

Protecting theatres for everyone



Ref.: TC/1993

14 November 2019

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Applications: 19/07815/FULL & 19/07816/LBC

Sites: New Zealand House 80 Haymarket London SW1Y 4TE

Proposals: Internal and external alterations to New Zealand House and the surrounding public realm including installation of bollards in the public highway, removal of existing sports bar (Class A4) and relocation of basement car parking entrance and loading bay in connection with the refurbishment and upgrade of the building to provide office accommodation (Class B1) which may be used by commercial tenants and as accommodation for diplomatic and governmental agencies; with flexible retail or restaurant (Class A1 or A3) at part ground floor, flexible Class B1 or A3 or A4 use (office or restaurant or bar) at third floor and a diplomatic residence at the 17th floor and official function facilities at the 18th floor (sui generis); associated works to the Royal Opera Arcade including external and internal refurbishment and improvement works and change of use of basement and mezzanine areas of some retail units on the east side of the Arcade from Class A1 (shop) to Class B1 (office), and change of use of the retail unit(s) on the east side corner of the Royal Opera Arcade and Pall Mall from Class A1 (shop) to flexible Class A1 or A4 use (shop or bar) and other associated works.; &

Internal and external alterations to New Zealand House in connection with the repair, refurbishment and upgrade of the building to provide accommodation which may be used by commercial tenants and as accommodation for diplomatic and governmental agencies, comprising reconfiguration, rationalisation and improvement of office spaces, restoration and part re-location of original building features including timber-panelled and stone-lined partition walls, re-location of the ground to mezzanine Grand Stair, adaptation of main lift lobby to form additional lift bank, temporary removal and repair of the Te-Pouhi pole, separation of raised corner unit from main reception area, replacement of all windows with visually matching double glazed frames, localised alterations to ground floor frontages on Pall Mall and Haymarket to

Theatres Trust

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Chair Tim Eyles **Director** Jon Morgan

Trustees Richard Baldwin, David Blyth, Pam Bone, Paul Cartwright, Paddy Dillon, Ruth Eastwood, David Ian, Richard Johnston, Gary Kemp, Dara Ó Briain, Simon Ricketts, Ann Skippers, Anna Stapleton

The National Advisory Public Body for Theatres

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create separate access to commercial offices and corner unit, installation of associated building maintenance equipment at roof level, repair and refurbishment of the stone spandrels, installation of plant screen at fourth floor level, replacement of all building services including installation of an air source heat pump, reconfiguration of glazing arrangements to ground and podium floors to facilitate new entrance to office floors and introduction of features to assist with urban greening and biodiversity, enclosure of 2nd, 3rd and 18th floor level terraces, and associated works. Works to the Royal Opera Arcade comprising physical works associated with the amalgamation of Unit 25, 26 and 27, inclusion of a new entrance into the arcade from the Pall Mall elevation of New Zealand House repair and refurbishment and reinstatement works to the original shopfronts, installation of new curved shopfronts to the units on the eastern side of the arcade, installation of new shopfront windows and masonry to Unit 1 and 17, restoration of a previously lost baluster above the Pall Mall Entrance and general refurbishment and redecoration (LINKED TO 19/07815/FULL)

Remit:

The Theatres Trust is the national advisory public body for theatres. We were established through the Theatres Trust Act 1976 'to promote the better protection of theatres' and provide statutory planning advice on theatre buildings and theatre use in England through The Town and Country Planning (Development Management Procedure) (England) Order 2015, requiring the Trust to be consulted by local authorities on planning applications which include 'development involving any land on which there is a theatre'.

Comment:

Thank you for consulting the Trust regarding this development at New Zealand House. These plans were brought to our attention as they relate to development neighbouring the Grade II* listed Her Majesty's Theatre; parts of the application site also provide a means of escape from the theatre. We have been engaged by the applicant during the pre-application process.

We have no objection to the overall principle of redevelopment/alteration of the New Zealand House site, notwithstanding conditions restricting works during normal performance times which we would seek to be put in place as a matter of course. We also have no objections in principle to the changes of use proposed, which we consider to be compatible with the theatre as a neighbouring use. Although ordinarily we caution against residential use in close proximity to theatres and other similar noise-generating cultural venues due to the risk of conflict which could undermine the operation of venues, in this instance the risk is mitigated by the location of the residence to the 17th floor and that it serves diplomatic purposes in association with the site's use by the New Zealand Government. We make no comment on matters of heritage or design impacts outside of those directly related to Her Majesty's Theatre and its setting as this falls outside of our remit.

The elements of this proposal on which we wish to make representations are set out as follows:

Replacement vehicle gate and access on Haymarket

This is the part of the proposed development which has caused the Trust and the theatre most concern as it would result in a new vehicle access and lift being located in close proximity to the theatre. This gives rise to the potential for noise and vibrations to disturb shows, rehearsals and

other activities within the theatre. Such disturbance would be detrimental to the ongoing operation of the theatre. The NPPF (2019) makes clear through paragraph 182 that new development must integrate effectively with existing uses and that the onus is on applicants to provide suitable mitigation.

We appreciate the rationale for relocating the vehicle access due to current deficiencies and impact on highway and pedestrian safety. However we would suggest that the same outcome could be achieved through the remodelling of the existing access which would remove any conflict with the theatre. Fundamentally though it must be ensured that the theatre is protected from noise and vibration. That acoustic testing has been undertaken within the theatre and has found that goods lifts and other activities do not impact on performances provides some reassurance and we note the findings of the Acoustic Planning Statement. The report does though acknowledge that some structure-borne transfer would be audible within the theatre's foyer although these would be unlikely to be noticed above normal activity from theatre-goers. We would recommend that further investigation is undertaken to ensure that vibrations, and building works more generally, do not undermine the theatre structurally. We would also recommend that a condition is put in place preventing use of the vehicle access and lift during performances if noise/vibration levels exceed a level which is audible/noticeable by audiences and performers.

In addition to the potential for disturbance the new location would create its own pedestrian safety concerns should vehicles need to cross the pavement at peak periods, for example before and after shows when large numbers of people may be congregated and moving through the area. This is particularly acute as due to the nature of New Zealand House as a diplomatic/governmental facility there may be a necessity for some vehicles to enter and exit at speed. Therefore a servicing management plan will need to be produced and adhered to, and we recommend this is made a condition of development should permission be granted. We welcome that the applicant has sought to positively address this matter as reflected within the Servicing Strategy as part of the Design and Access Statement. This includes focussing deliveries and collections during morning periods and prohibiting deliveries and collections around performance times. This approach also provides a further mitigation against noise and disturbance, and again we urge that this is conditioned in order to safeguard this commitment.

Of secondary concern is the external appearance of the new service access because of the detrimental impact to the setting of the theatre as a Grade II* that would arise from unsympathetic design and materials. We consider the design approach to be of appropriate quality and is also more respectful of the theatre than the sports bar currently at that location and originally designed as a tourist information centre.

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Works to the Royal Opera Arcade

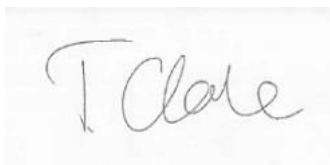
We are supportive of these works, for which we concur with the applicant that the character of the conservation area and the setting of the theatre would be enhanced. There is a means of escape from the theatre which exits into the Arcade, therefore it must be ensured this is kept open at all times and secured by condition.

Construction works

The nature of this development is likely to generate extensive and noisy building works which would impact the theatre, particularly if the proposed vehicle access is taken forward. Demolition plans show extensive vertical and horizontal works around the location of the existing sports bar (proposed vehicle access) to the basement, ground and first floor levels as well as some vertical works to the rear around the Arcade and more minor areas of works to the second, third and fourth floors; all locations cited are in immediate proximity to the theatre. While we appreciate that such works are largely necessary as part of any development, we would urge that works which would cause disturbance to the theatre do not take place during normal performance times. We acknowledge the applicant has committed to a construction management plan with an independent community liaison officer available throughout construction, nonetheless we urge that a restriction on works during performance times is conditioned and similarly that the construction management plan is signed off by the Council having met the approval of the Trust and Her Majesty's Theatre. It must also be appreciated that Theatre Royal Haymarket is adjacent to the application site and while impact on that theatre is less their interests must nonetheless also be protected by such a management plan.

In conclusion, we reiterate that we do not object to the overall principle of this development but urge that should permission be granted the conditions we have set out above are incorporated. Although the applicant has sought to alleviate concerns regarding disturbance to the theatre and provided mitigation, nonetheless it is acknowledged there would be some impact and therefore we suggest that an alternative approach is considered. We are keen to continue to work constructively with the applicant.

Please contact us if we may be of further assistance or should you wish to discuss these comments further.

A handwritten signature in blue ink, appearing to read 'T Clarke', is shown within a light blue rectangular box.

Tom Clarke MRTPI
National Planning Adviser