

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@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 100616228-001

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

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Sciennes House Place"/>
First Name: *	<input type="text" value="Eve"/>	Building Number:	<input type="text" value="9"/>
Last Name: *	<input type="text" value="Worden"/>	Address 1 (Street): *	<input type="text" value="23 Craiglockhart Grove"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Edinburgh City"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH141ET"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

1F1

Address 2:

9 SCIENNES HOUSE PLACE

Address 3:

SCIENNES

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH9 1NN

Please identify/describe the location of the site or sites

Northing

672289

Easting

326274

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)

I am appealing the decision made by the planning department which refused my planning application to operate as a self catering business.

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.

I have invested heavily in the Capital Outlay (sheets, towels, soap dispensers, safety equipment to name but a few) as well as refurbishment, including new windows, new kitchens, new bathrooms and central heating in all properties as well as refurbishment throughout for the purpose of running them as Self Catering Outlets (I have documentation to this effect). Further appeal information in supporting documentation

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)

I feel that the decision is unjustified and have written my explanation in the supporting uploaded documentation.

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)

Uploaded in word doc

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/03018/FUL

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

07/11/2022

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

07/11/2022

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: Ms Eve Worden

Declaration Date: 02/02/2023

Appeal Planning Permission

This is a continuation of my appeal as the wizard form only allows you 500 words. Appeal Cont...

This is my main business and I employ a local cleaner, use local shops to stock self catering goods and use a local dry cleaners for all our laundry.

I applied recently for planning permission for my property '9 Sciennes House Place' to be changed into a self catering outlet (Application No: 22/03018/FUL) and was refused.

I would like to point out that I had to apply 'In retrospect' even though I had already applied to become a self catering outlet through the council a number of years ago and was already a successful, established and legitimate business, paying business rates etc.

I have invested heavily in the Capital Outlay and refurbishment of the property for the purpose of running it as a self catering business (including new kitchen, bathroom, windows, boiler, towels sheets, to name a few).

I have tried to ensure that property is well maintained from both the inside and out - it has a smart new front door, welcome mat, foliage and brand new interiors as stated above. Additionally, I set up a residents WhatsApp group to improve cleanliness and communication, as well as recently liaising directly with a local establishment regarding early morning noise pollution. I also put up 'no smoking' signage (people have been dropping cigarettes in the courtyard) to help improve the pleasantness of the building for all. This is quite the opposite to 'causing materially detrimental effect on the living conditions and amenity of nearby residents'.

There were a small number (I believe 5 residents) who objected to my application.

My property is a small one bedroom apartment and it is usually only two people who stay and I have found guests to be respectful of my property and of residents. I have notices in my property asking guests to be respectful (due to the fact the area is residential) and have had no problems over the years.

While I understand the need for security within a building, I would like to point out that the self catering platform we use vets all its guests/checks passports to ensure there is a level of safety of regarding guests.

I would also like to clarify I have never disrespected the graveyard opposite the property (as stated by one objector) by putting up lockboxes. I did however, before starting up the business contact the planning department to ask if planning permission was needed to put a lock box at the entry to the property and was told that it was not required. I alternately, decided to use a Key Nest at a local newsagents, as I was aware a disgruntled resident had been vandalising (putting glue in) current lock boxes (thus making it impossible to remove them from the building).

One of the comments made by a resident was something to do with a noisy BBQ in the courtyard, I would like to state this was absolutely nothing to do with my guests. Another pointed out that they had had a leak from our property which is above theirs (we have also had leaks twice from the flat above us) and I want to state that this has nothing to do with the property being a self catering unit. Any leaks would be picked up quickly by either myself or my cleaner who go into the property on a regular basis. I am also in contact regularly with the guest during their stay and any issues would be dealt with promptly.

I have spent a number of years building up this business and I am astounded that Edinburgh Council is able to basically shut down a small business with such a blanket approach. Whilst I understand the requirement for rental accommodation due to shortages within the Capital, self catering outlets are just one of the factors which have contributed to this and the approach that Edinburgh Council has taken in my opinion is wholly unfair to small business individuals such as

myself. The people who will benefit from our loss will be people with main door properties (who are likely to be more affluent) and big national hotel chains.

I love selling The City of Edinburgh and providing tourists with local recommendations for food and things to do. I believe it is a unique experience, where tourists stay in small neighbourhoods where they would not normally visit and in turn that area benefits from this tourist revenue.

I have spent nearly £1,000 on this planning application (including planing location and site plans) and this combined with my loss of capital outlay, refurbishment costs and also the future loss of income is a devastating blow especially following a very difficult period over covid.

Subsequent to applying for planning permission, I learnt that it is EXTREMELY unlikely that anyone currently running a self catering outlet in a residential area (which has shared access) will be granted permission. It seems that all shared tenement properties in Edinburgh automatically fall under The council's "Development Plan"/SSP (Scottish Planning Policy).

Why therefore have the planning department not informed people on application that this would be the case before allowing them to go ahead wasting such a lot of time and money!

I do not believe that my Self Catering Outlet is having 'material detrimental affects on the living conditions and amenity of nearby residents '-

Policy Hou 7 also states the policy is 'firstly, to preclude the introduction or intensification of non residential uses incompatible with predominately residential areas' and unless my property was a new self catering outlet, how could it cause 'further deterioration of living conditions?

Moreover, I was keen to ensure we could continue to run the business, so I was very prompt at applying for planning permission, and will therefore, (as I have been refused) have to shut my business down early. Whereas other businesses who are now waiting until the last minute to apply for planning permission (due to the 6 month extension from the government) will be able to run their business for longer, thus making as much money as they can before they are shut down.

I am angered at the way Edinburgh Council has dealt with this issue. I would have understood if Edinburgh Council had taken a more measured approach to the management of self outlets in The Capital, such as as potentially putting a cap on the number of self catering units, or the amount per individual , or at least allowing existing businesses to remain in operation.

I am sure this appeal will not be granted, but I hope this appeal goes some way to explaining how small self catering businesses are being treated by the City of Edinburgh Council.