



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 100645157-001

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

Agent Details

Please enter Agent details

| | | | |
|-----------------------|---|--|---|
| Company/Organisation: | <input type="text" value="Planning Solutions Edinburgh"/> | | |
| Ref. Number: | <input type="text"/> | You must enter a Building Name or Number, or both: * | |
| First Name: * | <input type="text" value="Nicholas"/> | Building Name: | <input type="text" value="Midlothian Innovation Centre"/> |
| Last Name: * | <input type="text" value="Morris"/> | Building Number: | <input type="text"/> |
| Telephone Number: * | <input type="text"/> | Address 1 (Street): * | <input type="text" value="Pentlandfield Business Park"/> |
| Extension Number: | <input type="text"/> | Address 2: | <input type="text"/> |
| Mobile Number: | <input type="text"/> | Town/City: * | <input type="text" value="Roslin"/> |
| Fax Number: | <input type="text"/> | Country: * | <input type="text" value="Midlothian"/> |
| | | Postcode: * | <input type="text" value="EH25 9RE"/> |
| Email Address: * | <input type="text"/> | | |

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

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="Eckart"/> | Building Number: <input type="text" value="28"/> |
| Last Name: * | <input type="text" value="Jack"/> | Address 1 (Street): * <input type="text" value="Mulberry Close"/> |
| Company/Organisation | <input type="text"/> | Address 2: <input type="text"/> |
| Telephone Number: * | <input type="text"/> | Town/City: * <input type="text" value="Cambridge"/> |
| Extension Number: | <input type="text"/> | Country: * <input type="text" value="England"/> |
| Mobile Number: | <input type="text"/> | Postcode: * <input type="text" value="CB4 2AS"/> |
| 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="198 WILLOWBRAE ROAD"/> |
| Address 2: | <input type="text" value="DUDDINGSTON"/> |
| 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="EH8 7QH"/> |

Please identify/describe the location of the site or sites

| | | | |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="673453"/> | Easting | <input type="text" value="328941"/> |
|----------|-------------------------------------|---------|-------------------------------------|

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)

We seek a review of the decision not to grant planning permission in retrospect for the change of use of a second home to a 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.

The client seeks a review as he does not agree with the decision. See supporting documents submitted as part of the appeal.

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)

A report which challenges the decision.

Application Details

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

23/01137/FULSTL

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

21/04/2023

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

04/07/2023

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 Nicholas Morris

Declaration Date: 24/09/2023



PLANNING SOLUTIONS EDINBURGH (PSE)
SUPPORTING STATEMENT

PLANNING APPLICATION APPEAL

APPEAL AGAINST THE DECISION OF THE CITY OF EDINBURGH COUNCIL NOT TO GRANT PLANNING PERMISSION FOR A CHANGE OF USE FROM RESIDENTIAL TO SHORT TERM LET (STL) UNDER THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013

Planning Application Reference: Change of use from residential to short term let (in retrospect) 23/01137/FULSTL.

Address: 198 Willowbrae Road Edinburgh EH8 7QH

Applicant: Eckart and Ann Jack

Introduction

We write on behalf of Mr and Mrs Eckart Jack, residing at 28 Mulberry Close Cambridge CB4 2AS. This report provides the grounds of appeal against the decision not to grant retrospective planning permission for the change of use of a residential property to a short term let.

Site Description

The property comprises a two-bedroom semi-detached bungalow, located on Willowbrae Road. The property has a private front and rear garden, a private car parking space, and is accessed by its own front door entrance. The property adjoins another bungalow to the southeast. The site looks onto and is located to the immediate west of Willowbrae Road (Figure 1). The property is set within a residential neighbourhood in an area of mostly semi-detached dwellings. The wider area maintains a residential character and includes other local amenities such as a petrol station and shop, hotel, and hot-food takeaways.



Figure 1

Background information

This property is and will continue to be the clients second family home. The house was originally purchased in 1929 and has been owned by the family ever since. They have no intention of selling it. They spend as much time as possible at the property notwithstanding that their main residence is in Cambridge. They do not own any other short term let properties and still very much see this property as their family home. The client's wife and both daughters, were born in Edinburgh. One of their children lives in the Scottish borders and they regularly travel from Cambridge to see her and they find it very useful to still have a home in Scotland. This enables them to visit their daughter using

Willowbrae Road as a convenient base to travel from. Their other daughter lives abroad and has done so for over 23 years. Their daughter and family stay in the property at least twice a year- often during the peak holiday period in August.

In 2021 the family were given permission to let the property on a short-term basis for up to 20 weeks minus 1 day. At that time planning permission was not required.

The property has only been used as a short term let since 2020 and is let out for the periods when the owners are in Cambridge. The property is managed by Cottages.com (formerly known as Scottish Cottages and Scottish Country Cottages) during periods when the family are not in Scotland. Furthermore, leaving the property empty over extended periods can potentially lead a deterioration of the building and it falling into disrepair.

Cottages.com have been established in the provision of high-quality holiday lets for over 40 years and are very strict in their vetting procedures ensuring that only the most suitable tenants are allowed to stay in the property. The turnover of the property is fairly infrequent when spread over the year and would be no more disruptive to the quality of life of the surrounding neighbourhood than the arrival of the clients daughters with their grandchildren.

This is not an Airbnb with daily turnarounds-this is very much an occasionally let property which is still very much the clients home.

The property is in its original undeveloped state. No extension or attic conversion has taken place. The client does not intend to alter or extend the property to facilitate the arrival of more guests or otherwise impact negatively on the amenity of the immediate neighbours or surrounding area.

From research it has been ascertained that it wasn't just tourists who stay at the property but there is a mix of both leisure and business guests. Several guests used the property as a base to visit their family members in Scotland whilst several other guests used it as a base from which to look for properties they were considering purchasing in the Edinburgh area. Another recent guest spent a week at the property to give them time to monitor the progress of a house they were building for themselves.

Given that both clients are now fully retired they envisage spending a lot more time at the property and letting it out on far fewer occasions during the year.

Objections

There were no formal objections either from the immediate neighbours or the wider public during the 21day Neighbour Notification Period.

Reason for refusal

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.

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.

Grounds for appeal

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.

As was discussed in the background statement, the property is very much still used as a family home and therefore its continuing use as a Short term let would not have a detrimental impact on the surrounding area. The number of guests staying at the property is fairly minimal when compared with other short term let properties in Edinburgh, where annual bookings often show upwards of 90% occupancy rates throughout the year. Therefore, the property being occasionally used as a short term let would not be an inappropriate use of a residential property in a residential area.

The clients have not had any complaints from neighbours regarding guests staying at the property nor was there any objections via the planning portal during or after the 21 day Neighbour Notification period. Had there been any issues with bad behaviour inappropriate parking etc local residents would have complained or objected to the planning application. Therefore, using the property on an occasional basis as a short term let would not have a materially detrimental effect on the living conditions and amenity of the neighbours and therefore does comply with Policy Hou 7.

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.

There is no loss of residential accommodation at Willowbrae Road because the property primarily exists as a second home for a large part of the year. Therefore, the property is still very much residential, in nature where the clients will spend an increasing amount of time there, and there will be fewer occasions when the property is let out to nonfamily members. Furthermore, being a bungalow the property enjoys its own entrance and private driveway with adequate off street parking minimising any disturbance caused by guests checking in and out and vehicles be inappropriately parked and

blocking entrances to adjacent properties etc. However, the majority of guests do arrive and leave by public transport and make good use of the extensive bus network available locally.

Conclusion

The Applicant believes that the proposed change of use (in retrospect) would not cause a materially detrimental effect on any residents and, therefore, is not contrary to LDP Policy Hou 7. The use of the bungalow as a STL in this case will not result in any increased risk of antisocial behaviour (such as it being a 'party house') nor an increase in the level of disturbance arising from arrivals and departures as the property as it has its own entrance and is located on a busy Road. Therefore, there will be no loss of amenity to the local residents. As the property will be increasingly used exclusively by the clients, and less as a holiday let there will be no loss of residential accommodation in the area and therefore complies with National planning Framework 4 policy 30(e) in respect of local Amenity and Loss of Residential Accommodation. There will also be no loss of a sense of community and no detriment to the immediate location. Therefore, we would respectfully request that the application should be granted planning permission.

Mr Jack
28 Mulberry Close
Cambridge
Cambridgeshire
CB4 2AS

Decision date: 4 July 2023

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

Change of use from residential to short term let (in retrospect).
At 198 Willowbrae Road Edinburgh EH8 7QH

Application No: 23/01137/FULSTL

DECISION NOTICE

With reference to your application for Planning Permission STL registered on 26 May 2023, 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 01-02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

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 visitor accommodation, in this case it does not outweigh the adverse impact from the loss of residential accommodation and impact on neighbouring 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 Craig Turnbull directly at craig.turnbull@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.

Report of Handling

**Application for Planning Permission STL
198 Willowbrae Road, Edinburgh, EH8 7QH**

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

**Item – Local Delegated Decision
Application Number – 23/01137/FULSTL
Ward – B14 - Craigentenny/Duddingston**

Recommendation

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

Summary

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 visitor accommodation, in this case it does not outweigh the adverse impact from the loss of residential accommodation and impact on neighbouring 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 property comprises a two-bedroom semi-detached bungalow, located on Willowbrae Road. The property has a private front and rear garden, a private car parking space, and is accessed by its own front door entrance. The property adjoins another bungalow to the southeast.

The site looks onto and is located to the immediate west of Willowbrae Road (A1). The property is set within a residential neighbourhood in an area made up of semi-detached dwellings. The wider area maintains a residential character and includes other uses such as a petrol station and shop, hotel and hot-food takeaways.

across the area.

Description Of The Proposal

The application seeks permission to change the residential use to a short term let use. No internal or external physical changes are proposed. The applicant confirms that the property operates as a short term let on average for 30 weeks in a year and the applicant wishes to continue the short term let use. The application is therefore retrospective.

Supporting Information

Planning Statement.

Relevant Site History

No relevant site history.

Other Relevant Site History

No other relevant site history.

Consultation Engagement

No consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 26 May 2023

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 0

Section B - Assessment

Determining Issues

This report will 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 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 Productive Places Tourism Policy 30.
- LDP Housing Policy Hou 7.
- LDP Transport Policies Tra 2 and Tra 3.

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

Proposed Use

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

NPF 4 Policy 30 seeks to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland. Criterion 30 (e) specifically relates 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 property is a semi-detached bungalow with its own main door access and private front and rear garden. The site is located within a quiet residential area and adjoins a bungalow to the southeast. The immediate surrounding area consists of other semi-detached bungalows and detached housing with private gardens. There is a low degree of activity in the immediate vicinity of the property.

The applicant's planning statement expresses there is a variety of amenity in the near area including parks, swimming pools, and a sports centre all within walking distance or a five-minute bus ride away.

The surrounding area comprises of residential activity and therefore residents will be used to fairly low ambient noise levels. The use of the property as an STL would introduce an increased frequency of movement to the property. The proposed 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 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 disturbances, further impacting on neighbouring amenity. However, this would be of lesser impact as it is likely that servicing would be conducted during the daytime.

This would be significantly different from the ambient background noise that neighbouring residents might reasonably expect and will have an unacceptable 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's planning statement asserts that the short term let use of the property provides local economic benefits by supporting local business and employment to service the property.

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

Furthermore, residential occupation of the property also 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

The property contains an off-street private driveway beside the front garden with space for one car. There is no requirement for cycle parking for STLs. Cycles could be parked inside the property or within the private garden. 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.

b) 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

No public representations have been received.

Conclusion in relation to identified material considerations

Identified material considerations have been assessed above and do not raise issues which outweigh the conclusion in relation to the development plan.

Overall conclusion

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

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: 26 May 2023

Drawing Numbers/Scheme

01-02

Scheme 1

David Givan
Chief Planning Officer

PLACE
The City of Edinburgh Council

Contact: Craig Turnbull, Assistant Planning Officer
E-mail: craig.turnbull@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

Application Certification Record

Case Officer

I have assessed the application against the City of Edinburgh Council's Scheme of Delegation (2023) Appendix 6 – Chief Planning Officer and the Statutory Scheme of Delegation (2023) and can confirm the application is suitable to be determined under Local Delegated Decision, decision-making route.

Case Officer: Craig Turnbull

Date: 27 June 2023

Authorising Officer

To be completed by an officer as authorised by the Chief Planning Officer to determined applications under delegated powers.

I can confirm that I have checked the Report of Handling and agree the recommendation by the case officer.

Authorising Officer (mRTPI): Damian McAfee

Date: 30 June 2023



LAND REGISTER
OF SCOTLAND

Officer's ID / Date

5265
15/2/2017

TITLE NUMBER

MID180150



ORDNANCE SURVEY
NATIONAL GRID REFERENCE

70m

NT2873SE NT2973SW NT2873NE NT2973NW

Survey Scale

1/1250

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