

Dr Hazel Adams.
4A Priestfield Road
Edinburgh
EH16 5HH

Decision date: 16 May 2023

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

Change of use to short term let (in retrospect).
At GF 4 Priestfield Road Edinburgh EH16 5HH

Application No: 22/05694/FULSTL

DECISION NOTICE

With reference to your application for Planning Permission STL registered on 16 November 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;

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 property 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 4 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.

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

Drawings 01A, 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:

The proposal complies with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed building or its setting.

The change of use of this property to a short term let (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. 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.

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 Lesley Porteous directly at lesley.porteous@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 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.

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 STL
GF, 4 Priestfield Road, Edinburgh**

Proposal: Change of use to short term let (in retrospect).

**Item – Local Delegated Decision
Application Number – 22/05694/FULSTL
Ward – B15 - Southside/Newington**

Recommendation

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

Summary

The proposal complies with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed building or its setting.

The change of use of this property to a short term let (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. 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 is a two bedroom flat on the ground floor of a converted house at 4 Priestfield Road, Newington. The property shares a vestibule with the property on the first floor. The street is predominantly residential, comprising two storey terraced villas. There are several guest houses in the street.

The building is 'C' listed (LB 43617, dated 29.3.96)

Description Of The Proposal

The application is for a change of use from residential to short term let (sui-generis). No internal or external physical changes are proposed. The applicant has advised that the

property has been used as a short term let since 2021. Therefore, the application is retrospective.

Supporting Information

National Planning Framework 4 - Planning Statement.

Relevant Site History

No relevant site history.

Other Relevant Site History

No other relevant planning site history.

Consultation Engagement

No consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 16 May 2023

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 1

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s), this report will first consider the proposals in terms of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Is there a strong presumption against granting planning permission due to the development harming the listed building or its setting?
- 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

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 harms neither the listed building, its setting or the conservation area. It is therefore acceptable with regard to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act.

a) 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 policies to be considered are:

- NPF4 Sustainable Places Policy 1.
- NPF4 Historic Assets and Places Policy 7.
- NPF4 Productive Places Tourism Policy 30.

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

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering historic assets.

The non-statutory 'Guidance for Businesses' (2023) is a material consideration that is relevant when considering change of use applications.

Listed Buildings

There are no external or internal works proposed and as such there will not be a significant impact on historic assets and places. The proposal complies with NPF 4 Policy 7.

Proposed Use

With regards to NPF 4 Policy 1, the proposals do not involve operational development. 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 (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 (2023) 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.

Amenity

The application property shares a vestibule with the flat above and is in a predominantly residential area.

The use of the property as an STL would introduce an increased frequency of movement to the property. The proposed two bedroom STL use would enable visitors to arrive and stay at the premises for a short period of time on a regular basis throughout the year in a manner dissimilar to that of permanent residents. There is no guarantee that guests would not come and go frequently throughout the day and night, and transient visitors may have less regard for neighbours' amenity than individuals using the property as a principal home. The occupant of the flat above has submitted a comment in support of the application. However, there is no planning control over that property being sold to another party.

The additional servicing that operating a property as an STL requires compared to that of a residential use is also likely to result in an increase in disturbance, further impacting on neighbouring amenity. However, this would be of lesser impact as it is likely that servicing would be conducted during the daytime.

The potential for noise to be generated as described, would be significantly different from the ambient background noise that neighbouring residents might reasonably expect and will have a significantly 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 accommodation, this will only be supported where the loss is 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 applicant provided a planning statement addressing the NPF 4 policies. The statement lists the ways in which the applicant offers direct employment (cleaning company, use of local laundry, employing a property manager) and confirms that they encourage guests to use local businesses.

The application property is a residential unit and the current lawful use of the property is for residential accommodation. Consequently, the use of the property as an STL would result in a loss of residential accommodation, which given the recognised need and demand for housing in Edinburgh is important to retain, where appropriate.

Further, it is important to recognise that residential occupation of the property contributes to the economy, in terms of providing a home and the spend in relation to the use of the property as a home, including the use of local services and resultant employment, as well as by making 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).

Car Parking

There is no parking available at the property. There is no requirement for cycle parking for STLs. Cycles could be parked inside the property.

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

Conclusion in relation to the Development Plan

The change of use of this property to 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. The proposal does not comply with the Development Plan policy NPF 4 policy 30(e) and LDP policy Hou 7.

c) 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

A summary of the representations is provided below:

non-material considerations - in support
- no objection to the proposal

Conclusion in relation to identified material considerations

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

Overall conclusion

The proposal complies with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed building or its setting.

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. 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

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 property 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 4 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.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 16 November 2022

Drawing Numbers/Scheme

01A, 02

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lesley Porteous, Planning Officer
E-mail: lesley.porteous@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

4b Priestfield Road
Edinburgh
EH16 5HH

24th October 2022

Dear Sir/Madam

Re- Application for short terms lets at 4a Priestfield Road.

I own and live in 4b: the flat above 4a which is on the ground floor of the property. I have no objection to the proposal of short term lets being offered in the ground floor flat.

Yours sincerely

Dr. Harriet Runcie
(signed electronically)

Dr. Harriet Runcie



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 100637588-001

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="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Dr"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Hazel"/>	Building Number:	<input type="text" value="4A"/>
Last Name: *	<input type="text" value="Adams"/>	Address 1 (Street): *	<input type="text" value="Priestfield Road"/>
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="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH16 5HH"/>
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:

GF

Address 2:

4 PRIESTFIELD ROAD

Address 3:

PRESTONFIELD

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH16 5HH

Please identify/describe the location of the site or sites

Northing

671959

Easting

327153

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)

Change of use to short term 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.

There is no adverse impact on local amenities or character. The area is mixed housing including hotels and businesses. There have been no complaints about the property and our neighbours use the facility. We produce a leaflet for clients encouraging the use of local amenities including restaurants and shops and know they do. 5 local staff are employed along with a business managing the flat and all will go without planning permission There is no loss of residential property

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)

Response to National Planning Framework 4 policy 30e and Local plan Policy Hou7

Application Details

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

22/05694/FULSTL

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

16/11/2022

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

16/05/2023

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)

It does not appear that there is an understanding of the area. Visiting the site will clarify the mixed nature of the area with all the local businesses and just how busy the road is.

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: Dr Hazel Adams

Declaration Date: 07/08/2023

National Planning Framework 4 Policy 30e

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;

or

ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefit

Policy Hou 7

Inappropriate Uses in Residential Areas Developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

The change of use has been in effect for some time and no further changes are expected. Thus there cannot be anything that would or will have a detrimental effect on the living conditions of my neighbours. I have never had one single complaint and my neighbours use the short term let for their own guests. The servicing of the flat immediately after guests leave creates no more disturbance than ordinary use: my neighbours, for example, go in and out several times a day to walk their dog, this compares with one visit by the cleaners every few days. There has never been a problem with noise and to say there might be is entirely speculative. The flat is not in an area where anyone goes in and out at night.

What materially detrimental effect do you consider there would be? Please define in your response, as mere opinion is not satisfactory. Commenting on noise or visitors coming and going is entirely supposition without evidence on your part.

My opinion might differ from yours and therefore I expect a clear understanding of changes that you consider would be detrimental rather than an indefinite opinion, provided without any evidence that the change of use outweighs the loss of residential accommodation.

234 The intention of the policy is firstly, to preclude the introduction or intensification of non-residential uses incompatible with predominantly residential areas and secondly, to prevent any further deterioration in living conditions in more mixed use areas which nevertheless have important residential functions. This policy will be used to assess proposals for the conversion of a house or flat to a House in Multiple Occupation (i.e. for five or more people). Further advice is set out in Council Guidance

The flat is in a mixed use area with: the golf course, the tennis courts, numerous hotels, including Prestonfield Hotel which generates a huge amount of traffic, B and B's, a doctors' surgery and a nursery in the next road.

As above no 'further deterioration' will occur as the short term let has been going for some time and there has been no deterioration in the past. The flat is beautifully kept and a gardener is employed to maintain the garden. No-one around has ever had a problem with it and my neighbours use it. The nearby flats used as long term let properties have gardens that are untended and there is constant rubbish and fly tipping by the bins. The residents do

not contribute to the local community - one hopes they are at work, or at college but they appear to have no loyalty to the local area.

The road should be a quiet road. Unfortunately it is used as a short cut by lorries and coaches which turn left off of Dalkeith Road and thunder down the road. Moreover coaches are able to use the road in the opposite direction due to ill thought out restrictions at the other end of Prestonfield road. These plans were intended to stop this but have failed totally. If you are going to argue that anything is detrimental to living in Priestfield Road then the rat run traffic is the real problem and I should be grateful if you would turn your attention to this which is indeed a problem.

The Council Advice

In September last year, the City of Edinburgh Council became the first short term let control area in Scotland.

[This means that planning permission is required to offer a flat or a house for a short term let that is not the home you live in.](#)

Following a 12 week consultation last year, updated non-statutory Guidance for Businesses in relation to those operating short term lets and those involved in the tourism industry, was agreed today (Wednesday, 19 April) by the local authority's Planning Committee.

[The report discussed today](#) and the **updated guidance below** was agreed taking account of an Amendment from the Green Party.

Short Term Let Accommodation

Applications for a change of use to short term let accommodation will be assessed and determined against the development plan, both with respect to LDP policy Hou 7 and National Planning Framework 4 (NPF 4) policy 30(e), and material considerations.

The table below principally provides guidance in respect of LDP Policy Hou 7. It may also provide some assistance in considering NPF 4 Policy 30 (e) (i). This table is not relevant to the consideration of NPF 4 Policy 30 (e) (ii).

Where the location is predominantly commercial in character and there are no residential properties in nearby, adverse impacts on amenity are less likely. This means it is more likely short-term lets (STLs) can be supported in such locations.

N/A - there are some residential properties

Where the location is mixed in character (residential / commercial) regard will be had to the nature of surrounding uses and the proximity of the proposal site to residential properties. Where there is likely to be a further deterioration on residential amenity in such mixed areas, it is unlikely that short term let proposals will be supported.

The nature of the surrounding uses is described as above. Next door is residential but next door but one on both sides is commercial at the moment. Please define clearly what further deterioration prevented planning permission to be given. There was and will be none.

Where the street has a quiet nature or low ambient noise levels (particularly at night-time), STL will not generally be supported. No weight will be given to the existence of neighbouring unlawful STLs as justification for the grant of planning permission for an STL.

I should be very grateful if the council would address the problem of the traffic described above. This is a real noise and pollution problem. No noise comes from the flat.

The Planning service will assess the merits of any proposal against its impact on the lawful planning use of nearby properties. Where the area is wholly residential, it is unlikely that short-term let proposals will be supported.

It is not wholly residential. Far from it.

The size of the property.

Larger properties can have a greater capacity for guests. Where there are greater numbers of guests, there is increased potential for noise and disturbance. Both the number and size of rooms will be taken into account when considering this.

There is one large bedroom and one small bedroom

If the property is accessed off a stair where there are other flats off that stair, it is very unlikely that a change of use will be supported. This is because it has been found that existing residents of flats within stairs are particularly affected by the pattern of activity which often results from STL use where multiple sets of guests stay for short periods of time throughout the year. Guests of the short-term let properties can arrive late at night and make noise and cause disturbance in a way which residents of that stair would not, given they will know of the impacts that they have on one another and be able to manage those impacts in a neighbourly way. Examples of disturbance include bumping suitcases up stair and using washing machines in the middle of the night.

It is not accessed off a stair.

If the property does have its own main door access regard must be had to the other criteria within this table.

Comments on the other criteria have been made as above

Planning permission is granted to property rather than individuals, which means that property can change hands and be operated in a different way than was intended by the applicant for planning permission. Because of this, when considering the pattern of activity associated with a use, only limited regard can be had to how an applicant intends to manage that.

It should be noted that licensing of STLs is separate from the planning system.

Noted.

The nature and character of any services provided.

Where there is access to a communal garden which can be used by existing residential properties, or where there is a garden that would form part of the curtilage of an STL and would be in close proximity to residential gardens, STLs will generally not be supported. Where parking is provided,

this will be considered within the context of the Council's parking policies and guidance.

There is no communal garden and the garden (A front garden) is not in close proximity to other gardens.

Parking is unrestricted 20 meters away.

The flat is supported by a manager, two cleaners, a gardener and a window cleaner all of whom are local. Guests use the local restaurant and 'corner' shop and I use the local one woman laundry. This employment will all go if planning permission is declined and if that does not constitute a local deterioration then I don't know what does. The cleaners if they lose other work will have to go on benefits and a business will be lost. Long term residents do not spend that much on maintenance and in the local shops - they all go to Cameron Toll. Guests spend money on taxis and buses and of course in Edinburgh city. Where are the visitors I have, who are performers at the festival or visiting academics being near to the university and halls, going to stay? You have provided no evidence whatsoever that the loss of this accommodation is less important than the presumed local deterioration. This flat would never be amenity or low cost housing nor would it be suitable for a family, the evidence for which is provided by the residents of similar flats.