



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 100607505-005

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: Martin McMullen Architect

Ref. Number:

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

First Name: *

Martin

Building Name:

Last Name: *

McMullen

Building Number:

49

Telephone Number: *

Address 1
(Street): *

Elgin Terrace

Extension Number:

Address 2:

flat 1

Mobile Number:

Town/City: *

Edinburgh

Fax Number:

Country: *

Scotland

Postcode: *

EH7 5PQ

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="17"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Craighall Gardens"/>
Company/Organisation	<input type="text" value="Bannerman developments"/>	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="EH6 4RH"/>
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="7 PIER PLACE"/>
Address 2:	<input type="text" value="NEWHAVEN"/>
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="EH6 4LP"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="677045"/>	Easting	<input type="text" value="325446"/>
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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)

Planning permission and change of use for an existing main door holiday let to a short-term holiday let

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 feel that our proposals met the requirements for a STL as it's a main door individual property attached to a commercial property and the property in its current size doesn't meet the national standards for 1-bed property and therefore is not taking away a property from the residential market and the property is more suited to STL.

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)

planning statement and existing drawing

Application Details

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

22/05833/FULSTL

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

23/11/2022

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

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 Martin McMullen

Declaration Date: 20/07/2023

FERGUSON PLANNING

Ferguson Planning Ltd
37 ONE
37 George Street
Edinburgh
EH2 2HN

Benny Buckle
City of Edinburgh Council
Planning and Building Standards
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

15 February 2023

Dear Benny,

**APPLICATION 22/05833/FULSTL
PLANNING PERMISSION AND CHANGE OF USE FOR AN
EXISTING MAIN DOOR HOLIDAY LET TO A SHORT-TERM
HOLIDAY LET (IN RETROSPECT).
7 PIER PLACE, EDINBURGH, EH6 4LP**

We respond on behalf of our client, Bannerman Developments Ltd, following receipt of your letter dated 1 February 2023, requesting a planning statement outlining how their proposal complies with National Planning Framework 4 (NPF4) Policy 30 (e) adopted on 13 February 2023.

This letter contains the applicant's response and assessment of the proposals in line with Policy 30 (e). We trust this addresses the matter fully but welcome any further discussion should you have any queries about any of the information contained within.

NPF4 - POLICY 30 (PART E) - ASSESSMENT

Policy 30 (Part e) says that "Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

GALASHIELS

Shiel House, 54 Island Street
Galashiels TD1 1NU
T: 01896 668 744

EDINBURGH

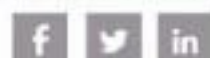
37 One George Street
Edinburgh EH2 2HN
T: 0131 385 8801

NORTHERN IRELAND

61 Moyle Road, Ballycastle, Co. Antrim,
Northern Ireland BT54 6LG
T: 07960 003 358

WWW.FERGUSONPLANNING.CO.UK

Registered in Scotland. Company Registration No. 614302



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- I. An unacceptable impact on local amenity of the character of the neighbourhood or area; or
- II. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

Impact on Local Amenity

The proposal is retrospective to change the use of the property at 7 Pier Place from residential to short-term let use (*sui generis*), the entrance of which is shown in Figure 1 below.



Figure 1: Entrance to 7 Pier Place, and neighbouring uses

The property spans the ground, first and second floor of the property and comprises a kitchen, living/dining room and one bedroom. The property is accessed from a private main door directly from the street. The access is not shared with any other properties and there is no outdoor seating or garden area.

The property is situated on Pier Place, a mixed-use area of the city and is adjacent to Alien Rock Climbing Centre which has been developed in the former church building. There is a residential property to the north side of the property at No 6 Pier Place. The property is opposite Newhaven Harbour so there are no residential properties on the opposite side of Pier Place, as shown in Figure 2 below. There is therefore no interaction with other residential properties, other than on the street outside.

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Figure 2: Location of property on Pier Place, showing Newhaven Harbour opposite.

The street and wider area is busy throughout the day and evening and any neighboring residents will already be accustomed to an existing level of ambient background noise from existing businesses, and the increased movement of people associated with the neighbouring commercial uses. In the immediate local area, this includes:

- Commercial premises next door, Alien Rock Climbing Centre, is open 7 days a week from 10am – 10pm during the week and 10am-7pm on the weekends.
- Vehicles queuing and traffic directly outside the property on Pier Place a busy traffic route on the north side of the city (30 mph zone).
- Regular bus services passing the property including 11, 16, 200 Skylink and N16. Lothian Bus N16 runs throughout the night on an hourly basis in both directions. The 200 airport bus, runs every 30 minutes from 3.13am on weekdays until 12.35am, so there is regular vehicle movements at all times of day and night, along with associated pedestrian movements.
- Noise from Newhaven Harbour associated with boat maintenance and movements throughout the day and evening.
- Pedestrian footfall accessing the restaurants, and bars of Newhaven Harbour throughout the day and evening (70m from the door). Loch Fyne is open from 12-10pm, 7 days a week, and The Fishmarket is open 11am-10pm, 7 days a week.
- Noise from neighbouring public house and customers leaving the premises, such as The Harbour Inn (70m from the door), open 11-1am on Thursday, Friday and Saturday evenings and 11am-11pm the remainder of the week.

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In this context, we do not believe that the comings and goings of visitors to the STL would be noticeable above this existing level of noise, which residents are accustomed too and therefore there will be no impact on residential amenity.

Due to the size of the premises, guests are typically couples or small families who utilise the sofa bed in the living room for young children. Couples, however, are the most common user given the compact size and layout of the property. This type of use would not be dissimilar to the property being let on a full-time basis, and therefore the manner of occupation would be no different to that of permanent residents. It is highly unlikely that any residential neighbours will notice two guests or a small family arriving and leaving the property, with the number of other footfall generating uses in the area highlighted above and which are operational throughout the day and evening. It has also been established by numerous decisions in support of other STLs in the city, by both officers at CEC and the DPEA Reporter, that a property of one-two bedrooms will not result in a pattern of use that will be significantly different to residential use of the property, which thereby reduces the likelihood of disturbance¹. It is therefore considered that movement in and out of this property associated with the STL use, would not adversely affect neighbouring amenity.

Further evidence of this is provided by the fact that the application is submitted in retrospect. The effect on the living conditions of neighbouring properties has therefore already been tested for at least the last two years. Evidence therefore exists that during this time there have been no complaints from neighbours, either directly or indirectly to either the Police or City of Edinburgh Council. Neither were any objections submitted by neighbours during the consultation period on the planning application. In fact, both neighbouring properties, at 6 Pier Place, and 8 Pier Place (Alien Rock) have confirmed to the applicant they are supportive of the proposals. The neighbour at 8 Pier Place, has also provided a written letter of support, which is enclosed. Within their letter, they say:

"In the two years that this has already operated as a short stay (and for the preceding twenty plus years as a rental property) there have never been any issues with noise since the party wall is several feet thick and the climbing centre inevitably has background music playing and constant visitor activity.

Amongst the many hundreds of visitors to 8 Pier Place per week there have also never been conflicting issues with parking or people using the adjacent short stay. The property lends itself perfectly to short visits rather than being a permanent home due to its small size and unusual design.

¹ Application examples include 21/02615/FUL (41 Barony St), 22/01239/FUL (46 Cumberland Street), 21/06621/FUL (41 Cumberland Street), 21/06792/FUL (46 Patriothall), 22/00884/FUL (78 Spring Gardens) and PPA-230-2367 (1B Fingal Place).

It is good to see this property used to help bring people into the Newhaven area, hopefully spending their holiday money in the various local establishments”.

Based on the above, we therefore consider the proposals to be fully compliant with Policy 30 (part e), criteria i.

Loss of Residential Accommodation and Economic Benefits

The proposal will not result in the loss of residential use at present as it is currently in, and has been in STL use for over two years. Booking evidence can be provided for this period, if required. Prior to that the property was let as rental accommodation. Any perceived loss of historic residential accommodation, however, is outweighed by significant local economic benefits which we outline below.

In June 2018, the Association of Scotland’s Self-Caterers (ASSC) commissioned a report entitled ‘Far More Than Just Houses: The Benefits of the Short-Term Rental (STR) Sector to Scotland’. It identifies that:

- STR is a major component of Scotland’s growing tourism offering, making a substantial contribution to the tourist economy.
- In 2016, there were 14.45 million tourism trips to Scotland.
- Estimates from Visit Scotland show that approximately 17% of all tourist visitors stay in self-catering accommodation and will play an important role in accommodating ever-increasing number of visitors to and within Scotland.
- In Edinburgh and Lothians, the proportion of all trips as self-catering trips is at 36%.

In May 2022 Airbnb commissioned a Scottish Local Authorities Economic Analysis report (BIGGAR Economics) which reported:

- By 2019, £676 million Gross Value Added (GVA) and 33,500 jobs were supported by Airbnb across Scotland
- Scotland is the 3rd most preferred overnight trip destination in the UK.
- The pandemic has had a severe impact on tourism – confidence is returning but it remains below pre-pandemic levels.
- Inbound tourism to the UK isn’t expected to recover until 2026, with Scotland now more reliant on increasing its competitiveness as a domestic tourism destination.
- Airbnb contributes to the Scottish tourism sector by providing flexibility in visitor accommodation supply to facilitate peaks in demand and large events like the Edinburgh Festival
- The combined economic shocks of the pandemic, rising energy costs and the Russian invasion of Ukraine have led to a sharp increase in the cost of living which is forecast to continue into 2023/2024

F E R G U S O N P L A N N I N G

- Stringent licensing and planning schemes could further reduce Airbnb's economic impact by between £32 million and £133 million which would cost between 1,740 and 7,190 jobs across Scotland.
- In Edinburgh a 10% fall in Nights and 3% fall in Guest Spending would lose £6.2 million GVA and 340 job losses. A 25% fall in Nights and a 4% fall in Guest Spending would lose £13.7 million GVA and 740 job losses. A 50% fall in Nights would lose £25.6 million in GVA and 1,390 job losses.

In August 2022, the ASSC published several facts about Short-Term Letting in Edinburgh stating that:

- Self-catering generates £867m across Scotland.
- In Lothian self-catering is worth £71m to the local economy

Not only do self-catering properties offer incomes and livelihoods for their owners, but they create benefits to local suppliers, cafes, pubs, restaurants, gift shops, and tour operators both in the management of the STL, and by attracting a greater number of visitors to the local area.

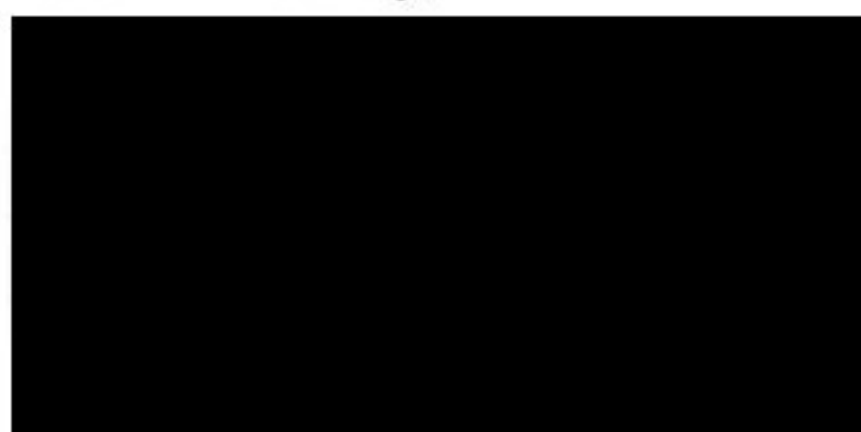
The applicant regularly provides guests with advice and recommendations for neighboring cafes, restaurants, tourist attractions encouraging guests to visit. The applicant also employs a regular cleaner to service the property for each stay, and additional maintenance contractors as and when required.

The impact of the loss of STLs in years to come should not be underestimated in the decisions which are taken now, and the economic benefits of such proposals should be given significant weight in the Council's decision. Based on the above evidence of significant economic benefit, we therefore consider the proposals to be fully compliant with Policy 30 (part e), criteria ii.

Conclusion

We consider the application is fully compliant with Policy 30 (part e). The proposals will have no adverse impact on local amenity, and the perceived loss of any historic use of the premises for residential accommodation will be far outweighed by the local economic benefits outlined above. We trust this letter and the information enclosed provides you with sufficient information to address your request.

Yours sincerely,



Ferguson Planning

Appendix A – Neighbour Letter of Support

Sam Edwards

From:
Sent:
To:
Subject:



Re 7 Pier Place

On behalf of the three owners of neighbouring property , 8 Pier Place aka 'alien rock' an indoor climbing centre, I would like to show our support for the current application to continue usage of 7 Pier Place as a short stay rental.

In the two years that this has already operated as a short stay (and for the preceding twenty plus years as a rental property) there have never been any issues with noise since the party wall is several feet thick and the climbing centre inevitably has background music playing and constant visitor activity.

Amongst the many hundreds of visitors to 8 Pier Place per week there have also never been conflicting issues with parking or people using the adjacent short stay . The property lends itself perfectly to short visits rather than being a permanent home due to its small size and unusual design.

It is good to see this property used to help bring people into the Newhaven area, hopefully spending their holiday money in the various local establishments.

In summary, we support their application fully.

Reuben Welch
On behalf owners R.Welch, S. Irvine,M.Davies alien rock
8 Pier Place
Newhaven
Edinburgh



July 20th, 2023

City Development Department
Planning & Development
Waverley Court,
4 East Market Street,
Edinburgh,
EH8 8BG,

Dear Sirs

RE: PROPOSED PLANNING FOR 7 PIER PLACE EDINBURGH.

In response to the councils short term lets policy 30 we think our proposal should be approved for the following reasons:-

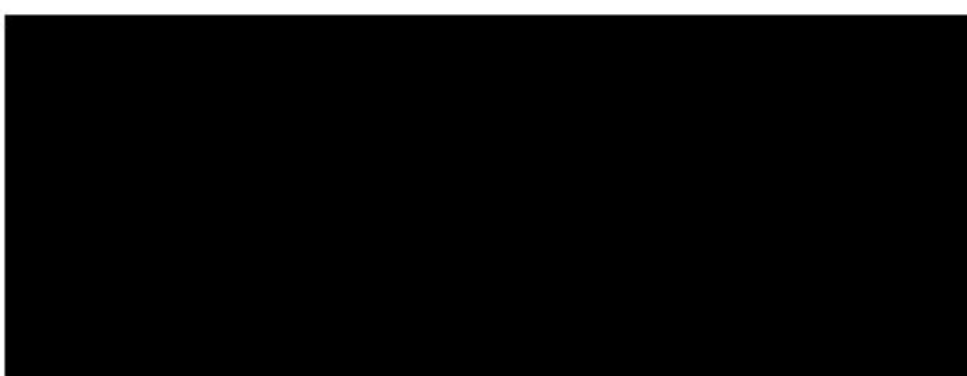
e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; **no. 7 Pier place is a small discreet main door property part of the converted church which is now alien rock climbing centre it originally housed the staircase of the church so due to the small footprint and nature of the building it can only comfortably accommodate 4 people max and there is plenty of parking outside and any waste is taken away by the cleaning company after each let.**
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits. **The property due to its small footprint and is not suitable for modern accessible long term residential living which is what its more suited for short term holiday lets. As a short term holiday let there's plenty of local restaurants and shops who can benefit economically from visitors to the area.**

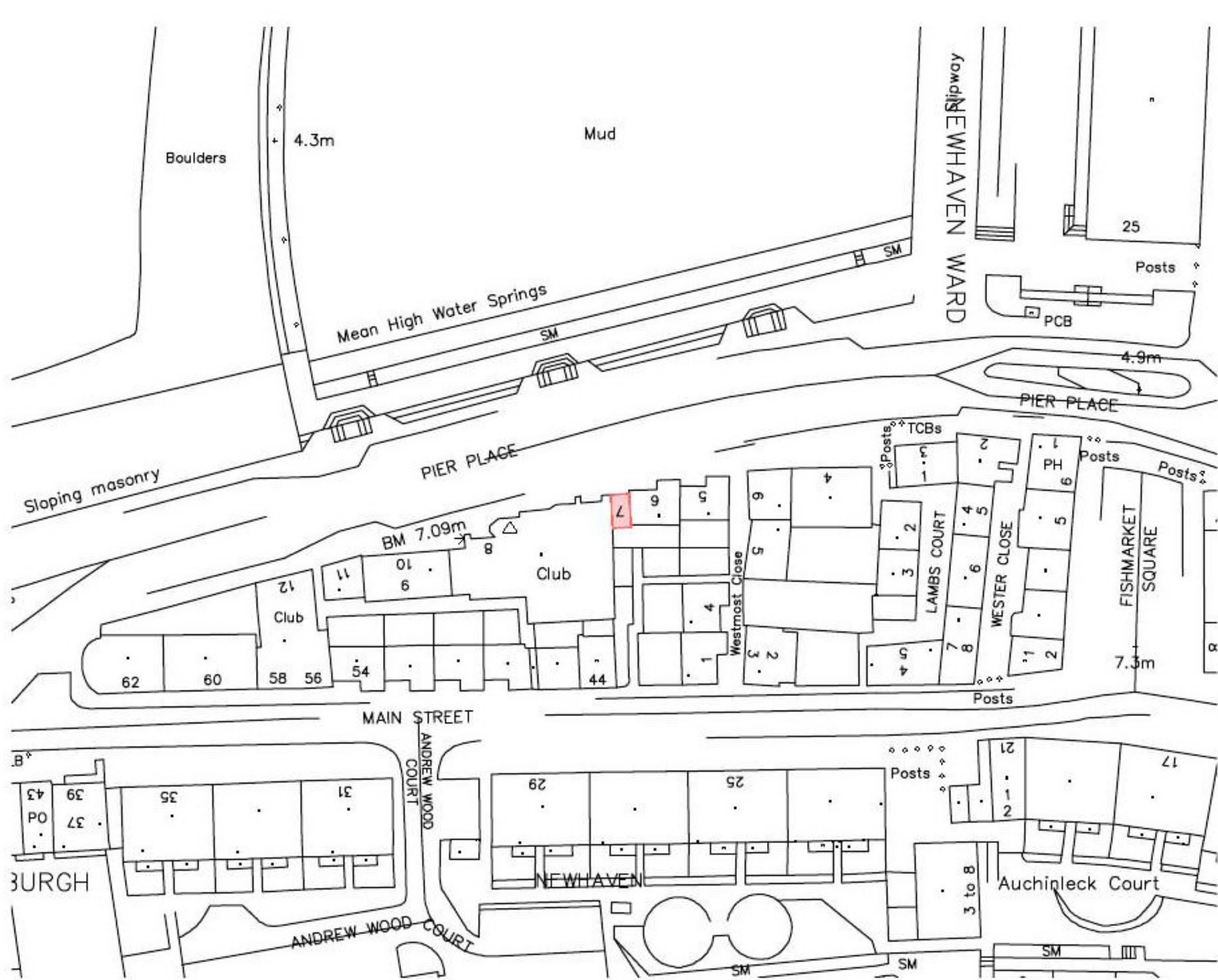
Yours faithfully
Planning Officer

If you require any further information, please don't hesitate to contact me.

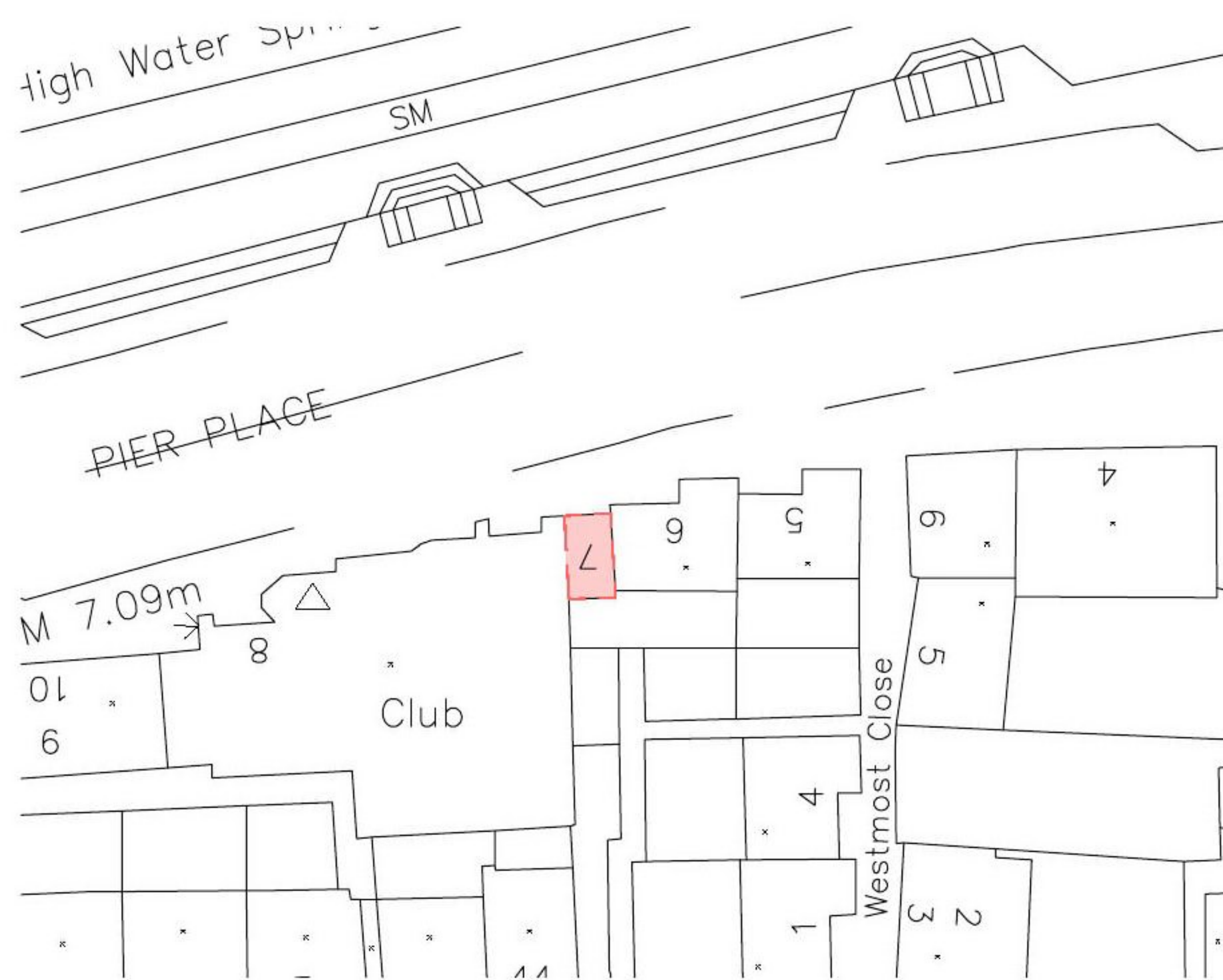
Yours sincerely



Martin McMullen
Cc. Andrew Mauritzen



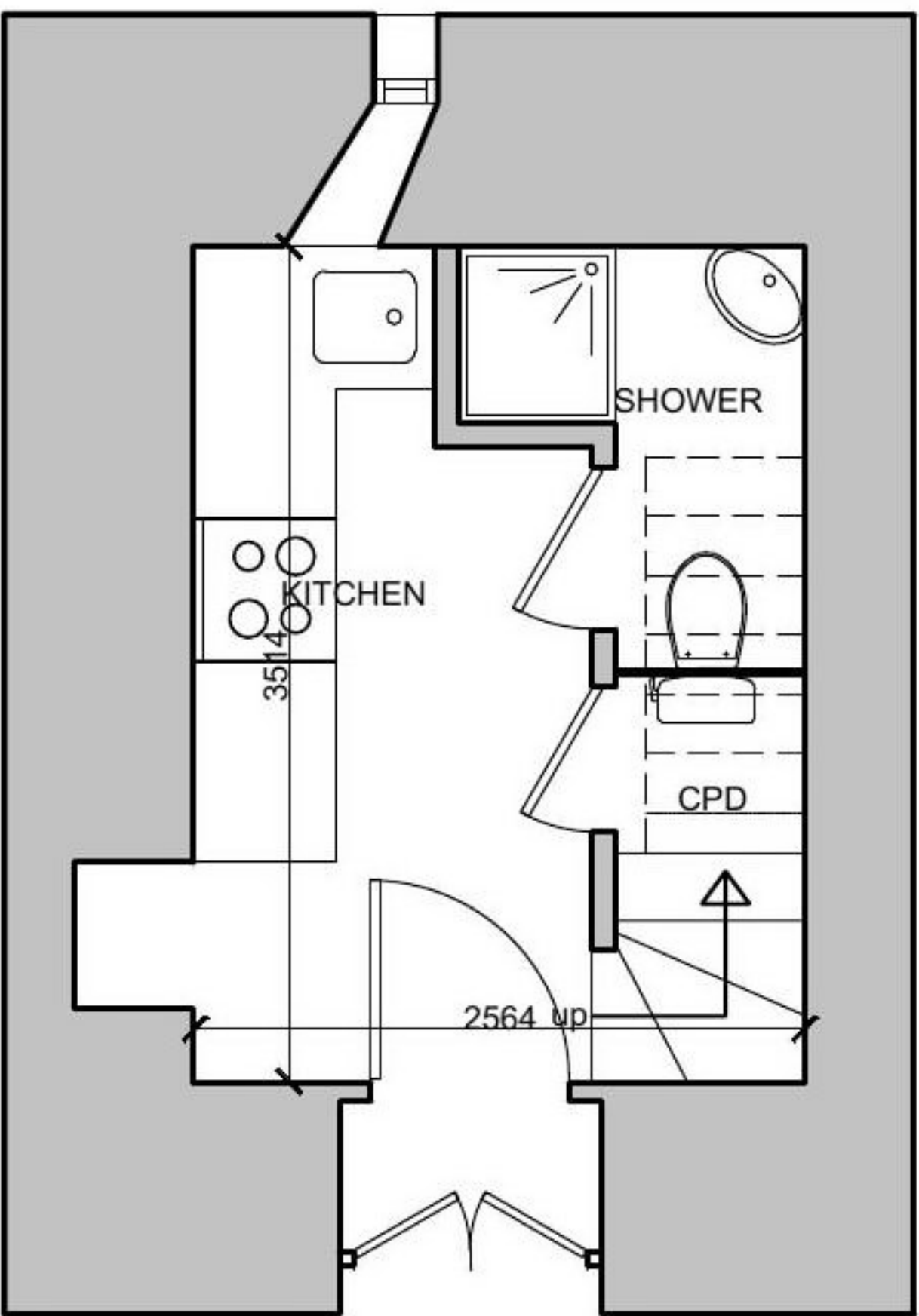
LOCATION PLAN 1:1250



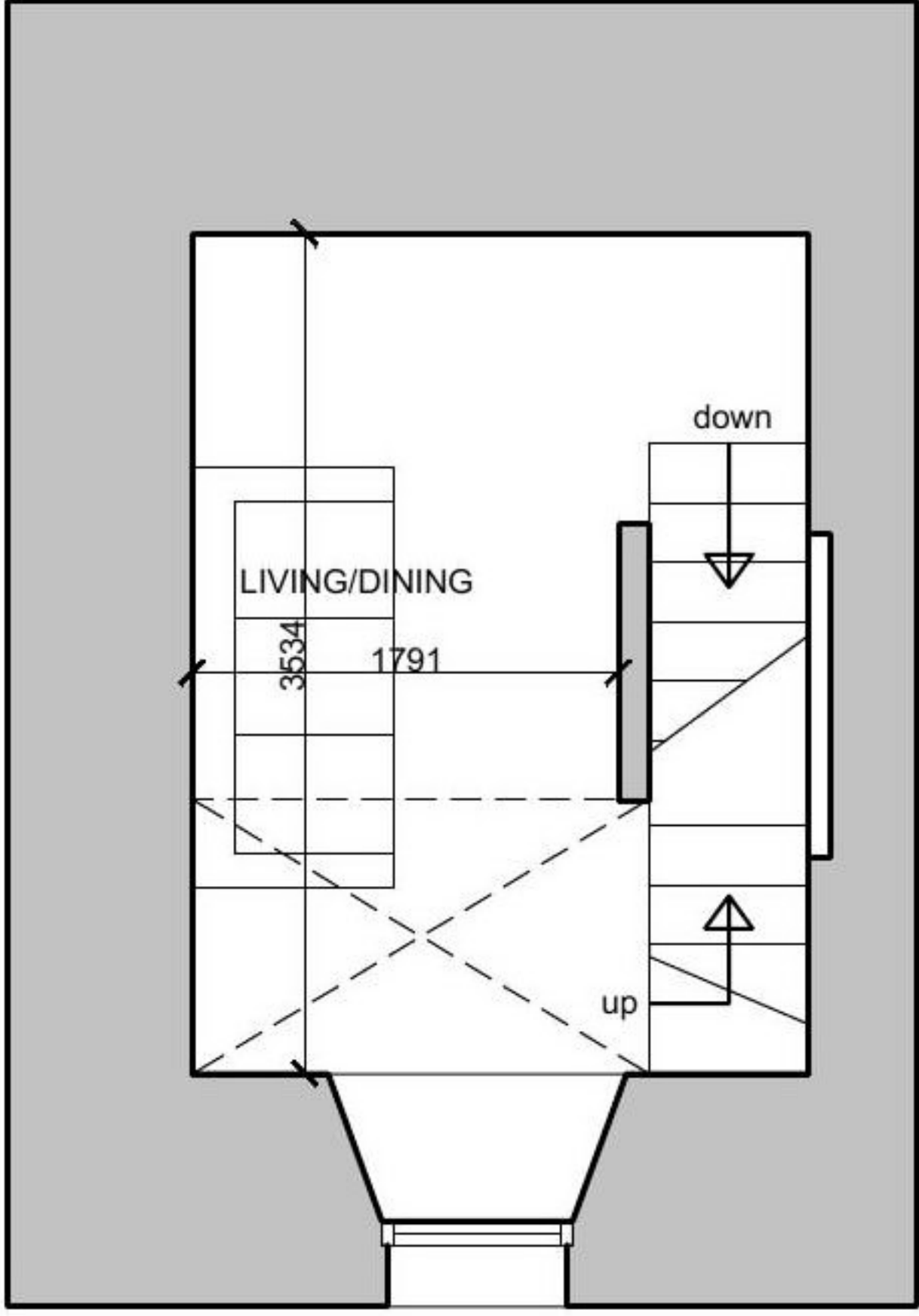
SITE PLAN 1:500



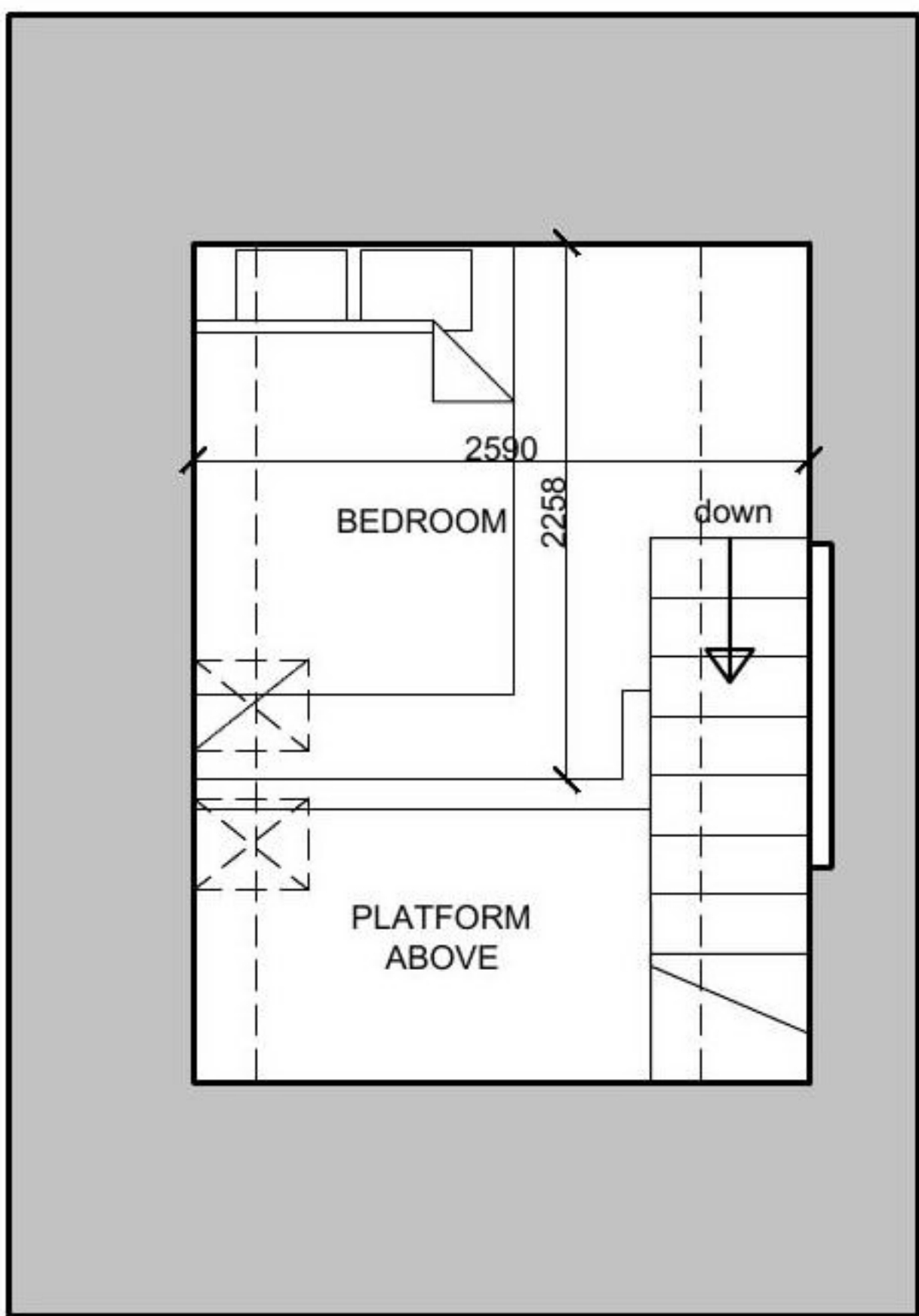
MAIN ENTRANCE



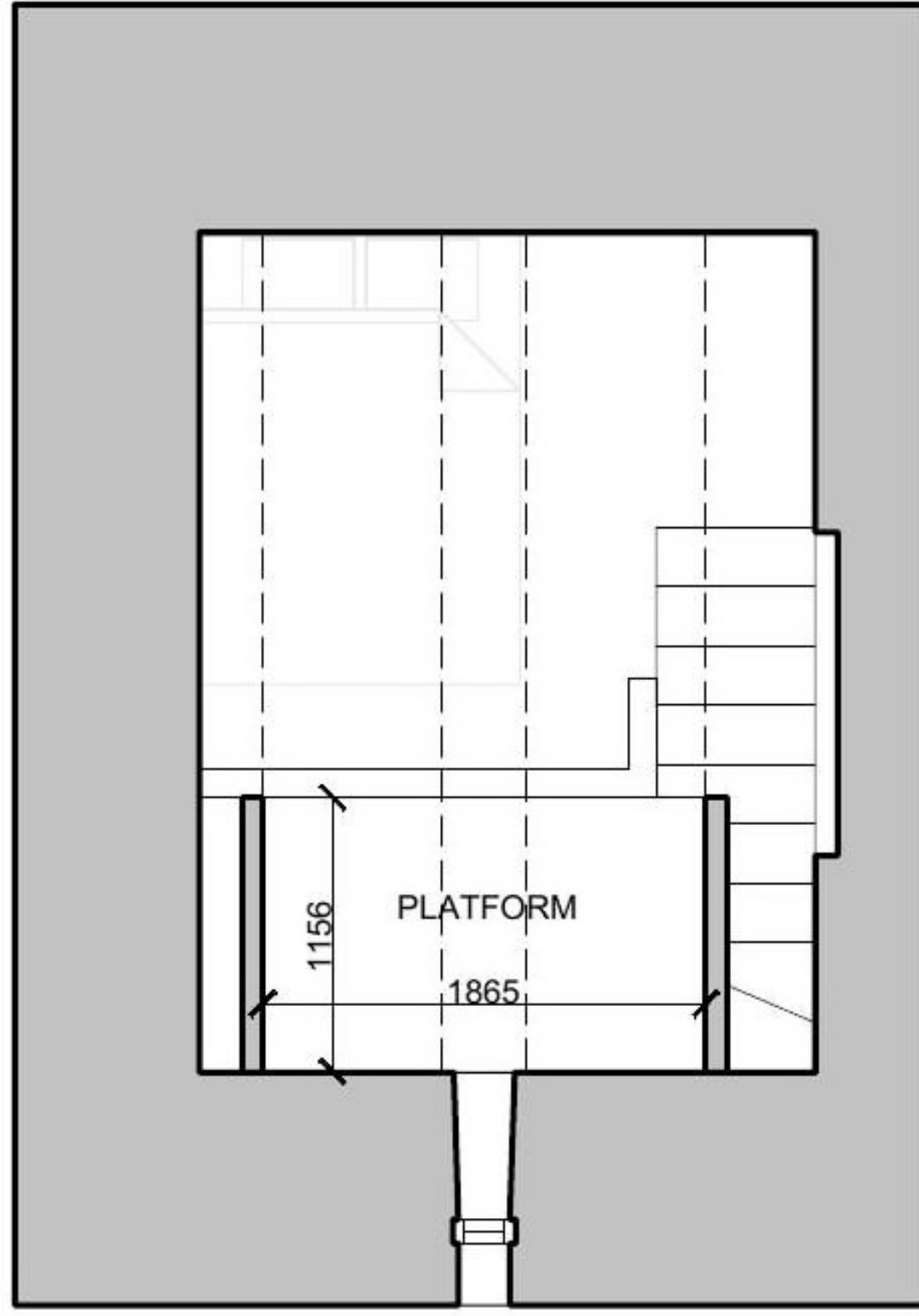
GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN 1:50



SECOND FLOOR PLAN 1:50



SECOND FLOOR PLAN 1:50

NOTE: All proprietary goods and materials are to be fitted in accordance with manufacturer's instructions, relevant Codes of Practise, and British Standards.
All dimensions to be verified by the Contractor on site.
Do not scale drawings, work to figured dimensions only.

© This drawing remains the Copyright of Martin McMullen, and may not be reproduced in whole or in any part without prior written permission.

7 PIER PLACE, EDINBURGH

mma

martin mcmullen architect

BANNERMAN DEVELOPMENTS LIMITED

DRAWING EXISTING PLANS	
SCALE 1:50/1250/500	DATE NOV 22
JOB No. PP-163	DWG No. PL-001
DRAWN BY MMcM	REVISIONS