

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 100615362-006

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="Alan"/>	Building Number:	<input type="text" value="29"/>
Last Name: *	<input type="text" value="Carpenter"/>	Address 1 (Street): *	<input type="text" value="Cantley Lane"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Cringleford"/>
Telephone Number: *	<input type="text" value="████████"/>	Town/City: *	<input type="text" value="Norwich"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Norfolk"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="NR4 6TA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="████████████████████"/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

1 INDUSTRIAL ROAD

Address 2:

LOCHEND

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH6 8AJ

Please identify/describe the location of the site or sites

Northing

675740

Easting

327510

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)

Appeal

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.

See supporting documentation

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)

Statement Floor plan Street view Outline of flat

Application Details

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

23/00341/FULSTL

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

31/01/2023

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

14/07/2023

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 Alan Carpenter

Declaration Date: 03/10/2023

Your reason for refusal is:

“Inappropriate Use in residential areas, having detrimental effects on living conditions and amenity of nearby residents.”

This statement is clearly a generalisation, and sufficient consideration has not been afforded to individual premises such as 1 Industrial Road. We dispute the statement on the following grounds:

LOCATION.

The location of the flat is in a residential area, however it is on the end of a gable row of housing.

Neighbours cannot possibly be disturbed by people entering or leaving.

The premises is on the same road as a number of businesses; ie workshops, garages and local B&Bs. The entrance to the flat is a main door on a road that shares its location with other businesses and workshops.

Most of these businesses are guest houses that operate in the same way as our short term let does.

See a list of surrounding businesses, and images of the road and the other uses of the surrounding buildings:

MacKenzie Guesthouse

Sandaig Guesthouse

Glamureyez Beauty Salon (Immediate Neighbour Opposite)

Hermitage Guest House

Crioch Guest House

AAA Guest House

Garages

Workshops

The flat is a ground floor and basement property. It shares only one wall (kitchen/cupboard) with an immediate neighbour. Furthermore this wall is in fact a stairwell to the upstairs residence. Minimising any potential disturbance / noise transference to the adjoining property.

The other wall is shared with the workshop next door which usually is operational during daytime hours.

We refute the statement that anyone's living conditions are being compromised by the use of our space as a short term let. **This cannot possibly be substantiated.** If this is the argument, the same must be said for the neighbouring B&B guest houses.

The flat does not have any garden/outdoor space, and so there is no 'upkeep' of a garden that may become an eyesore to residents. From the outside, the flat has three windows and a door that are kept in good condition, and regularly maintained, serviced and cleaned.

The second reason given for refusal of our license is:

"The application is contrary to National Planning Framework in respect of loss of residential dwelling."

As stated in our original application, this flat is not suitable for long term dwelling. According to Edinburgh Council Design Guidance (2020) (page 87), it does not comply within the property standards guidelines.

These guidelines clearly state:

"In order to ensure satisfactory amenity, dwellings should not fall below the following minimal internal floor areas – 1 Bedroom dwellings 52m²"

The flat at 1 Industrial Road is no more than 42m² over both levels, (much of which is staircase). It is very small, and is suitable only for short term stays; not family life. It is considerably smaller than the flats in the surrounding streets.

The flat cannot therefore be reasonably used for any other purpose than a short term stay.

To be perfectly clear; should the authorities refuse planning permission and therefore subsequently a licence, the implications of this decision would mean a loss of income for the maintenance and running costs of the flat. Some of these costs are shared with neighbours, for example, a water pipe was recently replaced which served five flats. This cost was shared between the 5 which included 1 Industrial Road. The neighbours were very grateful for our ready agreement to our share of contribution.

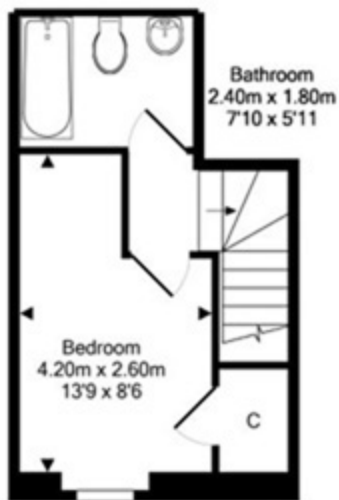
If planning permission is refused, 1 Industrial Road will NOT be returned to the market for long term let housing, nor will it be sold. It is our home from home, and we need it to remain that way. We use the flat in order to visit our two daughters and our granddaughter who live in a neighbouring street, (2 minutes on foot). We personally use the flat often; at least 10-15 weeks per year, and would therefore not be making it available for a long term residential let. Without the short term let license, the flat will be empty for long periods when we're not staying in it. Our concern is that this will put the flat at risk from crime, and would make it difficult to insure.

We understand from consulting with at least two Edinburgh solicitors that, (in their experience so far) in all but a few cases, planning permission is being denied across the board, regardless of circumstances. Individual cases such as ours are rarely considered in any detail. It is our conclusion that having read the very brief refusal letter, this has happened in our case. Having paid a significant planning application fee, the least we can expect is that our application is thoroughly reviewed and fairly considered.



Google

Image capture: Mar 2021



Lower Ground



Ground Floor



1 industrial
Road

Carpentry Workshop

20

