

**Full Planning Application 04/04271/FUL**  
at  
**6A West Maitland Street**  
**Edinburgh**  
**EH12 5DS**

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

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**1 Purpose of report**

To consider application 04/04271/FUL, submitted by Canton Inn. The application is for: **Install air conditioning units on rear wall of building**

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

**2 The Site and the Proposal**

**Site description**

The application property is a restaurant occupying the ground floor of a sandstone constructed classical style terraced tenement, dating from circa 1825-30 with later alterations. The building, which is on the south side of the street, is category B listed (Dalry Ward) and situated within the West End Conservation Area and World Heritage Site.

West Maitland Street is mainly commercial at ground level with residential properties above and below. The rear of the terrace on the south side is accessed via a service lane from Torphichen Place.

## **Site history**

August 1994 - consent granted to install security shutter (A 01362 94).

## **Description of the Proposal**

The application is for the installation of two air conditioning units measuring approximately 400mm by 300mm by 300mm on the rear elevation of the restaurant at ground floor level.

## **3 Officer's Assessment and Recommendations**

The determining issues are:

- Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;
- Do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? 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 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:

- a) Whether the proposals have an adverse impact on the character or appearance of the conservation area;
  - b) Whether the proposals adversely affect the listed building or its setting;
  - c) Whether the proposals are detrimental to residential amenity.
- a) The character of the West End Conservation Area is described in the Central Edinburgh Local Plan as follows:

*"Georgian and Victorian tenements characterise the eastern side of the conservation area while to the west and south are the domestic Georgian buildings of Grove Street and Gardner's Crescent, the mid 19th Century artisan housing of Rosebank Cottages and the brick built quadrangle of Rosemount Buildings. Further west more Victorian and Georgian tenements lead to Haymarket, defining an inner city urban scale. The area contains much of the city centre's new commercial development including the completed Saltire Court and site of the Conference Centre."*

The rear elevation of the affected property is only visible from the service lane and there is an existing ventilation duct running vertically from ground floor level to just below the chimney stack. The addition of two modest scale air conditioning units mounted directly below this duct will have minimal impact on the appearance of the building.

b) The proposed units are discreet in size and located and will not therefore adversely affect the listed building or its setting.

c) Environmental and Consumer Services has raised no objections in principle to the proposed development and a condition to control noise levels from the units has been applied. The equipment will be installed a sufficient distance away from the rear windows of the existing residential properties on the basement and first floors.

The proposals comply with the development plan and non-statutory policies, have no adverse effect on the character or appearance of the conservation area or the setting of the listed building, and have no detrimental impact on residential amenity.

There are no other material planning considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to a condition on noise levels.

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Clare Macdonald on 0131 529 3510
<b>Ward affected</b>	30 - Dalry
<b>Local Plan</b>	Central Edinburgh
<b>Statutory Development Plan Provision</b>	Mixed Activities Zone
<b>Date registered</b>	21 December 2004
<b>Drawing numbers/ Scheme</b>	01-02 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](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Nancy Jamieson on 0131 529 3916. Email: [nancy.jamieson@edinburgh.gov.uk](mailto:nancy.jamieson@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](mailto:blair.ritchie@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

**Application Type** Full Planning Application  
**Application Address:** 6A West Maitland Street  
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**Proposal:** Install air conditioning units on rear wall of building

**Reference No:** 04/04271/FUL

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## **Consultations, Representations and Planning Policy**

### **Consultations**

### **Environmental and Consumer Services**

*No objections, subject to the application of a condition controlling noise levels from the units.*

### **Representations**

The application was advertised on 7 January 2004. Two letters of representation were received from neighbours.

The material concerns relate to:

- unsightly appearance;
- noise levels;
- odours.

***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 located within the Central Edinburgh Local Plan, in the Mixed Activities Zone.

Relevant Policies:

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Non-statutory guidelines on 'SERVICES ON BUILDINGS' supplement local plan conservation and design policies, providing additional guidance on the installation of services on the exterior of buildings.

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

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## Conditions/Reasons associated with the Recommendation

### Recommendation

To recommend 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. 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.

### Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
3. NB This consent is for planning permission only. Work must not begin until other necessary consents, eg listed building consent, have been obtained.

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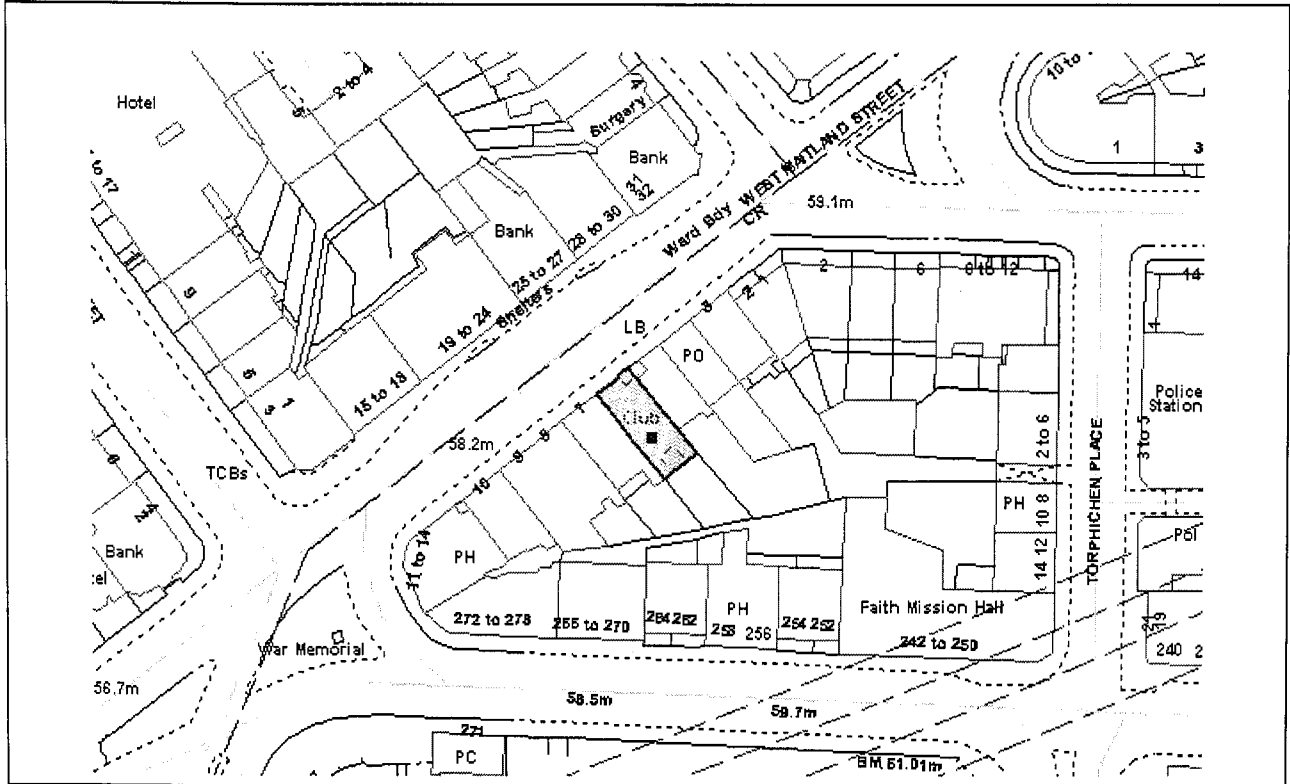
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**Location Plan**



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