



Planning Solutions Team
Planning and Regeneration
 Culture & Environment
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 London Borough of Camden
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Date: 29/09/2017
Our ref: 2017/2606/NEW
Contact: Gideon Whittingham
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Dear Freya Turtle,

Re: 135 - 149 Shaftesbury Avenue
London
WC2H 8AH

www.camden.gov.uk/planning

I write following our meeting of 23rd August 2017 and your resubmission for pre-application advice for the development of the site.

As discussed during our previous meeting, the main matter for consideration at this stage is the principle of the redevelopment of the building in terms of heritage and design of the roof level extension. Given this is a follow-up pre-application submission, the previous comments still apply and this letter should be read in conjunction with the previous correspondence.

Policy:

Since the previous comments were provided the Camden Plan has since been adopted, superseding the Local Development Framework Core Strategy and Local Development Framework Policies as anticipated in the previous comments.

The policy context for the proposal has therefore changed and is assessed by the following policies:

- G1 Delivery and location of growth;
- A1 Managing the impact of development;
- A2 Open Space;
- A3 Biodiversity;
- A4 Noise and Vibration;
- A5 Basements;
- D1 Design;
- D2 Heritage;
- C2 Community facilities
- C3 Cultural and leisure facilities
- C5 Safety and security;
- C6 Access;
- CC1 Climate change mitigation;
- CC2 Adapting to climate change;
- CC3 Water and flooding;
- CC4 Air quality;
- CC5 Waste;
- DM1 Delivery and monitoring;
- E3 Tourism;

- H1 Maximising housing supply
- H2 Maximising the supply of self-contained housing for mixed-use schemes;
- H4 Maximising the supply of affordable housing;
- H6 Housing choice and mix;
- H7 Large and small homes;
- TC2 Camden's centres and other shopping areas;
- TC4 Town centre uses;
- T1 Prioritising walking, cycling and public transport;
- T2 Parking and car free development;
- T3 Transport Infrastructure;
- T4 Sustainable movement of goods and materials

On a regional and national level the London Plan (2016) policies and the National Planning Policy Framework (2012) would also be relevant.

Viability

During our meeting, the discussion focused mainly on the design issues, however we were open to the applicant providing financial viability information demonstrating the need for the scale of massing proposed.

Notwithstanding independent verification, the Building Condition Report sought to demonstrate that the existing building is in a state of disrepair and requires significant refurbishment. In addition, the costing exercise undertaken by Gardiner & Theobald LLP again sought to demonstrate that the cost of refurbishment for a potential operator, be they Odeon or a specialist, could be greater than the potential rents for the facility.

It is also proposed that the hotel and cinema use would create some additional jobs and note that the applicant is open to supporting local access to the opportunities on offer.

In review of the newly provided information, the applicant has sought to demonstrate (notwithstanding independent verification) that the building requires a significant financial undertaking to provide basic repair and improvement works for the next operator. Balanced against the value of the building and the potential rents for the facility, it is accepted that such an undertaking would likely be unfeasible for many, and in this regard the merit of the very specific business model provided by the applicant is acknowledged.

The Council is concerned for the future of the building and acknowledge that repair and maintenance is likely to be an issue in finding a suitable replacement operator and thus would remain open to sensitive and considerably designed works to improve the matter.

Part of the significance of the building is its use as a cinema or venue for public performance and therefore its retention on site is both welcomed and policy compliant.

It should be noted that a number of recent schemes which included cinemas have been revised post approval omitting the cinema on grounds that it was subsequently found not to be viable in the particular location. Therefore the Council would require a commitment from the applicant and prospective occupier that a cinema or venue for public performance would be followed through.

Design

The majority of our meeting was used to discuss the height, massing and detailed design of the proposed extension. Further internal design-led meetings have since taken place to assess the revised scheme for which we can now provide comment.

In acknowledging our previous advice, it is worth reiterating the key matters of significance and harm to provide a context of development.

Significance

The former Saville Theatre is a Grade-II listed building, adjoining the Denmark Street Conservation Area to its rear and the Seven Dials Conservation Area to its front, but outside either. Designed by Sir Thomas Bennett in 1929-30, with the theatre architect Bertie Crewe and incorporating work by the sculptor Gilbert Bayes, it is reputed to be Bennett's own favourite commission and his only theatre, but one of several important collaborations with Bayes. The setting of Bayes' frieze, echoed in the elevation by stone and brick banding and by the cornice and strong flat parapet line above, is of critical significance to the listed building's special interest. The former Saville Theatre is an extremely fine and characterful building, which is of its era but wears its Classical inspiration proudly. It is an idiosyncratic approach to the theatre typology in form and elevation, and it addresses Shaftesbury Avenue as if it were a grander boulevard at this point. Special interest is heavily invested in the front elevation, which is especially sensitive, but this is bound up with the simplicity and detailing of the returns, and the more pragmatic but considered arrangement of openings on the rear. The theatre/cinema use and its relationship to the main façade contributes to significance, and is supported by the remaining echo of the original internal spatial arrangement, though very little original fabric survives within.

Harm

Considering the scope of the now revised scheme in terms of the tests for management of change to heritage assets laid down by the NPPF, it is clear that the scale of the interventions you envisage carry the risk of causing substantial harm to the listed building (para. 133); this would not be justifiable. It is clear from your investigations that any scheme to combine theatre and hotel uses inside the existing building will involve some loss of historic fabric which is likely to cause some further harm. Less than substantial harm must be weighed against public benefits secured by the scheme, including the building's optimum viable use (i.e. that viable use which is most consistent with its conservation) (para. 134).

This harm can be minimised by careful engineering, sensitive design and concentration of change in low-significance areas; it could be mitigated and eventually justified as part of a proposal which creates a sustainable cinema or theatre of special quality on the site and which conserves the building's special interest through enhancement of its degraded aspects.

Extension

It is our view that the scale, bulk, terminating height and massing of the proposal, as well as its relationship with the retained perimeter facades would result in an unsympathetic roof extension which would harm the building.

Having revisited our previous comments issued on 02/12/2016 (2016/4252/PRE) and applying the NPPF tests to your intended proposals, the Council considers it critical that if you propose any addition external to the building's historic envelope, this must not harm the building, but on the contrary enhance it (and by extension both its adjoining conservation areas) through an architectural intervention of exceptional quality: an addition which justifies itself, as a response to and enhancement of the building and its townscape setting.

The proposal and associated works would all but extinguish what currently contributes to the significance and interest of the listed building. It is considered that each iteration of the scheme (9 storey, 6 storey and 4 storey) has failed to take into account and suitably accommodate the above test. Whilst the favourable viability assessment provides a broad financial justification for the quantum of development proposed/required, it remains the case that the scale, bulk, terminating height and massing of the extension proposed, irrespective of iteration, would harm the building's architectural and historic special interest such that a full planning and listed building application would be dismissed on this issue alone.

It should be noted that the officers have significant reservations at there being a solution which adds such bulk and additional floorspace without causing substantial harm; and the designs submitted so far do not persuade officers from this position.

Next Steps and Conclusion

In light of the above comments, the proposals as they currently stand would be resisted. It is clear that significant mass at main roof level is sought, which is at odds with the very limited form and amount of additional mass the Council considers the host listed building to be capable of receiving. Whilst the need for renovation/refurbishments of the main building is not refuted (in the absence of an independent audit of the Building Condition Report and costing exercise), the scale of extension to the listed building deemed necessary by the applicant is outside the parameters the Council considers appropriate or justifiable in this instance.

Should a more acceptable proposal be submitted, this should again be accompanied by a robust viability assessment in order to be considered further.

This represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

Yours sincerely,

Gideon Whittingham

Senior Planning Officer
Planning Solutions Team