

**Full Planning Application 04/04240/FUL
at
142 Lothian Road/54a Fountainbridge
Edinburgh
EH3 9BQ**

**Development Quality Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider application 04/04240/FUL, submitted by PPG (Edinburgh) Ltd..
The application is for: **Ground floor retail space: five storey office above,
basement plant and parking**

It is recommended that this application be **GRANTED**

2 The Site and the Proposal

Site description

The application site is located at the junction with Semple Street and Fountainbridge and lies to the West of Lothian Road. To the east of the site lies Lothian House which occupies the site bound by Lothian Road, Fountainbridge and Semple Street. Lothian House was designed by Stewart Kaye in 1935, with the Semple Street/Fountainbridge element added in the 1950s as an extension to match the original design. The building is category category B listed (Item No. 33). Although the later 2/3-storey element facing onto Semple Street is mentioned in the list description, it is much plainer than the rest of Lothian House and is of lesser architectural interest. It is this element to which the application relates.

The Scottish Widows building also lies to the east of the site. Directly opposite the site is the former Edinburgh Meat Market Building. At the ground

floor of the building a number of retail units exist, these include Farmfoods and Jefferys store. Age concern also have offices occupying the first floor.

The site does not lie within a conservation area.

Site history

February 2005 - Application for Listed Building Consent approved for Ground floor retail: 5 storey office above, basement plant, parking and alterations to the frontage of Lothian House (04/04240/LBC).

Description of the Proposal

The application proposes to demolish the existing building whilst retaining the listed building facade onto Fountainbridge/Semple Street . The building fronting Semple Street will be six storeys in height sitting in line with the existing height of Lothian House. The north end of the elevation , the entrance and adjacent stairwell, steps up in height and responds to the height of the adjacent Excel House. The sixth floor is set back from both the front and back of the building and is to be a glazed 'box'. This has been designed to avoid encroaching onto the retained facade line. The rear elevation is a more lightweight facade of curtain walling with a large proportion of obscure and coloured glazing to allow light into the office space. A private landscaped garden is proposed at the first floor level with small roof terraces on the remaining upper floors to the rear. The application also proposes to replace the modern shop frontage onto Fountainbridge with glazed and stainless steel panels which will continue along the Semple Street elevation.

The offices will occupy the 1st to 5th floors with access from Semple Street and will provide approximately 2,226 sqm of floorspace. At the ground floor level 914 sqm of retail space is to be created either as a whole linking Lothian Road and Semple Street or divided into smaller units.

The basement level will provide plantroom for the retail space and office above, as well as six parking spaces accessed from the lane.

The principal elevations will be contemporary, featuring reconstituted stone, glass and metal panels.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals preserve the building or its setting or any features of special architectural or historic interest? If they do not, there is a

presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to a building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character;

- Do the proposals comply with the development plan?
- If the proposals do not comply with the development plan, are there any compelling reasons for not approving them?
- If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address these determining issues, the Committee needs to consider whether

- a) The proposed uses are appropriate in this location,
- b) The scale and design of the proposals is appropriate to the area and respects the adjacent listed building,
- c) The reuse will have a detrimental impact on the amenity of neighbouring residents and
- d) There will be any road safety implications.

a) The site lies within the Mixed Activities Zone where, in principle, policies within the Central Edinburgh Local Plan support office and commercial use which contribute positively to the mixed use character of such areas while complying with other objectives of the local plan. The proposed development is considered to be acceptable in principle in this location.

b) The present building has little architectural merit and relates poorly to the streetscape which has undergone significant change over the past few years. The demolition of the building and its replacement with a building of higher architectural quality will be a significant improvement on the current situation and will revive the street facade.

The building has been designed with a simple consistent approach incorporating a number of distinct elements. The elevational treatment on Simple Street comprise of vertical elements, solid and void with string course unifying elements linking the old with the new. This provides a degree of architectural interest of a contemporary nature. The proposed building is in scale with the adjacent buildings and introduces an appropriate transition between the old and new. It is considered the proposal will have a positive effect upon the character and appearance of the area and preserve the setting of the adjacent listed building.

The rear of the building is designed in a much simpler way. The use of large areas of glazing, some of which are obscure and coloured glazing, allows light into the office building but also a level of privacy to the residents of Lothian House. The private landscaped gardens provide an amenity area for the office and a greener outlook to the residential flats.

The shopfront improvements on Semple Street and Fountainbridge will be formed in stainless steel with black granite surrounds to match the existing base of Lothian House. The proposed shopfront onto Fountainbridge will be an improvement on the existing non-original frontage and will be finished using high quality materials. The proposed new shopfront opening on Semple Street will be set to match the width of the windows on the upper floors and will respect the original fenestration on this elevation. The new shopfronts will reflect the contemporary nature of the redevelopment and will be a sympathetic insertion in this instance. The existing shopfront onto Lothian Road (Woolworths) will be retained as part of the current proposals.

The West Tollcross Development Brief expands on the Fountainbridge Development Brief in terms of traffic circulation and public realm, linking Tolcross and Lothian Road to the Canal basin. The proposals fit within that context in that they will contribute to the public realm improvements that are envisaged. A financial contribution is required as part of a legal agreement to secure these improvements.

It is considered the proposals are an appropriate addition which enhances the character and appearance of the area and respects the setting and the character of the listed building.

c) There are a number of residential properties within the immediate vicinity, the nearest being on the upper floors of Lothian House located directly behind the site.

The residential properties are a minimum distance of only 12 metres from the proposed office development. The windows on the rear elevation have therefore been angled and some of these will be coloured or obscure glazing to will meet the minimum privacy requirements outlined in the Council's non statutory guidelines. The proposed roof terrace has been reduced in depth to comply with the council's privacy policies. While contrived solutions to policy compliance are not generally encouraged. In this instance Lothian House in itself is not a good neighbour as it has windows directly on the boundary. The terrace is set back 12 metres from Lothian House; although not meeting the 18 metre window to window requirement, it is more than the 9 metre window to boundary distance required by policy and it is considered this is acceptable in this instance. The terrace will also provide a more attractive outlook than exists at present.

The effect of the development on the daylighting enjoyed by the properties has been calculated. The BRE Document referred to in the Council's guidelines requires a vertical sky component of 27%. The figures show that

eight windows fail this calculation. A further assessment of the internal daylight factor has been calculated and this shows that six of the windows are well within the parameters set out and two marginally pass. Window 21, a second floor, living/kitchen will have a daylighting factor of 1.56%, which is just above the 1.5% recommended minimum for a room of this type. Window 28, a first floor bedroom will have a daylighting factor of 1.23%, which is above the 1% recommended minimum for a room of this type. The difference in the figures is due to the difference in the size of the windows with the two windows being significantly smaller in size than the others. The proposals will not have a significant impact on the amenity of residential neighbours.

There is an established scale and massing to the street and this application infills the site in line with that established building pattern. The development is a continuation of that form and it is considered this outweighs the impact on the residential units in the adjacent building, given the boundary situation.

d) The site lies within Zone 1 as defined by the Council's approved Parking Standards. There is no minimum requirement to provide parking within the development. The development itself will provide six car parking spaces at basement level. Transportation have no objection to the application provided secure cycle parking is provided. The applicant has also agreed to enter into a Section 75 agreement in respect of a financial contribution to Tramline 1. These have been conditioned as part of the application.

In conclusion, the proposed development will make a positive contribution to the urban environment and has been designed in a sensitive manner, both to tie in with the surrounding area, and to minimise the impact on neighbouring residents. It will also safeguard road safety.

It is recommended that Committee approves this application subject to the conditions regarding cycle parking and plant noise and subject to a legal agreement requiring a contribution to Tram and public realm improvements.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Lynsey Townsend on 0131 529 4279 (FAX 529 3717)
Ward affected	30 - Dalry
Local Plan	Central Edinburgh
Statutory Development Plan Provision	Mixed Activities Zone
Date registered	6 December 2004
Drawing numbers/ Scheme	01-18,20 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal : www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Ian Dryden on 0131 529 3464. Email: ian.dryden@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type

Application Address:

Proposal:

Reference No: 04/04240/FUL

Consultations, Representations and Planning Policy

Consultations

Transportation

Consent should not be issued until the Developer enters into a Seciton 75 Legal Agreement to contribute the sum of £150,000 towards the construction of Tramline 1.

No objections subject to the following conditions being applied

Conditions

- 1. Cycle Parking to be provided for 8 cycles convenient location near the front entrance to the store. These are for the use of customers of the store, the location, design and layout to be to the satisfaction of the Director of City Development.*
- 2. Secure and undercover parking for 10 cycles to be provided for the use of staff. The location, design and layout to be to the satisfaction of the Director of City Development.*

Reasons

*To comply with the Council's Parking Standards.
To comply with the Council's Parking Standards.*

Representations

Neighbour Notification was carried out on 22 November 2004 and the application was advertised on 17 December 2004. A total of eight letters have been received. Seven letters of objection and one letter of comment.

The main grounds of objection are as follows:-

1. Loss of light
2. Increase traffic and noise on Fountainbridge.
3. Loss of privacy

4. Detrimental impact on the setting of the Listed Building
5. Overshadowing
6. Proposed office use

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

The draft West Tollcross Development Brief was approved for consultation at the Planning Committee on 21 April 2005.

CENTRAL EDINBURGH LOCAL PLAN - The site lies within the Mixed Activities Zone.

Relevant Policies:

Policy CD11 (NEW DEVELOPMENT - GENERAL) sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre.

Policy CD12 (HEIGHT CONTROL) protects the city's historic skyline and views from adverse high development.

Policy CD17 (MATERIALS) sets out requirements for materials in new developments and seeks a greater use of stone, roofing slate and other traditional materials in appropriate cases.

Policy H11 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or to the reasonable prospects of further residential development where this is an objective of the Local Plan.

Policy T8 (CYCLE PARKING) requires new development to provide cycle parking facilities in accordance with agreed standards and on suitable sites to contribute to the network of safe routes.

Policy T15 (PRIVATE CAR PARKING) requires all new development to comply with car parking standards set out in the Development Control Handbook, including provision for people with disabilities, and requires car parking to be designed to minimise visual intrusion.

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Policy CD2 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting listed buildings and seeks to safeguard their character and setting.

Policy CD23 (SHOPFRONT DESIGN) promotes high standard shopfront design and sets out criteria for assessing shopfront proposals.

Non statutory Guidelines on Commercial Frontages supplement Local Plan Policies by providing guidance on shop frontages, shop front security, adverts and signs and blinds and canopies.

Application Type

Application Address:

Proposal:

Reference No: 04/04240/FUL

Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED**

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Prior to the issue of this consent, the applicant shall enter into a suitable legal agreement with the Council with regards to:-
 - i) Contributing the sum of £150,000 towards the construction of Tramline 1.
 - ii) a financial contribution towards the improvement of the public realm, in accordance with the West Tolcross Development Brief
3. Cycle Parking to be provided for 8 cycles at a convenient location near the front entrance to the store. These are for the use of customers of the store, the location, design and layout to be to the satisfaction of the Director of City Development.
4. Secure and undercover parking for 10 cycles to be provided for the use of staff. The location, design and layout to be to the satisfaction of the Director of City Development.
5. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site.
6. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
7. i) Prior to the commencement of construction works on site:

a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning and Strategy, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning and Strategy.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning and Strategy.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. To ensure an appropriate contribution to public transport infrastructure and integration with public realm improvements in the area.
3. To comply with the Council's parking standards.
4. To comply with the Council's parking standards.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In order to safeguard the amenity of neighbouring residents and other occupiers.
7. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

End



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PLANNING APPLICATION

Address	142 Lothian Road/54a Fountainbridge, Edinburgh, EH3 9BQ
Proposal	Ground floor retail space: five storey office above, basement plant and parking
Application number:	04/04240/FUL WARD 30- Dalry

**THE CITY OF EDINBURGH COUNCIL
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY**