

Full Planning Application
at
10D Bath Street
Edinburgh
EH15 1EY

Development Quality Sub-Committee
of the Planning Committee

Proposal: Erection of external ductwork
Applicant: Mr Yip
Reference No: 03/00762/FUL

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

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.
3. The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point to ensure that no cooking odours escape or are exhausted into any neighbouring premises, all to the satisfaction of the Head of Planning & Strategy.

4. The approved vent pipe shall be painted, within a period of 6 months from the completion of the structure, in a colour to match the surrounding stone work, to the satisfaction of the Head of Planning.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In the interests of visual amenity.

2 Main report

Site description

The application site is the rear elevation of a tenement block on the west side of Bath Street. The site is open to the rear to a shop car park. The site is readily visible from this public space within the conservation area.

Site history

In 1994 an application for an external extract duct was refused.

In 2003 an application for an external duct was refused.

The above applications were refused primarily due to the unsympathetic location up the rear elevation of the building. No consideration was given to the siting of the duct or its relationship to the building. This was particularly the case with relation to the duct above eaves level, where it significantly interfered with the simple line of the building, dominating the eaves and roof lines to the detriment of the character and appearance of the building and the wider conservation area.

Development

The application is for an external duct measuring 450mm by 300mm, to be run up an internal corner of the rear elevation of the building. The duct will then run up to vent at chimney level.

The applicant has included a signed letter from the owners of the properties over which the duct will pass, stating that they have no objections to the proposals.

In addition the applicant has included a statement stating the reasoning behind the proposed form of pipework now to be used.

Consultations

Environmental and Consumer Services

This department has no objections to the proposal subject to :

1 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.

2 The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point to ensure that no cooking odours escape or are exhausted into any neighbouring premises, all to the satisfaction of the Head of Planning & Strategy.

Representations

The application was advertised on 21 March 2003. There have been no representations on this application.

The applicant has received letters from the owners of properties over which the duct will pass, stating that they have no objections.

Policy

North East Edinburgh Local Plan

The site is within an area of housing and compatible uses, where the existing residential character and amenities will be safeguarded.

The site is also within the Portobello Conservation Area.

Relevant Policies:

Policy E21 (CONSERVATION AREAS - GENERAL): requires proposed development within a conservation area to retain all features which contribute to the character and appearance of the area.

Policy E25 (DESIGN OF NEW DEVELOPMENT - OBJECTIVE): encourages new development of the highest possible standard.

Policy H7 (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 the reasonable prospects of further residential development where this is an objective of the Local Plan.

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.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

-do the proposals preserve or enhance the character or appearance of the conservation area? (There being a strong presumption against the granting of planning permission if this is not the case).

-do the proposals comply with the local plan?

-if the proposals do comply with the local plan, are there any compelling reasons for not approving them?

-if the proposals do not comply with the local plan, are there any compelling reasons for approving them?

ASSESSMENT

In order to address these determining issues, the Committee must consider whether:

a) the proposal will have a detrimental impact on the character and appearance of the building and the conservation area

b) the proposal will have a detrimental impact on the amenity of the occupiers of any neighbouring properties

a) PORTOBELLO CONSERVATION AREA CHARACTER STATEMENT

"Portobello Conservation Area includes several distinct character zones. The High Street provides a focus for the Conservation Area, retaining many original two storey Regency buildings as well as a number of significant public buildings. The seaside character of the Promenade is still evident, despite the loss of the pier and the construction of several modern buildings of poor quality. The remainder of the area includes an abundance of fine Georgian (and later) villas as well as a robust stock of Victorian tenements, public buildings and churches. In total there are some 179 listed buildings within the Conservation Area, including building groups of particular interest in Brighton Crescent and Brighton Place."

The pipe will be visible but is located in such a way as to minimise the impact on the character and appearance of the building being tucked into the corner of the building. The pipe will be located against the outshoot of the neighbouring property. The proposal is far better executed than the previous attempt, which made little effort to disguise the proposal. The revised proposal addresses the problems raised by the previous applications. The current proposal whilst facilitating the ventilation of the unit is as discreet as possible and is acceptable in this location.

It is recommended that a condition is attached to the consent such that the duct is painted out in a colour to match the existing stonework within a specified period.

b) The owners of the properties over which the duct will pass have written, stating that they have no objections to the proposal. The proposed extract duct is taken to above roof level and will have no impact in terms of smell.

The current situation, which has been in operation for a number of years, ventilates the unit via the rear window. This has caused nuisance from smells in the past. The new proposal will remove this nuisance problem.

The proposed installation will have no detrimental impact on the residential amenity of the occupiers of any nearby properties.

In conclusion the proposed duct has been located and designed to preserve the character and appearance of the conservation area and the building itself. The proposal will improve residential amenity for the local residents.

It is recommended that the Committee approves this application, subject to the conditions stated.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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Ward affected 39 -Portobello

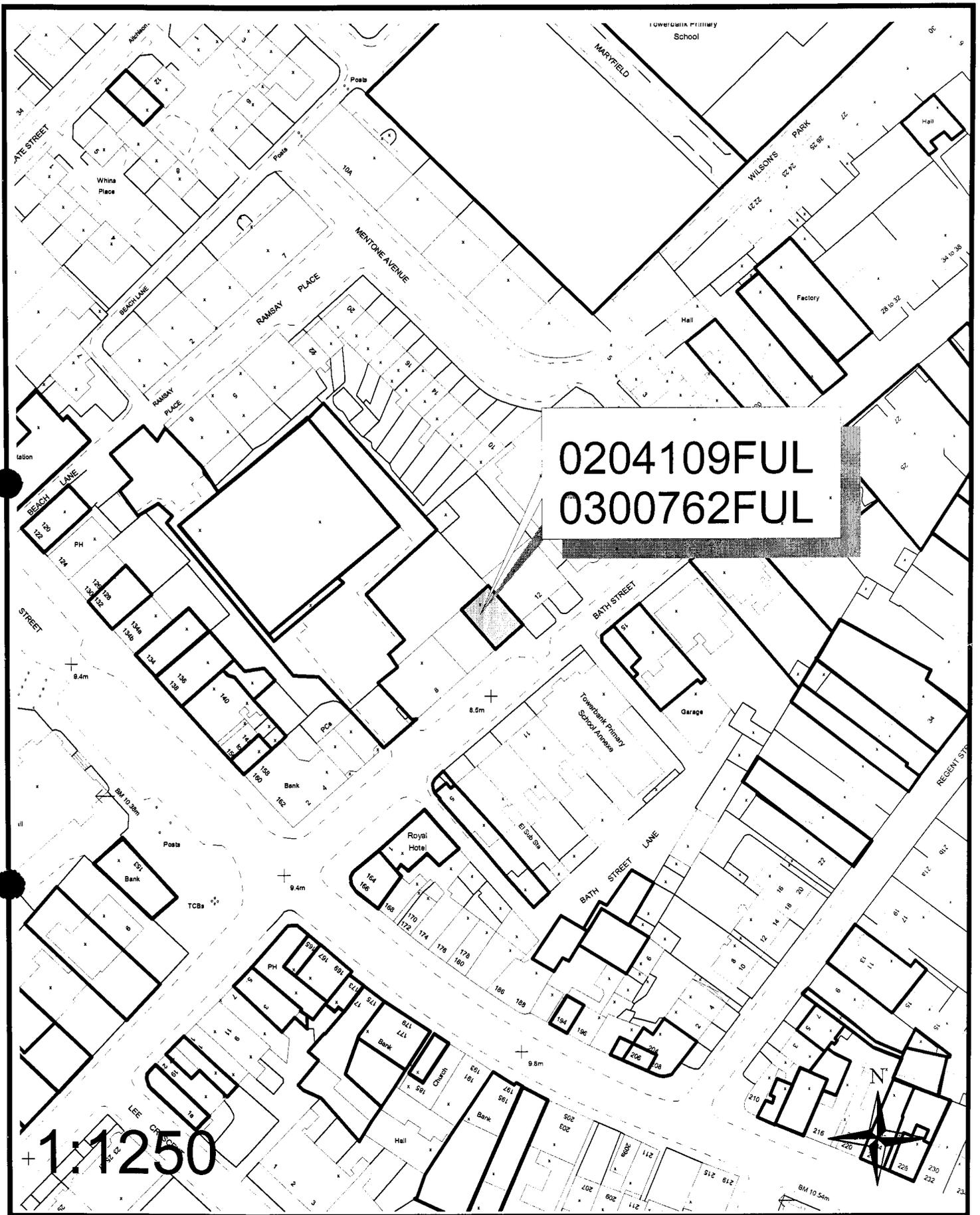
Local Plan North East Edinburgh

**Statutory Development
Plan Provision** Housing and Compatible Uses

File

Date registered 6 March 2003

**Drawing numbers/
Scheme** 1-2



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PLANNING APPLICATION

The City Development Department - Planning