

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Permission 17/05827/FUL
At 142 Lothian Road, Edinburgh, EH3 9BQ
Erection of additional office floor with adjusted elevational
details and plant area.**

Item number	4.16
Report number	
Wards	B11 - City Centre

Summary

The principle of additional office accommodation in this city centre location is supported but this benefit does not outweigh the negative townscape and amenity impacts of the proposals. The increase in height creates a building which sits above the adjoining modern buildings and the built historical context. The box like design of the two upper floors of accommodation lacks architectural finesse and represents a negative element within the city's roofscape. The extensive glazed facades, located at high level, are at odds with the characteristics of the wider area resulting in an obtrusive element which will harm the appearance of the established townscape. The height, design and materials proposed detract from Lothian House a category 'B' listed building. The additional east facing glazing and accessible roof terrace will harm neighbouring residents amenity.

The development is contrary to Local Development Plan Policies Des 1, Des 4, Des 5, Des 11, Des 12 and Env 3. It is recommended that this application be refused.

Links

[Policies and guidance for this application](#)

LDPP, LDEL02, LDES01, LDES04, LDES05, LDES11, LDES12, LEN01, LEN03, LEN04, LEN06, LEMP01, LTRA01, NSG, NSGD02, CRPWHS, CRPWEN,

Report

Application for Planning Permission 17/05827/FUL At 142 Lothian Road, Edinburgh, EH3 9BQ Erection of additional office floor with adjusted elevational details and plant area.

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The application site is occupied by a new six storey high office building currently nearing completion, with shops at ground floor level, situated at the junction with Semple Street and Fountainbridge and to the west of Lothian Road. It was previously occupied by a 1950's built addition to the category 'B' listed building at Lothian House.

The original Lothian House building (ref LB30289 added 19.03.1993) fronts on to Lothian Road, with returns on the corners at Morrison Street and Fountainbridge. It was built as an Art Deco style development of offices, retail and cinema with modernist detailing. The architect for this building was Stewart Kaye. Both the original building as well as the 1930's and 1950's additions, are category 'B' listed and are stone built.

The six storey office building at Excel House lies to the north of the site on Semple Street. The modern office development at Exchange Place is situated to the west, on the opposite side of Semple Street. A traditional style tenement building is situated to the south of the site on the opposite side of Fountainbridge.

The site is not located within a conservation area and is immediately outwith the World Heritage Site (WHS). The western boundary of the Old and New Towns of Edinburgh World Heritage Site runs along the front of Lothian House, on Lothian Road, and returns eastwards along east Fountainbridge. The West End Conservation Area is located to the east of the site, on the opposite side of Lothian Road from Lothian House.

2.2 Site History

24 September 2014 - Application for Listed Building Consent granted for partial demolition of listed building and mixed use development (Reference 14/01051/LBC).

26 March 2015 - Planning application granted for partial demolition of the existing building, erection of a replacement new mixed use extension comprising retail, offices, plant, basement parking and associated works (14/01056/FUL).

17 February 2016 - Non material variation agreed for minor amendments to the design of building (14/01056/VARY).

Main report

3.1 Description Of The Proposal

Planning permission is sought for the extension of the approved office development currently under construction at the corner of Semple Street and Fountainbridge. The proposed extension would provide an additional 520 square metres of lettable office space as a seventh storey. The additional storey would be finished as a glass box. An area of plant would be positioned on top of the proposed additional accommodation taking the overall height to 102.145m Above Ordnance Datum(AOD). The main building height will be increased from 97.44m (AOD) on the consented scheme to 100.477 (AOD).

Supporting Documents

- Four supporting documents have been submitted:
- Daylighting Assessment;
- Design and Access Statement;
- Letter outlining office demand in central Edinburgh; and
- Noise Assessment.

These documents are available to view on the Planning and Building Standards Online Services.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the 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 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?

3.3 Assessment

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

- a) the principle of the proposed development is acceptable;
- b) the scale and design of the proposed extension is compatible with that of the existing building and surrounding area;
- c) the proposal safeguards the architectural character and/or setting of the listed building;
- d) the proposal will safeguard neighbouring amenity;
- e) there are any road safety implications;
- f) the issues raised in the representations are addressed; and
- g) the proposal has any equalities or human rights impacts.

a) Principle of Proposed Use

The proposed additional office accommodation is consistent with the approved use of the upper floors of this office building. Use of the upper floors of buildings in the City Centre is also encouraged under the adopted Edinburgh Local Development Plan policy (LDP) Del 2 and Emp 1 (Office Development). The additional accommodation will contribute to the office provision in the city centre and potentially create additional employment opportunities.

The provision of additional office accommodation at this location is therefore acceptable in principle, subject to compliance with other appropriate LDP policies, as considered elsewhere in this report.

b) Scale and design of the proposed extension

This new building is an extension of Lothian House and replaces a historic section. The additional height proposed within this application would create a building which extends significantly above the height of the remaining Lothian House and the adjoining tenements. The extension would also create a roofline that is above the height of the adjoining modern office buildings which have been erected within the urban block and on the opposite side of Semple Street. These modern buildings have been successfully developed to achieve a balance between the requirements of the modern office and the importance of the historic environment and the wider townscape which is dominated by tenement scale buildings.

The additional height creates an overbearing building which fails to respond positively to the character of the surrounding townscape. The design of the additional accommodation is that of a glass box which will create a highly illuminated space/building rising above the prevailing height and surrounding townscape and will be visible from Edinburgh Castle. This solution, while maximising views out of the building, is an unsympathetic approach which will have a negative impact on the wider townscape including views toward the site. While the additional height has a negative impact on the surrounding townscape it is not considered to have a negative impact on the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site.

The consented development was terminated at the upper floor by a framing element which allowed the glazed accommodation to be recessive and the overall scale to be more sympathetic to the remaining Lothian House. This frame was subsequently removed and the recess to Semple Street deleted through the NMV. This amendment also reduced the overall height of the building. The proposed change in the design of the top of the building, to a simplistic two storey glass box, with no setback or framing device, lacks the finesse of the original design and creates an uncomfortable relationship between old and new.

The proposal is contrary to Policy Des 1 Design Quality and Context and Des 11 Tall Buildings.

c) Proposal safeguards the architectural character and/or setting of the listed building

The proposal is for an extension to the newly constructed office building which replaced the original extension to the category 'B' listed building at Lothian House. It is therefore appropriate to assess the impact of this proposal in respect of policy Env 3 Listed Building – Setting.

Lothian House is a classically designed building with modernist details which fronts onto Lothian Road and Fountainbridge. It makes a significant contribution to the townscape of this part of Edinburgh. The scale and design of the six storey office is more in keeping with that of the neighbouring, modern office buildings on Semple Street, rather than with Lothian House. However, the set back from the main building line provided at sixth storey level on Fountainbridge allowed for a slight reduction in its visual impact, when viewed from the street frontage. The proposal was subsequently amended through a non-material variation (NMV) reference 14/01056/VARY to remove the setback to Semple Street while reducing the overall building height.

Historic Environment Scotland Managing Change Guidance requires that extensions must protect the character of the existing building and be subordinate in scale and form. The proposed provision of a further storey of accommodation above the height of Lothian House would result in a significant increase in the scale and visual prominence of the overall extension, in relation to the listed building. The extension to the listed building would become the significantly taller and more dominant element of the building, contrary to Historic Environment Scotland Managing Change Guidance: Extensions.

Furthermore, the use of a mainly glazed finish on the sixth floor exterior of this building was accepted as appropriate when set behind a framing element and covering a relatively small area of building fabric, in relation to its overall massing. However, the proposed increase in the size of this element of the building would significantly increase its conspicuousness and highlight its incongruous, box like form at roof level. This would be to the detriment of the character and appearance of the roof form and massing of the original listed building.

In conclusion, this proposed addition to this listed building would diminish the character and setting of the remaining building and detract from the townscape quality of the surrounding area, in conflict with the provisions of LDP policy Env 3 (Listed Buildings – Setting).

Furthermore, the proposed extension is contrary LDP policy Des 4 (Development Design) as it would detract from the positive contribution Lothian House makes to the surrounding townscape.

d) Neighbouring Amenity

At the time of considering the original application, for the partial demolition of the listed building and the erection of the office, the applicant's supporting information demonstrated that for the 44 neighbouring windows tested, 31 would accord with guidance requiring 27% Average Daylight Factor (ADF) or a reduction in daylight of less than 20%.

The office building is erected under design and massing contained within the NMV. The applicants supporting statement for the proposed extension alone demonstrates that of the 44 residential windows considered the additional height would result in eight windows which would not meet the 27% ADF or have a reduction of less than 20%. The cumulative impact of the office and the extension would have an unacceptable impact on neighbouring amenity.

The proposed additional accommodation will not have a significantly greater impact on overshadowing to the neighbouring properties due to the location of the additional massing in relation to the orientation of the site.

The east elevation of the current office is designed with minimal glazing on the main floors to protect the privacy of the neighbouring residents. The upper floor accommodation will have glazing along a section of the east elevation overlooking the residents. The proposed additional floor, with its glazed east elevation will double the amount of accommodation which will overlook the residents and impact on more residents due the increased height. The application also incorporates an accessible roof terrace which will provide outstanding views of Edinburgh Castle but this will be to the detriment of the neighbouring residents amenity. The level of separation to the neighbouring dwellings is minimal and will create privacy and potential noise nuisance. Environmental Assessment have raised concerns about potential loss of amenity from the proposed roof top plant. This is a poor design solution which is inappropriate in this constrained site and is contrary to policy Des 5a).

The cumulative impact of the consented office and the proposed extension results in a significant negative impact on the amenity of the neighbouring residents through a loss in daylight, privacy and potential noise nuisance, and is contrary to policy Des 5a) and Des 12 c).

e) Road Safety

The additional accommodation raises no issues in relation to servicing, parking and road safety.

f) Letters of Representation

Material Objections

- impact on historic skyline – addressed in section 3.3b) and c);
- out of scale and character – addressed in section 3.3b) and c);
- impact on residential amenity in terms of privacy, daylight and overshadowing issue – addressed in section 3.3d);
- impact on listed building – addressed in section 3.3c);
- parking/delivery problems exacerbated – addressed in section 3.3e); and
- issues of neighbour notification - a further neighbour notification was carried out to ensure all properties within Lothian House have been notified of the proposals.

Tollcross Community Council

Letter of objection stating that the proposed extension would dominate the area and is above the existing building heights. – addressed in section 3.3b) and c).

Support Comment

- additional grade A office floor space required in the city – addressed in section 3.3a).

Non-material Objections

- A number of additional points were raised which are not assessed as they were not material to the consideration of this planning application.

g) Equalities or human rights impacts

An Equalities and Rights Impact Assessment has been carried out. There are no issues of equalities and human rights arising from the additional accommodation.

Conclusion

The principle of additional office accommodation in this city centre location is supported but this benefit does not outweigh the negative townscape and amenity impacts of the proposals. The increase in height creates a building which sits above the adjoining modern buildings and the built historical context. The box like design of the two upper floors of accommodation lacks architectural finesse and represents a negative element within the city's roofscape. The extensive glazed facades, located at high level, are at odds with the characteristics of the wider area resulting in an obtrusive element which will harm the appearance of the established townscape. The height, design and materials proposed detract from the Lothian House a category 'B' listed building. The additional east facing glazing and accessible roof terrace will harm neighbouring residents amenity.

The development is contrary to Local Development Plan Policies Des 1, Des 4, Des 5, Des 11, Des 12 and Env 3. It is recommended that this application be refused.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The development is contrary to Local Development Plan Policy Des 1 as its height, design and use of extensive glass at high level are at odds with the positive characteristics of the area, including the historic built environment.
2. The development is contrary to Local Development Plan Policies Des 4 and Env 3 as the overall height will be overbearing in relation to the listed building. The box like design of the upper floors, and extensive use of glazing would create a built element which would be detrimental to the character and appearance of the roof form and massing of the original listed building. The height, form and materials result in a development which would harm the setting of the listed building.
3. The development is contrary to Local Development Plan Policy Des 11 as the proposed additional accommodation will result in a building which sits above the prevailing building height and represents a negative addition to the roofscape impacting on wider views. The scale of the building within this townscape is inappropriate and detrimental to the established character of the area and the listed building.
4. The development is contrary to Local Development Plan Policies Des 5 and Des 12 as the cumulative impact of the redevelopment and the additional roof level accommodation will have a detrimental impact on neighbouring residential amenity through loss of daylight, privacy and potential noise nuisance.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 19 January 2018. A further neighbour notification exercise was carried out from 5 March 2018 due to some properties in Lothian House having been missed during the first neighbour notification. A total of 38 letters of representation have been received, 11 letters of support and 27 letters of objection.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development
Plan Provision**

The application site is identified as being in the City Centre in the Edinburgh Local Development Plan, where the principle of providing comprehensively designed schemes, which maximise the site's potential in accordance with any relevant guidance and incorporation of a mix of uses appropriate to the site's location are required under policy Del 2.

The frontage of the site on Fountainbridge lies on the boundary of the West Tollcross Development Brief (approved by Committee in January 2006).

Date registered 12 January 2018

Drawing numbers/Scheme 1 - 20,

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Bruce Nicolson, Team Manager
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Links - Policies

Relevant Policies:**Relevant policies of the Local Development Plan.**

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

The West End Conservation Area Character Appraisal emphasises that the area is characterised by mixed, residential commercial buildings. The central section of the conservation area is a major modern financial area consisting of modern offices. The Georgian and Victorian tenements within the area are mainly 4-6 storeys, and constructed of stone with pitched, slated roofs.

Appendix 1

Application for Planning Permission 17/05827/FUL At 142 Lothian Road, Edinburgh, EH3 9BQ Erection of additional office floor with adjusted elevational details and plant area.

Consultations

Archaeology - response dated 26/01/2018

Further to your consultation request I would like to make the following comments and recommendations concerning this application for erection of additional office floor with adjusted elevational details and plant area.

This application concerns the erection of an upper storey to an ongoing office re-development project covered by planning application 14/01056/FUL and was subject to two archaeological conditions covering archaeological work and re-sighting of decorative panels. Although the archaeological work in relation to the earlier application has been undertaken (AOC report 22630) and discharged the condition (Number 5) relating to the two Pilkington Jackson panels has not fully been discharged. Although the position has been agreed the panels have as far as we are aware not been installed. Accordingly it is recommended that the earlier condition is either reapplied to this one or added as an informative to ensure compliance.

Scottish Water - response dated 29/01/2018

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

- There is currently sufficient capacity in the Glencorse Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

- There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- *Scottish Water asset plans can be obtained from our appointed asset plan providers:*
- *Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.*
- *If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.*
- *Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.*
- *The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.*
- *Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>*

Next Steps:

- *Single Property/Less than 10 dwellings*

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre- Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- *10 or more domestic dwellings:*

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- *Non Domestic/Commercial Property:*

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

- *Trade Effluent Discharge from Non Dom Property:*

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com. If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team.

Environmental Protection

Environmental Protection have looked at this application and noted that plant will be located on the roof with an enclosure surrounding it.

Environmental Protection will need specific details on the proposed noise mitigation measures. Please see the attached Environmental Protections consultation response for the 14/01056/FUL application. The applicant had submitted a noise impact assessment with that application and plant noise was assessed. A number of noise mitigations were highlighted as been capable of ensure noise did not adversely impact neighbouring amenity. This was deemed acceptable by Environmental Protection along with the following condition:

1. Prior to occupation of the development, details demonstrating that noise from all plant complies with NR25 shall be submitted for written approval by the Head of planning and Building Standards

It should be noted that Planning no longer accept this condition, therefore Environmental Protection require specific noise mitigation measures upfront with any application. The applicant has highlighted where the enclosure and plant will be located. Environmental Protection require the applicant to submit a supporting acoustic report. In this case an addendum to the original 14/01056/FUL noise impact assessment will be satisfactory. The assessment must highlight the sound reduction levels and specify the material, height, mass and density of the enclosure.

When this information is submitted we will then be in a position to recommend a specific condition.

This development site is located in very close proximity to the City Centre Air Quality Management Area(AQMA) therefore Environmental Protection have considered the applicants proposals in this regard. The applicant proposes having a very low number of car-parking which is fully supported by Environmental Protection. However Environmental Protection recommends that the applicant installs electric vehicle (EV) charging points for the use of staff especially as they are now increasing the density of the development. Environmental Protection recommend that one rapid electric vehicle charging point is installed to serve two car parking spaces. Details on Electric Vehicle charging points can be found i the Council's new Design Standards.

Environmental Protection had previously advised the applicant that all combined heat and power units must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass. Can the applicant please provide details of the proposed energy centre serving the development and if the power input is greater than 366Kw then the applicant will need to submit a chimney height calculation. If the unit is greater than 1MW then secondary abatement technology will be required to reduce NOX.

Until these issues have been addressed then Environmental Protection cannot support the application.

Environmental Protection, additional comments 5 April 2018

The applicant has consent for partial demolition of the old building, with the erection of a replacement new mixed use extension comprising retail, offices, plant, basement parking and associated works at 142 Lothian Road (14/01056/FUL). This application (17/05827/FUL) proposes the addition of another level to the consented building.

The site of the proposed development is bounded to the west by Semple Street, to the south by Fountainbridge and to the east by Lothian Road. The consented development is to comprise a six-storey new-build construction with retail on the ground floor, with office accommodation above and parking for up to eight vehicles. Some plant will be located on the lower ground level, however, the majority of building services plant is to be located externally at roof level. The nearest existing residential properties are the flats located to the rear of Lothian House (on Lothian Road) and to the southeast of the site on the opposite side of Fountainbridge. The proposed office development will share a party wall with existing residential flats within Lothian House on the Fountainbridge elevation.

This development site is located in very close proximity to the City Centre Air Quality Management Area (AQMA) therefore Environmental Protection have considered the applicants proposals in this regard. The applicant proposes having a very low number of car-parking which is fully supported by Environmental Protection. However Environmental Protection would now insist that rapid 50Kw electric vehicle charging points are installed as this latest proposal will intensify the use of the building. This will also bring the development up to the required Edinburgh Design Standards.

Grants may be available for the installation of EV charge points for workplaces. More information can be found at:

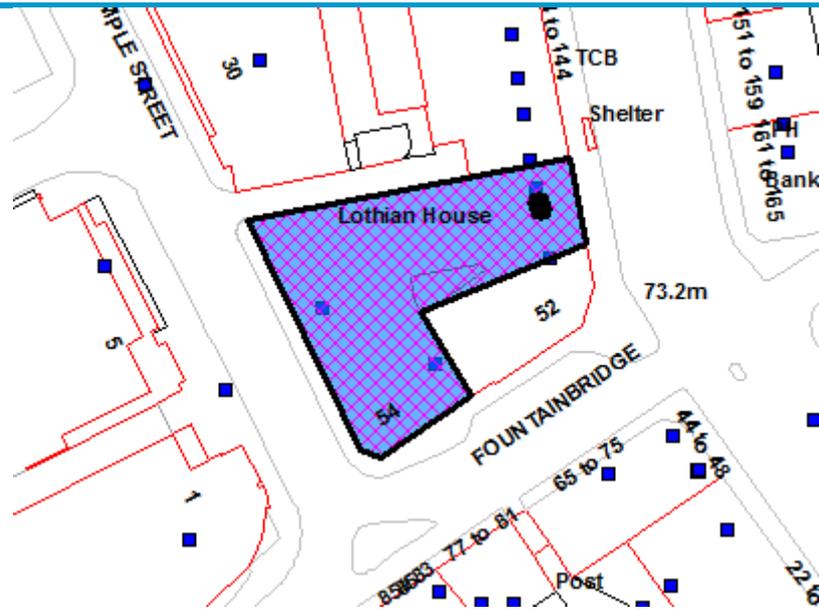
<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>

Environmental Protection advise the applicant that all combined heat and power units must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass. If the proposed energy plant exceeds 1MW then the applicant will need to include secondary abatement technology to further reduce NOX.

The applicant has submitted an updated noise impact assessment in support of the application. This has investigated the potential noise impacts that the development may have on the neighbouring residential properties. Environmental Protection has considered noise impact assessment. The noise impact assessment has been modelled and indicates that this latest proposal including the changes in plant will not exceed the noise levels stipulated by Environmental Protection. The assessment predicts it will marginally meet the criteria leaving little scope for failure. Environmental Protection are concerned with the intensification of use in this location. The site is constrained and in very close proximity to existing residential use and will likely adversely impact existing amenity with regards noise.

Therefore on balance Environmental Protection recommends the application is refused due to the likely adverse impacts it will have on residential amenity.

Location Plan



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