

REPORT PREPARED ON 29/ 4/26 AT 10:57

## NAME AND ADDRESS DETAILS

PREMISES REF: RES6\*\*30-3/10

TRADER: CHILOS  
Twin Brother 23 Ltd

ADDRESS: 30-32 Clerk Street  
Newington  
Edinburgh  
EH8 9HX

AREA:  
WARD: Southside/Newington

LPIKEY: 9064L000182672

MOBILE: [REDACTED]

E-MAIL: [REDACTED]

UPRN/USRN: 906051702

EASTING: 326253

NORTHING: 672798

PRINCIPAL USAGE: RES - RESTAURANT

PREMISES TYPE: 6 - PROPERTY

## ACTION DETAILS

ACTION TYPE: AAA - Action taken

SOURCE DATABASE: REQUESTS

Record number 966982

UNIT: PEP - Environmental Protection

INVESTIGATING OFFICER: BIN - Barry Inglis

DATE ACTION OPENED: 30/06/2025

DATE ACTION CLOSED: 22/09/2025

## ACTION EVENT DETAILS

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
1	G05	Email received		30/06/2025	NEB	

From: [REDACTED]  
Sent: 30 June 2025 11:10  
To: Ask Noise <AskNoise@edinburgh.gov.uk>  
Subject: Noisy extractor fan at Chilos, 30-32 Clerk St.

Hi

I would like to reinforce the noise complaint which [REDACTED] has lodged re the noise from the extractor fan at the back of Chilos Restaurant on Clerk St. (30-32). The noise is continuous from

ITEM	EVENT	DESCRIPTION	SCH. DATE	ACT. DATE	OFF	ACTIVITY
		mid-morning until after 12.30 at night, and at a level which is very obtrusive. I live at no. [REDACTED] Rankeillor St. (next door to [REDACTED] and the back of my house and the garden are very close to the back of Chilos. The noise started some months ago (when the restaurant opened under its current name) but the good weather recently has meant that we are in our garden more and so it is more of a problem. I had already noticed it at night and can hear it clearly from my bedroom which is at the back of the house. It is like having a car parked outside the house with the motor running continually.				

I gather that you are coming to investigate it this week or next. I hope you will be able to deal with the Restaurant on this. If you need any more information, do get back to me.

All best wishes

[REDACTED]

2	G38	Officer Referral Notification	30/06/2025	30/06/2025	BIN	
3	G10	15.59 Email sent to C 30/ 6/2025 16:05 BIN		30/06/2025	BIN	

Hi [REDACTED],

Thanks for your email. Yes, we are doing evening visits tomorrow night and it is almost certain that one of the appointments will be cancelled and the Chilos complaint was next in line to be investigated. Looking on google street view, I can see that you are closer to the restaurant than your neighbour [REDACTED] therefore are likely to be worse affected by the noise than your neighbour. Is it possible that we could visit you tomorrow evening at around 9.30pm for the noise survey?

I look forward to hearing from you.

Kind regards

[REDACTED]

4	G10	16.34 Email sent to C 22/ 9/2025 10:21 BIN		30/06/2025	BIN	
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Thanks [REDACTED]

I'll contact the business to check we can visit then and get back to confirm.

Kind regards

[REDACTED]

ITEM	EVENT	DESCRIPTION	SCH. DATE	ACT. DATE	OFF	ACTIVITY
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5	G10	Email sent to business 1/ 7/2025 11:30 BIN		01/07/2025	BIN	
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Hi,

We've received a couple of noise complaints from neighbours concerning mechanical equipment noise from Chilos at 30-32 Clerk Street, Edinburgh. Therefore, in order to investigate we need to carry out a noise survey. We are planning to visit tomorrow night, Tuesday 1st July at 21.30hours.

To carry out the noise survey we'll need to measure all the noisy external equipment such as the kitchen extract ventilation system, intake (supply) fan if present and any other units such as external refrigeration equipment.

Therefore, please confirm what equipment you have and whether the fans have a speed controller or not. If they do, the normal setting used and the highest setting they are ever turned up to. We'll also need to measure with the equipment switched off for a few minutes.

Is that date and time ok?

I look forward to hearing from you.

Kind regards

6	G10	15.09 Email sent to C 22/ 9/2025 10:22 BIN		01/07/2025	BIN	
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Hi

That's tonight's visit confirmed. I'll probably visit the business first to have a look around etc, so it will likely be slightly later than 9.30pm.

Kind regards

7	G08	Telephone call made to business line engaged -		01/07/2025	BIN	
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8	G05	16.17 Email received FROM c 1/ 9/2025 10:56 BIN		30/06/2025	BIN	
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Dear

Thanks for getting back so quickly. I will actually be away tomorrow

ITEM	EVENT	DESCRIPTION	SCH. DATE	ACT. DATE	OFF	ACTIVITY
9	G15	Visit to Concern		01/07/2025	BIN	
10	N23	Noise Survey		01/07/2025	BIN	
11	G15	Visit to Concern		01/07/2025	BJA	
12	G05	08.00 Email received from C 22/ 9/2025 10:16 BIN		13/08/2025	BIN	

From: [REDACTED]  
Sent: 12 August 2025 20:54  
To: [REDACTED]

Subject: Chilo's Burger Bar, South Clerk St., Newington

Dear [REDACTED] (et al.) I have not heard back from you concerning the measurements you took in our property last month (whil??

External email

First time sender

Dear [REDACTED] (et al.)

I have not heard back from you concerning the measurements you took in our property last month (while I was away). But I have been copied into your recent correspondence with [REDACTED] I am pleased that you are going to do a repeat set of measurements. I will be very important to ensure that the restaurant turns its fan up to full strength when you measure it. There is quite a difference between its various settings and the strongest one is very intrusive. I suspect that they have only used the weak one when you measured it (I may be wrong!). At the moment the fan can be on (with various settings) until at least 02.15am - probably later, but that's when I went to sleep on Friday last (8th August). The strong setting is regularly on until at least 12.30 am.

My nephew who is staying with us at the moment has measured the dB level (he isn't able to measure dBA) in the garden on a couple of nights recently. He was not able to measure the background since they fan was not off before he had to go to bed. His readings last night (11 August) were:

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Average at 23.22 hours: 54 (max 55.3)  
Average at 23.37 hours: 53.7 (max 56.3)

Readings taken on 4th August:

Average at 00.26 hours: 46 (max 47.9)  
Average at 01.07 hours: 50.2 (max. 55)

I can let you have pictures of his dB meter if they would be of use.

These are all well above the 34 dBA allowed in residential areas between 11pm and 7am. The levels in the garden during the day would be similar. Is it within your remit to measure the sound level in the garden?

One or two observations (perhaps more for our councillors):

- There are restaurants on both sides of Chilo's which presumably have fans but we never hear anything
- The restaurant which briefly preceded Chilo's with local ownership did not make any perceptible noise
- Was any assessment of noise level done in connection with planning permission for Chilo's?

Many thanks for your attention to this.

Yours

[REDACTED]

[REDACTED]

13	G05	08.00 Email received from C 22/ 9/2025 10:18 BIN	13/08/2025	BIN
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Dear [REDACTED]

Sorry to disturb you again. It strikes me that you, [REDACTED] are planning to do the next measurement on a Tuesday night. That is the open mike night at the Dog House pub along the street. My partner said that the music there started up while you were measuring in our bedroom last time. This will presumably affect the background measurements - it doesn't normally finish until 12 midnight or so. The music there is a nuisance but it is now mainly confined to Tuesday nights and I'm aware that there are few places that allow musicians to play these days.

I would suggest choosing a different night to take the measurement if that's possible.

All best wishes

[REDACTED]

ITEM	EVENT	DESCRIPTION	SCH. DATE	ACT. DATE	OFF	ACTIVITY
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14	G05	17.24 Email received from C 22/ 9/2025 10:24 BIN		26/08/2025	BIN	
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Dear [REDACTED]

Apologies for the delay in replying to you. Many thanks for your clarifications and for the documents related to the change of use. It is interesting that the focus of the acoustic testing for the original application was all on the apartments above the restaurant, with no consideration for the fact that houses at right angles, like ours, would also be affected. Anyway, the silencer which was originally attached to the double pipe extractor must have worked because there we didn't hear any noise from that. The change to the larger single pipe when Chilos moved in must have made a difference - perhaps they didn't reattach the silencer?

I'm pleased that you are doing another test on Wed. 3rd. I take your point about our house being a bit closer to Chilos, but I think it would be better for you to do the test in [REDACTED] house this time - she has been most affected by it. I don't suppose there is much difference between the levels in the two houses anyway. I'm sure you will be getting them to turn up the fan to its full setting so you can measure that as well as the lower one. Let me know, though, if you still want to measure things in our house.

All best wishes

[REDACTED]

15	G10	10.40 Email sent to C 22/ 9/2025 10:40 BIN		22/09/2025	BIN	
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From: [REDACTED]  
Sent: 22 September 2025 10:40  
To: [REDACTED]

Subject: RE: Chilo's Burger Bar, South Clerk St., Newington

Hi [REDACTED]

I can confirm that the noise survey carried out several weeks ago from your neighbour's, [REDACTED] property, showed that noise from Chilos fans complied with the relevant standards. We measured them at maximum, although the business claimed that they are never operated at that setting. Consequently, no action can be taken and we're obliged to close the complaints.

If you have any questions, please do not hesitate to contact me.

Kind regards

[REDACTED]

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
16	G82	Environmental Protection investigation - no contravention.		22/09/2025	BIN	