

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 8 August 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	Marathon House, 200 Marylebone Road, London, NW1 5PW,		
Proposal	Erection of extensions to the podium level to provide four additional residential units, including terraces. Associated facade alterations.		
Agent	Montagu Evans		
On behalf of	Proxima GR Properties Ltd.		
Registered Number	17/01607/FULL	Date amended/ completed	11 April 2017
Date Application Received	22 February 2017		
Historic Building Grade	Unlisted		
Conservation Area	Dorset Square		

1. RECOMMENDATION

Refuse permission – harm to character and appearance of existing building and Dorset Square Conservation Area; loss of amenity to existing residential flats.

2. SUMMARY

The application site is located within the Dorset Square Conservation Area. It contains Marathon House, which comprises of a three level podium around a central courtyard with a 12 level tower above, at its western end. This building contains 107 residential units.

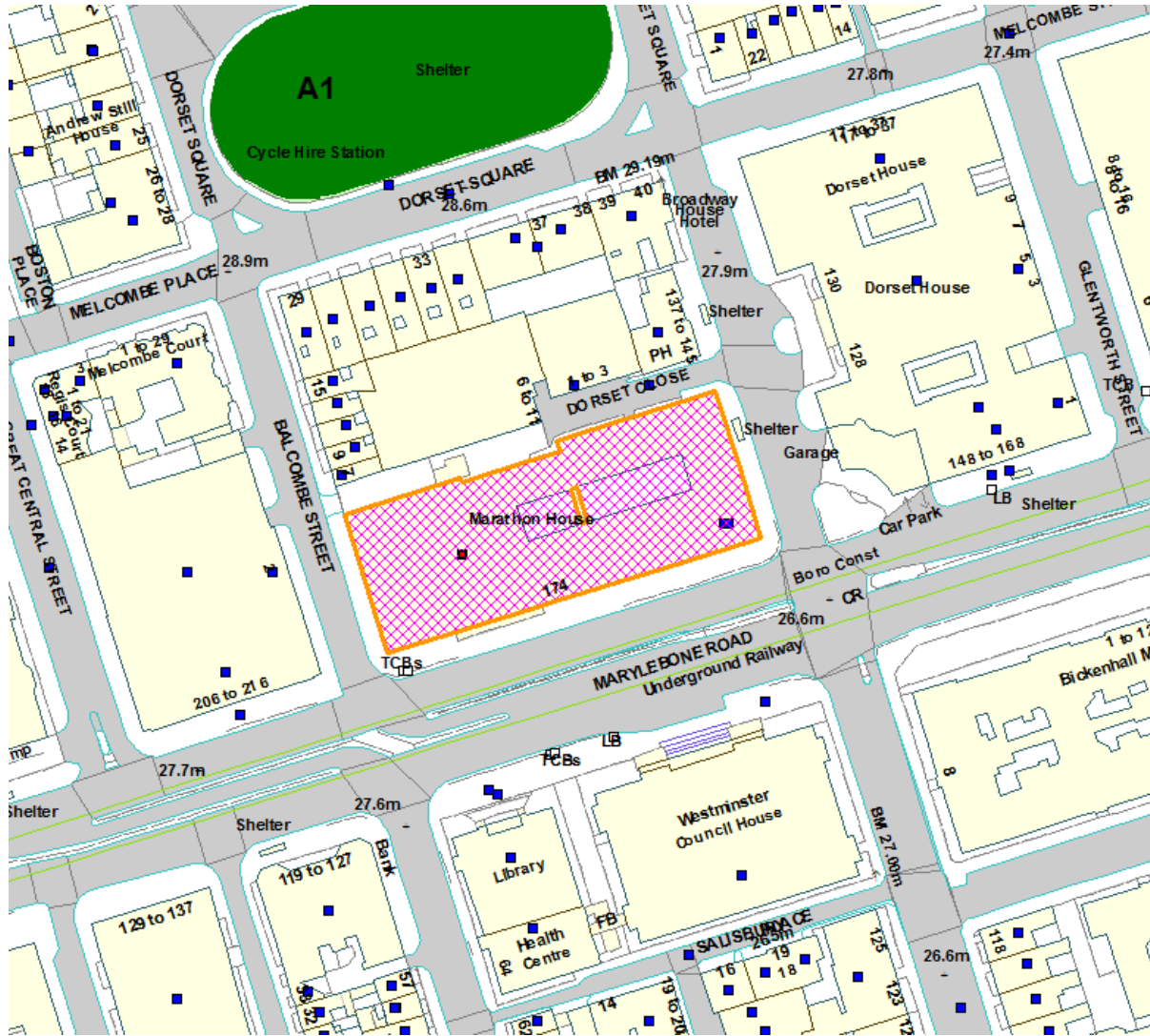
The applicant proposes erection of an extension to the podium level to provide four additional residential units, including terraces. Facade alterations associated with the extension are also proposed.

The key considerations are:

- Impact on the character and appearance of the subject building and designated heritage assets;
- Impact on the amenity of local residents, including from loss of daylight, sunlight and overshadowing; and
- Impact on parking and highways.

Officers consider the extensions and planting screens proposed harmful to the appearance of this building and the character and appearance of the Dorset Square Conservation Area. The western podium extension would also result in a significant and unacceptable increase in sense of enclosure for the occupants of flats within Marathon House. Accordingly, the application is recommended for refusal.

3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and /or database rights 2013. All rights reserved License Number LA 100019597

4. PHOTOGRAPHS



Marathon House as seen from south west corner of Upper Montague Street and Marylebone Road



Marathon House as seen from south west corner of Baker Street and Marylebone Road intersection.

5. CONSULTATIONS

COUNCILLOR JULIE ALEXANDER

Object to proposal. Marathon House is a unique heritage building which we have a duty to preserve, especially while it is well-maintained and much-sought-after as a special place to live.

The building's systems are not amenable to any additional construction.

Any extra flats built at Marathon House would raise pressure on the availability of Residents' parking spaces in the area.

Residents in Dorset House and Regis Court have objected to any increase in the massing, height and bulk of Marathon House in their immediate vicinity, on the basis that they will lose light from the south and west, and their view of the open skyline that they currently enjoy from their balconies will be curtailed. They also object to the implied increase in delivery-traffic in this already congested area.

The proposed new flats would materially darken not only the leasehold-flats within the building, but would similarly affect buildings in the near vicinity.

The proposals can only be brought forward by gross infringement on the private property rights and Rights of Light of those who own flats in the building on long leases – thereby setting aside their right to the 'quiet enjoyment of private property' enacted in European Human Rights legislation. If Planning Permission were given for these new flats, the current residents would be dispossessed for the duration of the works, possibly for years.

The proposals involve adaptations to access and egress routes that would complicate emergency evacuation, and so breach Health and Safety building regulations.

The proposals would place extra strain on community services, including parking and deliveries.

This building is part of the Dorset Square Conservation Area. Any new development of Marathon House would breach the Council's commitment to its own Conservation rules.

GREATER LONDON AUTHORITY

No response received. *Note: this development is not GLA referable as the proposed extension does not exceed 15 m in height above the existing building.*

HIGHWAYS PLANNING MANAGER

Object. No parking is provided for the proposed flat.

WASTE PROJECT OFFICER

No waste storage is shown for the proposed flat. Recommend condition to address this.

ENVIRONMENTAL HEALTH OFFICER

No objection, subject to conditions safeguarding potential residents from air pollution.

DESIGNING OUT CRIME

Consider that there is little to add to a security design in this application.

MARYLEBONE ASSOCIATION

Any response to be reported verbally.

THE ST MARYLEBONE SOCIETY

Object. Understand that these proposals are being made by the freeholder against the wishes of the leaseholders, who were not notified about the applications when they were submitted. Applications may be an attempt to influence the valuation.

There would be practical problems carrying out the work. The existing flats are unliveable without the rooftop cooling plant. As the cooling units are on the roof, they would be affected by building at this level. Similarly the lifts must remain operational.

No off-street parking is provided. Potential residents of the flat would therefore place additional demands on already oversubscribed on-street parking in the area. Also, the proposed flat is large and might easily be divided into two or three units in future, thus increasing the parking requirement.

The building is an interesting modernist structure which was carefully composed and has already been compromised by changes made when it was converted to residential use in the 1990s.

West of the tower, the podium extension compromises the original 1960 design by obscuring the clear architectonic separation of tower and podium by inset columns, characteristic of this configuration. There may also be overshadowing of some flats to the east of the proposed podium level extension, which is not acceptable. The proposed arrangement where part of the new row of flats has a sloped roof so as to allow more light into the existing light well is not in keeping with the "International Style" architectural grammar of the building.

East of the tower the podium extension similarly obscures the view of the tower from the east. Some of the podium level terrace areas affected by this proposal currently function as terraces for some of the existing residents, a right written into their leases, and this use would be lost. The new flats are perhaps 5m away from the existing units in the base of the tower, and would cause existing units to feel very enclosed.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 3405

Total No. of replies: 106

No. of objections: 106

No. in support: 0

In summary, the objectors raise the following issues:

- Increasing the height and/or bulk of Marathon House would harm the character and appearance of the area generally;
- Increasing the height and/or bulk of Marathon House would harm heritage assets, including the Dorset Square Conservation Area, the setting of the Old Town Hall across Marylebone Road and/or views from Regents Park;
- Increasing the height and/or bulk of Marathon House would harm the character and appearance of the building itself which is an iconic building;
- Marathon House is an important early example of the slab and podium configuration/post-war building construction. It would be hugely deleterious to

- architectural culture in this country for Marathon House to be altered beyond recognition;
- The Dorset Square Conservation Area Audit explicitly identifies Marathon House as a building where a roof extension is unlikely to be acceptable;
 - The proposal would increase density above the original planning permission for conversion of this building;
 - The proposed flat and associated servicing would increase traffic congestion and on-street parking demand;
 - Increasing the height and bulk of Marathon House would reduce daylight and sunlight to neighbouring properties;
 - Increasing the height and bulk of Marathon House would obstruct views for neighbouring properties;
 - The new flats would have outlook over nearby properties, resulting in harm to their privacy;
 - The proposed flats would be built over communal terrace areas;
 - Constructing the development would harm the health of residents within the building;
 - Constructing the development would compromise the safety of residents within the building;
 - Constructing the development would result in further traffic and/or parking congestion in the area;
 - The proposal would disrupt the heating/cooling system and/or lifts for this building during construction;
 - This area is already heavily polluted and the additional flat will exacerbate the situation;
 - Permitting this application may set a precedent for future alterations to other important buildings in the area;
 - This application has been submitted by the freeholder without consulting leaseholders;
 - The proposal would result in loss of rent and/or property value for the owners of the existing flats; and
 - The applicant has not completed the ownership certificate for this application correctly.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is located on the north side of Marylebone Road. It occupies the block of land between Balcombe Street and Gloucester Place. It contains a building, known as Marathon House, comprising of a three level podium around a central courtyard with a 12 level tower above, at its western end. This building contains 107 residential units.

The application site is located within the Dorset Square Conservation Area. Marathon House is not listed but is an unlisted Building of Merit.

6.2 Recent Relevant History

96/06764/FULL

Change of use from offices to residential, creating approximately 100 units. Internal and external alterations.

Granted – 20 December 1996

17/01608/FULL

Erection of a sheer rooftop extension to the existing tower to provide an additional residential units. Associated plant alterations.

Under consideration – Also on this committee agenda

17/01609/FULL

Erection of a setback rooftop extension on existing tower to provide an additional residential unit, incorporating terraces. Plant enclosure

Under consideration – Also on this committee agenda

7. THE PROPOSAL

Permission is sought for a single storey extensions at podium level, to the west and east of the tower. The proposed extensions would contain four flats – three to the west of the tower and one to the east. An existing two bedroom flat to the east of the tower would also be extended. The mix and size of the proposed flats are as follows:

	No. Bedrooms	Size (sqm GIA)
Flat 1	1 bed / 2 person	53
Flat 2	2 bed / 3 person	64
Flat 3	2 bed / 3 person	61
Flat 4	3 bed / 4 person	86
TOTAL		264

8. DETAILED CONSIDERATIONS

8.1 Land Use

Policies H3 of the Unitary Development Plan (adopted 2007) (“the UDP”) and S14 of Westminster’s City Plan (adopted 2016) (“the City Plan”) seek to encourage the provision of more residential floorspace including the creation of new residential units. Accordingly, the provision of an additional flat is supported in principle.

The proposed flats would exceed the minimum floorspace requirements of policy 3.5 of the London Plan (March 2016), the Nationally Described Space Standard (March 2015) and the Mayor of London’s Housing Supplementary Guidance (March 2016). The flats would also be dual aspect ensuring satisfactory natural lighting levels and would include terraces or have access to a terrace that exceed the size requirements of the Mayors Housing SPG. Accordingly, the proposed flats would provide an acceptable standard of accommodation.

8.2 Townscape and Design

Objections have been received to the harmful impact of the proposed extensions on Marathon House itself, the Dorset Square Conservation Area and other conservation areas. Objections have also been received to the harmful impact of the proposed extension on other heritage assets, including the Grade II listed Old Marylebone Town Hall opposite and the setting of regents Park, a Grade 1 Park and Garden of Special Historic Interest.

The building is understood to have originally been built for the Wakefield Castrol Group in the later 1950's, with Casson and Conder as the original architects of the preliminary design, who then handed over the supervision of the project to Gollins, Melvin Ward and Partners. The overall effect created by the development was a significant one in the Marylebone Road streetscape, and the building was the first significant curtain walled office tower on podium outside of America.

The building is not listed. However, it is located within the Dorset Square Conservation Area, and is noted in the City Council's Dorset Square Conservation Area Audit as an unlisted building of merit. The building has been re-clad since its original construction following its conversion from offices to residential use pursuant to the 1996 permission noted above.

The building is an important example of mid-20th century commercial architecture, and the clarity of its form as a podium and tower style development is fundamental to its overall character as a building. The podium and tower form of the building is clearly defined, with the podium having a framing of its two floors in concrete panels giving definitive height and definition to this element of the building. The tower has a recessed base floor which is clad in a dark facing material to help further emphasise the dramatic overhanging form of the main body of the tower above. Though it is noted that there is a second floor level element of the podium, by virtue of being set to the east end of the podium and notably set away from the tower element it does not fundamentally undermine the clarity of the architectural form. As reflected in the historic photographs supplied by the applicant, the podium was not originally designed to harmonise in terms of cladding with the tower as it was shown with pronounced light cladding panels to the spandrel panels and sub-window panels. Although it is recognised that recladding in the late 1990's has notably changed the appearance of the podium, the cladding introduced was unified across the street elevations, and still therefore provides the unified base from which the tower rises, as was originally intended and the clear distinction from the tower which was also originally intended. The application proposals would greatly change this impression.

The extensions proposed in this application crowd the impression of the tower rising from the base. The eastern side extension steps in 9.7m closer to the tower to sit 6.15m from the accommodation to the base of the tower, and on the west side the extension proposed sits 6.15m from the base. This architectural form would be significantly broken by having a new extension set adjacent to the west sides and stepped much closer in to the east side. These changes would see the tower rising not from its very clearly defined base as a clearly freestanding architectural form, but instead rising from a much more cluttered arrangement of later additions. The 'freestanding'

nature of the form of the tower is crucial to the character of the building, and the creation of the new extensions to the podium would fundamentally break the clarity of this architectural form. They would visually truncate the tower element, and harm the important and originally intended clarity of form as a podium and tower development. The impression is compounded as the two extensions are set back 1.5m from the Marylebone Road elevation whereas the base to the tower is set back further at 2.2m, thus further diminishing the visual dominance of the tower element to the composition, and they rise higher than the base to the tower.

Though it is recognised that second floor level accommodation exists to the eastern end of the podium, it is set well back from the tower. In views south down Balcombe Street, north from Upper Montagu Street, in long views east from Marylebone Road and in other views, the tower element is seen clearly rising as a freestanding structure from the podium and with the eastern second floor level element set clearly apart.

The clarity of architectural form would be further cluttered by the proposed addition of privacy planting between Flat A and communal flats adjacent which is set 7.2m back from the line of the front elevation and much closer to the north elevation. The submitted drawings show that the intended planting and presumed other structures to support the planting (as without more physical structures the separation between these two areas could not be fully achieved) rises almost to the height of the extension adjacent and clutters the strong lined clarity of the impression of the podium and tower composition.

In addition it is noted the application includes references to both the incorporation of MVHR equipment, to mechanical ventilation and to gas boilers for each of the four dwellings. These features are not shown on the application drawings. The lack of clarity on these points is particularly disappointing given their potential to clutter the impression of the building. An informative is included advising that further information would have been required on these points had the application been considered acceptable. There is also a concern as to how accurately the cladding system of the existing building could be copied to these new extensions. However, and had the application been considered acceptable further information could have been secured by condition.

There are limited public benefits from the development. The proposal would create four flats in a location with good access to public transport. However, the contribution to housing supply from four new flats would be miniscule in the context of the City Council's annual housing target of 1068 residential units. The applicant also suggests that stonework and cladding on the existing building are proposed to be cleaned albeit without further details of the nature of this works. However, the building does not appear especially marred by dirt and such cleaning could be assumed to form part of the routine maintenance of this building in any event. The other points set out in favour of the scheme by the applicants are noted but not considered to offer substantive benefits in this case. Overall, the public benefits arising from the proposed development are modest and would not outweigh the less than substantial harm identified above.

Given the above, the proposed development is not supported by primary legislation or the NPPF and would be contrary to policies DES 1, DES 5 and DES 9 of the UDP, and policies S25 and S28 of the City Plan.

8.3 Residential Amenity

Objections have been received to potential loss of light, particularly to other flats within the podium. Objections to loss of privacy and increases sense of enclosure arising from the proposed extensions have also been received. The relevant policies are policy S29 of the City Plan and policy ENV 13 of the UDP.

Loss of Light

With regards to loss of light, the applicant has submitted a Daylight and Sunlight Assessment by Waldrams. This report has considered light loss from the proposal in accordance with BRE Guidance to the following properties:

- 1-11 Dorset Close;
- 7-9 Balcombe Street; and
- Flats within Marathon House

The applicants assessment demonstrates full compliance with BRE Guidelines for 1-11 Dorset Close and 7-9 Balcombe Street.

With regards to Marathon House itself, the applicant's assessment demonstrates that all but three flats within Marathon House would have daylight levels exceeding BRE Guideline. The three flats that would have light levels not meeting BRE Guidelines face the western extension. Two are located at first floor level, with windows within the lightwell separating those flats from the proposed extension. The third flat is located at second floor level, at the same level as the proposed extension.

The first floor flats would have VSC levels meeting BRE Guidelines but would have Daylight Distribution reductions of up to 31%. The second floor flat would have Daylight Distribution Levels that meet BRE guidelines but would have VSC reductions of 24%. To put this into context, BRE Guidelines state that Daylight Distribution or VSC reductions of 20% are noticeable, although not necessarily harmful.

With regards to sunlight loss to flats within Marathon House, the applicant's assessment demonstrates that all but two flats within Marathon House would have sunlight levels exceeding BRE Guidelines. These two flats would face the western extension. One flat is located at first floor level and the second at second floor level.

The BRE guidelines note that they are intended to be applied flexibly as light levels are only one factor affecting site layout. In a central London location like this, expectations of natural light levels cannot be as great as development in rural and suburban locations and to which the BRE guide also applies. In this context, the daylight and sunlight losses proposed are relatively modest and not sufficient to warrant a reason for refusal in this instance.

Sense of Enclosure

The proposed extensions would not be located adjacent to or near residential properties on neighbouring sites. The eastern extension would also be separated from the nearest

flats within Marathon House by approximately 13 metres. It would also be set back behind the existing parapet. Relative to the approximately 3 metre height increase proposed, the eastern extension would not result in a significant increase sense of enclosure for residents within Marathon House.

However, the proposed western extension would be located approximately 6 metres from the first and second floor flats within the tower element of Marathon House. This would be located very close to these flats and would fill the open vista enjoyed by the second floor flats, despite the pitched roof proposed. As such, the proposed western extension would result in a significant increase in sense of enclosure and would be contrary to policy S29 of the City Plan and policy ENV 13 of the UDP.

Privacy

The proposed extensions would not be located adjacent to or near residential properties on neighbouring sites. The eastern extension would also be separated from the nearest flats within Marathon House by approximately 13 metres and would have a similar outlook to other existing flats. The western extension has few windows facing the existing flats and the applicant proposes additional landscape screening. Were the development otherwise acceptable, a condition would be recommended to secure this. Subject to this condition, the proposal would not result in unacceptable loss of privacy and would be consistent with policy S29 of the City Plan and policy ENV 13 of the UDP.

8.4 Transportation/Parking

Objectors consider that the proposal will increase on-street parking demand and traffic congestion. The Highways Planning manager has also objected to the absence of on-site parking for the proposed flats. Policy TRANS23 of the UDP requires provision of up to five parking spaces for the proposed flats.

Policy TRANS23 of the UDP details an 80% on-street car park occupancy threshold above which the provision of additional vehicles to the on-street parking environment will result in an unacceptable level of deficiency. The Council's most recent on-street parking surveys indicate that parking demand within the vicinity already exceed 80% both day and night. Car ownership levels are also 32% in this ward, indicating an parking demand of 1-2 spaces. On this basis, the Highways Planning Manager has objected.

However, paragraph 32 of the NPPF states that 'Development should only be refused on transport grounds where the residual cumulative impacts of development are severe'. The NPPF recognises that different policies and measures will be required in different communities noting that the availability of public transport and local car ownership levels have to be accounted for.

In the context of the requirements of the NPPF, the impact on on-street parking demand does not provide sustainable grounds for refusing this application. The shortfall in on street parking provision is acknowledged, but it also has to be considered that the site is in an area with a high Public Transport Accessibility Level and is located in close proximity to Baker Street and Marylebone Stations. The absence of on-site parking can also be mitigated to a degree by requiring that the applicant provide 25 year car club

membership for each flat. Were the development otherwise acceptable, it is recommended that this is secured by condition or planning obligation.

With regards to servicing, four additional flats would not generate a significant servicing requirement. Notwithstanding this, these flats would also be serviced in the same manner as the 107 other flats within Marathon House. Accordingly, an objection to the development on this basis would not be a sustainable reason for refusing the application.

Were the development otherwise acceptable, a condition would be imposed requiring further details of refuse and recycling arrangements for the proposed flats.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The proposed flat would be accessible by lift and have level access throughout

8.7 Other UDP/Westminster Policy Considerations

None.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application.

Subject to any relief or exemptions available to the applicant, the estimated CIL payment would be £120,301.11

8.11 Environmental Impact Assessment

This development is not large enough to require an Environmental Impact Assessment.

8.12 Other Issues

As set out above, the proposed development has received a significant level of objection. Most of the issues raised have been addressed above. The following is also noted.

Density

The proposed development would result in a density of approximately 294 u/ha. This is consistent with the density range for a Central site like this, as per policy 3.4 of the London Plan (March 2016). Accordingly, an objection to the development on this basis would not be sustainable.

Construction Impact

Planning permission cannot be refused for a proposal due to the impact of construction. This is because its impact is short term, can be mitigated through planning condition and is otherwise subject to environmental health and health and safety legislation. Were the development acceptable, a condition controlling the hours of construction would be recommended. Any further conditions would be beyond the remit of planning control. Notwithstanding this, the leaseholders are also able to influence on-site construction arrangements through their lease arrangements. Accordingly, an objection to the development on this basis would not be sustainable.

Pollution

The application site is located within an Air Quality Management Area due to air pollution from traffic on Marylebone Road. The Environmental Health Officer has recommended conditions requiring the implementation of air quality mitigation measures, including the provision of mechanical air ventilation and filtration for the proposed flat. Were the development otherwise acceptable, a condition would be recommended requiring the provision of these air quality mitigation measures. Subject to this condition, the proposal would have been acceptable in terms of air quality.

Precedent

Several objectors note that granting permission would set a precedent for further height increases on this building and on neighbouring or nearby buildings. However, each application must be considered on its merits, having regard to the specific development proposed, the specific application site and the development plan at the time the application is considered. Accordingly, granting permission for this development would not necessarily mean that a similar application elsewhere would be approved.

Consent of Leaseholders and Ownership Certificates

At planning application stage, the applicant is only required to serve notice on the owners of an application site and/or leaseholders. The applicant is not required to obtain their permission before making the application.

The applicant had initially made this application without serving notice on all leaseholders. This was brought to the applicant's attention and notice was served correctly on 10 April 2017. Accordingly, this application is valid from that date.

Loss of Property Value

Loss of property value is not a material planning consideration.

Human Rights

An objector considers the proposal contrary to the leaseholders rights under Articles 1 (Protection of Property) and 8 (Right to respect for private and family life) of the European Convention on Human Rights. However, the courts have found that the impact of a development must be particularly severe to justify an objection to a planning application on human rights grounds and the objectors rights must also be balanced with the applicant's rights under Articles 1 and 8. In this instance, the impact of the development is not considered sufficiently severe and an objection on this basis would not be sustainable.

9. BACKGROUND PAPERS

1. Application form
2. Representation from Cllr Julia Alexander, dated 28 May 2017
3. Response from Highways Planning Manager, dated 3 April 2017
4. Response from Waste Project Officer, dated 29 March 2017
5. Response from Environmental Health Consultation, dated 23 May 2017
6. Response from Designing Out Crime Officer, dated 24 March 2017
7. Response from St Marylebone Society, dated 23 April 2017
8. Letter from occupier of Flat 68 Marathon House, London, dated 9 April 2017
9. Letter from occupier of Flat 72 Marathon House, 200 Marylebone Road, dated 19 April 2017
10. Letter from occupier of Flat 99, Marathon House , dated 16 May 2017
11. Letter from occupier of 102, Marathon House, dated 16 May 2017
12. Letter from occupier of Flat 99, Marathon House , dated 16 May 2017
13. Letter from occupier of 125 Clarence Gate Gardens, Glentworth street, dated 2 April 2017
14. Letter from occupier of No 60 Marathon House, London, dated 31 May 2017
15. Letter from occupier of Flat 40 Marathon House, 200 Marylebone Road, dated 8 April 2017
16. Letter from occupier of Flat 82 Marathon House, 200 Marylebone Road, dated 7 April 2017
17. Letter from occupier of Flat 107 Marathon House, 200 Marylebone Road, dated 19 April 2017
18. Letter from occupier of Flat 59 , Marathon House, dated 2 May 2017
19. Letter from occupier of 125 Clarence Gate gardens, Glentworth street, dated 2 April 2017
20. Letter from occupier of Flat 49 Marathon House, 200 Marylebone Road, dated 18 April 2017
21. Letter from occupier of Flat 96, Marathon House, 200 Marylebone Road, dated 26 April 2017
22. Letter from occupier of Flat 85 Marathon House, 200 Marylebone Road, dated 24 April 2017
23. Letter from occupier of Flat 96, Marathon House, 200 Marylebone Road, dated 24 April 2017
24. Letter from occupier of 140 London Wall, London, EC2Y 5DN, dated 24 April 2017
25. Letter from occupier of Flat 54 Marathon House, 200 Marylebone Road, dated 4 April 2017

26. Letter from occupier of 53 Balcombe Street, London, dated 23 April 2017
27. Letter from occupier of Flat 49 Marathon House, 200 Marylebone Road, dated 18 April 2017
28. Letter from occupier of 19 Albert's Court, 2 Palgrave Gardens, dated 18 April 2017
29. Letter from occupier of 39 Elizabeth Court, Palgrave Gardens, dated 18 April 2017
30. Letter from occupier of Flat 90 Marathon House, 200 Marylebone Road, dated 19 April 2017
31. Letter from occupier of Flat 27 Marathon House, 200 Marylebone Road, dated 19 April 2017
32. Letter from occupier of 98 Elizabeth Court , 1 Palgrave Gardens , dated 21 April 2017
33. Letter from occupier of Flat 5, Marathon House, 200 Marylebone Road, dated 1 June 2017
34. Letter from occupier of Flat 67 Marathon House, 200 Marylebone Road, dated 19 April 2017
35. Letter from occupier of Flat 86 Marathon House, 200 Marylebone Road, dated 12 April 2017
36. Letter from occupier of 99 & 102 Marathon House, NW1 5PW, dated 11 April 2017
37. Letter from occupier of Regis Court Management Limited, 2 Hills Road, dated 20 April 2017
38. Letter from occupier of Flat 1, Marathon House, dated 10 April 2017
39. Letter from occupier of Flat 80, Marathon House, dated 10 April 2017
40. Letter from occupier of Flat 89, Marathon House, dated 5 April 2017
41. Letter from occupier of Flat 69, Marathon House, dated 5 April 2017
42. Letter from occupier of 51 Marathon House, 200 Marylebone Road, dated 7 April 2017
43. Letter from occupier of Flat 95, Marathon House, dated 7 April 2017
44. Letter from occupier of Flat 51, Marathon House, dated 15 June 2017
45. Letter from occupier of Flat 62, Marathon House, 200 Marylebone Road, dated 13 June 2017
46. Letter from occupier of Flat 12, Marathon House, dated 12 April 2017
47. Letter from occupier of Flat 51, Marathon House, dated 15 June 2017
48. Letter from occupier of Flat 47, Dorset House, Gloucester Place, dated 6 May 2017
49. Letter from occupier of 236 Olney Road, London, dated 12 May 2017
50. Letter from occupier of 84 Marathon House, Marylebone road, dated 5 April 2017
51. Letter from occupier of 36 Marathon House, 137 George Street, dated 12 May 2017
52. Letter from occupier of Flat 85 Marathon House, 200 Marylebone Road, dated 24 April 2017
53. Letter from occupier of Flat 101 Marathon House, 200 Marylebone Road , dated 24 April 2017
54. Letter from occupier of Flat 75, Marathon House, 200 Marylebone Road, dated 31 May 2017
55. Letter from occupier of Flat 44, Marathon House, 200 Marylebone Road, dated 7 June 2017
56. Letter from occupier of Flat 100 Marathon House, London, dated 31 March 2017
57. Letter from occupier of Flat 17 , Marathon House, dated 12 June 2017
58. Letter from occupier of 9th Floor , Dorset House, dated 12 April 2017
59. Letter from occupier of Flat 35 Marathon House, 200 Marylebone Road, dated 12 April 2017
60. Letter from occupier of 14 Regent's Wharf, All Saints Street, dated 28 April 2017
61. Letter from occupier of Flat 55 Marathon House, 200 Marylebone Road, dated 12 April 2017

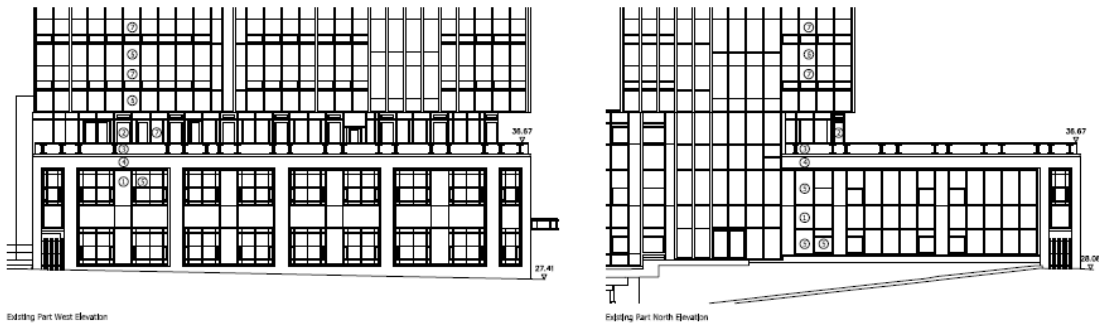
62. Letter from occupier of Flat 87 Marathon House, 200 Marylebone Road, dated 5 June 2017
63. Letter from occupier of 61 Marathon House, 200 Marylebone Road, dated 3 April 2017
64. Letter from occupier of Flat 28 , Marathon House, dated 28 April 2017
65. Letter from occupier of Flat 84 Marathon House, 200 Marylebone Road, dated 7 April 2017
66. Letter from occupier of Flat 45, Marathon House, 200 Marylebone Road, dated 12 June 2017
67. Letter from occupier of Flat 3, Imperial Court, 36 Shepherds Hill, dated 18 May 2017
68. Letter from occupier of Flat 20 Marathon House, 200 Marylebone Road, dated 19 April 2017
69. Letter from occupier of Flat 43 Marathon House, 200 Marylebone Road, dated 1 April 2017
70. Letter from occupier of 53 Marathon House, 200 Marylebone Road, dated 5 April 2017
71. Letter from occupier of 58 Upper Montagu Street, Marylebone, dated 10 April 2017
72. Letter from occupier of Flat 25 Marathon House, 200 Marylebone Road, dated 8 April 2017
73. Letter from occupier of Flat 16, Marathon House, 200 Marylebone Road, dated 29 May 2017
74. Letter from occupier of 101 Marathon House, NW1 5PW, dated 12 April 2017
75. Letter from occupier of 34 Dorset Square, London, dated 3 April 2017
76. Letter from occupier of Veritas Capital Ltd, 14 Cork Street, dated 4 April 2017
77. Letter from occupier of 77 Marathon, NW1 5PW, dated 11 April 2017
78. Letter from occupier of Flat 89, Dorset House, dated 8 April 2017
79. Letter from occupier of 60 marathon house, 200 Marylebone road, dated 30 May 2017
80. Letter from occupier of Apartment 7, 33 Dorset Square, dated 4 April 2017
81. Letter from occupier of 88 Marathon House, 200 Marylebone Road, dated 5 April 2017
82. Letter from occupier of 12 Thornton Place, London, dated 28 May 2017
83. Letter from occupier of 89 Marathon House, 200 Marylebone Road, dated 6 April 2017
84. Letter from occupier of Marathon House, 200 Marylebone Road, dated 6 April 2017
85. Letter from occupier of Flat 22, Marathon House, dated 6 April 2017
86. Letter from occupier of 50 Marathon House, 200 Marylebone Road, dated 6 April 2017
87. Letter from occupier of Flat 108 , Marathon House , dated 31 March 2017
88. Letter from occupier of 20 Marathon House, 200 Marylebone Road, dated 17 April 2017
89. Letter from occupier of Flat 85 , Marathon House, dated 30 May 2017
90. Letter from occupier of 61 Marathon House, 200 Marylebone Road , dated 4 April 2017
91. Letter from occupier of Flat 54 Marathon House, 200 Marylebone Road , dated 4 April 2017
92. Letter from occupier of Flat 60, Marathon House, dated 1 June 2017
93. Letter from occupier of Roselind Wilson Design, 9 Lonsdale Road, dated 17 May 2017
94. Letter from occupier of Flat 23 Marathon House, 200 Marylebone Road, dated 5 April 2017
95. Letter from occupier of Eileys Cottage, Lower Carden, dated 15 May 2017
96. Letter from occupier of Dorset Square, London, dated 27 March 2017
97. Letter from occupier of Flat 74 , Marathon House, dated 31 March 2017
98. Letter from occupier of Flat 57 Marathon House , 200 Marylebone Road, dated 19 April 2017
99. Letter from occupier of Flat 65, Marathon House, 200 Marylebone Road, dated 19 April 2017
100. Letter from occupier of Flat 92, Marathon House, 200 Marylebone Road, dated

- 28 June 2017
101. Letter from occupier of Flat 11, Marathon House, 200 Marylebone Road, dated 8 June 2017
 102. Letter from occupier of Flat 21, Marathon House, 200 Marylebone Road, dated 12 May 2017
 103. Letter from occupier of Flat 33, Marathon House, 200 Marylebone Road, dated 11 June 2017
 104. Letter from occupier of top flat, 34 Dorset square, Dorset Square, dated 4 April 2017
 105. Letter from occupier of Flat 84 Marathon House, 200 Marylebone Road, dated 7 April 2017
 106. Letter from occupier of 50 La Colomberie, St. Helier, dated 18 April 2017
 107. Letter from occupier of Flat 34 Marathon House, 200 Marylebone Road, dated 18 April 2017
 108. Letter from occupier of Flat 78 Marathon House, 200 Marylebone Road, dated 18 April 2017
 109. Letter from occupier of Flat 28 Marathon House, 200 Marylebone Road, dated 26 April 2017
 110. Letter from occupier of Flat 14, Marathon House, 200 Marylebone Road, dated 14 May 2017
 111. Letter from occupier of 83 Marathon House, 200 Marylebone Road, dated 30 March 2017
 112. Letter from occupier of 20 Dorset Square, London, dated 12 April 2017
 113. Letter from occupier of Flat 75 Marathon House, 200 Marylebone Road, dated 7 April 2017

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: KIMBERLEY DAVIES BY EMAIL AT kdavies1@westminster.gov.uk

10. KEY DRAWINGS



Existing Part West Elevation

Existing Part North Elevation



Existing Part South Elevation

PLANNING

Osel
planning and
development consultants

PROJECT
Buckingham House
171 High Street
London EC1A 1BB

CLIENT
Buckingham House
Buckingham House Ltd

DESIGNER
Osely Architects - Urban Land

DRAWING NO
E12-026/EXE-003

SCALE 1:500

DATE 16/12/17

Existing Elevations



Proposed Part West Elevation
1:100

Proposed Part North Elevation
1:100



Proposed Part South Elevation
1:100

PLANNING

Osel
architects + id
development consultants

PROJECT: Bexley House, 174 Macmillan Road,
London, W6 7SH

CLIENT: Prime City Estates & Management Ltd

DRAWING: Proposed Elevations - Pattern Level

DRAWING NO: REV
E12-026/PRE2-011 A

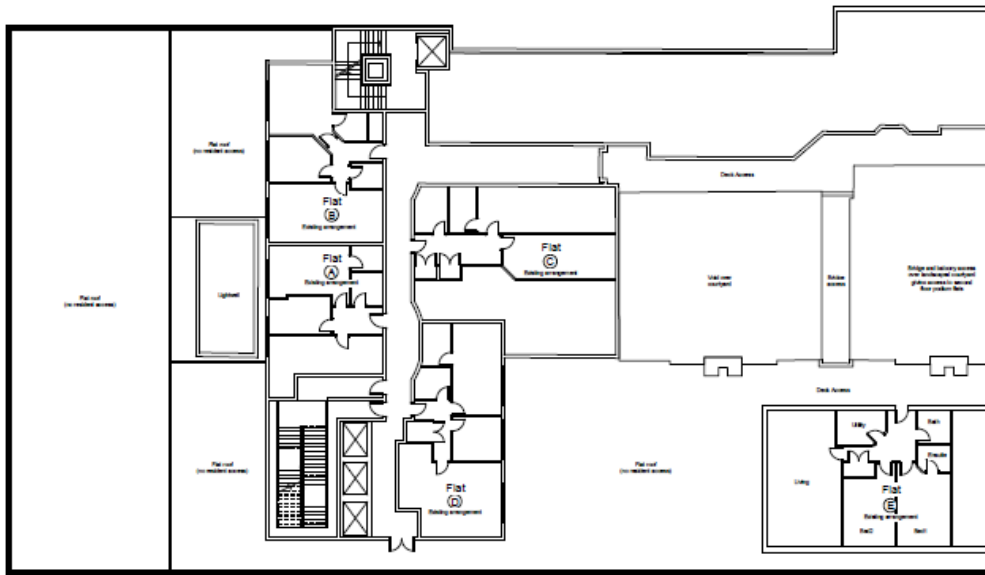
SCALE: 1:100 @A1

DRAWN: YL Date: Jan 17

CHECKED: TM Date: Jan 17

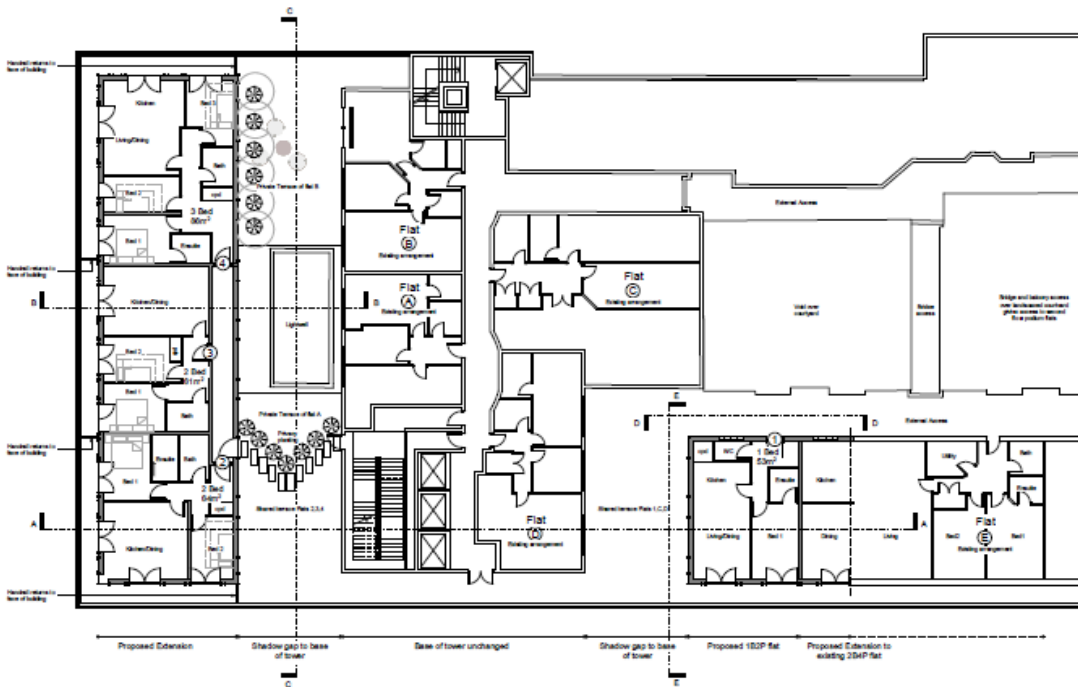
© Osel Architects Limited 2017. All rights reserved. No part of this drawing may be reproduced without the prior written permission of Osel Architects Limited.

Proposed Elevations

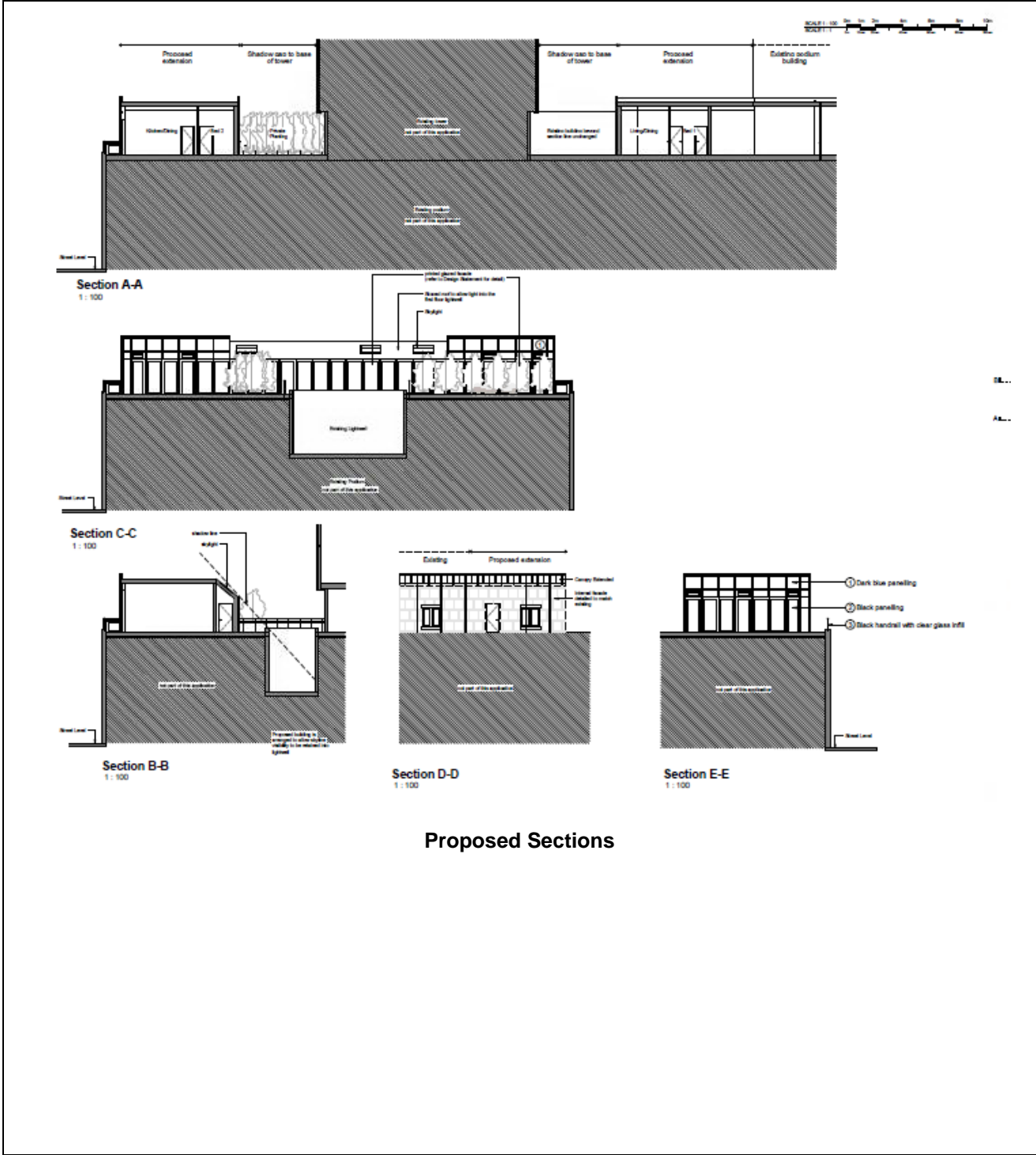


Existing Plan
1:100

Existing Plan



Proposed Plan



DRAFT DECISION LETTER

Address: Marathon House, 200 Marylebone Road, London, NW1 5PW,

Proposal: Erection of an extension to the podium level to provide four additional residential units, including terraces. Associated facade alterations.

Reference: 17/01607/FULL

Plan Nos: Site location plan; Drawing no's E12-026/EXE-001, E12-026/EXP-001, E12-026/EXE-003, E12-026/PRE2-001 Rev A, E12-026/PRE2-011 Rev A, E12-026/PRP2-001 Rev B, E12-026/PRS-001 Rev A

Case Officer: Nathan Barrett **Direct Tel. No.** 020 7641 5943

Recommended Condition(s) and Reason(s)

- Reason:
- 1 Because of their size and location, and the size and location of the planting screen structures, the extensions and planting screens would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance of the Dorset Square Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 5, DES 9, DES 1 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (X16AD)
- Reason:
- 2 The western podium extension would make the people living in flats within Marathon House feel too shut in. This is because of its bulk and height and how close it is to windows in those properties. This would not meet S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (X14BC)

Informative(s):

- 1 It is noted that several drawings appear inaccurate in terms of their representation of the tower element, and had the application been considered acceptable then further clarity would have been sought on this issue prior to the determination of the application. In addition it is noted that the application includes references to both the incorporation of MVHR equipment, the incorporation of mechanical ventilation, and the incorporation of gas boilers for each of the four dwellings, and the lack of clarity on these points is particularly disappointing given their potential to clutter the impression of the building. Again, had the application been considered acceptable, further clarity would have been sought on this issue prior to the determination of the application.
- 2 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre

application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.