaining 10% share in 2020. The 'new' reincarnated company filed for bankruptcy protection in Canada following Covid and was sold in November 2020 to Catalyst Capital Group a Canadian investment company who fronted a group of creditors. It might be said that sadly Cirque du Soleil is now a franchise not dissimilar to other franchises not unlike a McDonalds, that can be mixed into a commercial development to give a sheen of respectability. While the above information could be considered as not strictly a planning consideration, as the applicants have touted the possibility that Cirque du Soleil may run the cabaret area, I think it is relevant that Council officers and members be aware of the background. I am sure officers and Members would find it rewarding to do a bit of research into the relative recent history of the Catalyst Capital Group.

It is extremely difficult to understand why the Council might wish to recommend approval when the proposed development:

- Will substantially and permanently cause massive harm to the listed building unnecessarily and is entirely contrary to Camden's Heritage policies
- Proposes to double the height of the existing listed building whereby the visual impact will be far worse than the development the Council refused in the recent past in part because of the harm that scheme would do to the listed building and neighbouring conservation areas. To grant approval to this 'worse' proposal would be entirely inconsistent with the Council's officer's recommendations and Members decision in the recent past upheld following a public Inquiry.
- Permanently damage the quality of the public open space that borders the development site in Stacey Street/New Compton Street (Phoenix Gardens) which is clearly contrary to Council Planning Policies that seek to protect open space from overlooking, loss of sunlight penetration and damage to biodiversity. An important reason the Inspector in 2021 refused on appeal the lesser development was due to the harm that scheme would do to Phoenix Gardens. The latest proposals will demonstrably do much greater harm not least by being so huge that sunlight penetration will be very substantially reduced, and the garden will be swamped visually by the sheer bulk of the proposed hotel block.
- Will result in the loss of a permanent theatre use on the site ; the developer's suggest that the introduction of a basement theatre space with approximately 250 seats without adequate back stage facilities and no possibility of any expansion with a minuscule Shaftesbury Avenue entrance, is an adequate pay back to the harm the development will cause is clearly not sustainable.

There are viable alternatives to reinstate a fully functioning theatre of around 800-1000 seats in the building. The proposal is an crude apology of a paired down theatrical use that is appended to the hotel driven development. The performance space is so obviously subservient to the commercial hotel use, and will be no more than a cabaret add-on the the hotel having very minor cultural variety and certainly not a theatrical theatre where host of different shows and performances

are possible to stage. This is due to its very constrained location very second rate servicing arrangements, poor back stage facilities.

For example there is no side stages area to speak of, no rehearsal space, inadequate dressing rooms, no evident production facilities, no costume and wig rooms, no laundry facilities, and apparently no 'green room'. There are grim and small front of house foyers, and no street presence that is fundamental to a West End theatre especially located in Shaftesbury Avenue. The fact that the hotel and its 'cabaret area' are so closely interwoven would suggest that the theatrical content will be anaesthetised and homogenised to satisfy the hotel market and certainly not a distinct West End cultural venue that Camden's Local Plan seeks to protect and enhance.

Heritage England have stated very clearly that the proposal represents a high level of harm and will seriously erode the quality of the two neighbouring conservation areas.

This is a listed buildings and has many listed elements and features still extant. The proposed development entails the complete gutting of the building internally and undertaking damaging external alterations to the listed external fabric of the building with a plethora of new openings at all levels. This is especially damaging to the St Giles Passage elevation that currently has no openings (being the the rear stage wall) and as a considerable has grandeur by its simplicity capped with the elegant cornice and also to the New Compton Street facade the majority of which will be demolished. The extent of demolition of the listed building is frankly without precedent and is completely at variance with National Heritage planning policies as well as policies contained in the London Plan and Camden's Local Plan. The design of the proposed six storey extension that will double the height of the existing theatre building is so crude and dominating with no set back that it completely submerges the fine Art Deco listed theatre.

If for no other reason the application should be refused because of the unacceptable extent of demolition of a listed building.

Again all Camdens planning Heritage and Design Policies make abundantly clear that new developments affecting listed buildings and conservation areas must respect and enhance the setting of listed buildings and certainly not harm them. This scheme could not do more harm and utterly disregards the need to respect the host listed building.

The application also fails to recognise that the predominant land use to the rear of the development along New Compton Street and Stacey Street is residential with residential front doors accessed at street level ; it is a quiet collection of residential streets with the added attraction of the quiet and peace of Phoenix Garden, a remarkable characteristics considering the location right in the heart of the West End.

The sheer size of the proposed hotel use with its very considerable servicing requirements, coupled to the plethora of fire exits will inevitably damage the amenity of adjacent residential accommodation, is entirely inappropriate and the disturbance will be highly detrimental to the amenity and quality of the residential accommodation that is dominant in the immediate vicinity. The Council should enforce it's planning policies of protecting the quality of resident accommodation, and certainly not encourage a use that is so intensive and large that is bound to be disruptive and be in conflict with residential amenity.

The suggestion that the harm that this development will do is somehow mitigated by the 'public gain' that will accrue is frankly pathetic. The repairs to the facade along the Shaftesbury Avenue facade would have to be undertaken whatever scheme were to occur and the extent of the so called 'Regent Street' disease unsubstantiated. What is driving this application is the expectation that Camden, as in the past, will cave in to commercial pressure for speculative gain, when in fact the existing building could be reused and repurposed as a theatrical/cinema venue with secondary uses as the Inspector recommended. It is the speculative 'hope value' that Camden Planners encourage that is the driving force behind this application. If the developers knew that Camden would apply their design and heritage policies and enforce the Inspector's recommendation then in all likelihood such an application would have never materialised, or at least the applicant would know at the outset that their scheme would not be likely to get officer support.

Planning law makes it clear that local planning authorities are charged to apply their planning policies in line with national and district planning policies and in a consistent manner. Considering the Council thankfully decided recently to refuse a much less bulky development that would have caused considerably less damage than what is now proposed and also refused to grant listed building consent to the alterations and demolition works proposed,, and that the refusal was upheld on appeal, suggests that not to refuse the latest proposal would be extremely inconsistent and there is no evidence that such a change is legally justifiable.

Please can you make this letter available to all Members of the Planning Committee before the meeting next week

Yours sincerely

Jim Monahan

cc. Councillors Awale, Fulbrook and Vincent