

CB/CC/P6282
3rd November 2016

London Borough of Camden
Planning Department
2nd Floor,
5 Pancras Square c/o Town Hall,
Judd Street
London
WC1H 9JE

For the attention of Mr David Fowler

Dear Sirs,

**125 Shaftesbury Avenue London WC2H 8AD
Objection to Planning Application 2016/5202/P**

On behalf of Ambassadors Theatres Group (ATG), which is the owner of the Phoenix Theatre on Charing Cross Road, we write to make a holding objection to the pending planning application at 125 Shaftesbury Avenue submitted by Almacantar Shaftesbury S.A.R.L.

The Phoenix Theatre

The Phoenix Theatre is located immediately adjacent to the application site and has the potential to be the most significantly impacted upon building by both the construction and end use of the proposal.

Designed by Theodore Komisarjevsky, the Theatre was opened in 1930 and is Grade II Listed. The interior is very grand and considered to be one of London's finest. The theatre is located between Phoenix Street, Charlingcross Road, Stacey Street and Flitcroft Street.

The southern boundary of the theatre runs directly adjacent to the development site along Phoenix Street which is very narrow street. The Theatre has an entrance and booking office along Charing Cross Road, however the main entrance (and most original feature) into Theatre is within Phoenix Street. A large portion of the Theatre and access is therefore directly opposite the development site.

The theatre and its associated bar and offices all have windows which look directly at the development site.

The Theatre building is operational 7 days a week and currently comprises:

- Theatre shows (currently The Last Tango) commenced on September 22nd 2016 and will run until December 3rd 2016.
- The show will run at 7.30pm every evening (excluding Sunday) with matinees every

Architecture Planning Interiors

Old Church Court, Claylands Road, The Oval, London SW8 1NZ

- Thursday and Saturday at 3pm.
- Rehearsals take can take place on any day of the week between 10am – 6pm
- The Theatre can accommodate 1068 customers per performance.
- Ancillary Theatre management offices are located on the upper floors.

Unlike some London Theatres which have performances lasting many years, The Phoenix Theatre has a high turn-over of shows which results with varied show times and rehearsal. Since 2014, the Theatre has held three different shows; Once the Musical in 2014, Bend it Like Beckham in 2015, Guys and Dolls in 2016.

The theatre therefore needs to protect both the current performance and any future performances over the next 3-4 years.

The Application

Ambassadors Theatre Group acknowledges that development within Central London is unavoidable however the disruption caused by the remodelling and construction could have serious consequences on the running of the Theatre and they must protect the continuing successful operation of the Theatre. ATG has a number of concerns in respect of the planning application which they would like to see addressed before they can support the proposals.

ATG have thoroughly reviewed the planning application documents and are very concerned about the lack of acknowledgment and comment of the Theatre. The Theatre is briefly mentioned within the site description however is not acknowledged or discussed within key documents such as:

- Acoustic Report
- Design & Access Statement
- Construction Management Plan
- Planning Statement

For listed building reasons and noise sensitive uses alone, we would have anticipated that the impact of the remodelling of 125 Shaftesbury Avenue on the Theatre would have been addressed.

ATG are therefore seeking assurances that the Theatre have been correctly assessed within the application documents and in respect of the construction method and would like to agree appropriate mitigation measures to be secured through a condition or an amended Construction Management Plan. Without receiving comfort from the applicant, ATG wish to object to the application.

The applicant, Almacantar Shaftesbury S.A.R.L. met with ATG during pre-application consultation and some assurances have been provided. Despite this, the scheme has been revised since the consultation and there is little reference to the Theatre in the submitted reports. The design of the scheme appears to have increased in scale and various elements such as the removal of one of the trees along Charing Cross Road (which our client would be in support of as it currently blocks the Theatre when looking north) are no longer proposed.

Based on the level of information provided within the application, we feel it necessary to ensure that the concerns of the Theatre are fully understood by officers, so that these can be appropriately addressed by Conditions and the submission of further details prior to commencement of works, should planning permission be granted.

Below we have set out the main concerns of ATG. We would appreciate that they are taken into consideration during the determination period and we would be grateful of a response to each from the applicant;

1. Acoustic Report

The Planning Noise Assessment prepared by Waterman Infrastructure & Environment Limited does not make direct reference to the Phoenix theatre and fails to identify it as one of its noise sensitive receptors (outlined in table 4 on page 8 of the report).

The report should acknowledge that noise and vibration from the construction of the development is a serious concern to the Theatre. The Theatre currently its performances are currently scheduled as follows:

- Evenings: 7.30pm (excluding Sunday)
- Matinees at Thursday and Saturday at 3pm.

In addition to the scheduled Theatre times, ATG wish to stress that rehearsals and other events regularly take place within the Theatre on any day of the week, usually between 10am – 6pm. The theatre is not restricted to the show times listed online. As discussed above, ATG cannot guarantee that a change of regular show times will not occur in the future.

Request 1: *We question why the Theatre was not referenced as a noise reception property within the acoustic report?*

Construction & Management Plan

The application's Construction Management Plan the hours of work for contractors working on site will be in accordance with Camden's Code of Practice for Deconstruction and Construction Sites. The working hours will be:

- 8.00am - 6.00pm Monday to Friday.
- 8.00am - 1.00pm on Saturday.

No work will be carried out on Sundays or bank holidays. These timings are in conflict with the theatre's hours of operation and do not recognise the two matinee performances.

In addition, there are offices associated to the theatre in the upper floors of the building. The close proximity demolition and construction noise has the potential to impact not only on the theatre shows and the rehearsals but disrupt the office workers also.

The report does not acknowledge that a 'Schedule of Noisy Work Restrictions' will be agreed with the Theatre. The works should be agreed directly with Ambassadors Theatres Group who manage the day to day running of the Theatre and will be best placed to advise on sensitive working hours.

We note that there are two options for the location of a crane during the construction. ATG seek confirmation asap as to whether the crane will be on the corner of Stacey Street and Phoenix Street as this will add further disruption to the Theatre.

Request 1: *We request that a Condition is imposed requesting that the applicant is in direct contact with Ambassadors Theatres Group to discuss hours of demolition and construction noise. This will ensure that show times are not affected by the development and ATG can advise on any pre-planned functions within the Theatre.*

Request 2: A condition is attached to ensure the mitigation along Phoenix Street, Stacey Street and Charing Cross Road set out within the Construction Management Plan is adhered to.

2. Servicing and Deliveries – Stacey Street

The theatre is serviced on Charing Cross Road and at the rear along Stacey Street. Stacey Street is a one-way street, is very narrow and already very congested at times. The theatre is serviced daily for waste collections and deliveries such as sets and costumes to and from the theatre are unloaded on Stacey Street and then moved to Flitcroft Street (which is a pedestrianised alley).

The proposed transport, servicing and delivery arrangement is one of the main concerns for the Theatre as all deliveries, loading, waste collection and drops offs are proposed along Phoenix Street and Stacey Street.

The Theatre's existing arrangements for deliveries and servicing are not acknowledged in the Transport statement. The submitted Construction Management Plan allocates Stacey Street as the primary site access; this raises concerns for ATG as Stacey Street is where the Theatre's receives deliveries and servicing.

The construction management outlines the average number of vehicle movements per day during the respective construction phases is as follows:

- Demolition & Strip Out: 14 loads per day (14 vehicle movements), peaking at 22 loads per day.
- Construction: 10 loads per day (20 vehicle movements), peaking at 15 loads per day, i.e. 30 vehicle movements/per day.

Furthermore, page 13 of the submitted Transport Assessment states that *'loading and unloading is possible on Phoenix Street and for a limited time on Stacey Street. However, it is not generally permitted on Charing Cross Road and Shaftesbury Avenue'*.

Heavy goods and service vehicles will be required to transport goods and materials to and from the site throughout the duration of the works which could cause excessive noise when loading and unloading and also threaten to block both Stacey Street and Phoenix Street. This would greatly impact upon the Theatre's day-to-day operations and its existing deliveries and servicing strategy.

At present, the Phoenix Theatre would not be able to develop an alternative strategy during the construction period due to the limited nature of the surrounding streets and the inability to service from Charing Cross Road. Therefore, ATG request that their existing strategy is acknowledged and encompassed with the Transport Assessment and the Construction Management Plan to alleviate any disruption that may occur during development.

Request 1: ATG again seek a condition is imposed requesting that the applicant is in direct contact with Ambassadors Theatres Group to discuss hours of collection and deliveries to ensure it does not impact on the theatre production.

Request 2: ATG seek comfort that the delivery strategy has acknowledged the existing servicing arrangements for the Theatre along Stacey Street. Further investigation regarding potential other loading/ delivery positions around the site would be welcomed.

3. Daylight, Sunlight & Overshadowing

The daylight and sunlight report prepared by GIA focuses primarily on daylight/sunlight impacts on the surrounding residential developments. Whilst ATG is aware that BRE is principally set up for residential properties and will be entering discussions with the applicant regarding Right to Light matters we wish to ensure the Council is aware of the active offices on the upper floors of the Theatre building. The additional height and increase in bulk proposed along Phoenix may impact on the amount of daylight available to the offices and will result with greater overshadowing and an increased sense of enclosure.

4. Future Use of the Development

A new retail or restaurant use is proposed on the ground floor fronting Phoenix Street. It appears that the entrance into the future unit may be along Stacey Street however this is not overly clear on the drawings. Phoenix Street is very narrow and ATG have concerns if the restaurant/ retail entrance is proposed along Phoenix Street. Customers leaving the unit into Phoenix Street have the potential to impact on the theatre in terms of noise and disruption.

In addition, the proposed retail unit on the corner of Phoenix Street and Charing Cross Road has a new entrance into the Phoenix Street. We seek confirmation that this is an emergency escape and not a new entrance.

Request 1: We seek to ensure the entrance into the retail/restaurant unit is retained along Stacey Street, on the opposite side to Phoenix Street.

Request 2: The entrance from the retail unit into Phoenix Street is not used by customers and retained as an emergency escape.

5. Surrounding Applications; Phoenix House, 104-110 Charing Cross Road (2016/5190/P)

In addition to the application at 125 Shaftesbury Avenue, our client has been notified of another planning application at Phoenix House, 104-110 Charing Cross Road (2016/5190/P) which is adjoining the Theatre. The application seeks the erection of two storey roof extension to provide 2 x 2 bedroom flats.

Our client will be submitting separate representations on this application however we wish to highlight that the estimated construction of the development is the same time as 125 Shaftesbury Avenue.

In addition, the location for servicing and deliveries for the construction is also along Phoenix Street. We seek to ensure that officers will be aware of the potential construction, congestion and disruption that may take place around the Theatre from both developments at the same time.

Request: Transport officers review the construction and management programme of both 125 Shaftesbury Avenue and 104-110 Charing Cross Road to ensure the road network is suitable to accommodate both development and ensure the continuing servicing and deliveries of the theatre remain unaffected.

Summary

The Ambassador Theatre Group has concerns relating to the proposed remodelling, construction and long term operations of the development on the Theatre. ATG do not feel as though the submitted

information adequately addresses the development's physical impacts on the theatre and its operation.

The Theatre will not benefit from the neighbouring development but will have to suffer the construction disruption for a lengthy period of time. ATG therefore seek additional comfort that relevant conditions will be attached to the planning permission to ensure the operation of the Theatre and its associated offices are protected both during the construction stage and in perpetuity.

We trust the above comments are of assistance and we would be grateful however for Officers assistance in ensuring that the recommended concerns are adequately addressed should the Council support the proposal.

ATG would be more than happy to meet with the applicant to discuss their concerns.

Should you have any questions or wish to discuss, please do not hesitate to contact the undersigned.

Yours sincerely,

A solid black rectangular box used to redact the signature of Chris Brown.

Chris Brown
Rolfe Judd Planning Limited