

Full Planning Application 05/00021/FUL
at
130 Mcdonald Road
Edinburgh
EH7 4NL

Development Quality Sub-Committee
of the Planning Committee

27 April 2005

1 Purpose of report

To consider application 05/00021/FUL, submitted by Stewart Milne Homes. The application is for: **New build mixed residential development with commercial units at ground floor to Mcdonald Road**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The site is the Martin and Frost showroom site on McDonald Road.

McDonald Road runs from Leith Walk north-westwards to Broughton Road. It is a wide road with traffic calming measures. The McDonald Road area has undergone a lot of redevelopment in recent years. It was originally an inner city industrial area dating back to Victorian times. Due to decline in the late twentieth century, the industrial buildings have been redeveloped and replaced by a mixture of uses but predominantly residential.

The site, on the south west side of McDonald Road, is the block bounded by Bellevue Road, McDonald Place, McDonald Street and McDonald Road. It includes the entire block except for an existing tenement block fronting McDonald Road at the north corner of the block. The application site contains

buildings to the rear of the site including the furniture showroom and warehouses. To McDonald Road is a car park serving the showroom. Amongst the buildings on the site is a two storey pitched roof building which, although not listed, is an attractive disused bakery building dating back over a hundred years. It fronts McDonald Place.

To the north west, on the other side of Bellevue Road is a pumping station and a Victorian primary school. Further west of this, fronting Bellevue Road are tenement buildings. To the south west of the site are two storey dwellings which continue round the corner on to Bellevue Road. On McDonald Street, to the south east, is a Territorial Army hall building. Directly to the south is a cash and carry building with car park. On the opposing side of McDonald Road from the site is a mix of industrial, office and residential.

The site is within the Hopetoun Village Action Plan Area (See the Policy section).

Site history

August 2004-Application for redevelopment of the site withdrawn
(04/01918/FUL)

Description of the Proposal

It is proposed to demolish the existing buildings on the site and erect a new development of residential units and commercial units.

The development would follow the perimeter of the block continuously at ground floor level, the only gap being where the rear gardens of the existing tenements meet Bellevue Road. It would consist of four main blocks.

Block 1, to McDonald Road, would be five storeys with three "pop-up" areas of accommodation above this level. Block 2, to McDonald Street, would be four storeys, dropping to three storeys at the corner with McDonald Place. It would have two "pop-up" areas. Block 3, to McDonald Place would be three storeys. Block 4, to Bellevue Road, would be four storeys.

The development consists of 71 residential units, 18 of which would be Housing Association. The units would be a mix of flats and duplexes containing a range of one, two and three bedrooms. It is proposed to have five commercial units at the ground floor level of Block 1, fronting McDonald Road.

The whole development would be constructed to the same design. It is essentially four cuboid blocks with flat roofs. Blocks 1 and 2 would have the "pop-ups". Blocks 2 and 3 would have slots cut out of the main elevations providing private terrace areas. Block 4 would have a gallery access to the

rear providing outside doors to all the flats. The walls of the blocks would be simple grid-like planes with large window openings.

Car parking is being provided at 100% for the private units. That is, 53 spaces for 53 units. There would be 39 spaces on site to be allocated specifically to residents in Blocks 1, 2 and 5 of the ground floor units to block 3. Of these, 25 would be covered spaces, being housed under a decked area and accessed from a gated entrance on McDonald Street. The remaining 14 would be uncovered, to the rear of Block 3, and from the same access. On-street there would be a further 14 spaces for private units, 4 spaces provided for the 18 Housing Association units and additional spaces for the wider neighbourhood.

Cycle parking is being provided at 100%, 71 spaces for all 71 units. They will be provided at ground floor level, all will be internal or in purpose built stores and easily accessible to each residential block.

Refuse provision, based on pre-application discussions with Environmental and Consumer Services, is at three locations, all on ground floor. There will be 12 waste containers and 8 recycling containers.

The 7 ground floor units to McDonald Place are the only ones to have private gardens. They would be 5 metres deep. The remaining ground floor units in the development and all the upper floor units have private terraces differing in size with the exception of 16 units which have no private external space. The private terraces include long narrow ground level areas measuring 1 metre by 6.5 metres, balcony type terraces measuring 1 metre by 2 metres and 2 metres by 3 metres and larger roof top terraces ranging from 3 metres by 9 metres to 4 metres by 12 metres. There would be three areas of communal open space, one behind Block 4, one to the rear of Block 2 and a raised deck area to the rear of Block 1. The raised deck area would be above car parking and would be accessed from the rear of properties fronting McDonald Road and also from stairs leading down to ground level at the rear. The other two communal areas of open space would be shared garden spaces at ground level with seating and planted trees.

Materials would be a blue-grey Staffordshire engineering brick to the principle elevations, glazed brick at the entrances, polished marble aggregate block to the rear elevations, larch to the terraced areas and zinc to the roof. Copings and fascias would be aluminium. Windows would be painted/stained timber. The commercial unit windows would be anodised aluminium. Other elements would be steel mesh and painted steel.

The above description is scheme 2 of this application. It is largely the same as scheme 1. The changes are as follows:

1. Reducing the height of block 2 resulting in three storeys at the corner of McDonald Place and McDonald Street, stepping up to four storeys. This results in the loss of a residential unit.

2. The area of shared open space beside blocks 2 and 3 is increased.
3. Six extra 3 bedroom flats incorporated into block 1
4. Ground floor 3 bedroom family units to block 3 enlarged to provide larger bedrooms.

A design statement, daylighting calculations and sketches of the proposed site interior were all submitted with the application. It should be noted that although the design statement principles are the same, there are some superseded elements which would not tally with the scheme 2 drawings, for example unit numbers. A condensed, updated, design statement has been prepared for Committee along with further visuals and a materials sample board.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- 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?

ASSESSMENT

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

- a) The principle of the development is acceptable,
 - b) The design and materials are acceptable,
 - c) The unit type and mix are appropriate,
 - d) The parking provision is acceptable and traffic issues have been addressed,
 - e) The amenity afforded to future occupants is acceptable, and
 - f) The amenity of existing residents is protected.
- a) The designation in the Central Edinburgh Local Plan is for Housing and Compatible Uses. The Hopetoun Village Action Plan objectives include

increasing the existing residential population and to encourage a balanced community and providing a balance of uses within the area. The design guidance drawn up specifically for the site listed the preferred uses as residential, business and community facilities to the McDonald Road side and business, leisure or community facilities to the rear of the site. It was stated that residential uses may be acceptable to the rear as part of a mixed use proposal.

The proposal is not contrary to the Local Plan or the wider objectives of the Hopetoun Village Action Plan. The proposal does contribute to the wider Hopetoun Village area, increasing the residential population and providing commercial units onto McDonald Road.

The principle of the development is acceptable.

b) The McDonald Road frontage is the principal elevation in the development. The choice of materials do not reflect the older tenements on the street. However, the area is a former industrial environment with some of the old buildings contributing to this still being present as modern conversions. There is a mix of material type along the length of the street and brick to the McDonald Road frontage is accepted. The colour and tone of the brick requires careful consideration. The approval of the engineering brick colour is therefore suggested to be dealt with as a condition.

Use of the engineering brick on all sides of the development provides a unity for the development. Although reflecting the industrial character of the area is more appropriate for the McDonald Road frontage, with the hinter elevations of the proposal being closer to residential areas, it is accepted that a change of materials as the development turned corners would prove to be uncomfortable.

Use of a polished marble composite to the interior of the site is an appropriate choice of material in that it provides a lighter environment making use of reflected light.

The elevational treatment to McDonald Road does not try to copy the existing sandstone tenements on the block. It respects them, and the wider streetscape, with the stepping up of the block as the street slopes. The height also reflects that of the wider street. It is below the ridge height of the adjacent tenements. The two vertical window features that project slightly from the frontage add interest to the elevation and reflect the bay window treatment on the tenements.

The style and design of the McDonald Road frontage is continued throughout the development. The heights differ, particularly on McDonald Place where the development is kept to three storeys. This reflects the low building heights of the existing buildings on the street, particularly the dwellings facing the site.

The style of the affordable housing block differs from the other three private sale blocks, particularly the use of gallery access. The Council policy on Affordable Housing insists that the quality of social housing and private housing is identical. Canmore Housing Association are happy with the arrangements here and, due to the fact that there would only be three doors per gallery with defensible private terrace areas in front of the flat windows, there would be high amenity afforded to the occupants of the dwellings.

The overall character of the development is different both to the tenemental style of McDonald Road and the small scale houses in McDonald Place and tends to more industrial character. However, the style is not out of keeping in this area of mixed architectural designs, again reflecting the industrial past. The design of the proposal is, on balance, acceptable.

c) It is proposed to provide units ranging from 1 bedroom to 3 bedrooms. There would be three 3 bedroom flats at ground floor level with gardens that would be suitable as family units. There are 3 bedroom units at upper levels too that may be acceptable for families. Although there are a small number of duplexes, the proposal is made up of flatted units. There is a reasonable mix of unit size in the proposal but the type is not very varied. However, the proposal does provide for varying household sizes and is, on balance, acceptable.

The proposal satisfies the Council requirement for 25% of the units to be affordable. Canmore Housing Association have indicated their satisfaction with the unit type and size for the affordable housing.

d) Transport are satisfied with the level of off-street and on-street parking that is being provided. This includes 17 spaces that are to be provided for existing on-street parking over and above that for the development. There is a requirement for financial contributions towards the proposed tram route and towards provision of a city car club vehicle. This will relieve some of the pressure on parking demand.

Secure cycle parking is provided at 100% and is acceptable.

Although there will inevitably be an increase in the volume of traffic in the area, there is no objection to this from Transport.

The parking provision is acceptable and there is no objection from a road safety point of view.

e) There are some flats that would have windows of apartment rooms less than the required 18 metres from windows of apartment rooms in facing flats in the development. The majority of these are secondary windows to the rooms in question and are at angles such that privacy would not be unreasonably affected. The flats in question are on the gable ends of the blocks. There are no principle windows of apartment rooms in the development that look directly into any windows of other flats. The level of privacy is acceptable.

All flats are dual aspect.

The majority of flats are attached to private external space. In some flats, this space is not very generous, some having balconies only 2 metres by 1 metre in size. However, they all have access to the communal landscaped areas. In all the flats, the external open spaces are orientated such that they maximise the solar gain. All the flats in the development have access to the shared open spaces. This amounts to 17% of the total site area. The use of polished marble to the rear walls of the properties, coupled with the gaps between the residential blocks, bring in more light to the shared areas ensuring that they are more likely to be used by residents.

The ground floor flats that have windows at street level have private defensible areas 1.5 metres in depth in order to achieve a sense of privacy.

The provision of private and shared spaces is sufficient enough to provide a reasonable amount of amenity for the occupants of the development.

f) The only existing residents to be affected by the proposal in overshadowing, daylighting and privacy terms, would be the occupants of the tenement building on McDonald Road. The proposals block off windows in the gable of this building. As the continuation of the tenement form on McDonald Road is the appropriate urban design response, this is considered acceptable. This is an unfinished gable where, historically it would have been anticipated that a further tenement would have been proposed. The Developers are proposing to compensate residents and provide diverted ventilation to affected flats.

Block 4 would be the closest block to the rear of the existing tenements on McDonald Road. There are two windows that would be affected by the proximity of this block. Independent calculations from consulting engineers have indicated that there would be little effect from the proposed development on these two windows from a daylighting point of view and are within BRE guidelines.

Other existing residents would be sufficiently far away enough, beyond public roads, to not be adversely affected by the development.

It is recommended that Committee approves this application subject to conditions on preventing noise and vibration from the commercial units, restricting the commercial units to Class 1 and 2 and restricting delivery hours, a site survey and any necessary remedial works, and a legal agreement requiring financial contributions for the tram and the city car club, the colour and tone of the engineering brick and a landscape plan.

ADDENDUM

The application was continued at Committee on 27 April to investigate the legal position regarding the gable end of the existing tenement fronting

McDonald Road. Information was to be provided on the following two points: means of achieving compensation for owners of properties with windows on the gable, legal technical issues relating to building against adjoining gable elevation and the site boundary.

Advice was taken from the Council's Legal Services and Planning & Strategy's Enforcement team. Further information was also sought from the developer.

The site boundary line runs across the face of the existing tenement gable. The proposed development, Block 1, would not be physically attached to the existing gable and would be structurally independent. There would be a gap of approximately 100mm, although from the front and rear the elevations would appear continuous fulfilling the planning desire for the appropriate urban design solution. This would be akin to creating a cavity wall. Therefore there would be no legal ownership issue over this boundary.

As a result, it would be inappropriate to attach a condition to the consent requiring compensation for the tenement owners from the developers. The developers have, from an early stage offered compensation and costs to re-route extracts and flues. The developer has experience of dealing with circumstances like these as it is fairly commonplace in site development. It is appropriate to ensure that all extracts and flues are appropriately dealt with, thus the following condition is recommended: Details of the re-routing of existing flues and extracts serving the existing tenement block shall be submitted to and approved in writing by The Head of Planning and Strategy. This shall be carried out concurrently with work on site.

There was concern about maintenance of both the existing tenement and the proposed block. Again, the developer has experience in dealing with such issues and any building works or future maintenance can be carried out without affecting the adjacent property.

It is recommended that Committee approves this application subject to the conditions already outlined and the condition requiring details of re-routing of flues and extracts.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	David Shepherd on 0131 529 3956 (FAX 529 3717)
Ward affected	19 - Broughton
Local Plan	Central Edinburgh
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	6 January 2005
Drawing numbers/ Scheme	1,7,10,12-14,17-28. Scheme 2

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 Full Planning Application

Application Address: 130 Mcdonald Road
Edinburgh
EH7 4NL

Proposal: New build mixed residential development with commercial units
at ground floor to Mcdonald Road

Reference No: 05/00021/FUL

Consultations, Representations and Planning Policy

Consultations

Environmental and Consumer Services

No objections subject to conditions requiring a site survey and, if necessary, remedial works, and restricting use classes of commercial units, delivery hours and noise.

Education

No objections.

Housing

No objections subject to Canmore Housing Associations approval of the proposal.

A fax passed to Planning & Strategy originally sent to the developers from Canmore Housing Association states that they have seen and approve of the proposal.

Archaeology

Recommend that the application be refused as the site is occupied by a building (former Crawfords Bakery) of local historic importance which should be preserved and reused.

In the event of approval of planning permission a condition requiring recording of archaeology should be imposed.

New Town, Broughton and Pilrig Community Council

Comments are summarised as follows:

- 1. McDonald Place elevation and open space treatment improvement on previous application,*
- 2. The unbroken use of blue-grey brick to the McDonald road elevation is unsympathetic.*
- 3. The blocking of adjacent windows on the McDonald Road gable are inconsiderate.*

Transport

No objections subject to conditions relating to tram and city car club contributions.

Representations

The application was advertised on 21 January 2005. Forty one letters of representation have been received. One from the local MP, Mark Lazarowicz, one from the Cockburn Association, one from the McDonald Place Residents Association and 38 from residential properties.

Many of the representations from residents were copied to, and subsequently forwarded from, Malcolm Chisholm, MSP.

The following issues were raised:

1. Design and style of the development out of character with the surrounding area,
2. Lack of open space for recreation,
3. The height of the development is unsympathetic to surrounding buildings,
4. Too many flats for the size of the site,
5. Loss of light and privacy,
6. Increased traffic and pollution,
7. Inappropriate materials,
8. Inadequate mix of uses,
9. Blocking the windows of the existing tenement gable to McDonald Road,
10. No benefits to the existing local community.

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 site is within the Central Edinburgh Local Plan area under a Housing and Compatible uses land use designation.

The site is within the Hopetoun Village Action Plan area. This site is not specifically detailed in the Action Plan. However, the overall aims of contributing to the mix of uses to maintain and enhance the Urban Village principles apply equally to this site.

Relevant Policies:

Policy CD9 (PROTECTION OF ARCHAEOLOGICAL REMAINS) requires where possible the "in situ" protection of important archaeological remains and sets out procedural requirements if this cannot be achieved.

Policy CD10 (NEW DEVELOPMENT - OBJECTIVE) encourages new development of the highest possible architectural and urban quality.

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 CD15 (INFILL DEVELOPMENT) sets out design requirements for new infill 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 CD18 (SAFETY, SUSTAINABILITY AND ACCESSIBILITY) requires the design and layout of development proposals to meet safety, sustainability and accessibility objectives.

Policy GE12 (LANDSCAPING) requires development proposals to include provision for landscaping of high quality and new open spaces where appropriate.

Policy GE13 (OPEN SPACE IN NEW HOUSING) sets out requirements for open space provision for major housing developments.

Policy H1 (HOUSING DEVELOPMENT) encourages the provision of new residential accommodation, in conjunction with other land uses if necessary to maintain the mixed use character, its locality, and sets out criteria for assessing development proposals in predominantly residential areas.

Policy H7 (HOUSING DIVERSITY) sets out policy objectives for achieving a mix of house types and sizes in new developments.

Policy H8 (SPECIAL NEEDS HOUSING) supports the provision of housing to meet special needs and sets out accessibility requirements for new housing development.

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.

Non-statutory guidelines on 'AFFORDABLE HOUSING' sets out the requirements for the provision of affordable housing within housing developments.

Non-statutory guidelines on 'OPEN SPACE REQUIREMENTS IN NEW DEVELOPMENT' set the required standards for open space provision.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

Non-Statutory guidelines on 'QUALITY OF LANDSCAPES IN DEVELOPMENT' sets detailed design principles for hard and soft landscaping, including the retention of existing features, and relates these principles to different types of development.

Non-statutory guidelines on Edinburgh Standards for Urban Design sets criteria for the quality of design in new development to maintain and improve the visual image and identity of Edinburgh.

Non-statutory guidelines - Tram Developer Contributions sets out the criteria where new development should make a contribution towards the construction of the tram system and associated public realm.

Non-statutory guidelines on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

Non-statutory guidelines on 'SITE PLANNING FOR SUSTAINABLE DEVELOPMENT' supplement statutory environmental policies, providing advice on how the principles of sustainable development can be incorporated into proposals.

Non-statutory guidelines on 'COMMUNITY SAFETY' provides guidance on the community safety aspects of new development proposals in support of statutory development plan policies.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED** subject to the conditions below.

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Consent shall not be issued until the developer enters into a Section 75 Legal Agreement to contribute the sum of £100,000 toward the provision of Tram Line 1 and £26,000 to the City Car Club.
3. The design and installation of any plant, machinery or equipment shall be such that any associated noise at the commercial units complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
4. The commercial units shall be restricted to Class 1 and 2 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 only.
5. Deliveries to the commercial units shall be restricted to the hours of 0700 to 2000 hours Monday to Saturday.
6. 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.
7. Sample/s of the proposed engineering brick shall be submitted to and approved in writing by the Head of Planning & Strategy before work commences on site.
 8. 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.
 9. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Head of Planning & Strategy, having first been agreed by the City Archaeologist.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. To ensure adequate infrastructure provision in the form of public transport improvements and access to City Car Club.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.
5. In order to safeguard the amenity of neighbouring residents and other occupiers.
6. In order to protect the amenity of the occupiers of the development.
7. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
8. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.

9. In order to safeguard the interests of archaeological heritage.

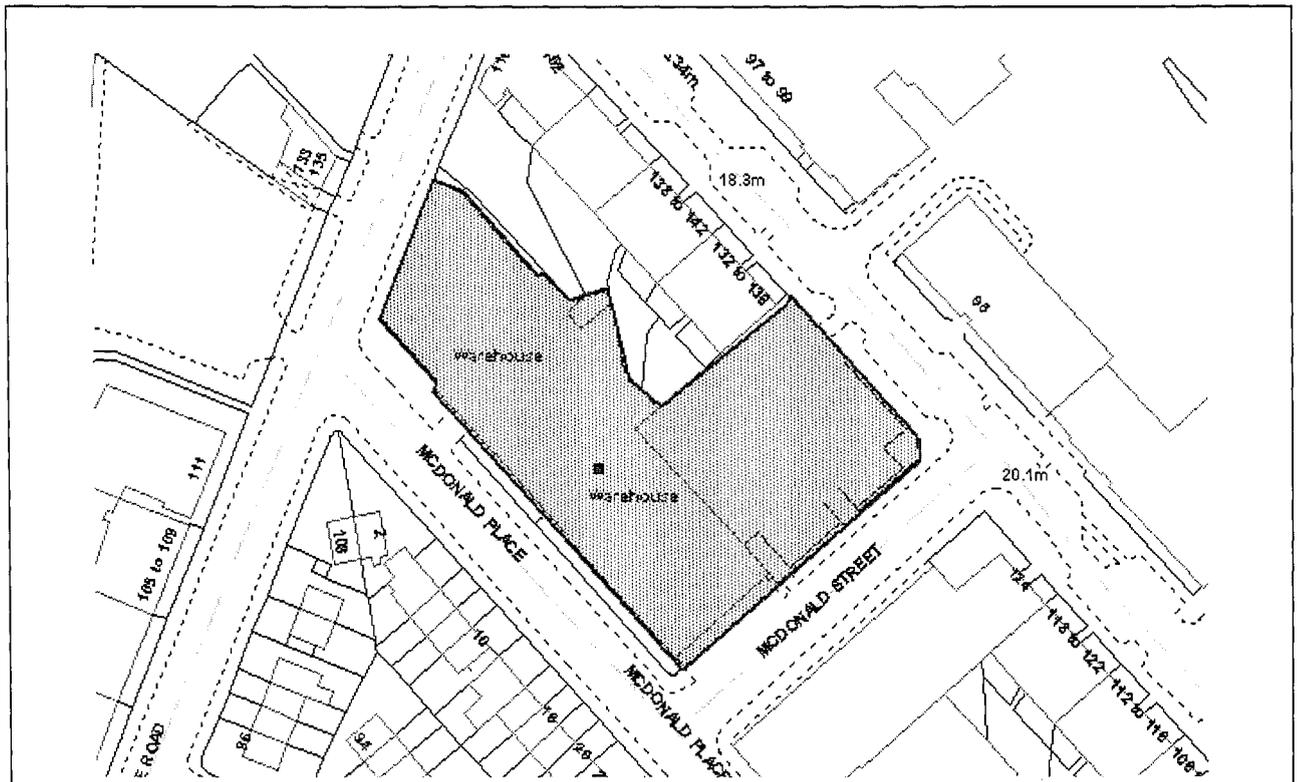
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Location Plan



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