

Application ref: 2018/0575/P
Contact: John Diver
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Date: 15 November 2018

Development Management
Regeneration and Planning
London Borough of Camden
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Bennets Associates
1 Rawstorne Place
London
EC1V 7NL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

The Shaftesbury Theatre
210 Shaftesbury Avenue
London
WC2H 8DP

Proposal:

Various alterations to theatre building (Class D2) including basement extensions, creation of new entrance fronting Princes Circus, replacement of external lighting to façade and plant at roof level, installation of pavement lights and delivery hatch as well as minor alterations to façade and doors.

Drawing Nos: 1702-P-001, 1702-P-099, 1702-P-100_A, 1702-P-101, 1702-P-102, 1702-P-103, 1702-P-104, 1702-P-105, 1702-P-210, 1702-P-220, 1702-P-230, 1702-P-301, 1702-P-302 rev A, 1702-XP-099-B, 1702-XP-100-A, 1702-XP-101-A, 1702-XP-102-B, 1702-XP-103-B, 1702-XP-104-A, 1702-XP-105-A, 1702-XP-210, 1702-XP-220, 1702-XP-230, 1702-XP-301, 1702-XP-302, EX17_088_11_001

Supporting documents: Approval in Principle prepared by Michael Jackson consulting; Archaeological Desk-Based Assessment prepared by Wessex Archaeology (ref. 200670.01); Basement Impact Assessment Report (ref. 371647 - 01 (01)) with appendices prepared by RSK (dated Nov 2017); Basement Roof Slab Loading report (ref. 2714/GAD) dated June 2018; BIA Audit Report 210 Shaftesbury Ave-D1 (GKemb12727-65-210518); Design and Access Statement prepared by Bennetts Associates (dated Dec 2017); Draft Basement Construction Methods Statement Rev A; Draft Construction Management Plan v0.1; External lighting Assessment prepared by e3 consulting engineers dated 21 Feb 18; Luxcrete pavement rooflight specification

(no. P150/100) dated June 2018; Noise Impact Assessment Report rev 01 dated 20/12/2017; Planning Statement prepared by Bennetts Associates (dated Feb 2018); Shaftesbury Conservation Report prepared by Theatresearch (dated Nov 2017); Transport Statement prepared by Clewlow Consulting dated June 2018.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

1702-P-001, 1702-P-099, 1702-P-100_A, 1702-P-101, 1702-P-102, 1702-P-103, 1702-P-104, 1702-P-105, 1702-P-210, 1702-P-220, 1702-P-230, 1702-P-301, 1702-P-302 rev A, 1702-XP-099-B, 1702-XP-100-A, 1702-XP-101-A, 1702-XP-102-B, 1702-XP-103-B, 1702-XP-104-A, 1702-XP-105-A, 1702-XP-210, 1702-XP-220, 1702-XP-230, 1702-XP-301, 1702-XP-302, EX17_088_11_001

Supporting documents: Approval in Principle prepared by Michael Jackson consulting; Archaeological Desk-Based Assessment prepared by Wessex Archaeology (ref. 200670.01); Basement Impact Assessment Report (ref. 371647 - 01 (01)) with appendices prepared by RSK (dated Nov 2017); Basement Roof Slab Loading report (ref. 2714/GAD) dated June 2018; BIA Audit Report 210 Shaftesbury Ave-D1 (GKemb12727-65-210518); Design and Access Statement prepared by Bennetts Associates (dated Dec 2017); Draft Basement Construction Methods Statement Rev A; Draft Construction Management Plan v0.1; External lighting Assessment prepared by e3 consulting engineers dated 21 Feb 18; Luxcrete pavement rooflight specification (no. P150/100) dated June 2018; Noise Impact Assessment Report rev 01 dated 20/12/2017; Planning Statement prepared by Bennetts Associates (dated Feb 2018); Shaftesbury Conservation Report prepared by Theatresearch (dated Nov 2017); Transport Statement prepared by Clewlow Consulting dated June 2018.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 5 The development shall be carried out in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment Report (ref. 371647 - 01 (01)) with appendices prepared by RSK (dated Nov 2017); hereby approved and shall ensure a maximum damage category to adjoining properties of no more than Burland Category 1 as described in approved documents.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2, A1 and A5 of the London Borough of Camden Local Plan 2017.

- 6 No excavation works hereby permitted shall commence until detailed design and construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:-
 - (a) Accommodate the proposed location of the Crossrail structures including tunnels, shafts and temporary works,
 - (b) Mitigate the effects of noise and vibration arising from the operation of the Crossrail railway within the tunnels and other structures.
 - (c) Mitigate the effects on Crossrail, of ground movement arising from development

The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is/are occupied.

Reason: To ensure that the development does not impact on existing/proposed strategic transport infrastructure in accordance with the requirements of Policies A1 and T1 of the London Borough of Camden Local Plan 2017

- 7 No excavation shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no excavation shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and
- A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: Important archaeological remains may exist on this site. Accordingly the Local planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development in accordance with the requirements of policy D2 of the London Borough of Camden Local Plan 2017.

- 8 The total noise from fixed plant associated with the application site, when at a point 1m external to sensitive facades shall be at least 10 dB(A) less than the existing background measurement (LA90), expressed in dB(A), when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that is distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses(bangs, clicks, clatters, thumps), then the noise levels from the plant/equipment at any sensitive façade shall be at least 15 dB(A) below background noise level.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 9 Before the use of the replacement plant equipment commences, the ventilating system/air-conditioning plant at roof level shall be provided with anti-vibration pads. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 10 The replacement signage hereby approved shall not include any digital screen.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 11 The proposed pavement rooflights shall be built in accordance with the Luxcrete pavement rooflight specification (no. P150/100) and Flushgaze specification document (ref. FG-WO-TDS-v1.7-11.04.2017) as indicated on the ground floor plan hereby approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 12 The construction of the basement extension hereby permitted shall be carried out in strict accordance with the methodologies, recommendations and requirements of the permanent Approval in Principle report prepared by Michael Jackson consulting hereby approved.

Reason: To safeguard the structural stability of the adjacent public highway in accordance with the requirements of policies A1, A5 and T4 of the London Borough of Camden Local Plan 2017

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings.
- 5 Thames Water:

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it

leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Waste:

If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk.

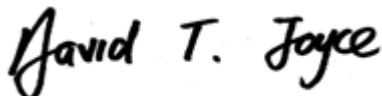
- 6 It should be noted that the works proposed may result in requirements for additional approvals/variations to the entertainment license for the premise. The applicant is advised that a licencing application should be made in respect of the entertainment license before the alterations take place, to ensure that the alterations comply with the recommendations contained in the 'Technical Standards for Places of Entertainment' (2015).
- 7 In relation to condition 7, the written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



David Joyce
Director of Regeneration and Planning