

Development Management Sub-Committee Report

Wednesday 7 December 2022

**Application for Planning Permission
30 Grove Street, Edinburgh, EH3 8AZ.**

Proposal: Change of Use (retrospective) from house (residential) to short-term let visitor accommodation (sui generis).

**Item – Local Delegated Decision
Application Number – 22/03243/FUL
Ward – B09 - Fountainbridge/Craiglockhart**

Reasons for Referral to Committee

Given the level of public interest in relation to the issue of short term lets, it is considered appropriate that this application be determined by Committee.

Recommendation

It is recommended that this application be **Granted** subject to the details below.

Summary

The proposal complies with the relevant policies within the local development plan and the SPP. There are no material considerations that outweigh this conclusion. The proposal is acceptable.

SECTION A – Application Background

Site Description

The application property is a self-contained one-bed dwelling set over two floors at 30, Grove Street, Fountainbridge. It comprises a living/dining area, kitchen and shower room on the ground floor, with a bedroom and covered balcony/terrace on the first floor. The property has its own main access door on to Grove Street. It has no shared outdoor amenity space. To the south of the property immediately adjacent is a four storey Victorian tenement block.

Description of the Proposal

The application seeks permission to change the residential use to short term let visitor accommodation. No internal or external physical changes are proposed. The applicant has advised that the property has been used as a short term let since 2014. The application is therefore retrospective.

Supporting Information

Supporting statement.

Relevant Site History

96/01694/FUL
30 Grove Street
Edinburgh
EH3 8AZ
Change of use from potters studio to dwelling
Granted
27 November 1996

03/02059/FUL
30 Grove Street
Edinburgh
EH3 8AZ
Artist's studio extension to residence (as amended)
Granted
9 January 2004

Other Relevant Site History

No other relevant planning site history.

Pre-Application process

There is no pre-application process history.

Consultation Engagement

No consultations undertaken.

Publicity and Public Engagement

Date of Neighbour Notification: 5 July 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable;

Site Notices Date(s): Not Applicable;

Number of Contributors: 0

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- the Scottish Planning Policy presumption in favour of sustainable development, which is a significant material consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals comply with the development plan?

The Development Plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Housing Policy Hou 7
- LDP Housing Policy Del 2
- LDP Transport Policies Tra 2 and Tra 3.

The non-statutory Guidance for Businesses is a material consideration that is relevant when considering LDP Policy Hou 7.

Principle of Development

The application site is situated in the Urban Area and City Centre, as defined in the LDP.

The main policy that is applicable to the assessment of short term lets is LDP Policy Hou 7 (Inappropriate Uses in Residential Areas), which seeks to protect residential amenity.

The non-statutory Guidance for Businesses sets out a number of criteria that are considered in an assessment of the materiality of a change of use of dwellings to an STL:

- The character of the new use and of the wider area;
- The size of the property;
- The pattern of activity associated with the use including numbers of occupants, the period of use, issues of noise, disturbance and parking demand and
- The nature and character of any services provided.

Whilst the properties immediately adjacent to the application site are in residential use, the character of Grove Street is one of a fairly busy thoroughfare, with a considerable pedestrian footfall and ambient noise levels that remain high during the day and night.

The application site is in close proximity to student accommodation, a late-night pool hall and bar, a hotel and other premises that operate into the early hours, resulting in an amenity level for residents that is below that which would be experienced in other, quieter locations within the city centre. Despite the proximity of residential properties adjacent on the south side, the impact of the STL use would essentially be masked by the background noise levels created by the uses and resultant activities that exist within the vicinity of the application property.

Paragraph 220 of the LDP acknowledges that tourism is the biggest source of employment in Edinburgh, providing jobs for over 31,000 people. Whilst there is not a specific LDP policy relating to the jobs created through the required care, maintenance and upkeep of STL properties, the economic benefits are a material planning consideration.

The proposal will provide accommodation for tourists and individuals visiting the city, within an area of mixed use. The proposal will not prejudice or inhibit the activities of any nearby employment use and will have no adverse effect on residential amenity. It will not adversely affect the vitality of the city centre and its role as a strategic business centre, regional shopping centre and capital city.

The proposal complies with LDP Policies Hou 7 and Del 2.

Parking Standards

There is no vehicle parking and no cycle parking. Zero parking is acceptable as there is no requirement for cycle parking for STLs. Cycles could be parked inside the property.

The proposals comply with LDP Policies Tra 2 and Tra 3.

Conclusion in relation to the Development Plan

The change of use of this property to a STL will not be of material detriment to neighbouring amenity and is acceptable in this location within the city centre. The proposal complies with the Development Plan. There are no material considerations that outweigh this conclusion.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal complies with all thirteen principles outlined within paragraph 29 of the SPP. The proposal will therefore contribute to sustainable development.

Emerging policy context

The Revised Draft National Planning Framework 4 was laid before the Scottish Parliament on 08 November 2022 for approval. As it has not completed its parliamentary process, only limited weight can be attached to it as a material consideration in the determination of this application.

The Planning Committee considered the objections received to City Plan 2030 on 30th November 2022. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

No representations have been received.

Conclusion in relation to identified material considerations

The proposals do not raise any issues in relation to other material considerations identified.

Overall conclusion

The proposal complies with the relevant policies within the local development plan and the SPP. There are no material considerations that outweigh this conclusion. The proposal is acceptable.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following :-

1. There are no conditions attached to this permission.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 22 June 2022

Drawing Numbers/Scheme

01

Scheme 1

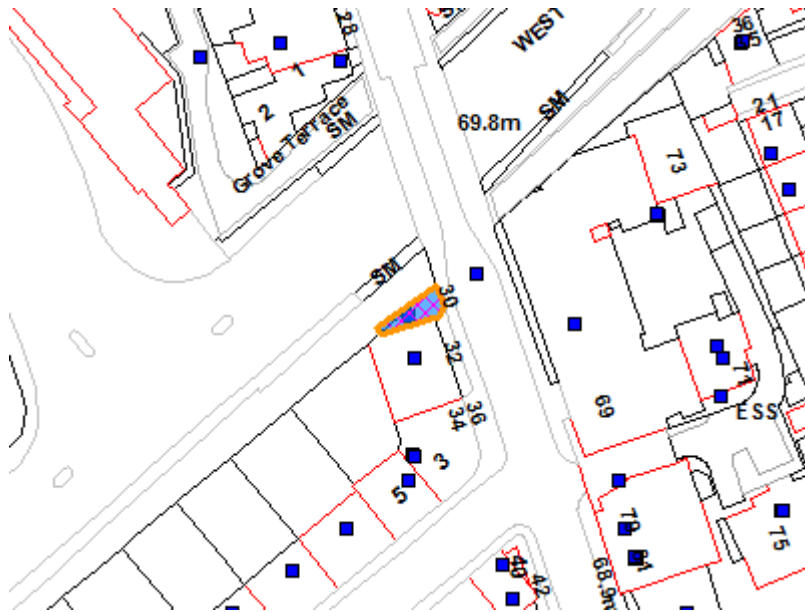
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Summary of Consultation Responses

No consultations undertaken.

Location Plan



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