

Protecting theatres for everyone



Ref.: TC/3903

22 November 2022

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Pending Applications
Development Planning
City of Westminster
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Redhill
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By e-mail: southplanningteam@westminster.gov.uk

Application: 22/06928/FULL

Site: 22 Kingsway London WC2B 6LE

Proposal: Use of part of basement and ground to eighth floor as student accommodation (Sui Generis) and two retail units (Class E) at ground floor level; external alterations including new/rearranged accesses and facade changes at ground floor; cycle parking; and all associated engineering and ancillary works.

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 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 Theatres Trust on this application for planning permission. We have been notified because the proposed development site includes the Peacock Theatre.

The Peacock was formerly the Royalty Theatre and is on the site of the London Opera House which was demolished in 1956. It was delivered through a planning condition requiring a replacement theatre when the site was redeveloped. It was built below ground with an office block above although with just a side entrance it had limited street presence. Nonetheless the theatre is described within our database as having provided an "attractive modern space", with the auditorium on two levels with good sightlines. There was a variable proscenium opening with large orchestra pit in front on a hydraulic lift doubling as a forestage. The stage was well equipped. It is owned by the London School of Economics and managed by Sadler's Wells; alongside a busy programme of live performances it has been utilised for university events. It is

Theatres Trust

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Chair Dave Moutrey **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

The National Advisory Public Body for Theatres

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considered to be perhaps the best stage in London for dance. This theatre helps contribute to the strength and diversity of arts and cultural provision within London.

This application seeks change of use of the building, excluding the theatre, to student accommodation (Sui Generis) with two retail units. The theatre will be retained without alteration and is outside of the 'red line' boundary of this application. Existing access and means of escape will be maintained.

We make no comment on the overall acceptability of change of use in terms of loss of employment space or divergence from the current permitted scheme/use. With proposals such as this where residential uses are coming forward our concern is the compatibility of new uses and the existing theatre; paragraph 187 of the NPPF (2021), Policy D13 of the London Plan (2021) and Policy 7 of the City Plan 2019-2040 (2021) are clear that responsibility for mitigations sits with incoming uses and that where there cannot be mitigation permission should be refused.

Although the auditorium is below ground, plans we have on file suggest the theatre's flytower/stage house extends to the second floor and this is confirmed by the area shown as belonging to the theatre on proposed plans and descriptions within the Design & Access Statement. There are proposed student bedrooms either side of the fly tower which directly adjoin it. Therefore there may be potential for noise and vibrations to impact the living conditions of occupants of those rooms in particular, but also potentially others in the vicinity and at higher levels. This is not addressed within the applicant's supporting statements, and the acoustic assessment appears only to report on external noise and does not measure the theatre as an internal source.

We do not object to the principle of student accommodation at this site particularly where there is good separation between the theatre and proposed student bedrooms. However we request that assessment is made of potential acoustic and vibrational transfer from the Peacock Theatre and for it to be ascertained whether additional measures are required to make development acceptable. Any costs and resources associated with such mitigations must be conditioned and/or included within legal agreement so that they are met entirely by the applicant/developer and discharged prior to occupation. This is vital to ensure the future operations of the Peacock are not undermined in line with policy requirements and to ensure that development is sustainable. If it is concluded that living conditions cannot be made acceptable, planning permission must be refused or amendments must be made to the scheme to make it compatible.

We are keen to work positively with the applicant and the Council to resolve our concerns and ensure the Peacock Theatre can continue to thrive into the future. Please contact us if we may be of further assistance or should you wish to discuss these comments further.



Tom Clarke MRTPI
National Planning Adviser

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