

Mr Craig Ferguson.  
38 Shirley Road  
Leicester  
LE2 3LJ

**Decision date: 29 March 2023**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Proposal to use the property for short term lets.  
At Flat 8 27 Castle Terrace Edinburgh EH1 2EL

**Application No:** 22/04560/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 30 September 2022, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

1. No conditions attached.

**Reason for Refusal:-**

1. The proposal is contrary to Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as the use of this dwelling as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents.
2. The proposal is contrary to National Planning Framework Policy 30(e) in respect of local amenity and loss of residential accommodation, as the use of this dwelling as a short stay let will result in an unacceptable impact on local amenity and the loss of a residential property has not been justified.

## **Informatives**

It should be noted that:

1. No informatives attached.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01 - 02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Benny Buckle directly at [benny.buckle@edinburgh.gov.uk](mailto:benny.buckle@edinburgh.gov.uk).



**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at [www.eplanning.scot](http://www.eplanning.scot) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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# Report of Handling

**Application for Planning Permission  
Flat 8 27 Castle Terrace, Edinburgh, EH1 2EL**

**Proposal: Proposal to use the property for short term lets.**

**Item – Local Delegated Decision  
Application Number – 22/04560/FUL  
Ward – B11 - City Centre**

## **Recommendation**

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

## **Summary**

The change of use of this property to an STL will have an unacceptable impact on neighbouring amenity. The loss of the residential accommodation has not been justified. Whilst it is recognised that there is an economic benefit to the City as a whole from the provision of tourist accommodation in this case it does not outweigh the adverse impact on residential amenity or the loss of residential accommodation.

The proposal does not comply with the Development Plan policy NPF 4 policy 30(e) and LDP policy Hou 7. There are no material considerations that outweigh this conclusion. The proposal is unacceptable.

## **SECTION A – Application Background**

### **Site Description**

The application site relates to a three-bedroom Flat at F8, 27 Castle Terrace. Access is gained via a shared communal stair that is shared with ten further properties. The property is located within the West End Conservation Area and World Heritage Site. The flat has access to shared communal spaces and garden.

The flat is located within an A listed building (28485), listed on 14/12/1970.

### **Description of The Proposal**

The application is for retrospective planning permission for the change of use from residential to short term let.

### **Supporting Information**

- Planning Statement NPF4

### **Relevant Site History**

No relevant site history.

### **Other Relevant Site History**

No further relevant site history.

### **Consultation Engagement**

Transport

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 29 March 2023

**Date of Advertisement:** 7 October 2022

**Date of Site Notice:** 7 October 2022

**Number of Contributors:** 6

## **Section B - Assessment**

### **Determining Issues**

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
  - (i) harming the listed building or its setting? or
  - (ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?
  
- b) If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

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:

- 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 harm the listed building and its setting?**

The following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment: Guidance on the principles of listed buildings
- Managing Change in the Historic Environment: Setting

Managing Change in the Historic Environment: Interim Guidance on the principles of listed building consent sets out the principles for assessing the impact of a development on a listed building.

Managing Change in the Historic Environment: Setting sets out the principles that apply to developments affecting the setting of historic assets or places including listed buildings and conservation areas. It includes factors to be considered in assessing the impact of a change on the setting.

There are no external or internal alterations proposed. As such, the proposal will not have an adverse impact on or cause harm to the listed building. The setting of the listed building and the setting of neighbouring listed buildings will be unaffected by the proposal.

### **Conclusion in relation to the listed building**

The proposal does not harm the character of the listed building, or its setting. It is therefore acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

### **b) The proposals harm the character or appearance of the conservation area?**

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

*"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. "*

The West End Conservation Area Character appraisal states: *"The West End Conservation Area is a large diverse area with a rich mix of historical periods and stages of development. It stretches from the Castle to Haymarket, east to west and from the western end of Princes Street southwards to Fountainbridge. It lies on a gentle north facing slope, with the Western boundary abutting the World Heritage Site and the New Town Conservation Area boundaries. The eastern boundary abuts the Old Town Conservation Area boundary. The topography of the area means that views to the east towards the Castle are particularly important and are visible from many points outwith the conservation area. The area is characterised by mixed, residential commercial buildings with the Georgian and Victorian tenements being mainly 4-6 storeys, constructed of stone with pitched, slated roofs. In the central section of the conservation area, there is a major modern financial section consisting of modern offices, which spills over the conservation area to the south. This central section is more characteristic of big city commercial districts which are untypical in an Edinburgh City Centre context."*

There are no external alterations and the development preserves both the character and appearance of the conservation area. The change of use from a residential premises to a short-term let will not have any material impact on the character of the conservation area. The change of use would preserve the appearance of the conservation area.

### **Conclusion in relation to the conservation area**

The proposals comply with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

#### **c) The proposals comply with the development plan?**

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4.

The relevant NPF4 and LDP 2016 policies to be considered are:

- NPF4 Sustainable Places Tackling the climate and nature crises Policy 1.
- NPF4 Productive Places Tourism Policy 30.
- NPF4 Historic Assets and Places Policy 7.
- Local Development Plan Housing Policy, Hou 7.
- Local Development Plan Transport Policies, Tra 2 and Tra 3

The non-statutory Listed Building and Conservation Area Guidance is a material consideration when considering LDP policies and Env 6.

The non-statutory Guidance for Business is a material consideration that is relevant when considering LDP Policy Hou 7 and the Edinburgh Design Guidance is a material consideration when considering LDP Policies Tra 2 and Tra 3.

### Listed Building and Setting

The impact on the setting of the listed building and on the setting of neighbouring listed buildings has been assessed in section a) above which concluded that this would be preserved.

The proposal complies with the objectives of NPF4 Policy 7.

#### Conservation Area

The impact on the character and appearance of the conservation area has been considered above in b). It is concluded that the change of use would preserve the character and appearance of the conservation area.

The proposal complies with the objectives of NPF4 Policy 7.

#### World Heritage Site

The proposed change of use to a short stay let does not affect the reasons for the inscription of the World Heritage Site.

The proposal complies with the objectives of NPF4 Policy 7.

#### Proposed Use

With regards to NPF 4 Policy 1, the proposed change of use does not involve operational development resulting in physical changes to the property. The proposals will have a negligible impact on the global climate and nature crisis.

NPF 4 Policy 30 seeks to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland. Criterion 30 (b) and (e) specifically relate to STL proposals.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas), seeks to protect residential amenity.

The non-statutory Guidance for Businesses states that an assessment of a change of use of dwellings to a short term let will have regard to:

- 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.

In connection to short term lets it states, "The Council will not normally grant planning permission in respect of flatted properties where the potential adverse impact on residential amenity is greatest".

#### *Amenity*



The character of the area is mixed in nature, made up of residential, office and commercial uses. The flat is accessed via a shared front door and stairwell that is used by a further ten flats.

The use as a short term let would allow multiple parties of visitors to come and go from the premises for inconsistent periods of time on a regular basis throughout the year in a manner dissimilar to that of permanent residents. When staying at the property, guests can come and go at any times throughout the day and night impacting on the amenity of immediate residential occupants. Temporary visitors are likely to have less regard for the local amenity. This increase in frequency of movement to the flat at unpredictable hours would have an adverse impact on the amenity of the immediate neighbours and adjacent properties.

The property has access to a communal garden which guests could utilise, this further increases the impact on residential amenity. Additionally, the extra servicing that is required for a STL compared to that of a residential use would further intensify the amount of disturbance, though this is likely to be carried out during the daytime.

A change of use would increase the level of ambient background noise beyond what is reasonably expected by neighbouring residents and will have a significant detrimental effect on the living conditions and amenity of nearby residents. The proposal does not comply with NPF 4 policy 30(e) part (i) and LDP policy Hou 7.

#### *Loss of residential accommodation*

NPF 4 policy 30 (e) part (ii) requires that where there is a loss of residential property will only be supported where the economic benefits of the proposals are outweighed by demonstrable local economic benefits.

Paragraph 220 of the LDP acknowledges that tourism is the biggest source of employment in Edinburgh, providing jobs for over 31,000 people. The use of the property by guests and the required maintenance and upkeep of STL properties are likely to result in a level of job creation and spend within the economy which can be classed as having an economic benefit.

The proposal for use as a STL conflicts with NPF4 as it would result in the loss of residential accommodation through a change of use. As Edinburgh is recognised to have a demand for housing, it is important to retain where appropriate the existing supply.

The applicant provided a planning statement that stated the proposal supported the local economy via guests daily spending, management fees, associated servicing and maintenance fees.

However, having the property in residential use would also contribute to the economy, through the use of a variety of local services and employment opportunities across the City. Long term residents also have the ability to make consistent and long-term contributions to the local community.

In this instance, it has not been sufficiently demonstrated that the loss of the residential accommodation is outweighed by demonstrable local economic benefits. As such, the proposal does not comply with NPF 4 30(e) part (ii).

## Parking Standards

There is no vehicle parking and no cycle parking proposed. Zero parking is acceptable as there are no parking requirements 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 an STL will have an unacceptable impact on neighbouring amenity. The loss of the residential accommodation has not been justified. Whilst it is recognised that there is an economic benefit to the City as a whole from the provision of tourist accommodation in this case it does not outweigh the adverse impact on residential amenity or the loss of residential accommodation. The proposal does not comply with the Development Plan policy NPF 4 policy 30(e) and LDP policy Hou 7.

### **d) There are any other material considerations which must be addressed?**

The following material planning considerations have been identified:

#### Emerging policy context

City Plan 2030 represents the settled will of the Council, and it has been submitted to Scottish Ministers for examination. As such, limited 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

The application received six public representations, five objections and one general comment.

A summary of the representations is provided below:

#### *material considerations in objection*

- A change of use would cause damage to the residential amenity of the immediate neighbouring properties. This has been discussed within section C.
- Loss of residential housing. This has been discussed within section C.
- Short term lets diminish the quality of conservation areas and heritage properties. This has been discussed within sections A and B.

### *non-material considerations*

- STL lets produce more waste than a long-term residential use.

### **Conclusion in relation to identified material considerations**

None of the identified material considerations outweigh the proposals in compliance with the Development Plan.

### **Overall conclusion**

The change of use of this property to an STL will have an unacceptable impact on neighbouring amenity. The loss of the residential accommodation has not been justified. Whilst it is recognised that there is an economic benefit to the City as a whole from the provision of tourist accommodation in this case it does not outweigh the adverse impact on residential amenity or the loss of residential accommodation. The proposal does not comply with the Development Plan policy NPF 4 policy 30(e) and LDP policy Hou 7. There are no material considerations that outweigh this conclusion. The proposal is unacceptable.

## **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following;

### **Conditions**

1. No conditions attached.

### **Reasons**

#### **Reason for Refusal**

1. The proposal is contrary to Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as the use of this dwelling as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents.
2. The proposal is contrary to National Planning Framework Policy 30(e) in respect of local amenity and loss of residential accommodation, as the use of this dwelling as a short stay let will result in an unacceptable impact on local amenity and the loss of a residential property has not been justified.

### **Informatives**

1. No informatives attached.

### **Background Reading/External References**

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

**Further Information - [Local Development Plan](#)**

**Date Registered: 30 September 2022**

**Drawing Numbers/Scheme**

01 - 02

Scheme 1

**David Givan  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council**

Contact: Benny Buckle, Assistant Planning Officer  
E-mail: [benny.buckle@edinburgh.gov.uk](mailto:benny.buckle@edinburgh.gov.uk)

## Appendix 1

### **Consultations**

NAME: Transport

COMMENT: No Objection.

DATE: 3 October 2022

The full consultation response can be viewed on the Planning & Building Standards Portal.

# Comments for Planning Application 22/04560/FUL

## Application Summary

Application Number: 22/04560/FUL

Address: Flat 8 27 Castle Terrace Edinburgh EH1 2EL

Proposal: Proposal to use the property for short term lets.

Case Officer: Local1 Team

## Customer Details

Name: Mrs Jenny Paton-Williams

Address: 28 Castle Terrace Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This flat is above mine in the same tenement. I object on the following grounds:

There are several flats around us which are used as party venues including noisy drinking games and loud music late at night. Short-lets are often the culprits for this noise disturbance. Castle Terrace is afflicted by noisy fireworks from the Tattoo as well and so the accumulative effect is considerable.

The city-centre has been so de-populated because of short-term lets that it is hard to feel part of a community. We need more residents not visitors staying one or two nights.

Thirdly there is one skip outside for Castle Terrace which is often overflowing. Short-term lets are likely to buy more convenience food, thus making more rubbish, and less likely to sort rubbish for recycling than residents.

## TOLLCROSS COMMUNITY COUNCIL

4 October 2022

Head of Planning  
Department of City Development  
City Development – Planning & Strategy  
Waverley Court  
4 East Market Street  
Edinburgh EH8 8BG

**World Heritage Site Listed Category: A West End Conservation Area Proposal to use the property for short term lets. at Flat 8 27 Castle Terrace Edinburgh EH1 2EL**

**22/04560/FUL**

**Case Officer Local1 Team [planning.local1@edinburgh.gov.uk](mailto:planning.local1@edinburgh.gov.uk)**

Tollcross Community Council would like to object to this application for a short term let in a flat in a tenement with a shared entrance. We object for the following reasons, many of which have been conveyed to us by local residents.

1. Nuisance caused to other residents of the stair:
  - a) **Disturbance and noise** - short-term lets bring an increased level of noise and disturbance. The groups occupying the property on a short-term basis are almost always on holiday with the associated holiday mindset seven days a week. Most properties in Scotland do not have carpeted entrances and hallways as hotels do, so the banging of suitcases at all hours and the excited chatter of customers echoes at entrances and in hallways. There is additional noise and disturbance as groups bring their belongings in and out of properties, including dragging suitcases and banging them off walls and doors, damaging the paintwork. Cleaners and greeters attend to turn over each property between every short-term let, which can mean banging and vacuuming past midnight. Cleaners and laundry companies may leave trip hazards in shared areas such as large laundry bags. Some letting agencies

offer “luggage drop off” services where suitcases are then left in common stairs to be retrieved by customers later.

- b) **Anti-social behaviour** - Neighbours of short-term lets are almost guaranteed to experience anti-social behaviour from customers. Alcohol is a regular contributing factor which makes these situations particularly unpredictable and intimidating to deal with. Regular complaints have been made relating to waste disposal, parking issues, noise, people returning late at night or arriving early in the morning, customers ringing.
- c) **Security** - The security of communal spaces is completely lost. Neighbours cannot tell who is supposed to be in the property and who is not, or who has keys to shared areas. The insecurity of a shared building is advertised by key safes which are installed without permission from neighbours or listed building consent. One doorway in this area has nine key boxes on the doorframe. There is evidence that short-term let customers are more likely to leave shared entrance doors open, which has resulted in residents coming home to unknown people using drugs, and engaging in other antisocial or threatening activities in their mutual shared areas. Residents of flats or properties with shared gardens are forced to share communal but still private areas of their homes with fee-paying strangers who they have never met before and are unlikely to meet again.
- d) **Overcrowding** Short-term rentals often bring more than the advertised number of customers. Groups will also often invite their friends to visit and enjoy their short-term let bringing additional disturbance. Short-term let businesses often advertise for far more customers to stay than would normally reside in a property in relation to its size. In some instances, STLs have been used as party flats.
- e) **Waste disposal** - Recycling is rarely carried out. Communal bins are often used and permanent residents are expected to manage putting out and collecting bins on behalf of the absent owners. Rubbish bags are often left out in communal stairs. Cleaners usually clean inside the short-term let properties but do not usually clean any shared areas. This leaves the residents to clear up after the customers or live in a poorer quality environment.
- f) **Mental health impacts** - Residents draw huge comfort from a home which has a basic level of familiarity, stability and security. The regular intrusion of



transient pleasure-seeking strangers is deeply unsettling. Neighbours of short-term lets regularly describe feeling acute stress, anxiety and other mental health impacts. This disproportionately impacts on disabled people, people with long term health conditions, people who live alone, children and young people.

2. An over-concentration of STLs in the Tollcross area and its consequences.

The very high concentration of STLs (coupled with increasing student residences) in central Edinburgh has consequences for the nature of the area and its demography. Parts of the centre and World Heritage Site are no longer part of a living city and have lost a large proportion of long-term residents. Some residents are being driven out of the city. Far too many tenements now have a majority of flats used as STLs. Furthermore, this causes a loss of facilities and shops that long-term residents rely upon and their replacement with facilities and shops that support tourists but not residents. This was a major reason given by residents moving out of Amsterdam.

The use of so many properties as STLs has an effect on property prices and rent levels with many residents on modest incomes no longer able to live in Edinburgh which we all acknowledge has a serious housing crisis.

It is for these reasons that we object to this application for a change of use and we hope that you will consider our objection favourably in your determination.

Yours faithfully,

Paul Beswick for Tollcross Community Council

# Comments for Planning Application 22/04560/FUL

## Application Summary

Application Number: 22/04560/FUL

Address: Flat 8 27 Castle Terrace Edinburgh EH1 2EL

Proposal: Proposal to use the property for short term lets.

Case Officer: Local1 Team

## Customer Details

Name: Mrs Elspeth Wills

Address: 3 Browns Place Edinburgh

## Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: GRASS (Grassmarket Residents Association) with the full support of the Old Town CC objects to any new short term lets in the area on the usual grounds of loss of residential amenity etc. This appears to be a new short term let in a highly tenemented area which in the past has been mercifully free of such developments. The applicant who lives in England provides scant details of his proposal. This must be rejected at a time when the city is close to becoming a control zone and there is general acknowledgement that STLs bring no benefits to the local area.

Yours sincerely

Elspeth Wills

Chair

GRASS

# Comments for Planning Application 22/04560/FUL

## Application Summary

Application Number: 22/04560/FUL

Address: Flat 8 27 Castle Terrace Edinburgh EH1 2EL

Proposal: Proposal to use the property for short term lets.

Case Officer: Local1 Team

## Customer Details

Name: Lord Cockburn Association

Address: 1 Trunks Close, 55 High Street, Edinburgh EH1 1SR

## Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This may be a shared residential stair/access situation. This requires further clarification.

It is our view that if this is a shared residential stair/access context the proposed change of use is not in accordance with Policy Housing 7 'Inappropriate Uses in Residential Areas' as it would have a materially detrimental effect on the living conditions of other residents of the main door accessed residential stair, and so should not be permitted.

In addition, the proposed change of use is not supportive of either Scottish Government Housing policy on More homes - "everyone has a quality home that they can afford and that meets their needs" or Scottish Planning Policy on "socially sustainable places" and "supporting delivery of accessible housing".

The Old Town has been subjected to the most intensive pressures of overtourism for some time. It is essential that the city rebalances this pressure. Encouraging the shift from short-term holiday letting to more permanent housing is one way of achieving this.

# Comments for Planning Application 22/04560/FUL

## Application Summary

Application Number: 22/04560/FUL

Address: Flat 8 27 Castle Terrace Edinburgh EH1 2EL

Proposal: Proposal to use the property for short term lets.

Case Officer: Local1 Team

## Customer Details

Name: Dr The Architectural Heritage Society of Scotland

Address: 15 Rutland Square, Edinburgh EH1 2BE

## Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The AHSS Forth & Borders Cases Panel has examined the proposals for the change of use to short-term let in an A-listed tenement by Sir James Gowans which lies within the West End Conservation Area and World Heritage Site, and objects.

- 1) The proposals relate to one property within the tenement, which is accessed from a shared stair. This would have a detrimental impact on the residential amenity of neighbouring properties, and limits the future of the flats not included within the application.
- 2) The change of use would contribute to the unsustainable growth of the short term let (STL) sector in Edinburgh. The economic benefits of tourism for Edinburgh are clear, and we celebrate the role that our architectural heritage plays in this sector. However, the current rising rate of STLs threatens the sense of place and community which are part of the city's attraction, and this is especially acute in the World Heritage Site.
- 3) Scottish Government Research has highlighted the links between STLs and the negative impacts of reduced availability of affordable housing, congestion and reduced quality of life through noise and disturbance (People, Communities and Places, October 2019, pp. iv-v)
- 4) With particular reference to architectural heritage the responsibility for the care and maintenance of communal areas and aspects of joint responsibility in listed buildings and conservation areas is diminished by the increase of short-term occupants.

The change of use does not respect the special characteristics of history and place reflected in the building's designation and location in the World Heritage Site, and would increase the negative impacts caused by the growth of STLs in Edinburgh.

The proposals contradict Edinburgh Council's Local Development Plan policies DES1 (Sense of place), DES5 (amenity of neighbours/refuse and recycling facilities), ENV 4 (Risk of unnecessary

damage to historic structures), and HOU7 (Materially detrimental effect on the living conditions of nearby residents). We therefore object to the application.

29/1 Castle Terrace  
Edinburgh.

EH11 2EL

Planning Application

22/04560/FUL

Case Officer Local 1 Team

Dear Sir/Madam -

I write in connection with the above application, as a neighbour. It is proposed that Flat 8 at 27 Castle Terrace be used for short-term lets

Since 29 Castle Terrace & 27 Castle Terrace are separated, & each stair has its own separate front door, I do not wish to comment on the substance of this application. I am, however, concerned that if the application is granted, it might create a precedent, and my purpose in writing is to try to ensure that that does not happen. Individual applications would, I hope, be treated separately, on their own merits, in every case.

Yours faithfully,

[REDACTED] (Mrs)

## MEMORANDUM

**To:** Planning Officer  
Local1 Team

**From:** Transport  
Greg McDougall

**Our Ref:** 22/04560/FUL

**22/04560/FUL  
FLAT 8  
27 CASTLE TERRACE  
EDINBURGH  
EH1 2EL**

### TRANSPORT CONSULTATION RESPONSE

#### Summary Response

No objections.

#### Full Response

No objections subject to appropriate conditions and informatives.

*Greg McDougall*

**TRANSPORT  
Greg McDougall  
Transport Officer**