

project	Shaftesbury Theatre, London, WC2H 8DP Planning Statement	issued by	Paul Bowman
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		ref	1702_3.0

1.0 Introduction

The purpose of this planning statement is to summarise the works being proposed to the Shaftesbury Theatre, and offer additional evidence in support of the application for planning permission.

In line with London Borough of Camden advice, the content has been split into three sections which are as follows:

- the principles behind, and justification for the proposed development;
- an explanation of how the proposed development fits into the policies and supplementary planning documentation of the local authority;
- details of pre-application consultation activities that have been undertaken.

2.0 The Principles

The proceeding section sets out a brief explanation of the principles behind, and justification for the proposed development:

2.1 The Site:

Shaftesbury Theatre is a Grade II listed theatre building, located in London's West End and the Bloomsbury Conservation Area. The building is bounded by Bloomsbury Street to the West, High Holborn to the South, and sits within a mixed use area including shops, restaurants, bars, and office buildings, interspersed with hotels and leisure facilities.

Princes Circus, an existing under used open space, sits to the West of the site, however, it is currently bounded by busy roads on all sides, which limits its potential amenity value.

London Borough of Camden's (LBC) West End Project has afforded the Theatre a unique opportunity. The project aims to rationalise the road layout which will reduced High Holborn by one lane, replacing the current taxi rank with a dedicated loading bay for use by the Theatre. Removal of Bloomsbury Street will enlarge and reopen Princes Circus as a public space, the focus of which will be the Shaftesbury Theatre's decorative South-West elevation.

2.2 The Proposals

The proposals comprise the refurbishment and extension of the existing Shaftesbury Theatre.

The design includes improvements to the existing building as well as an under-pavement basement extension along the Theatres two principal elevations, and a full restoration of the auditorium. Areas behind the proscenium arch, in the

technical and dressing room spaces are excluded from the proposed works.

The proposed scheme has been developed with the intention that the additional floor areas created is to be utilised as an auxiliary space for the use of the Theatre.

2.3 Ownership:

The Land Registry is quite on the precise boundaries of the property. Generally, the registered title does not include adjoining roads, foundations, vaults or eaves that extend beyond the boundary line.

The proposed development is an extension to the pre-existing subterranean basement vaults and is constrained within the boundary of the existing road. The proposed extent of the works asserts the Theatres' common law presumption that the owners of land on either side of a road own the subsoil up to the *medium filum* (middle line) of the road.

This assertion has been made by the Theatres lawyer Robert Reilly, Partner at Harbottle & Lewis, via a number of correspondences with LBC Principal Lawyer Aidan Brookes. A fully detailed breakdown of these communications can be found in Section 4.0 Consultations.

2.4 Land use

A number of previous planning applications have been lodged which have asserted the Theatres current land use class to be Sui Generis. The proposals work on this assumption, with all additional floor area created as auxiliary to the function of the Theatre.

2.5 Heritage:

The existing building is Grade II listed and is located in the Bloomsbury Conservation Area in Sub-Area 8 covering New Oxford Street/High Holborn/Southampton Row.

A full Historic Building Report has been prepared by Theatresearch, which forms part of the application submission. This report has established the significance of the building and provides detailed justification of the proposed scheme according to the relevant planning guidance.

3.0 Policies

This Application has been informed by adopted policies and other relevant guidance. This section of the Statement provides a summary of the relevant planning context against which the scheme has been assessed in the various supporting documents submitted with this application.

3.1 National Guidance

The National Planning Policy Framework (the “NPPF”) was published on 27th March 2012 and supersedes previous national planning guidance contained in various Planning Policy Guidance and Planning Policy Statements. The NPPF sets out the Government’s approach to planning matters, and is a material consideration in the determination of planning applications.

In March 2014, the Government published the National Planning Practice Guidance (NPPG) which is a material consideration in relation to planning applications. The NPPG replaces a number of previous circulars and guidance to provide a simplified single source of guidance at the national level.

3.2 Statutory Framework

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with policies of the statutory Development Plan, unless material considerations indicate otherwise.

The Statutory Development Plan for the Site comprises:

- London Plan (consolidated with Alterations since 2011) (2015);
- LB Camden Local Plan; and
- LB Camden’s Site Allocation Plan (2013).

The Local Plan was adopted by Council on 3rd July 2017 and has replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions and future development in the borough.

3.3 Regional Guidance

The Greater London Authority (GLA) has published a number of supporting documents that are relevant in the consideration of this Application. Of particular relevance are:

- SPG: Draft Central Activities Zone SPG (September 2015);
- SPG: Accessible London: Achieving an Inclusive Environment (October 2014);
- SPG: Shaping Neighbourhoods: Character and Context (June 2014);
- SPG: London Planning Statement (May 2014);
- SPG: Sustainable Design and Construction (April 2014);
- SPG: Planning for Equality and Diversity in London (October 2007).

3.4 Local Guidance

LB Camden has a number of adopted supplementary planning documents (SPDs) (known as Camden Planning Guidance – CPGs) and other documents which are a material consideration in respect of the Application, including:

- CPG1 Design;
- CPG3 Sustainability;
- CPG4 Basements and Lightwells;
- CPG5: Town centres, retail and employment
- CPG 6 Amenity;
- CPG 7 Transport; and
- CPG 8 Planning obligations.

The Bloomsbury Conservation Area Appraisal and Management Strategy (April 2011) is also a material consideration in the determination of the Application.

3.5 Site Specific Designations

The Camden Planning Policy Map outlines that the Site is within:

- Tottenham Court Road Growth Area;
- Bloomsbury Conservation Area;
- Central London Area;
- London Suburbs Archaeological Priority Area.

4.0 Consultation

Extensive pre-application consultation has been undertaken. This has informed the design of the scheme which has been revised to address comments raised through the pre-application consultation process.

The following section sets out the pre-application consultation that has been undertaken.

4.1 LB Camden Pre-application consultation

Pre-application advice on the proposals was undertaken during a visit to the property with LBC Conservation Officer (Charles Rose) on Thursday 7th September 2017.

No formal pre-application response was received following this meeting however; the proposals have sought to respond to the comments raised during the meeting. A full assessment of how the scheme has been amended to reflect the recommendations is enclosed within the accompanying Design & Access Statement.

4.2 Public Consultation

The Theatre engenders very strong relationships with its neighbours and is conscious of neighbourly matters. In order to keep local residence and other interested parties apprised of the proposed works the Theatre has created a dedicated section to their website.

This information can be viewed at the following address:

<http://www.shaftesburytheatre.com/development/>

4.3 West End Project

Bennetts Associates and representatives from the Theatre first met with LBC Project Manager of the West End Project Kevin Stears on Thursday 16th February 2017.

During this meeting it was confirmed that the point of contact for the West End Project's Landscape Architects were LDA Architects.

Telephone and E-mail contact has also been made with LDA Architects in an attempt to co-ordinate the design proposals for the Theatre with those of the West End Project, but to date no meeting has been possible.

A further meeting between Project Manager Kevin Stears, LBC Principal Transport Planner Steve Cardno, Bennetts Associates, representatives from the Theatre and the Theatre's legal advisers Harbottle & Lewis occurred on Tuesday 7th November 2017.

During this meeting Kevin Stears and Steve Cardno advised that they were not able to discuss land ownership or legal matter, and that contact should be made with LBC Property and Contracts Team.

Following this meeting on 13th November 2017 Robert Reilly, Partner at Harbottle & Lewis, made initial e-mail contact with LBC Head of Planning, Property and Contracts Team, Principal Lawyer Aidan Brookes. The e-mail outlined the Theatres proposal regarding land ownership. Subsequently nine separate e-mails have been exchanged amongst the aforementioned parties between 13th November 2017 and 13th December 2017.

4.4 Theatres Trust

Bennetts Associates and representatives from the Theatre met with Theatres Trust National Planning Adviser Ross Anthony and Theatres Adviser Tom Stickland on 2nd August 2017. A full assessment of how the scheme has been amended to reflect the recommendations received during this meeting is enclosed within the accompanying Design & Access Statement.

4.5 The Greater London Authority Archaeological Services (GLAAS)

Following LBC planning guidance contact was made with GLAAS to ascertain the requirements for archaeological exploration of the site. A copy of the letter of engagement is attached for reference. In line with this guidance, a desktop heritage assessment is to be undertaken and provided to the local authority at the earliest opportunity during the determination period.

4.6 Design Out Crime officer London Metropolitan Police

The Shaftesbury Theatre is a member of the Society of London Theatres (SOLT), an organisation that works with and on behalf of our Members to champion theatre and the performing arts.

One of SOLT's key initiatives is the SAFERtheatre programme which promotes understanding of health & safety, risk management, counter terrorism and security affecting the theatre industry. The principles set out by this programme are central to the proposed design.