

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 100639938-001

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="Michael"/>	Building Number:	<input type="text" value="11"/>
Last Name: *	<input type="text" value="Cowan-Young"/>	Address 1 (Street): *	<input type="text" value="Northumberland Street, 1st Floor"/>
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="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH3 6LL"/>
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:

GF1

Address 2:

8 ROYAL CIRCUS

Address 3:

STOCKBRIDGE

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH3 6SR

Please identify/describe the location of the site or sites

Northing

674507

Easting

324914

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)

Retrospective application to change use to short term lets on studio flat, GF1 8 Royal Circus.

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.

Character Limit – read "Royal Circus Supporting Doc" attached. Decision Notice Rejection not specific to this property; Over 160 consulted, only 3 non-specific objections received; 8/3 is 1st accessible flat in building, communal stair not used; Small size not viable for permanent let – no loss of residential space; Offer as STL is best use and is economic benefit to City; STL since 2015, no complaints; These are recent regulations which should not be applied retrospectively.

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)

Royal Circus Supporting Doc Letter from Rettie Other supporting documents were attached to original application.

Application Details

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

23/00697/FULSTL

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

20/02/2023

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

01/06/2023

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)

A site inspection would facilitate an understanding of the unique layout, size of this property and the imited impact on neighbourhood amenity, which underpin the rationale for this application for short term letting.

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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

To enable access to the property

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 Michael Cowan-Young

Declaration Date: 24/08/2023

The reasons cited in the Decision Notice for rejecting the application were generic in nature, and did not consider the specific circumstances relating to this property. The Decision Letter cites the following two reasons for the rejection:

- A. *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.*

The statement above is unsubstantiated and is not based on the specific factors relating to this application. The evidence which supports this rebuttal includes:

- i. Over 160 local residents were consulted in relation to the application. Of this number there were only 3 objections made. These objections focused on generic concerns around AirBnB type lets, and did not refer to the property in question. Also, it should be noted that these objections emanated from residents located outwith the building itself and sometimes even living on a different street. Notably, no objections were recorded from residents within 8 Royal Circus itself. In other words, those who might have a claim to be directly impacted had no objection to the proposal.
- ii. The property at 8/ 3 is located on the ground floor, and is the first flat encountered on entering the building. Tenants at 8/ 3 do not use the communal stair, which serves the rest of the building and therefore are unlikely to cause any disturbance when entering and leaving the building.
- iii. The flat has been rented since 2015 and no complaints have been made relating to tenants at 8/ 3 during this period.
- iv. In relation to concerns relating to AirBnB, 8/ 3 has never used this platform and there is no intention to market this type of short let in the future. As noted in Retties' letter (see attached) the minimum stay is one month and the tenants are mainly professionals and not short-term tourists/ visitors.

- B. *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...*

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 loss of residential accommodation.

The above statement does not apply to this proposal for the following reasons:

- i. This is a small studio flat which can accommodate 2 people (ca. 45sq m total area), and as such is not suited to longer term or permanent residency. According to national UK guidelines, the recommended Gross Internal Floor Area for living spaces for 2 persons is approximately 50 sq m.

It is evident that the studio is a restricted living space, which is smaller than what is recommended for permanent living conditions according to national guidelines.

- ii. Due to its size, the studio is not suitable as a permanent residence and the appropriate target segment for this property has been identified as individuals seeking flexible short-term contracts. It is worth noting that the property was let on a short-term basis to a locally based individual, who required alternative accommodation while their own property was being repaired due to flooding. The insurance company would not have committed to support a long term contract in this case. An example of the property benefiting local residents.
- iii. From the above, it is evident that offering 8/3 Royal Circus as a short-term let is of economic benefit to the City and does not lead to a loss of residential accommodation. Moreover, offering the property as a short term let represents the best use of this space both for prospective tenants and the City as a whole. The property serves a specific demand and there are limited options of this type currently available in the City centre (alternative hotel accommodation is significantly more expensive).

- C. The regulations relating to short-term lets came into force recently and should not be applied retrospectively to this property, which was already engaged in providing short-term lets since 2015.



Flat 3, 8 Royal Circus,
EH3 6SR,
Edinburgh.

To Whom it May Concern,

This letter is to confirm that Rettie Short Lets, previously known as Edinburgh Festival Rentals have managed the above mentioned property on behalf of the owner, Michael William Cowan-Young since May 2015.

Rettie Short Lets is a professionally run short let management business that focuses on short let stays with a minimum stay length of 1 month. During the 8 years which Rettie Short Lets have managed the property there has never been any issues relating to the guests which have stayed and no disturbances have been caused to any of the neighbors in the building.

Rettie Short Lets has a 24hr emergency contact number that urgent issues relating to any of its managed properties and guests can be reported. This allows any issues to be addressed immediately, reducing disturbance to any effected parties.

All guests are vetted prior to booking their stay and have to collect keys from our registered office before moving in. Keys are not left in a lockbox outside the property and guests are given clear instruction on how to access the property.

If you require any more information regarding the letting of the above mentioned property on the behalf of Mr Michael William Cowan-Young, please do not hesitate to get in contact.

Kind regards

David Lamont

Short Lets Manager,
Rettie Short Lets Limited.