

**Planning Permission 11/00876/FUL**  
**at**  
**32 Chambers Street**  
**Edinburgh**  
**EH1 1HU**

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

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**1 Purpose of report**

To consider application 11/00876/FUL, submitted by Nandos Chickenland Limited. The application is for: **Proposed new kitchen extract duct (as amended)**

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

**2 The Site and the Proposal**

**Site description**

The application property is located on the north side of Chamber Street on the corner with George IV Bridge. The application property forms the ground and first floor of a symmetrical 3-storey and attic, 5-bay Classical Revival commercial building, designed by Lessels and Taylor in 1906. The application property is category B listed and was listed on 29 April 1977 (LB Ref: 28497)

The application property is located within the World Heritage Site

This property is located within the Old Town Conservation Area.

## **Site History**

9 August 2010 - listed building consent approved for the conversion of the existing bank into a restaurant (Application number 10/01706/LBC).

20 August 2010 - planning permission for change of use and associated works withdrawn by applicant (Application number 10/01705/FUL). Reason for withdrawal was to investigate further the ventilation of the restaurant.

24 March 2011 - Change of use and conversion of existing banking branch into licensed restaurant, and extension of existing flue to eaves level approved (Application number 10/03100/FUL).

26 May 2011 - Alterations to layouts as approved (10/01706/LBC) alterations to shop front and new signage (as amended). Mixed decision approving all alterations other than the proposed internal stair and disabled lift. (Application number 11/00876/LBC)

26 May 2011 - 1 projecting sign, 1 sign and glazing, 1 sign over entrance and 3 menu boards (as amended) approved. (Application number 11/00876/ADV)

## **Pre-Application Process**

No pre-application process history.

## **Description of the Proposal**

The application proposes the creation of a new flue for ventilation from the relocated kitchen. The flue would run up the inside of an existing lightwell and would terminate below chimney height but above eaves level. This flue would be located on a different building from the flue previously granted as part of application 10/03100/FUL.

The use as a restaurant has already been established in previous application (Ref: 10/03100/FUL) and does not form part of this application.

### **3. Officer's Assessment and Recommendation**

#### **Determining Issues**

Do the proposals harm the character or appearance of the conservation area?  
If they do, there is a strong presumption against 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 not, there is a presumption against the granting of permission. 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?

#### **ASSESSMENT**

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

- a) the proposals would have no adverse impact on the character or appearance of the conservation area.
- b) the proposal would have no adverse impact on residential amenity.

a) The character appraisal for the Old Town Conservation Area identifies that building lines and heights respond to natural features and contours to create a sculptural appearance as streets wind up and down hill. The proposed new ventilation flue would be located discretely within an existing lightwell and would terminate at a high level. It would not be visible from street level or indeed from long views. As such, the proposed flue would have no adverse impact on the character or appearance of the conservation area or World Heritage Site.

b) The main issues associated with neighbouring residential amenity relate to noise and smell.

This new proposal is considered to be acceptable to Environmental Services alleviating their concerns of smell.

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

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

It is recommended that Committee approves this application.

### **REASON FOR DECISION**

The application complies with the Development Plan and Edinburgh Planning Guidance. The proposals would have no adverse impact on the character or appearance of the conservation area nor be to the detriment of the listed building or neighbouring residential amenity.

**John Bury**  
Head of Planning

|   |                                |
|---|--------------------------------|
| <b>Contact/tel</b>                          | Euan Mcmeeken on 0131 529 3989 |
| <b>Ward affected</b>                        | A11 - City Centre              |
| <b>Local Plan</b>                           | Edinburgh City Local Plan      |
| <b>Statutory Development Plan Provision</b> | Central Area                   |
| <b>Date registered</b>                      | 21 March 2011                  |
| <b>Drawing numbers/<br/>Scheme</b>          | 1 and 16A<br>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](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Anna Grant on 529 3521. Email: [anna.grant@edinburgh.gov.uk](mailto:anna.grant@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 529 4229 or 529 4273. Alternatively, you may e-mail [gillian.ferrier@edinburgh.gov.uk](mailto:gillian.ferrier@edinburgh.gov.uk) or [jack.dunn@edinburgh.gov.uk](mailto:jack.dunn@edinburgh.gov.uk)



**Application Type** Planning Permission  
**Application Address:** 32 Chambers Street  
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**Proposal:** Proposed new kitchen extract duct (as amended)  
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## Consultations, Representations and Planning Policy

### Consultations

The application proposes to alter the location of a previously consented ventilation system and duct. The property is situated on the corner of a busy city centre street within a block of mixed use properties. Offices with residential properties above are situated to the east on Chambers Street. An entrance to the offices and residential properties is situated to the east of the application premises. Residential properties are above the application premises on George IV Bridge and a residential stair is situated to the north.

The new ventilation ducting is proposed to be sited within an existing lightwell and extend vertically to reach chimney pot height. The flue has been designed to ensure that the extraction point will reach higher than any upper flat windows and the penthouse property with associated roof terrace. Additionally, the ventilation engineer for the proposal has confirmed that the effluvia will be ducted at a minimum effluvia velocity of 14m/s and attain a minimum of 30 air changes per hour all to the satisfaction of this Department.

The restaurant dining area has residential properties situated above. Therefore, a new acoustic ceiling will be fitted to ensure that noise from normal operations is inaudible within surrounding residential properties.

Therefore, Environmental Assessment has no objections to this proposed development subject to the following conditions:

1. The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment.
2. The design, installation and operation 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.

3. (i) The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and cooking effluvia shall be ducted to roof level to ensure that no cooking odours escape or are exhausted into any neighbouring premises.

(ii) The ventilation system shall be installed, tested and operational prior to the use hereby approved being taken up.

### **Representations**

The application was advertised on 01.04.2011. 12 letters of representation were received. The main material points of objection being:

- The noise and smell generated by restaurant, taken account of in assessment b.

***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 application property is located within the Central Area in the adopted Edinburgh City Local Plan.

### **Relevant Policies:**

#### **Relevant policies of the Edinburgh City Local Plan.**

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

### **Relevant Non-Statutory Guidelines**

**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.

## Appendix B



**Application Type** Planning Permission  
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### Conditions/Reasons associated with the Recommendation

#### Recommendation

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

#### Conditions

#### Reasons

#### INFORMATIVES

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

**End**

## Appendix C



**Application Type**

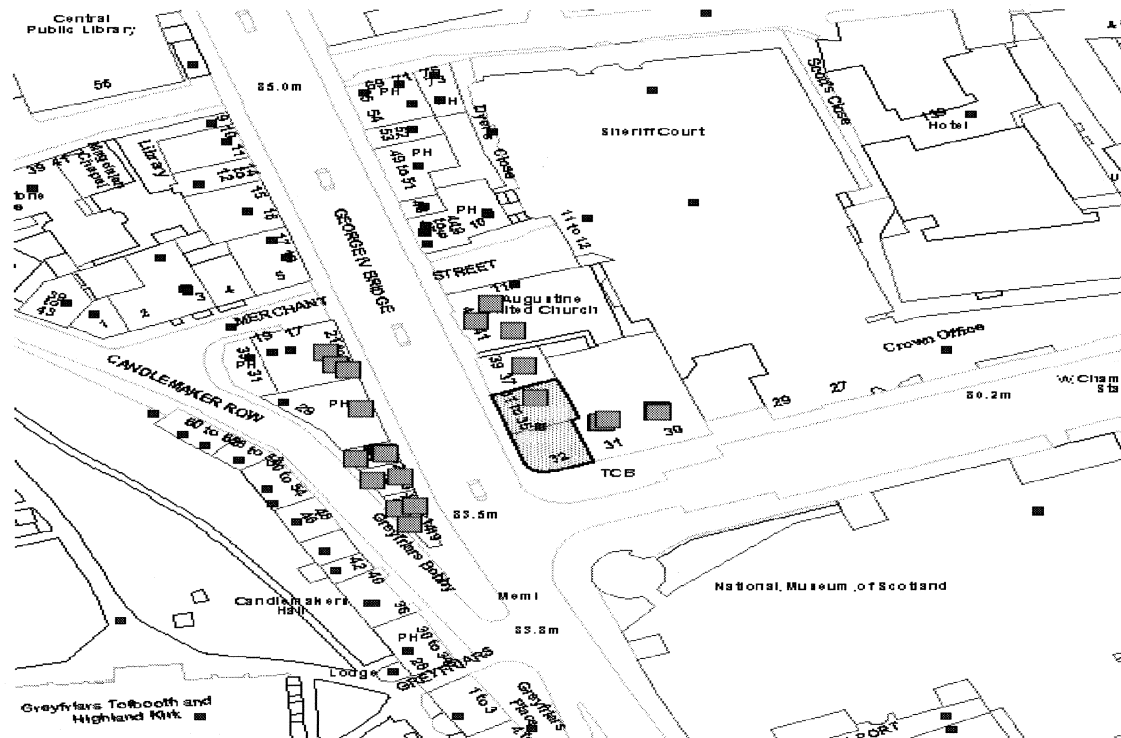
Planning Permission

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### Location Plan

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