

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: planning.systems@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100178706-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="108A"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="West Bow"/>
Company/Organisation	<input type="text" value="Olecrose Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH1 2HH"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="UNIT 1"/>
Address 2:	<input type="text" value="108A WEST BOW"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH1 2HH"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673432"/>	Easting	<input type="text" value="325518"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Change of Use from residential to furnished holiday let (in retrospect)

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

We request that the original application is reviewed in light of the fact that the property has been used as a holiday let for a number of years without any issues.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Drawings , statement, photographs

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/00691/FUL

What date was the application submitted to the planning authority? *

12/02/2019

What date was the decision issued by the planning authority? *

08/04/2019

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr David Stewart

Declaration Date: 02/09/2019

Proposal Details

Proposal Name	100178706
Proposal Description	West Bow Appeal
Address	UNIT 1, 108A WEST BOW, EDINBURGH, EH1 2HH
Local Authority	City of Edinburgh Council
Application Online Reference	100178706-001

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
L-WB-001	Attached	A3
L-WB-002	Attached	A3
Planning Statement	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

**108a 1 West Bow
Edinburgh
EH1 2HH**

**Proposed Change of Use from residential flat to furnished holiday let
- Supporting Planning Statement**

4th February 2019
Revision 00

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Introduction

This statement has been prepared in support of an application for planning consent to change the existing use of the above property, from residential, to a short term holiday let.

The property subject of the application (the property) is a sui generis residential flat in accordance with the Town and Country Planning (Use Classes) Scotland) Order 1997.

The property is a one bedroom flat situated on the first floor of the three-storey tenement block. Within the tenement, there are two flats per floor, accessed via a shared stair and the main door for which is located at ground level from the West Bow – *please refer to graphic on Page 4.*

The property listing can be found at:

<https://www.airbnb.co.uk/rooms/7616134?s=51>

Having only one double bedroom, and a sofa bed arrangement available in the living/ kitchen area, the property is leased to a maximum of 4 persons at any one time. Whilst the minimum rental period available is one night, a review of the available rental history demonstrates that on average, the property was most often rented to accommodate two guests, and the average stay is 2-3 nights. As stated clearly on the particulars; no smoking, parties, or events are permitted in the property during the rental period.

The property has been renovated and furnished to a very high standard and leased by the current owner (applicant) since 2015. Guests are carefully vetted prior to booking and reminded to be considerate of other residents when arriving and departing. The property maintains an excellent five-star guest review rating on Airbnb and the applicant is not aware that any complaints have ever been lodged in relation to the use.



108a 1 West Bow, Edinburgh

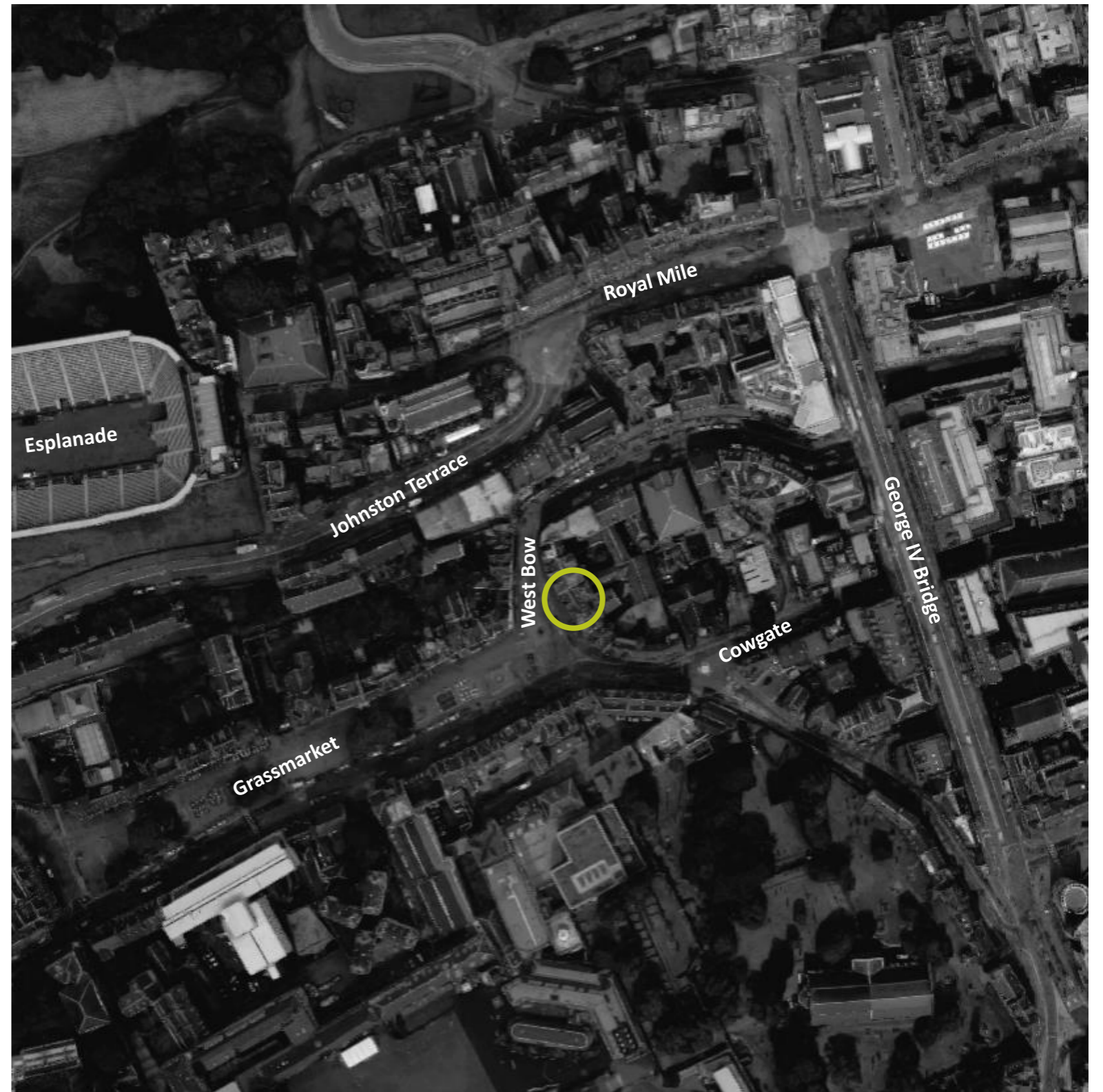
Location, Context & Access

Location

Located to the eastern end of Edinburgh's Grassmarket, 108 West Bow is a three storey B listed terraced tenement block with shops to ground floor. The living space of the property affords generous views westwards across the pedestrianised area of the Grassmarket, towards Edinburgh Castle.

The property is located within the Old Town conservation area. This part of the Old Town sees a broad range of uses co-existing, including pubs, restaurants, hotels, student accommodation, flats and shops, all of which are referred to in the property advertisement and undoubtedly form part of the attraction to guests.

This highly accessible location is within walking distance of the city centre and excellent public transport links including Waverley railway station. The location also offers easy access to many of the city's main tourist attractions including the Royal Mile and Edinburgh Castle.



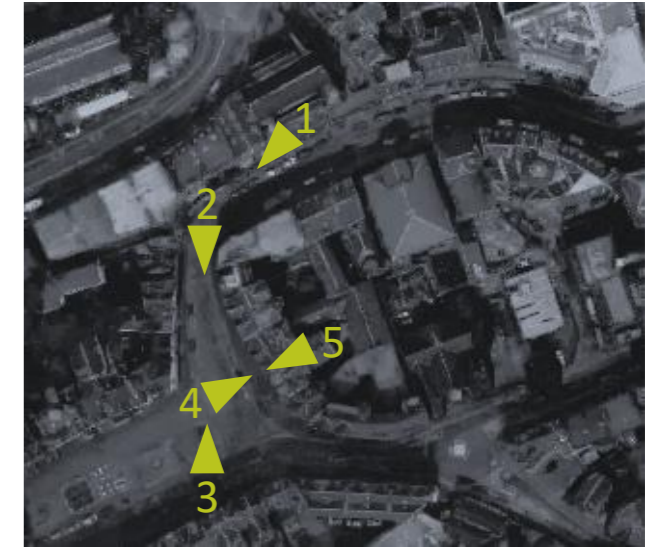
Context



1. View down Victoria Street towards West Bow & Grassmarket



2. View down West Bow to Grassmarket



View locations



3. View from Grassmarket to West Bow



4. Street level access entrance to 108 West Bow



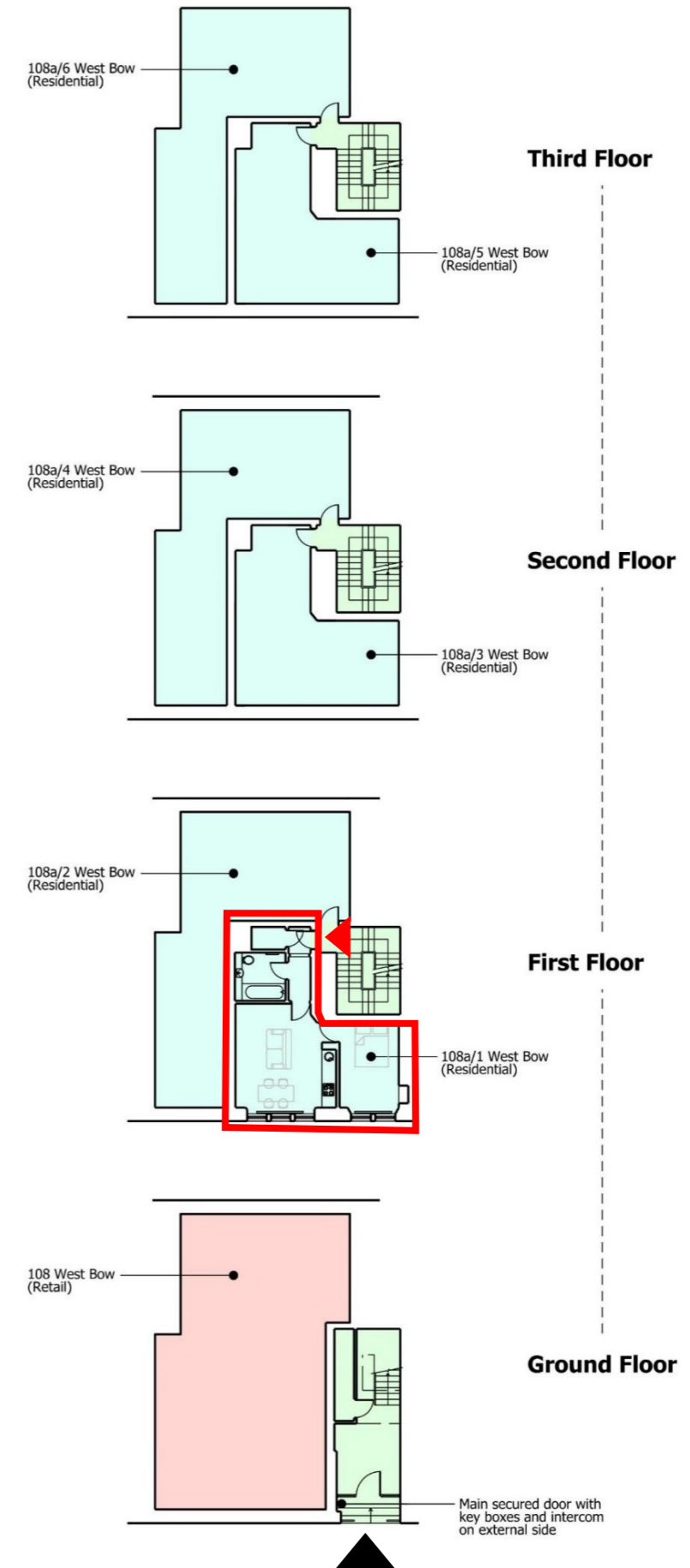
5. View from 108a 1 West Bow over Grassmarket

Access

The property is located at first floor level above an existing retail unit and is the first residential property accessed via a communal stairwell. The stair is accessed directly from West Bow.

Communal access via West Bow is denoted in the diagrams opposite by a black arrow.

Access to the property is denoted by the red arrow.



Planning Assessment:

Firstly, the need to obtain planning consent, as it may be considered that the current use does not result in a material change of use from a sui generis residential flat. However, given a number of comparable cases in the city recently, in which short term residential holiday lets have been deemed to be a material change of use, the applicant seeks to be proactive in preserving the ongoing operation of this use, demonstrating compliance with the relevant development plan policy considerations.

The proposed change of use requires to be assessed against the development plan, and in this case the determining issues relate to the principle of the change of use, and whether the proposal would be materially detrimental to the amenity of other residents.

Built environment:

- No internal works are proposed and as such there would be no impact upon the built heritage - either the listed building itself, or to the surrounding area.

Residential Amenity:

- The Grassmarket and West Bow form part of a well-established mixed-use area, very popular with tourists and as such a level of noise and disturbance in residing there might be expected, as alluded to in the letting advertisement. Due to the mixed of uses, this neighbourhood is thus unlikely to be considered as a predominantly residential area in the traditional sense.

- LDP Policy Hou7- Inappropriate Uses in Residential Areas - seeks to protect the living conditions of nearby residents from inappropriate uses, however does not preclude use of the flat as proposed. The purpose of the policy is to prevent conflict between non-residential uses in predominantly residential areas, and to prevent any further deterioration of living conditions in more mixed use areas; such as the Grassmarket one would presume.
- The shared stair of the building is probably the most likely point of noise and disturbance due to arrivals and departures.
- Operation of the flat for short term rentals has not resulted in any complaints or actions by the Council relating to noise and disturbance, demonstrating the compatibility of the use.
- Guests come and go via the property entrance which is the first doorway entrance at first floor level. Arrival and departure times are stipulated via the booking site, with arrivals no later than 10pm, and exit by 10am.
- Whilst it is noted that a main door access is preferable in accommodating such uses, the fact that this property is on the first floor, above a retail premises, and the first door accessible on the stair, meets the spirit of the policy, by minimising the likelihood of noise and disturbance elsewhere in the block (*please refer to graphic on Page 4*).
- It is also worth noting that the mixed-use nature of this area means that the property is located within close proximity to many properties of a similar nature.

Summary

In summary, operation of the property as a short term holiday rental causes no detriment to other residents or guests in this block. And is demonstrated to comply with the spirit of LDP Policy Hou7, the Council's key test in other similar cases.

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10 Lochside Place

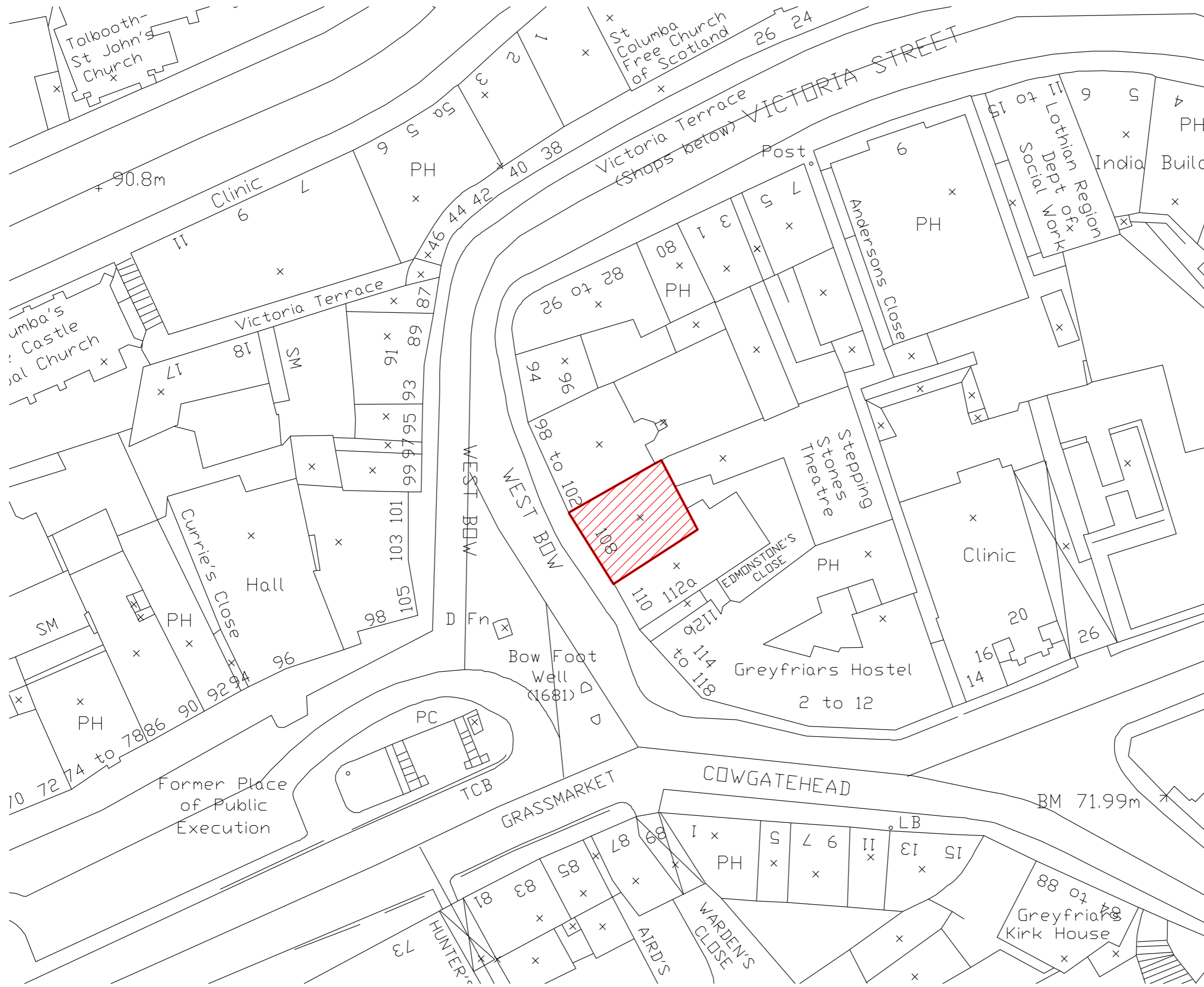
Edinburgh Park

Edinburgh

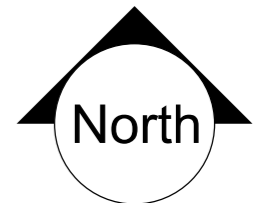
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 CDM:
 Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of "The Construction (Design and Management) Regulations 2015" and the "Industry Guidance for Designers"



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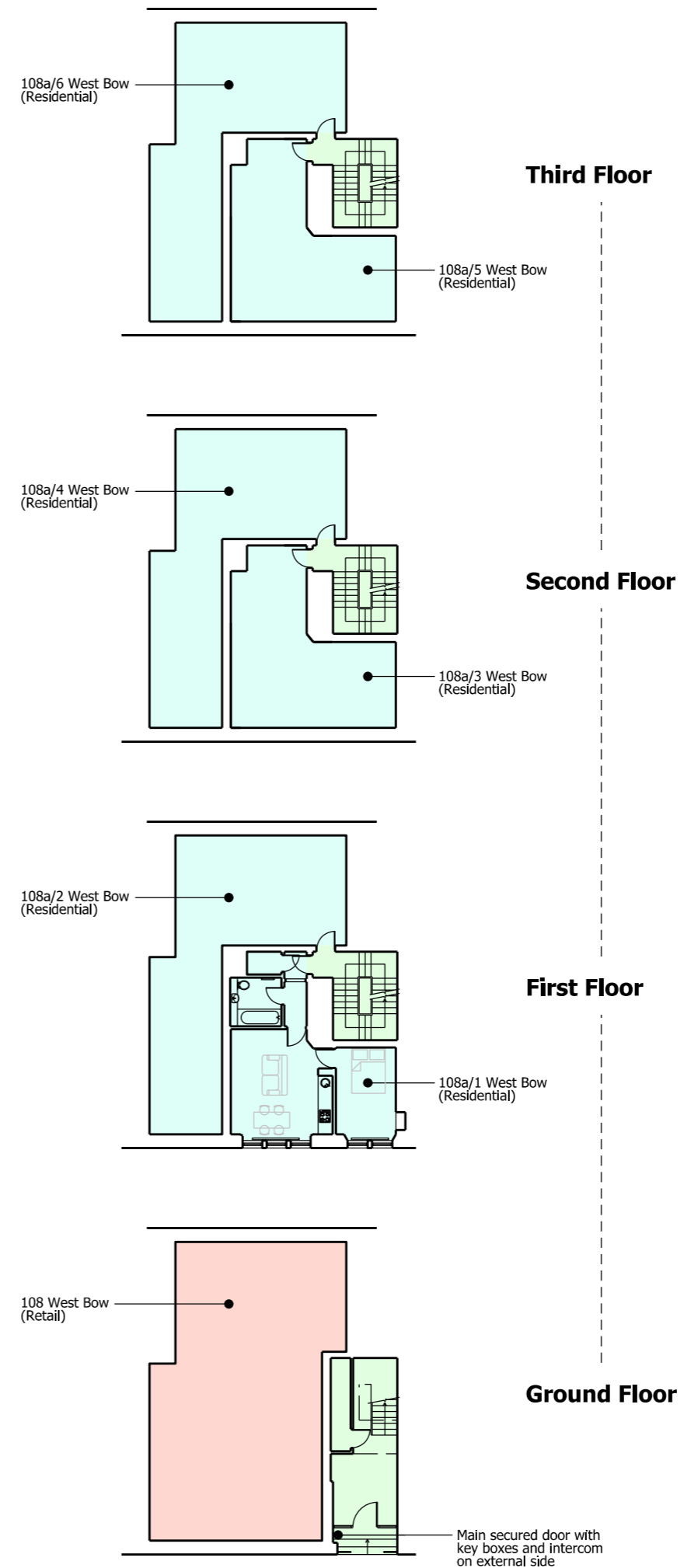
PROJECT:
108a/1 West Bow
Edinburgh
EH1 2HH
 TITLE:
Location Plan

SCALE @ A3: As Stated	CHECKED: DS	APPROVED: DS
PROJECT No: 18-055	DESIGN-DRAWING: DS	DATE: Feb 19
DRAWING STATUS: Planning		
DRAWING Size: A3	DRAWING No: L-WB-001	REV: --

Location Plan - (1:500)



○ Floor Plan (1:50 at A3)
 108a/1 West Bow



○ Communal Areas (NTS)
 108a/1 West Bow

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PROJECT:
108a/1 West Bow
 Edinburgh
 EH1 2HH
 TITLE:
Floor Plan

SCALE @ A3: 1:50	CHECKED: DS	APPROVED: DS
PROJECT No: 18-055	DESIGN/DRAWING: DS	DATE: Feb 19
DRAWING STATUS: Planning		
DRAWING Size: A3	DRAWING No: L-WB-002	REV: --