



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 100634960-001

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="Mr"/>	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" value="mark"/>	Building Number:	<input type="text" value="237"/>
Last Name: *	<input type="text" value="kerr"/>	Address 1 (Street): *	<input type="text" value="Morningside rd"/>
Company/Organisation	<input type="text"/>	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="uk"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="eh104qu"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

6A CANAAN LANE

Address 2:

MORNINGSIDE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH10 4SY

Please identify/describe the location of the site or sites

Northing

671158

Easting

324588

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)

Application for planning permission for short term let - application for proposed review.

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.

Application No: 22/05767/FULSTL 22/11/22?MARK KERR - 6A CANAAN LANE EH10 4SY We would like this decision to be reviewed as we have further information to provide to the decision body. Now that I have been made aware of the main reasons for refusal I believe I am in a position to show clearly that the assumed rational does not apply to our application.

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)

We are raising new and expanded rational now that we know more details about the reason for refusal.

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)

Initial statement Revised statement

Application Details

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

22/05767/FULSTL

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

22/11/2022

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

25/04/2023

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

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

We believe that this short term let is unique in nature - not only in location but also in operating style that a site visit would clarify.

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 mark kerr

Declaration Date: 24/07/2023

We would like this decision to be reviewed as we have further information to provide to the decision body. Now that I have been made aware of the main reasons for refusal I believe I am in a position to show clearly that the assumed rational does not apply to our application.

1

The use of this dwelling will NOT have any materially detrimental effect on the living conditions and amenity of nearby residents. In fact our closest neighbour is actually THE LANE HOTEL that is owned and operated by ourselves. The property also sits in a mixed use development that has its own private lane and is NOT solely or primarily residential.

The suggestion that ambient noise levels would increase is absolutely assumed. As we have never had a complaint of any nature from our neighbours. Our guests use the apartment as they would their own home so we fail to see how they would be leaving more frequently or at unusual times. As they do in our hotel all our guests are checked in personally by a member of staff at our reception and escorted to their room / apartment there is no need for a key box on our front door.

We currently operate an 11 bedroom hotel (which is a matter of inches from the apartment) which has guests arriving and departing everyday - I cannot see that reducing this footfall by less than 10% will have any perceived positive impact on our neighbours. It should also be noted that the apartment is in a private mews area. With only 2 residential neighbours within 20m of the property. We did in fact receive letters of support from our close neighbours. Lastly our visitors to our hotel and apartment show the upmost respect for our property and our neighbours.

2

We believe we can show that the economic benefit in this case far outweighs the impact on residential amenity and / or the loss of residential accommodation. The economic impact of this STL is expansive, wide reaching and unique in nature.

Having lived in the property myself I can make a very accurate assessment of the economic impact I had on the area in comparison to how our guests spend AND what the business spends locally. The economic impact of the STL is actually 4 fold. Firstly our guests spend money in the local community, secondly as a business we spend significantly with local businesses, we generate revenue to pay wages of our staff and lastly we pay taxes and VAT. There is simply no comparison in regards to economic impact between long term residential and the short term let of 6a Canaan Lane in regards to the positive impact on the local and wider economy.

We urge you to reconsider this decision and take into the account of the absolute unique nature of this short term let that has been trading as part of The Lane Hotel since its opening in 2017. Would it be possible to have a site visit with myself so I can demonstrate how the apartment is operated - it would mean a great deal not only to myself but to our staff, the family business and the local businesses we interact with on a daily basis.

Original statement from November 2022

6a Canaan Lane was converted from an office to a 2 bedroom flat in 2017. The flat sits in a small secluded courtyard of mixed use offices and flats. All have their own dedicated car parking spaces. In 2018 6a Canaan Lane became a short term let that forms part of THE LANE HOTEL. We have 11 rooms and our 2 bedroom apartment gives our guests the option to have accommodation with a kitchen - this has been ideal for larger groups - particularly those with younger children. Our reviews from thousands of guests are beyond reproach and it is something we are very proud of.

We have been a model neighbour in our community and have letters of support from all our close neighbours - Lee Boyd architects (6D) and Mr Visser (6C). There has not been one instance of disturbance from any of our guests in the years we have been trading. The apartment has it's own dedicated parking space so will not encroach on the parking requirements of others.

I believe we serve an important function in the residential area hosting many families that are travelling to see relatives close by / the hospital / George Watsons College and other local attractions. We also welcome visitors from all over the world - many who are thrilled to stay in an area with 'locals'. These visitors are important economic contributors to the small traders and artisan shops of the Morningside area. Particularly, but not limited to the bars, restaurants and independent gift shops close by. As I am sure all our local traders would agree the impact of COVID and lack of travel had significant impacts on revenue - now that international tourism is resuming we cannot underestimate the financial power our guests have to make a positive impact on local revenues - particularly as pound sterling remains comparatively weak. I truly believe there are more than considerable economic benefits to the local community.

Notwithstanding the important financial impact our guests have on the area - our family business employs 2 full time and 3 part time members of staff - some who have been with us since our formation in 2017. Their employment has been built around our 11 rooms and 1 apartment - without our apartment we would lose approximately 15% of our labour hours resulting in less hours and inevitably a reduction in staff size.

In January we undertook a significant renovation of the property to appeal to high end domestic and international guests that would not have been possible had the property been a long term rental. This once again involved local traders. Alongside this we use many local businesses to keep our business functioning, included but not limited to House Proud Morningside Rd, Braidburn Laundrette, Andate Bakery, Stationery Express. Here at The Lane Hotel we are exceptionally proud of our achievements in creating many wonderful experiences for our guests over the past few years and we would be bitterly disappointed to lose a unique aspect of our business.

With my very best wishes,
Mark Kerr Owner - The Lane Hotel

