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Ref.: TC/2025

13 April 2023

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Application: 2022/5537/P & 2023/0874/L

Site: Phoenix Theatre 112 Charing Cross Road London WC2H 0JP

Proposal: Change of use of existing commercial units on Charing Cross Road from Class E(a) to ancillary theatre use (sui generis) to provide flexible area for uses including bar, lounge, ticketing and merchandising and associated alterations to shopfronts, infill extension within the rear lightwell to provide a passenger lift in associated with the theatre and fenestration including replacement canopy to Charing Cross Road;

External and internal works including new opening to rear auditorium including adaptation of seating to accommodate wheelchairs, creation of new and enlargement of existing entrance into the entrance foyer and enlargement of an existing opening to provide an accessible box office kiosk onto Charing Cross Road all in association with the existing theatre and works associated with the unlisted Phoenix House.

Remit:

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

Theatres Trust

22 Charing Cross Road, London WC2H 0QL

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Chair Dave Moutrey OBE

Director Jon Morgan

Trustees Paul Cartwright, James Dacre, Suba Das, Stephanie Hall, Annie Hampson, Richard Johnston, Gary Kemp, Lucy Osborne, Jane Spiers, Truda Spruyt, Katie Town

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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:

These applications for planning permission and listed building consent were brought to the attention of the Trust by the applicant. We have undertaken two site visits associated with these proposals and provided feedback to the applicant at pre-application stage.

The Phoenix is a Grade II listed heritage asset and is part of the internationally recognised 'Theatreland' cluster within London's West End. It opened in 1930 on the site of an earlier amusement hall called the Alcazar and was designed by two renowned cinema and theatre architects, Bertie Crewe and Cecil Massey. It was built for Sydney Bernstein who owned the Granada chain of cinemas and theatres and later set up Granada Television. Architecturally the Phoenix is unusual in having two main entrances. One is to Charing Cross Road oriented northwards, designed by Sir Giles Gilbert Scott with a curved corner and loggia containing four large columns above the canopy. The other is to Phoenix Street with a three-bay arcade with twisted columns and decorative sculpting. Between these is a later development (Phoenix House, part-subject to this application) with ground floor commercial uses, residential above and the Phoenix Arts Club within the basement level. This means the theatre to some extent lacks prominence and visibility particularly from the south, partly mitigated in recent years through show signage attached to Phoenix House. There is a second residential block on Phoenix Street between that entrance and the stage door.

The Phoenix's interior is by noted designer Theodore Komisarkevsky who was again closely associated with the Granada chain. It contains copies of paintings on its side walls with a reproduction of Jacobo del Sellaio's 'The Triumph of Love' on its safety curtain. It was intended primarily for live theatre but was equipped to provide cinema and historically held film industry shows and events. In recent decades it has been entirely a theatre.

Although a popular venue which has held several notable and successful runs, such as *Come From Away* more recently, like many historic theatres it suffers from having under-provision of front of house space. It also has inadequate accessibility, with

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wheelchair users required to enter through a fire door from the neighbouring alleyway and only the only wheelchair positions are in the stalls. Therefore the principle of seeking opportunities to address current deficiencies is supported.

The Phoenix's operator has been able to acquire the commercial units along Charing Cross Road within Phoenix House. This would allow a scheme which would meet the theatre's main needs, namely expanded front of house capacity, better access and provision for wheelchair users and more unified signage enhancing prominence. In turn this will help make the theatre more attractive to producers, better meet the needs and expectations of audiences and allow expansion of its ancillary offer to help optimise use of the building.

With regards to the proposed planning permission, a main issue is the amalgamation and change of use from a current mixture of Class E (former A1) and Sui Generis uses to a single unit linked into the theatre (Sui Generis). These units have been on short-term leases and have poor quality shopfronts which do not positively contribute to the streetscape and undermine the setting of the Phoenix and surrounding conservation area. Some units have been vacant for some time. Given recent development in this area we contend that formal theatre use for the purposes of an ancillary café/bar and lounge/merchandising area plus new means of level entry into the theatre would further enhance quality and diversity in the mix of uses within this important part of the West End within the CAZ. Furthermore the actual proposed use of this ancillary space is in any case broadly comparable in function to Class E uses which already lawfully exist. Paragraph 4.60 supporting Policy C3 of the Camden Local Plan (2017) sets out the Council's wish to ensure that existing cultural and leisure attractions are sustained and enhanced. This proposal achieves that aim. Therefore the change of use is supported.

In turn this will also result in front external alterations to Phoenix House to replace shopfronts and create new doorways and openings. A replacement canopy will be installed which will better unify the three separate front of house elements of the theatre – both main entrances and the new bar and lounge/merchandise area – and enhance visibility of the theatre and display of show signage. The layout of the revised windows and doors reflects the symmetry and architectural language of the levels above, in a design which takes inspiration from the 1920s/30s era in which the theatre was built. Again, this is all supported.

Next to the Charing Cross Road entrance within the original part of the theatre, and therefore also subject to listed building consent, is an existing opening which at some

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point has been closed below. This may originally have served as a box office/ticket counter based on a historic image we have available. This will be opened up to provide a new box office counter which will be accessible; this is welcomed and in heritage terms likely reinstates original function so is a further intervention we can support.

To the rear of Phoenix House will be an extension to partially infill a void; this will enable provision of a lift to the Dress Circle making it accessible for the first time along with much-needed additional WCs including accessible WCs to both ground floor and the first floor/Dress Circle along with some additional back of house/storage space. Externally this area is of low significance in design and heritage terms because it is not visible from public areas and would not obscure any important historic character or features to the theatre.

Internally, the void extension requires a new opening into the Dress Circle to provide an entry point from the lift. Whilst this will alter original plan form and lose some original fabric and decoration, on balance we consider this to constitute less than substantial harm. With reference to paragraph 202 of the NPPF (2021), this can be justified through the clear public benefit of making the Dress Circle accessible. On similar grounds we can support revisions to seating arrangements to facilitate wheelchair places. We welcome the applicant's design approach for the new doorway which will further mitigate harm.

We note the comments of Music Venues Trust and the operator in relation to the Phoenix Arts Club which occupies the basement level of Phoenix House, also from a residential occupant of Phoenix House on a separate but related basis, citing the potential for the transfer of noise and need to accord with the 'Agent of Change' principle. Based on discussions with the applicant we have no reason to believe the expanded theatre area would operate in a manner that would detrimentally impact the Arts Club or residential units. In this respect it must also be considered that the existing retail units could be occupied by similar potentially noise-generating users within Class E. Nonetheless, in formal terms the expanded theatre represents a new use. If the Council's environmental health advice considers it necessary, a solution might be for a planning condition which requires submission of an acoustic report and for any recommended works/mitigations arising from that to be implemented prior to completion/occupation. We can advise the Council on appropriate wording as a similar condition has recently been utilised elsewhere.

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In conclusion we welcome these proposals and the opportunities they provide to enhance accessibility and function at the Phoenix. We are supportive of the granting of planning permission and listed building consent.

Please contact us if we may be of further assistance or should you wish to discuss this representation in greater detail.

A handwritten signature in black ink that reads "T Clarke".

Tom Clarke MRTPI

National Planning Adviser

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