

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>06/07/2012</b>
<b>(Members Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>	<b>21/01/2013</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Gideon Whittingham			1)2012/2366/P 2)2012/2470/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Shaftesbury Theatre 210 Shaftesbury Avenue London WC2H 8DP			Refer to Decision Notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
1) Construction of a new steel frame fly tower at roof level with associated internal alterations for ancillary accommodation (Class D2). 2) Internal and external alterations including construction of a new steel frame fly tower at roof level with associated internal alterations (Class D2).					
<b>Recommendation(s):</b>		1) Grant Planning Permission subject to S106 Legal Agreement 2) Grant Listed Building Consent			
<b>Application Type:</b>		1) Full Planning Permission 2) Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	26	No. of responses	10	No. of objections	03
Summary of consultation responses:	<b><u>Adjoining Occupiers</u></b>					
	<p>A site notice was displayed from 18/05/2012 and a public notice was published in the Ham &amp; High from 24/05/2012.</p> <p>The applications have been re-consulted as a result of 3 significant revisions, expiring on 12/06/2012 (1), 18/10/2012 (2) and 21/01/2013 (3).</p> <p>1) Occupiers of King Edward's Mansions (3a, 3b) objected and are summarised in detail below:</p> <p><u>Amenity of neighbouring occupiers</u></p> <ul style="list-style-type: none"><li>Noise associated to use as theatre (Refer to para 2.27)</li><li>Loss of light to flank windows on King Edward's Mansions (Refer to para 2.22-2.25)</li><li>Loss of light to rear balconies of King Edward's Mansions (Refer to para 2.26)</li><li>Encourage anti social behaviour along Grape Street (Refer to para 2.28)</li></ul> <p>2) The occupiers of Sovereign House 212-224 Shaftesbury Avenue objected and is summarised in detail below:</p> <p><u>Amenity of neighbouring occupiers</u></p> <ul style="list-style-type: none"><li>Loss of light to south facing windows of Sovereign House (Refer to para 2.26)</li></ul> <p>3) No objections have been received, any subsequent provided will be reported at Members Briefing on the 21<sup>st</sup> January.</p>					
CAAC/Local groups comments:	<b><u>Statutory Consultees</u></b>					
	<p><b>English Heritage</b> commented:</p> <p>1) Further assurances in respect of appearance, materials could be considered to outweigh the minor visual harm.</p> <p>3) Authorisation to determine the application as seen fit.</p> <p><b>The Theatres Trust</b> commented:</p> <p>1) Supports the applications in principle and design is sympathetic, subject to the imposition of a condition regarding external material finish.</p> <p><b><u>Local Groups</u></b></p> <p>The Covent Garden Community Association raised objection and is summarised in detail below:</p> <p>1) Design / impact on the listed building/conservation area</p>					

	<ul style="list-style-type: none"> <li>Proposed scale out of proportion to main building. (Refer to para 2.12-2.15)</li> <li>Out of keeping with local character (Refer to para 2.16-2.18)</li> </ul>
2)	<u>Design / impact on the listed building/conservation area</u> <ul style="list-style-type: none"> <li>Remains out of proportion to main building. (Refer to para 2.12-2.15)</li> <li>Out of keeping with local character (Refer to para 2.16-2.18)</li> <li>Highly visible (Refer to para 2.20)</li> </ul> <u>Amenity of neighbouring occupiers</u> <ul style="list-style-type: none"> <li>Noise associated with use as theatre (Refer to para 2.24)</li> </ul> <p>The Bloomsbury CAAC raised objection and is summarised in detail below:</p>
1)	<u>Design / impact on the listed building/conservation area</u> <ul style="list-style-type: none"> <li>Proposed bulk and unsympathetic design (Refer to para 2.12-2.21)</li> <li>Highly visible (Refer to para 2.20)</li> <li>Harm to the character and appearance of the conservation area (Refer to para 2.16-2.18)</li> </ul>

## Site Description

The Shaftesbury Theatre is prominently located on the corner of Bloomsbury Way and High Holborn with a rear façade to Grape Street.

The Grade II listed theatre was built in 1911 to the designs of Bertie Crewe employing stone, terracotta and brick with elaborately ornamented Renaissance-style elevations and a landmark corner tower over the corner entrance at the junction with St Giles High Street.

Along with the adjacent mansion blocks of King Edward's Mansions (8 Grape Street) and offices 212-222 Shaftesbury Avenue), the theatre forms a complete city block, itself Grade II listed, located within the Bloomsbury conservation area.

## Relevant History

P14/11/1/2612 and P14/11/1/31862 - PP and LBC Granted (10/04/1981) - Internal alterations, including the installation of a lift, partitioning and fire doors and the erection of a roof extension.

8700875 and 8770146 - (06/08/1987) - PP and LBC Granted - The retention of a two-storey Portakabin on the roofspace

8800380 and 8870181 - PP and LBC Granted (29/11/1988) - The retention of a two-storey portacabin on the roofspace

8800575 and 8870223 - PP and LBC Granted (30/03/1989) - Erection of two storey extension on part of roof for use as dressing rooms and stage managers office and incorporating tank housing

8900260 and 8970091 – PP and LBC Granted - (14/09/1989) - Erection of roof extension on northern boundary to provide ancillary administrative offices

9300280 and 9370044 – (28/05/1993) - Renewal of time-limited permission for a two-storey portakabin on roof to provide additional temporary dressing room

PS9604303 and LS9604304 - PP and LBC Granted (30/01/1997) - Erection of temporary portakabin on roof of building to be used as a dressing room,

PSX0004238 and LSX0004239 - PP and LBC Refused (11/05/2000) - The retention of a two-storey portable cabin on the roof for use as a dressing room

**Reason For Refusal:**

*The two storey structure on the south east corner of the building at roof level, by reason of its location, use of inappropriate materials, appearance and excessive height gives rise to unacceptable harm to the character and appearance of the building and this part of Bloomsbury Conservation Area. In this respect it is contrary to policies EN33 and EN57 of the adopted UDP.*

LSX0205337 - LBC Granted (12/06/2003) - Retrospective listed building consent for the reconstruction of the corner tower.

2009/4334/L – LBC Granted (05/11/2009) - Knock through into adjacent building third floor level to provide access to adjacent offices, to be converted into new female toilets, to theatre building (Class D2).

**Relevant policies**

**National and Regional Policies**

**National Planning Policy Framework (NPPF) 2012**

**London Plan 2011**

**LDF Core Strategy and Development Policies**

CS1 Distribution of growth

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

CS15 Protecting and improving our parks and open spaces and encouraging biodiversity

CS19 Developing and monitoring the Core Strategy

DP16 The transport implications of development

DP20 Movement of goods and materials

DP21 Development connecting to the highway network

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP30 Shopfronts

**Supplementary Planning Policies**

Bloomsbury conservation area appraisal and management strategy (2011)

Camden Planning Guidance 2011:

CPG 1 Design; CPG6 Amenity; CPG 7 Transport; CPG8 Planning Obligations.

## Assessment

### 1. Proposal:

The applications propose:

- The replacement of an existing fly tower located towards the eastern main roof boundary facing Grape Street with a 'multi-faceted' fly tower clad in self-finished cor-ten steel. The proposed fly tower would measure approximately 11m in height x 16m in width x 19m in depth, providing a 30 tonne capacity for hoisting operations along with ancillary theatre accommodation, including offices and dressing rooms.

1.2 The application has, since the initial submission, been revised upon officer advice including:

- Amended design fly tower
- Amended detailed design and materials proposed
- Amended drawings to accurately represent existing context

1.3 The principal considerations material to the determination of these applications are summarised as follows:

- Economic assessment
- Heritage assessment
- Design of proposed roof extension
- Amenity
- Transport

### 2. ASSESSMENT

#### *Economic Assessment*

2.1 During the early 20<sup>th</sup> century, the method of flying shows at Shaftesbury Theatre was via the use of hemp sets. Towards to the late 1970's however, the hems sets were removed and a counterweighted flying system was installed in order to fly larger and heavier productions with a carrying capacity of 6 tonnes. As music productions became more elaborate, the flytower was again strengthened in 2002 (LSX0205337) to achieve a carrying capacity of 12 tonnes.

2.2 In 2007 the Shaftesbury Theatre hosted 'Hairspray' a production originally requiring a fly tower capacity of 20 tonnes, well over the Shaftesbury Theatre capacity of 12 tonnes. As a result, extensive scenery and elements of the show were cut and the show was significantly compromised.

2.3 The typical fly weight of 'blockbuster' musical theatre productions currently being performed in London's theatres are :

- Phantom of the Opera – 20.7 tonnes
- Beauty and the Beast: 27.5 tonnes (originally 48 tonnes)
- Oliver! – 22 tonnes
- Lion King- 30 tonnes (originally 58 tonnes)
- We Will Rock You – 13 tonnes

2.4 In this respect, current musical theatre productions require significantly greater fly carrying capacities than those provided in the early 20<sup>th</sup> century, with many theatres expected/capable of carrying up to 60 tonnes to host 'blockbuster' musical theatre productions.

2.5 In terms of ancillary accommodation, dressing rooms are problematically spread around the building at various floor levels, with office accommodation located in an adjacent rented building at significant cost.

2.6 To ensure the financial viability of the venue as a theatre and its ability to host 'blockbuster' productions in the future, a carrying capacity of 30 tonnes has been identified, with additional office and dressing room accommodation incorporated as part of the proposed fly tower expansion project, which would increase capacity and reduce costs.

2.7 Within this context, it is considered there is a demonstrable need for a new fly tower capable of

greater capacity with additional ancillary accommodation and should be given substantial weight to secure the optimum viable use of the building as a theatre.

#### *Heritage Assessment*

2.8 The proposed roof extension has been assessed against, inter alia, paragraph 134 of the NPFF which states *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*

2.9 Whilst the Shaftesbury Theatre is Grade II listed, different elements of the building have varying levels of significance, as highlighted in its list entry description. Where the external façade, internal fixtures and arrangement are noted, the main roof, other than the corner tower is noticeably omitted. Much of this can be attributed to the theatre evolving from hosting melodrama to musicals and the requirement of a fly tower, along with modern day plant/machinery requirements.

2.10 The existing fly tower is located along the eastern boundary facing Grape Street, rising approximately 7m, albeit at various points, above the main roof. Primarily brick built with various pitched slate roofs, the fly tower has little relation in terms of detailed design or form with the character and appearance of the main building and as such represents an unsympathetic, albeit unassuming, extension.

2.11 Given the proposal would retain the existing fly, albeit within the proposed new fly tower, the proposal would not result in loss of the building's historic fabric. Significant alterations would include the introduction of steel supports strapped to the existing internal brick wall facing Grape Street. This necessary internal alteration would allow increased loads to be supported above without unduly harming the fabric of the building.

#### *Design of proposed roof extension*

2.12 In terms of scale, the size of the proposed fly tower is highly constrained by the functional requirements of the stage it serves, height is driven by the size of scenic object required and the plan area directly reflects the footprint of the stage and wing spaces. The massing of the basic fly tower element of this project is therefore entirely fixed, located against the eastern boundary wall facing Grape Street. The ancillary accommodation, including dressing rooms and offices would be located along the northern, southern and western facing perimeters, creating the overall volume and height of the proposed fly tower.

2.13 Whilst the rectangular footprint of the proposed fly tower would remain relatively similar to the existing fly tower, approximately 16m x 19m. The terminating height would be increased from approximately 7m up to 11m.

2.14 Given the constraints of the site and functional requirements, it is considered the increase in height of a single volume extension is appropriate in this instance.

2.15 It is considered the extension would suitably correspond with the height of the adjacent King Edward's Mansions, providing a perception from long views of completing the city block to a unified height.

2.16 In terms of detail, the design and form of the structure is such that the overall mass is broken down as far as possible to reduce its perceived scale. Taking the fixed massing of the internal accommodation as a starting point, the design manipulates the cladding in a number of ways to create the effect of a continuous, multi faceted extension reducing the scale and bulk of the fly tower:

- 1) Firstly, the faceting picks up on the diagonal alignments of the existing building, further strengthening the diagonal relationship of the site to Shaftesbury Avenue and High Holborn.
- 2) Secondly, the faceting creates a series of bays in the fly tower facades which accommodate windows and ventilation louvers that reflect the scale and grain of the bays and turrets on the facades of the adjacent mansion blocks.

- 3) Thirdly, taking the faceted treatment over the entire roof creates an animated skyline of 3 dimensions which emphasises the sculptural nature of the structure, continuing the quality of design when seen from above by the numerous towers overlooking the theatre.

2.17 Whilst there is presumption against higher level extensions at main roof level to listed buildings, particularly of this size and scale, which would be the subject of numerous public and private vantage points, it is considered the contemporary response provides high architectural/sculptural quality to the proposed extension in its own right, allowing it to be seen and appreciated as a distinct element from the form and design of the theatre.

2.18 In terms of materials, the proposed cladding is self-finished cor-ten steel which oxidises to a warm brown patina. This material was chosen because of its natural finish and slight colour variations which correspond well to the extensive use of brick and terracotta in both the existing theatre facades and adjacent mansion blocks. The use of cor-ten steel would create a distinctive, contemporary addition to the streetscape contrasting with the adjacent historic facades. The cladding will be detailed using a rain screen system which will be carried over the roof to provide the effect of a continuous faceted surface. The cor-ten cladding is carried down all facades of the fly tower and terminates against a constant horizontal datum. Below this line, back-lit translucent polycarbonate articulates the gap between the metal-clad fly tower box and the varying levels of the existing theatre.

2.19 The details of design, materials and lighting shall be secured by way of condition.

2.20 It is acknowledged that the proposal is considered to lead to harm to the appearance of the theatre due to the significant scale and visibility of the structure at roof level.

2.21 Within this context, it is considered the proposal would secure the optimum viable use of the building as a theatre in the long run which results in a public benefit which outweighs the harm resulting from the scale of the new fly tower. Furthermore, the high quality of materials and contemporary design proposed appropriately mitigates the scale of the new fly tower and represents a modern form of theatre development. It is considered the distinctive and overtly modern design allows the original form and appearance of the theatre to still be easily appreciated and recognised in its own right.

#### *Amenity*

2.22 The Theatre, along with the adjacent mansion blocks of King Edward's Mansions (8 Grape Street) and offices 212-222 Shaftesbury Avenue, is located within a city block surrounded by a variety of uses. The buildings located on the east side of Grape street, including No.167 High Holborn, are predominately in B1 office or non-residential use at all levels. Only Nos.1-3 (consecutive) Grape Street and King Edward's Mansions (8 Grape Street) provide residential accommodation.

2.23 Although many of the facing windows from properties on the eastern side of Grape Street, including Nos.13- 17 (consecutive) and at the flank elevation of No.167 High Holborn would experience a diminished level of daylight and increased sense of enclosure they service non-residential accommodation and thus the impact would not be material.

2.24 The only windows servicing residential accommodation to directly face the proposed fly tower are located on the southern facing wall of King Edward's Mansions forming a vertical strip. These windows are located within a recess approximately 1m in width and 2m from the main flank elevation of King Edward's Mansions. Following a site inspection, it was confirmed these windows service internal hallways and not those of habitable room. The level of light received to these windows however is considered poor, whereby artificial lighting would likely be required at all times. Bathroom window, within this recess do not face this application site, and the levels of light to these rooms are not protected.

2.25 The proposed fly tower would rise above the flank wall of King Edward's Mansions and cover the entire width of the aforementioned window recess, thereby significantly removing the potential for natural light to these windows. With these amenity issues in mind however, it is considered the loss of light to windows and a diminished outlook servicing non-habitable residential accommodation shall receive limited weight when balanced with the long term viability of the theatre and the high quality concept of the extension.

2.26 The proposal, by virtue of its size, orientation and position would not result in a loss of light to the balconies at the rear of King Edward's Mansions nor the windows servicing Sovereign House (212-224 Shaftesbury Avenue).

2.27 With regard to noise associated with the use of the theatre, it is considered the perimeter of ancillary accommodation would suitably mitigate noise disturbance related to the fly tower void within. A condition shall be attached to further mitigate this issue by way of requiring fixed shut windows located on the northern elevation of the fly tower, which closely adjoins residential accommodation.

2.28 The proposal would not encourage anti-social behaviour as it would not materially impact upon the ground level environment of Grape Street.

#### *Transport*

2.29 The proposed development involves considerable construction work. Given the location and the restricted nature of Grape Street, it will be necessary for the applicant to provide a Construction Management Plan prior to any works commencing on site. This would be secured by means of a S.106 legal agreement in order to minimise the impact on the transport network and local amenity.

#### **Recommendation:**

- 1) Grant Planning Permission subject to S106 Legal Agreement
- 2) Grant Listed Building Consent

#### **DISCLAIMER**

Decision route to be decided by nominated members on Monday 21<sup>st</sup> January 2013. For further information please click [here](#).