



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: [planning.support@edinburgh.gov.uk](mailto: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 100651458-001

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="Iceni Projects"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Callum"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Fraser"/>	Building Number:	<input type="text" value="7"/>
Telephone Number: *	<input type="text" value="0131 3703486"/>	Address 1 (Street): *	<input type="text" value="Alva Street"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="EH24PH"/>
Email Address: *	<input type="text" value="Cfraser@iceniprojects.com"/>		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Longmore House"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Salisbury Place"/>
Company/Organisation	<input type="text" value="Historic Environment Scotland"/>	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="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH9 1SH"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="Cfraser@iceniprojects.com"/>		

## 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"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Duddingston Lodge 32 Old Church Lane Duddingston Edinburgh EH15 3PY"/>
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Northing	<input type="text" value="672701"/>	Easting	<input type="text" value="328262"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Change of use from residential (Class 9) to short term let (Sui Generis).

## 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.

Contrary to the reason for refusal provided, the proposed loss of residential accommodation is justified: - The property has never provided formal residential accommodation, neither will it in the future. There will be no loss of existing or future residential accommodation.. - In any event, the local economic benefits generated by this proposal would outweigh any potential loss of residential accommodation. Full justification is provided within the accompanying Supporting Statement.

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)

We have provided additional information to support our case regarding the justification for the loss of residential accommodation. Despite our requests the appointed officer provided no feedback on the application prior to determination. The basis and reasoning for refusal upon was only understood upon receipt of decision, there was no opportunity to provide further clarification or context to support our original case before the application was determined.

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)

Notice of Review - Supporting Statement (13.11.23) Planning Permission Application Form Supporting Statement Location Plan  
Floor Plans Email correspondence with case officer Letter from Mr Stephen A Duncan, HES (13.11.23) Decision Notice (16.8.23)  
Report of Handling (16.8.23)

## Application Details

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

23/02726/FULSTL

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

23/06/2023

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

16/08/2023

## 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 \*

Holding one or more hearing sessions on specific matters

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)

This is an atypical short-term let proposal. The special characteristics of this case - ownership, location, context for proposed STL use, justification for perceived loss of residential (i.e. there will be no loss of existing or future residential accommodation but, in any event, the direct and indirect economic benefits arising are significant and outweigh this consideration) - are unique and we wish to ensure these are subject to full examination and discussion.

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)

This is an atypical short-term let proposal. The special characteristics of this case - ownership, location, context for proposed STL use, justification for perceived loss of residential (i.e. there will be no loss of existing or future residential accommodation but, in any event, the direct and indirect economic benefits arising are significant and outweigh this consideration) - are unique and we wish to ensure these are subject to full examination and discussion.

Please select a further procedure \*

Further written submissions on specific matters

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)

This is an atypical short-term let proposal. The special characteristics of this case - ownership, location, context for proposed STL use, justification for perceived loss of residential (i.e. there will be no loss of existing or future residential accommodation but, in any event, the direct and indirect economic benefits arising are significant and outweigh this consideration) - are unique and we wish to ensure these are subject to full examination and discussion.

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 Callum Fraser

Declaration Date: 13/11/2023



13TH  
NOVEMBER  
2023

# NOTICE OF REVIEW SUPPORTING STATEMENT

Planning Application: 23/02726/FULSTL

32 Old Church Lane, Edinburgh, EH15 3PY

Iceni Projects Limited on behalf of  
Historic Environment Scotland

13<sup>th</sup> November 2023

## Iceni Projects

Birmingham: The Colmore Building, 20 Colmore Circus Queensway, Birmingham B4 6AT

Edinburgh: 7 Alva Street, Edinburgh, EH2 4PH

Glasgow: 177 West George Street, Glasgow, G2 2LB

London: Da Vinci House, 44 Saffron Hill, London, EC1N 8FH

Manchester: WeWork, Dalton Place, 29 John Dalton Street, Manchester, M2 6FW

t: 020 3640 8508 | w: [iceniprojects.com](https://www.iceniprojects.com) | e: [mail@iceniprojects.com](mailto:mail@iceniprojects.com)

linkedin: [linkedin.com/company/iceni-projects](https://www.linkedin.com/company/iceni-projects) | twitter: @iceniprojects

ICENI PROJECTS LIMITED  
ON BEHALF OF HISTORIC  
ENVIRONMENT SCOTLAND

NOTICE OF REVIEW SUPPORTING  
STATEMENT





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# 1. INTRODUCTION

- 1.1 This Notice of Review relates to the decision of the City of Edinburgh Council (CEC) to refuse planning permission for a change of use from residential (Class 9) to short term let (Sui Generis) at 32 Old Church Lane, Edinburgh, EH15 3PY
- 1.2 On behalf of the applicant – Historic Environment Scotland (HES) – the application was submitted to and validated by CEC on 23<sup>rd</sup> June 2023.
- 1.3 Planning permission was refused, by local delegated decision, on 16<sup>th</sup> August 2023.
- 1.4 A single reason for refusal was provided, namely:
- Contrary to National Planning Framework 4 Policy 30(e) part (ii) in respect of Loss of Residential Accommodation. The loss of a residential property has not been justified.*
- 1.5 This Statement presents the reasons why HES are seeking a review of this decision by the Local Review Body.
- 1.6 This Statement should be read in association with documentation submitted with the original application, associated Report of Handling and Decision Notice (a document list has been provided).
- 1.7 The remainder of this statement will address the following:

**Section 2:** Background

**Section 3:** Planning Policy Context & Analysis

**Section 4:** Reason for Review

**Section 5:** Conclusion.

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## 2. BACKGROUND

2.1 To provide further background for this proposal, this section presents details on the Site and Surroundings and the context for HES seeking planning permission for the proposed use of Duddingston Lodge as a Short-Term Let.

### **Site and Surroundings**

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2.2 Duddingston Lodge is a historic 'Gatekeepers Lodge' located at the south-east entrance to Holyrood Park on Old Church Lane, Duddingston.

2.3 Dating from 1858, Duddingston Lodge was constructed as part of Prince Albert's wider landscaping plans for Holyrood Park and came into the care of the Crown Estate in 1859.

2.4 It is one of two near-identical lodge properties within the park – the other being Meadowbank Lodge, located on Duke's Walk at the Park's north-eastern entrance

2.5 Meadowbank Lodge has been operating as a short-term let since August 2021 and is subject to a separate Notice of Review relating to its proposed change of use from residential (Class 9) to short-term let (Sui Generis).

2.6 The lodges are owned by Scottish Ministers, having been disposed to the Secretary of State for Scotland (now Scottish Ministers) by the Crown Estate in 1999. The lodges have therefore been in 'public ownership' for 164 years and are now managed under a scheme of delegation by HES on behalf of the Scottish Ministers.

2.7 Duddingston Lodge is a Category-B listed building. It lies within the Palace of Holyrood House Garden & Designed Landscape, Holyrood Park Scheduled Monument and Duddingston Conservation Area designations.

2.8 It is a detached, 2-bedroom property set within private grounds. The lodge is accessed via a private entrance to a driveway with space for two cars. The property has a private garden area and is enclosed by a well-established hedgerow which provides effective screening.

2.9 The nearest residential property is located at the west end of Duddingston Village c.50m to the east, the rear garden of this property extends towards the site and at its closest point is c. 20m away.

2.10 The site is accessible by both public transport and active travel modes. It is within short walking distance of many the city's most notable attractions including Edinburgh's Old Town, Holyrood Park/Arthur's Seat, the Scottish Parliament and the Palace of Holyrood House.

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## **The Proposed Use**

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- 2.11 Planning Permission is sought for the change of use of the property from residential to short term let. No internal or external building alterations are required to facilitate the change of use.
- 2.12 Though we understand the lawful use to be residential, Duddingston Lodge has never been in permanent or formal residential use. In the past it has been used intermittently by HES staff who held residence as a part of a colleague keykeeper package associated to their employment within the organisation. However, in the main, the property has lain vacant.
- 2.13 Prior to its recent internal refurbishment the property lay vacant and unused for over 5 years.
- 2.14 The refurbishment works were undertaken with the specific purpose of making the property suitable for short-term let as a means of generating income to support HES's wide range of tourism and visitor initiatives and to secure a viable future use for a publicly owned historic property.
- 2.15 The proposals for Duddingston Lodge form part of a wider HES strategy, aimed at creating a portfolio of short-term holiday let properties within their care. The business case for repurposing some of HES's vacant properties into Holiday Lets was approved by Scottish Ministers in 2019.
- 2.16 The strategy has proved successful, turning vacant, deteriorating properties into profitable ventures, with all profit being reinvested into Scotland's historic environment whilst addressing HES's duty of care to those properties within their custodianship.

## **Summary**

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- 2.17 Given the historic nature and location of Duddingston Lodge, allied to its public ownership and the strategy underpinning the decision to seek a change of use to short-term let – the characteristics of this proposal are unique and, clearly, there are notable differences between this and more typical short-term let proposals within the city.
- 2.18 It is considered that the specifics of this individual case support the grant of planning permission, we provide detailed justification for this within Section 4 of this statement.

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### 3. PLANNING POLICY CONTEXT & ANALYSIS

3.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) states that:

*“Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise, to be made in accordance with that plan.”*

3.2 The Development Plan comprises the National Planning Framework 4 (NPF4) (2023) and the adopted Edinburgh Local Development Plan (LDP) (2016).

3.3 The key material consideration in this case is CEC’s non-statutory 'Guidance for Businesses' (2023).

3.4 This section provides a brief summary overview of relevant planning policies and guidance before highlighting CEC’s conclusion in relation to each.

#### **National Planning Framework 4 (2023)**

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3.5 As identified by the officer’s Report of Handling the following NPF4 policies are relevant:

3.6 **NPF4 Policy 1 (Sustainable Places)** seeks to encourage, promote and facilitate development that addresses the global climate emergency and nature crises.

3.7 The Report of Handling confirms that *the proposals do not involve operational development and therefore, will have a negligible impact on the global climate and nature crisis.*

3.8 The proposal is in compliance with NPF4 Policy 1.

3.9 **NPF4 Policy 7 (Historic Assets and Places)** seeks to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

3.10 The Report of Handling confirms that *the proposal will preserve or enhance the character or appearance of the conservation area and does not harm the character of the listed building, its setting, or the setting of neighbouring listed buildings.*

3.11 The proposal is in compliance with NPF4 Policy 7.

3.12 **NPF4 Policy 30 (Tourism)** seeks to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with net zero and nature commitments, and inspires people to visit Scotland.

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3.13 Part e) of Policy 30 specifically relates to short-term let proposals, it states:

'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 benefits.

3.14 The Report of Handling confirms that *it is not considered that the STL use would have a significant detrimental impact on neighbouring amenity or the existing character of the area. The STL use is therefore considered acceptable with regards to neighbouring amenity and the character of the area.*

3.15 The proposal is in compliance with NPF4 Policy 30(e) part (i).

3.16 The Report of Handling states that *in this instance it has not been sufficiently demonstrated that the loss of the residential accommodation is outweighed by demonstrable local economic benefits arising from the STL use.*

3.17 The officer concluded that the proposal does not comply with NPF4 Policy 30(e) part (ii) and, on this basis, planning permission was refused.

### **Edinburgh Local Development Plan (2016)**

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3.18 As identified by the officer's Report of Handling the following LDP policies are relevant:

3.19 **Policy Hou 7 (Inappropriate Uses in Residential Areas)** states that developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

3.20 The Report of Handling confirms that *it is not considered that the STL use would have a significant detrimental impact on neighbouring amenity or the existing character of the area. The STL use is therefore considered acceptable with regards to neighbouring amenity and the character of the area.*

3.21 The Proposal is in compliance with LDP Policy Hou 7.

3.22 **Policy Tra 2 (Private Car Parking)** states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance.

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- 3.23 The Report of Handling confirms that as the property contains a private driveway it does not exceed the parking levels set out in Council guidance.
- 3.24 The proposal is in compliance with LDP Policy Tra 2.
- 3.25 **Policy Tra 3 (Private Cycle Parking)** states that planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.
- 3.26 The Report of Handling confirms that *there is no requirement for cycle parking for STLs. Cycles could be parked inside the property or within the private garden.*
- 3.27 The proposal is in compliance with LDP Policy Tra 3.

#### **CEC Guidance for Businesses (April 2023)**

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- 3.28 CEC's Guidance for Businesses (April 2023) provides advice around changing residential property to short term lets and identifies assessment criteria for considering their likely impact on neighbouring residential properties. The purpose is to assist in the interpretation of LDP Policy Hou 7.
- 3.29 Any such assessment should have regard to four criteria, namely:
- 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.
  - The nature and character of any services provided.
- 3.30 As highlighted above, the Report of Handling confirms *it is not considered that the STL use would have a significant detrimental impact on neighbouring amenity or the existing character of the area. The STL use is therefore considered acceptable with regards to neighbouring amenity and the character of the area.*
- 3.31 The proposal is in compliance with LDP Policy Hou 7 and therefore has demonstrated its acceptability in relation to CEC's Guidance for Businesses assessment criteria.

#### **Summary**

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- 3.32 This section has identified the key planning policy provisions and material consideration of relevance to this proposal and noted CEC's associated conclusions.

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- 3.33 CEC has accepted that the proposal complies with all relevant planning policies and guidance with the exception of NPF 4 30(e) part (i) which relates to the loss of residential accommodation.
- 3.34 On this basis CEC decided to refuse planning permission.
- 3.35 HES disagrees with this conclusion which, it is submitted, does not reflect the specific and unique characteristics of this proposal. Further analysis and the applicant's detailed response to CEC's reason for refusal is provided within the following section.



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## 2. REASON FOR REVIEW

4.1 In refusing planning permission a single reason for refusal was provided:

*The proposal is contrary to National Planning Framework 4 Policy 30(e) part (ii) in respect of Loss of Residential Accommodation. The loss of a residential property has not been justified.*

4.2 The Report of Handling states *in this instance it has not been sufficiently demonstrated that the loss of the residential accommodation is outweighed by demonstrable local economic benefits arising from the STL use.*

4.3 The applicant would respond as follows:

### **Loss of Residential Accommodation**

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4.4 We would reiterate that Duddingston Lodge has never been in formal or permanent residential use.

4.5 As Duddingston Lodge has been in public ownership for 164 years – under the care of the Crown Estate between 1859-1999 and the Scottish Ministers between 1999-2023 – it has never been available or used as private residential accommodation

4.6 In the past it has been used intermittently as a temporary residence by HES staff however the property has, in the main, lain vacant for extended periods. Prior to recent internal refurbishment works (undertaken to facilitate its use as a Short-Term Let) Duddingston Lodge lay vacant and unused for 5 years.

4.7 A fundamental element of HES's core business and remit is to generate income from the wide range of historic and tourism assets which fall under their custodianship and management.

4.8 The proposals for Duddingston Lodge form part of a wider HES strategy, approved by Scottish Ministers in 2019, aimed at repurposing a number of vacant properties within their care to create a portfolio of short-term holiday lets.

4.9 The strategy has proved successful, turning vacant, deteriorating properties into profitable ventures, with all profit being reinvested into Scotland's historic environment whilst addressing HES's duty of care to those properties within their custodianship.

4.10 As such, the proposal will not result in the loss of any existing residential accommodation.

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4.11 Neither is there any prospect of Duddingston Lodge being made available as residential accommodation in the foreseeable future – this does not form part of HES’s approved strategy. Scottish Ministers have granted HES no jurisdiction or remit to sell or rent a publicly owned property in order to provide residential accommodation.

4.12 In the event that planning permission is not granted, the property will continue to lie vacant.

### **Local Economic Benefits**

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4.13 Duddingston Lodge’s use as a short term holiday let will deliver a range of direct and indirect local economic benefits.

4.14 The proposal will generate significant local spending by overnight visitors residing at the property. The unique character, location and attractiveness of the property dictates that it will be highly sought after by visitors to Edinburgh – encouraging them to stay and spend in the local area.

4.15 Promoting overnight stays by visitors is vital to the local economy. According to Visit Scotland, turning a day visit into an overnight stay increases local visitor spend by over 80%.

4.16 Visit Scotland’s summary of Scotland’s overnight tourism performance in Q2 2023 (April - June) indicates that average spend per head on an overnight trip in Scotland was £260.

4.17 Duddingston Lodge can accommodate up to 6 guests per night. Using Visit Scotland’s ‘average spend per head’ figure of £260 as a gauge, it is clear the proposal will deliver significant local economic benefit as a direct result of visitor spending.

4.18 The proposal will also generate local employment. The accompanying letter from Stephen Duncan of HES confirms that the letting of Duddingston Lodge will contribute around £36,000 per year associated to the employment of housekeepers, gardeners, and cleaners. As such, the proposal will directly support and help sustain the local workforce.

4.19 As highlighted, the proposal forms part of a wider strategy of turning vacant, deteriorating properties under the management of HES into profitable ventures. All profits are reinvested into Scotland’s historic environment - supporting HES’s duty of care to Scotland’s historic assets and their wide range of tourism and visitor initiatives.

4.20 In terms of quantifying anticipated profit from the proposal, as noted Duddingston Lodge is one of two near identical lodges within Holyrood Park. The other, Meadowbank Lodge, has operated as a short-term holiday let since August 2021. Meadowbank Lodge is also a 2-bedroom property configured to accommodate up to 6 overnight guests.

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4.21 The accompanying letter from Stephen Duncan at HES advises that *‘Meadowbank Lodge has generated a profit of £51,000 since launch in August 2021. In addition, it has effectively saved the taxpayer £72,000 in expenses related to maintenance, upkeep, and council tax over its two years as a holiday let property. This combined achievement results in a Net Present Value (NPV) of £123,000 during its two-year letting period’.*

4.22 For purposes of this review, we can assume that Duddingston Lodge would generate similar profit and Net Present Value for reinvestment by HES.

4.23 The monies would be invested in a number of ways, all of which support the local economy:

Revenue generated will be reinvested in the upkeep of Duddingston Lodge, a prominent Category B listed building which makes an important contribution to the historic setting and character of Holyrood Park – a Scheduled Ancient Monument of national importance as a unique historic landscape and a major visitor attraction in its own right.

Revenue generated will be reinvested in HES’s management and upkeep of Holyrood Park – this includes funding ongoing conservation work, essential maintenance to footpaths etc and HES’s Ranger Service which provides guided walks and group tours for the many thousands of visitors to Holyrood Park each year.

Revenue generated will help fund HES’s wider investment programme which, in turn, facilitates building repairs, archaeological work and the conservation of heritage assets across Edinburgh. These assets underpin Edinburgh’s status as a major tourist destination – a key driver of the local economy.

4.24 The Report of Handling notes that an independent economic impact assessment was commissioned by the Planning Service, and this resulted in a report on the Economic Impact of Residential and Short-Term Let Properties in Edinburgh (the Economic Report).

4.25 The Economic Report concludes that while there are positive economic impacts from the use of properties for both residential use and short-term let use *“in general the gross value added (GVA) effects are greater for residential uses than short-term lets across all property types and all areas.”*

4.26 The Economic Report acknowledges that its conclusions are based on several assumptions, primarily around occupancy rates for STL properties in Edinburgh. The Report of Handling confirms that the Economic Report *“considers generalities in its assessment and doesn’t consider the specifics of an individual case, only limited weight can be attached to it as a material consideration when making a planning application.”*

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4.27 While we do not seek to criticise the robustness or findings of the Economic Report, its conclusions appear to have been applied on a general basis without detailed consideration of the specifics of this case.

4.28 For the reasons presented, taking account of the unique characteristics of this case, it is submitted the local economic benefits generated by the proposal outweigh any perceived loss of residential accommodation as a result of the proposed change of use,

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## 5. CONCLUSION

- 5.1 This Notice of Review relates to City of Edinburgh Council's decision to refuse planning permission for a change of use from residential (Class 9) to short term let (Sui Generis) at Duddingston Lodge, 32 Old Church Lane, Edinburgh (23/02726/FULSTL).
- 5.2 This Statement presents the applicant's reasons for seeking a review by the Local Review Body and the case in support of granting planning permission.
- 5.3 Upon assessment, CEC concluded that the loss of the residential accommodation was not outweighed by demonstrable local economic benefits arising from the use of Duddingston Lodge's use as a short-term let.
- 5.4 On that basis, planning permission was refused for a single reason:
- The proposal is contrary to National Planning Framework 4 Policy 30(e) part (ii) in respect of Loss of Residential Accommodation. The loss of a residential property has not been justified.*
- 5.5 While the lawful use of Duddingston Lodge is understood to be residential, this statement has demonstrated that, in practical terms, the proposal would not result in the loss of existing, or indeed future, residential accommodation.
- 5.6 In any event, it is submitted that the local economic benefits generated by the proposal would outweigh any perceived loss of residential accommodation as a result of the proposed change of use.
- 5.7 As submitted, given the unique characteristics of this case, the local economic benefits generated by this proposal are both significant and wide ranging and can be considered atypical of a more traditional short-term let property in Edinburgh.
- 5.8 The proposal has been shown to comply with all other development plan policies of relevance, most notably the proposed use is considered acceptable with regards to neighbouring amenity and the character of the area.
- 5.9 Overall, it is considered that the proposed development complies with the development plan and there are no material considerations that would outweigh this conclusion.
- 5.10 For the reasons presented, we would respectfully request that planning permission is granted.

**Notice of Review - Documents List**

**32 Old Church Lane, Edinburgh, EH15 3PY**

**Change of Use from Residential (Class 9) to Short-Term Let (Sui Generis)**

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1. Completed Notice of Review Form
2. Notice of Review – Supporting Statement

All additional documents submitted are listed in the table below.

<b>1. Planning Application Documents</b>	
<b>Reference</b>	<b>Document Title</b>
HES 1.1	Planning Permission Application Form (submitted 23 <sup>rd</sup> June 2023)
HES 1.2	Supporting Statement (submitted 23 <sup>rd</sup> June 2023)
HES 1.3	Location Plan (submitted 23 <sup>rd</sup> June 2023)
HES 1.4	Floor Plans (submitted 23 <sup>rd</sup> June 2023)
<b>2. Additional Information</b>	
<b>Reference</b>	<b>Document Title</b>
HES 2.1	Email correspondence with case officer (1 <sup>st</sup> August-21 <sup>st</sup> August 2023)
HES 2.2	Letter from Stephen A Duncan (Historic Scotland) 13 <sup>th</sup> November 2023
<b>3. Decision</b>	
<b>Reference</b>	<b>Document Title</b>
HES 3.1	Decision Notice (16 <sup>th</sup> August 2023)
HES 3.2	Report of Handling (16 <sup>th</sup> August 2023)



**Stephen A Duncan**  
Director of Marketing and Engagement  
Historic Environment Scotland  
Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

For the attention of Edinburgh Council Planning Dept  
Via ePlanning

CC: [ChiefExecutive@hes.scot](mailto:ChiefExecutive@hes.scot)

[stephen.duncan@hes.scot](mailto:stephen.duncan@hes.scot)

T: +44 (0) 131 668 8781

13<sup>th</sup> November 2023

Dear Sir/Madam,

### **Short Term Letting of Holyrood Park Lodges – Planning Application Appeal Statement**

I am writing to address the two reasons for the refusal of planning permission to Duddingston Lodge and Meadowbank Lodge, both of which fall within the boundaries of Holyrood Park. The properties are owned by Scottish Ministers and managed under a scheme of delegation by Historic Environment Scotland.

The planning applications were refused on two grounds:

1. The proposal is contrary to National Planning Framework 4 Policy 30(e) part (ii) in respect of Loss of Residential Accommodation. The loss of a residential property has not been justified.

I would like to clarify that the lodges in Holyrood Park have never been used as Residential Properties, with the exception of a small number of HES staff who held residence as a part of a colleague keykeeper package. It is important to note that access to this package, and thereby continued residence at the relevant properties, was contingent on the continued employment of the beneficiaries within the organisation. Prior to their redevelopment, both properties lay vacant for over five years. Our current policy regarding the limited number of staff tenancies is not to renew leases following their expiry, and HES does not intend to provide the service of a social housing landlord. In this respect, the use of either property for Short-Term Lets (STL) does not represent a loss of residential property.

A major part of HES's core business is to generate income from our wide range of tourism and visitor initiatives. Profits are applied to manage and improve our estate and the wider historic



environment. The addition of a limited number of premium STL properties to our portfolio is intended to complement the offer made to our existing audiences, and drive income to support our estate and benefit the local economy.

The refusal of planning permission for Meadowbank Lodge further stated:

- 2. "It is also stated that any profit generated through this use [STL] would be reinvested in the upkeep of the property itself and in the wider management of Holyrood Park. Revenue will also support Historic Environment Scotland's wider investment program to the benefit of Scotland's tourist sector. No reference is made to the specific income generated from the STL use of this property".*

Meadowbank Lodge has generated a profit of £51,000 since launch in August 2021. In addition, it has effectively saved the taxpayer £72,000 in expenses related to maintenance, upkeep, and council tax over its two years as a holiday let property. This combined achievement results in a Net Present Value (NPV) of £123,000 during its two-year letting period. Income is reinvested in the historic environment, supporting our Properties in Care and the Holyrood Park Rangers, among other services.

Regarding its impact on the local economy, the letting of Meadowbank and Duddingston Lodges collectively contributes around £36,000 per cottage per year in local employment opportunities. This financial input is channelled into roles such as housekeepers, gardeners, and cleaners, thereby actively supporting and sustaining the local workforce.

Therefore, we would ask that you reconsider your decision to refuse the planning permission in respect of Duddingston Lodge and Meadowbank Lodge.

Regards,

**STEPHEN A DUNCAN**





Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: [planning.support@edinburgh.gov.uk](mailto: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 100632295-001

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.

### Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

### Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Change of use from residential (Class 9) to short term let (Sui Generis).

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) \*  Yes  No

Has the work already been started and/or completed? \*

- No
- Yes – Started
- Yes - Completed

### 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:	Iceni Projects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Callum	Building Name:	
Last Name: *	Fraser	Building Number:	7
Telephone Number: *	07399 179 945	Address 1 (Street): *	Alva Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH2 4PH
Email Address: *	cfraser@iceniprojects.com		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Longmore House
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	Salisbury Place
Company/Organisation	Historic Environment Scotland	Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH9 1SH
Fax Number:			
Email Address: *	cfraser@iceniprojects.com		

## Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

32 OLD CHURCH LANE

Address 2:

DUDDINGSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH15 3PY

Please identify/describe the location of the site or sites

Northing

672700

Easting

328264

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

132.40

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Residential accommodation.

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*  Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

**Water Supply and Drainage Arrangements**

Will your proposal require new or altered water supply or drainage arrangements? \*  Yes  No

Do your proposals make provision for sustainable drainage of surface water?? \*  Yes  No  
(e.g. SUDS arrangements) \*

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

**Assessment of Flood Risk**

Is the site within an area of known risk of flooding? \*  Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*  Yes  No  Don't Know

**Trees**

Are there any trees on or adjacent to the application site? \*  Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

**Waste Storage and Collection**

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*  Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Waste will be stored in same location as present use for residential accommodation. Waste collection will be professionally managed - see supporting statement for further details.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): \*

Not in a Use Class

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): \*

132

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Change of use from residential to short term let (Sui Generis). Property contains 2-bedrooms, total floorspace will be 132.4sqm.

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Callum Fraser

On behalf of: Historic Environment Scotland

Date: 23/06/2023

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

Yes  N/A

A Design Statement or Design and Access Statement. \*

Yes  N/A

A Flood Risk Assessment. \*

Yes  N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

Yes  N/A

Drainage/SUDS layout. \*

Yes  N/A

A Transport Assessment or Travel Plan

Yes  N/A

Contaminated Land Assessment. \*

Yes  N/A

Habitat Survey. \*

Yes  N/A

A Processing Agreement. \*

Yes  N/A

Other Statements (please specify). (Max 500 characters)

Supporting Statement

## **Declare – For Application to Planning Authority**

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Callum Fraser

Declaration Date: 23/06/2023





7 Alva Street  
Edinburgh  
EH2 2PH  
tel: +44 (0)131 370 3486  
email: info@iceniprojects.com  
web: www.iceniprojects.com

City of Edinburgh Council  
Development Management  
Waverley Court  
4 East Market Street  
Edinburgh  
EH8 8GB

23 June 2023

CF/JM – 23/222  
VIA EPLANNING

Dear Sir / Madam,

**CHANGE OF USE FROM RESIDENTIAL TO SHORT TERM LET (SUI-GENERIS)  
DUDDINGSTON LODGE, 32 OLD CHURCH LANE, EDINBURGH, EH15 3PY  
EPLANNING REFERENCE: 100632295-001**

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We write on behalf of the applicant, Historic Environment Scotland (HES), in support of a planning application for the following description of development:

*'Change of use from residential to short term let use (Sui Generis)'*

The applicant is the owner of Duddingston Lodge. The property is a detached lodge-style building which sits on Old Church Lane at the western edge of Duddingston. It is accessed from a private main door which opens onto a private driveway and garden.

The property is currently in residential use (albeit unoccupied). The applicant has recently refurbished the property with the intention of operating it as a short term let.

The application has been submitted electronically via ePlanning (Ref: **100632295-001**) along with the following supporting documents and information:

- Location Plan
- Floor Plan
- Supporting Planning Statement (this statement)

The associated planning application fee of £1,200 will be paid to City of Edinburgh Council separately under reference 100632295-001.

### **The Applicant**

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Historic Environment Scotland (HES) is the leading public body in Scotland for the investigation, care and promotion of Scotland's historic environment. HES maintains responsibility for over 300 properties of national importance, including some of Scotland's most visited attractions such as Skara Brae, Edinburgh Castle, Fort George, and numerous smaller sites, which collectively draw more than 5 million annual visitors.

As a non-departmental public body with charitable status, HES invests revenue from its operations on building repairs, ancient monuments, archaeological work and the voluntary sector, totalling over £14 million per year.

Revenues accrued from Duddingston Lodge's use as short-term let accommodation will be similarly invested.

## **The Site**

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Duddingston Lodge is one of two near-identical lodge properties under the ownership of HES in Holyrood Park – the other being Meadowbank Lodge located at the north-eastern entrance to Holyrood Park on Duke's Walk.

Duddingston Lodge is a detached, 2-bedroom property set within private grounds. The lodge is accessed via a private entrance, and also contains a private garden area and driveway with space for two cars. The property is contained by a well-established hedgerow which surrounds the site, providing effective screening from the surrounding area.

The site is located at the western end of Duddingston which is a predominantly residential area. It is situated at the south-eastern entrance to Holyrood Park. The closest residential property to the site is No. 66 The Causeway, which is located approximately 50m to the east, though the rear garden extends towards the site and at its closest point is c. 20m away.

Duddingston Lodge is a Category-B listed building and is located within the Palace of Holyrood House Garden & Designed Landscape. It is also within the boundary of the Holyrood Park Scheduled Monument and the Duddingston Conservation Area.

Old Church Lane operates as a through-road during Monday-Friday, providing vehicular and active travel access from Duddingston to Edinburgh Old Town, Southside, Meadowbank and Jock's Lodge.

Old Church Lane is closed as a vehicular through-road from 08:15-17:45 on Saturdays and Sundays to reduce disruption from vehicular movements for visitors to Holyrood Park during the weekend. It should be noted however that Duddingston Lodge retains local vehicular access at weekends.

The site is situated in a highly accessible location. The lodge is located a 5-minute walk to bus stops on Duddingston Road West, which provide a fast and frequent service to Edinburgh City Centre and further afield. The nearest train station is Edinburgh Waverley, which can be accessed in 30-minutes via public transport. Active travel access to the site is provided via separate pedestrian footpaths which run alongside Duddingston Low Road / Old Church Lane, and throughout Holyrood Park.

The site is within relatively short walking distance of the Edinburgh World Heritage Site and several of the city's most notable attractions including Arthur's Seat, the Scottish Parliament, the Palace of Holyrood House and the Royal Mile.

## **Legislative Context**

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The purpose of this application is to obtain planning permission to change the use of Duddingston Lodge from residential to short term let accommodation.

Under the recent legislation approved by the Scottish Parliament, all existing hosts and operators must apply for a license to operate a short term let to ensure they are safe and the people providing this type of accommodation are suitable. Where the premises are within a 'short term let control area', the host must make an application for planning permission, or already have full planning permission, before they can apply for the required licence.

The City of Edinburgh Council (CEC) has designated the entire administrative area of CEC as a Short Term Let Control Area. Scottish Ministers issued their decision granting approval for Edinburgh to become the first such area in Scotland, with this designation coming into effect from 5<sup>th</sup> September 2022.

This confirms that all proprietors seeking to use their properties within Edinburgh as a short term let require planning permission for a change of use to do so unless their property has been in use as a short term let for more than 10 years.

Short term lets are defined within the Scottish Government's Planning Circular 1/2021 (Short Term Let Control Areas) as a dwellinghouse where:

Sleeping accommodation is provided to one or more persons for one or more nights for commercial consideration.

No person to whom sleeping accommodation is provided is an immediate family member of the person by whom the accommodation is being provided.

The accommodation is not provided for the principal purpose of facilitating the provision of work or services to the person by whom the accommodation is being provided or to another member of that person's household.

The accommodation is not provided by an employer to an employee in terms of a contract of employment or for the better performance of the employee's duties, and

The accommodation is not excluded accommodation e.g., hotel or aparthotel.

The subject property satisfies the above definition. It is therefore the purpose of this planning application to formalise this position and seek planning permission for a change of use from residential to short term.

### **The Proposed Use**

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The proposal is for the change of use of the existing property from residential to short term let. No internal or external building alterations are required to facilitate this change of use.

Key features of the proposed use include:

Sleeps 4-6 people (two double bedrooms, with a sofa bed in the living room).

Serviced by a private drive with space for two cars.

The property will be professionally managed as a short term let by Rettie. Rettie will organise a professional clean at the end of each tenancy.

Bin collections / refuse will be on a weekly basis by ENVA.

Length of stay will vary, however Meadowbank Lodge (HES's identical property located at the Meadowbank entrance to Holyrood Park) has been operating as a short-term let for over two years and has typically been let for a month at a time.

### **Planning Policy and Material Considerations**

---

Section 25 of the Town and Country Planning (Scotland) Act (1997) states 'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.'

Within this context the Development Plan covering the site comprises:

National Planning Framework (NPF) 4 (2023)

Edinburgh Local Development Plan (LDP) (2016)

## NPF4

National Planning Framework (NPF) 4 was approved by the Scottish Parliament on 11<sup>th</sup> January 2023, before being formally adopted by Scottish Ministers on 13<sup>th</sup> February 2023. NPF4 is the national spatial strategy for Scotland and sets out the Scottish Government's spatial principles, regional priorities, national developments and national planning policy.

The following NPF4 policy is considered to be of relevance to this application:

**NPF4 Policy 30 (Tourism)** seeks to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with net zero and nature commitments, and inspires people to visit Scotland.

Part e) of Policy 30 states that:

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 benefits.

Duddingston Lodge is set in its own plot of land away from nearby residential properties. It is bound by substantial hedgerows which provide effective visual screening. The closest building to the site is an outbuilding located in the rear garden of the house at No. 66 The Causeway which is currently unoccupied. The closest inhabited residential property to the site is the main house at No. 66 The Causeway (c.60m to the east).

Duddingston Lodge is accessed via a private entrance and driveway, which eliminates any potential for conflict with neighbouring residents or other visitors to the area.

It is therefore considered there will be no detrimental impact on the amenity of the surrounding area.

Furthermore, the proposal will have positive economic benefits for the wider area, with increased visitors helping to drive local spending. Promoting overnight stays is vital to the wider visitor economy and drives sustainable tourism. Turning a day visit into an overnight stay increases local visitor spend by over 80% according to Visit Scotland<sup>1</sup>, and the provision of additional overnight accommodation will therefore clearly support economic growth.

The unique location of Duddingston Lodge will ensure it is highly attractive to tourists visiting Scotland, which in itself will 'inspire people to visit Scotland' in line with a key aim of Policy 30.

The proposal is therefore considered to comply with the relevant policies in NPF4.

## Edinburgh Local Development Plan

The Edinburgh Local Development Plan (LDP) was adopted in 2016 and sets out the policies and proposals to guide development across Edinburgh.

The following LDP policies are applicable to this application.

**Policy Hou 7 (Inappropriate Uses in Residential Areas)** states that developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

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<sup>1</sup> <https://www.visitscotland.org/binaries/content/assets/dot-org/pdf/research-papers-2/regional-factsheets/edinburgh-and-lothians-factsheet-2019.pdf>

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.

As set out above, the site is located on the edge of Duddingston well away from the closest residential properties (c. 60m). It is also well screened by existing mature hedges. The proposed use as a short term let will therefore have no amenity impact on the closest residential properties.

Furthermore, the proposed short term let will be professionally managed to ensure that it is maintained to a high standard and that no issues arise around access or refuse collection in particular. This provides additional safeguards in relation to neighbouring amenity.

It is our view that there will be no adverse impact on residential amenity and the proposal is therefore compliant with LDP Policy Hou 7.

### **CEC Guidance for Business (April 2023)**

The City of Edinburgh Council has issued a guidance document for business (last updated April 2023) which includes advice around changing residential property to short term lets. Although non-statutory, it assists in the interpretation of Policy Hou 7 above.

Four criteria provide guidance in respect of the application LDP Policy Hou 7. These criteria, as outlined below, may also be of assistance in considering NPF4 Policy 30 e) (i):

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.

The nature and character of any services provided.

Proposals for a change of use will be assessed in terms of their likely impact on neighbouring residential properties. Factors which will be considered include background noise in the area, and proximity to nearby residents.

Below we outline our assessment against the relevant criteria for the proposed change of use to short term let:

#### The character of the new use and of the wider area

As set out above, the proposed use will have no detrimental impact on the wider area. The property is situated well away from other residential properties and is well contained by mature hedges.

The property is professionally managed, and to all intents and purposes will operate in a very similar fashion to mainstream residential accommodation (for example, refuse collection is weekly and average length of tenancies are anticipated as being c. one month).

#### The size of the property

The property is a two bed, detached lodge-style house with its own private access, driveway, and car parking area. Occupancies will typically be between 4-6 people which is considered to be appropriate for this size of house.

#### The pattern of activity associated with the use including numbers of occupants, the period of use, issues of noise, disturbance, and parking demand.

As set out above, tenancies are anticipated to typically last one month, so there is a relatively infrequent turnover of guests. Refuse collection would be on a weekly basis, and professional cleaning will only be carried out once at the end of each tenancy. There is space with the site envelope for two cars, which is considered to be appropriate for the maximum number of guests (typically 4-6).

The nature and character of any services provided.

The property will operate to all intents and purposes as a mainstream residential house, albeit tenancies will be shorter than those typically associated with mainstream residential use.

**Summary**

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This application for planning permission has been submitted in support of the conversion from residential use to short term let accommodation (Sui generis) at Duddingston Lodge, 32 Old Church Lane, Edinburgh. The property is owned and managed by Historic Environment Scotland, who are the applicant.

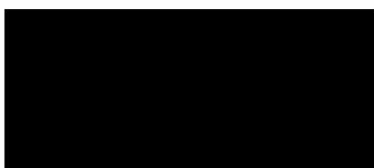
This statement has demonstrated that the proposal complies with the development plan and material considerations, including the Council's Guidance for Business which outlines the requirements for conversions from residential to short term let accommodation.

We therefore respectfully request that planning permission is granted in respect of this application.

We look forward to receiving notification that the application has been registered in due course.

Should you have any queries in relation to any of the attached information, please do not hesitate to contact me via tel: 0131 370 3486, or email: [cfraser@iceniprojects.com](mailto:cfraser@iceniprojects.com).

Yours faithfully,



Callum Fraser  
DIRECTOR

**Jack Miller**

---

**From:**  
**Sent:**  
**To:**  
**Subject:**

**Follow Up Flag:**  
**Flag Status:**



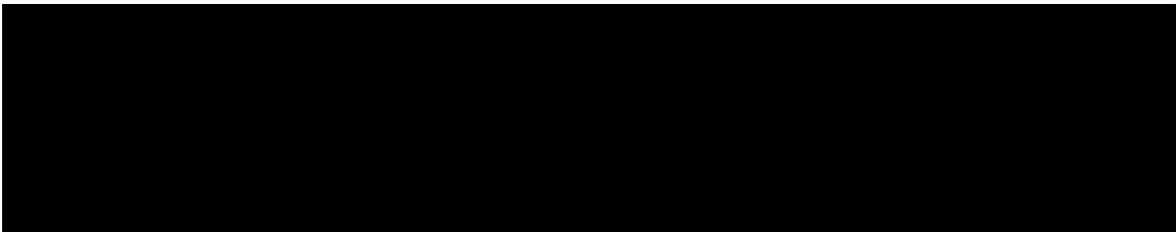
Afternoon Mr Miller,

Regarding planning application 23/02726/FULSTL the decision notice and report of handling was issued on 16 August and can be viewed via the planning portal.

Kind regards,

Craig.

Craig Turnbull / Assistant Planning Officer / Planning and Building Standards | Sustainable Development | PLACE Directorate | The City of Edinburgh Council | Waverley Court, **G.2**, 4 East Market Street, Edinburgh, EH8 8BG | [craig.turnbull@edinburgh.gov.uk](mailto:craig.turnbull@edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)



Good afternoon Craig,

I hope you are well.

As the consultation period has now expired, can you please confirm if any representations have been received in respect of the application at 32 Old Church Lane (Ref: 23/02726/FULSTL)?

Can you also please provide any initial thoughts or comments on the application?

If you have any queries on the submission, please let me know and I'll be happy to assist.

Kind regards,  
Jack

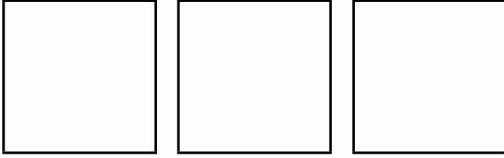
**Jack Miller**  
Assistant Planner, Planning





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**From:** Craig Turnbull <Craig.Turnbull@edinburgh.gov.uk>  
**Sent:** Friday, August 4, 2023 10:26 AM  
**To:** Jack Miller <jmiller@iceniprojects.com>  
**Subject:** RE: Application Ref: 23/02726/FULSTL - 32 Old Church Lane, Edinburgh, EH15 3PY

Dear Jack,

Please see below information relating to the representation period on applications following the Uniform upgrade downtime.

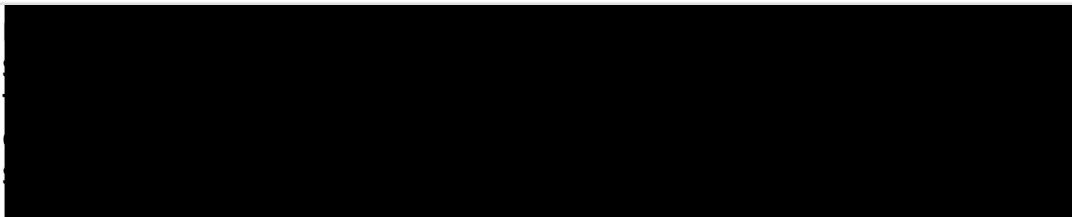
Applications that had expiry dates between 20<sup>th</sup> July – 1<sup>st</sup> August have been extended to 13.08.23. Therefore, regarding planning application 23/02726/FULSTL the expiry date for public representations is now 13.08.23.

Currently, no comments have been received in respect of the application.

The applications proposal and attached supporting statement are currently still in the early stages of being assessed against the development plan and material considerations.

Kind Regards,  
Craig.

Craig Turnbull / Assistant Planning Officer / Planning and Building Standards | Sustainable Development | PLACE Directorate | The City of Edinburgh Council | Waverley Court, **G.2**, 4 East Market Street, Edinburgh, EH8 8BG | [craig.turnbull@edinburgh.gov.uk](mailto:craig.turnbull@edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)



Good morning Craig,

I hope you are well.



The consultation period has expired for our recent application at 32 Old Church Lane, Edinburgh for change of use from residential (Class 9) to short term let (Sui Generis).

As the planning portal was offline during the previous week, it is my understanding that certain applications have had the period to submit comments extended.

Can you confirm if this applies to this application?

From the portal, I note that there have been no comments received in respect of the application.

Can you please confirm if this is the case and provide any initial thoughts or comments on the application at this point?

If you have any queries regarding the application, please let me know and I will be happy to assist.

Kind regards,  
Jack

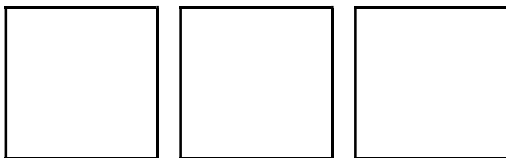
**Jack Miller**  
Assistant Planner, Planning

**telephone:** 0131 370 3486  
**mobile:** 07823 457 323  
**email:** jmill@iceniprojects.com



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Iceni Projects.  
FAO: Callum Fraser  
7 Alva Street  
Edinburgh  
EH2 4PH

Historic Environment Scotland.  
Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

**Decision date: 16 August 2023**

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

Change of use from residential (Class 9) to short term let (Sui Generis).  
At 32 Old Church Lane Edinburgh EH15 3PY

**Application No:** 23/02726/FULSTL

**DECISION NOTICE**

With reference to your application for Planning Permission STL registered on 23 June 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 National Planning Framework 4 Policy 30(e) part (ii) in respect of Loss of Residential Accommodation. 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 proposal complies with sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will preserve or enhance the character or appearance of the conservation area and does not harm the character of the listed building, its setting, or the setting of neighbouring listed buildings.

The change of use of this property to a Short Term Let (STL) will not have an unacceptable impact on neighbouring amenity. The proposal is considered to comply with NPF 4 30(e) part (i) and LDP policy Hou 7.

However, 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 loss of residential accommodation. The proposal, therefore, does not comply with the Development Plan policy NPF 4 policy 30(e) part (ii). 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](mailto: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](http://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](mailto: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  
32 Old Church Lane, Edinburgh, EH15 3PY**

**Proposal: Change of use from residential (Class 9) to short term let (Sui Generis).**

**Item – Local Delegated Decision  
Application Number – 23/02726/FULSTL  
Ward – B14 - Craigentinny/Duddingston**

## **Recommendation**

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

## **Summary**

The proposal complies with sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will preserve or enhance the character or appearance of the conservation area and does not harm the character of the listed building, its setting, or the setting of neighbouring listed buildings.

The change of use of this property to a Short Term Let (STL) will not have an unacceptable impact on neighbouring amenity. The proposal is considered to comply with NPF 4 30(e) part (i) and LDP policy Hou 7.

However, 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 loss of residential accommodation. The proposal, therefore, does not comply with the Development Plan policy NPF 4 policy 30(e) part (ii). There are no material considerations that outweigh this conclusion. The proposal is unacceptable.

## **SECTION A – Application Background**

### **Site Description**

The application property comprises a two-bedroom detached lodge set within private grounds on Old Church Lane.

The property is accessed via a private entrance and contains a private garden area and driveway with space for two cars. The property is contained by a well-established hedgerow which surrounds the site.

The property is located at the western end of Duddingston which is a predominantly low density residential area. It is situated at the south-eastern entrance to Holyrood Park. The closest residential building to the property is number 66 The Causeway, which is located approximately 50 metres to the east.

The property is located within the Duddingston Conservation Area and is a category B listed building (ref: LB49511: date of listing 07.10.2003)

### **Description Of The Proposal**

The application seeks permission to change the use of the property from residential (Class 9) to short-term letting (sui generis). No internal or external physical changes to the building are proposed.

### **Supporting Information**

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:** 29 June 2023

**Date of Advertisement:** 7 July 2023

**Date of Site Notice:** 7 July 2023

**Number of Contributors:** 0

## **Section B - Assessment**

### **Determining Issues**

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
  - (i) harming the listed building or its setting? or

(ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?

b) 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 does not harm the character of the listed building, or its setting. It is therefore acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

### **b) The proposals harm the character or appearance of the conservation area?**

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of reserving or enhancing the character or appearance of that area."

The Duddingston South Conservation Area Character Appraisal emphasises the substantial green setting which provides a rural appearance, the landscaped setting around Duddingston House, the predominance of traditional building materials and the mainly residential use.

There are no external changes proposed. The change of use from a residential premises to a short term let will not have any material impact on the character of the conservation area. The change of use would preserve the appearance of the conservation area.

## **Conclusion in relation to the conservation area**

The proposals are acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

### **c) 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 policies Env 4 and Env 6.

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

## Listed Building and Conservation Area

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 and therefore, 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 located at the western end of Duddingston which is a predominantly low density residential area. The surrounding area comprises many detached residential buildings and the application property does not share access with any other residential units and is located within its own private grounds. There is a small public car park to the west of the property and trees to its north.

The closest residential building to the application property is 66 The Causeway, which is located approximately 50 metres to the east. The rear garden of 66 The Causeway extends towards the applicant's property. Within the garden at 66 The Causeway is a two-story ancillary building which is approximately located 10 metres away from the private garden area of the applicant's property.

The applicant provided a supporting Statement which addressed NPF 4 policy 30 e. In terms of amenity the applicant asserts that the property is located on its own private land well away from other residential properties and is well contained by mature hedges. It is accessed via a private entrance and driveway, which eliminates any potential for conflict with neighbouring residents.

It is not considered that the STL use would have a significant detrimental impact on neighbouring amenity or the existing character of the area. The STL use is therefore considered acceptable with regards to neighbouring amenity and the character of the area. The proposal complies with NPF 4 30(e) part (i) and LDP policy Hou 7.

### *Loss of residential accommodation:*

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 expresses that the proposal will have positive economic benefits for the wider area, with visitors helping to drive local spending. The applicant asserts that turning a day visit into an overnight stay increases local visitor spend by over 80% according to Visit Scotland and therefore the proposal will support economic growth.

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.

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.

The evidence in the applicant's planning statement relates to generalised information surrounding the economic benefits from overnight stays of visitors in Scotland. In this instance it has not been sufficiently demonstrated that the loss of the residential accommodation is outweighed by demonstrable local economic benefits arising from the STL use. As such, the proposal does not comply with NPF 4 30(e) part (ii).

### Parking Standards

The property contains a private driveway. 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 acceptable 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 loss of residential accommodation. The proposal complies with NPF 4 policy 30(e) part (i) and LDP policy Hou 7 but does not comply with the Development Plan policy NPF 4 policy 30(e) part (ii).

### **d) 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.

#### Independent economic impact assessment

An independent economic impact assessment was commissioned by the Planning Service, and this resulted in a report on the Economic Impact of Residential and Short-Term Let Properties in Edinburgh (the Economic Report). This was reported to Planning Committee on 14 June 2023. The Committee noted that the findings of the report are one source of information that can be considered when assessing the economic impacts of short-term let planning applications and that given the report is considering generalities rather than the specifics of an individual case, it is likely that only limited weight can be attached to it as a material consideration when making planning application decisions. The study considered the economic impact of various types of properties in Edinburgh if used as a residential property as opposed to being used for short-term holiday lettings.

The Economic Report shows that there are positive economic impacts from the use of properties for both residential use and short-term let use. The Report found that in general the gross value added (GVA) effects are greater for residential uses than short-term lets across all property types and all areas. However, given it is considering generalities rather than the specifics of this individual case, only limited weight can be attached to it as a material consideration in the determination of this application.

#### Public representations

A summary of the representations is provided below:

##### *material considerations*

- None.

##### *non-material considerations*

- None.

#### **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 proposal complies with sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will preserve or enhance the character or appearance of the conservation area and does not harm the character of the listed building, its setting, or the setting of neighbouring listed buildings.

The change of use of this property to an STL will have not have an unacceptable impact on neighbouring amenity. The proposal is considered to comply with NPF 4 30(e) part (i) and LDP policy Hou 7.

However, 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 loss of residential accommodation. The proposal, therefore, does not comply with the Development Plan policy NPF 4 policy 30(e) part (ii). 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 National Planning Framework 4 Policy 30(e) part (ii) in respect of Loss of Residential Accommodation. 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: 23 June 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](mailto: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: 14 August 2023

### **Authorising Officer**

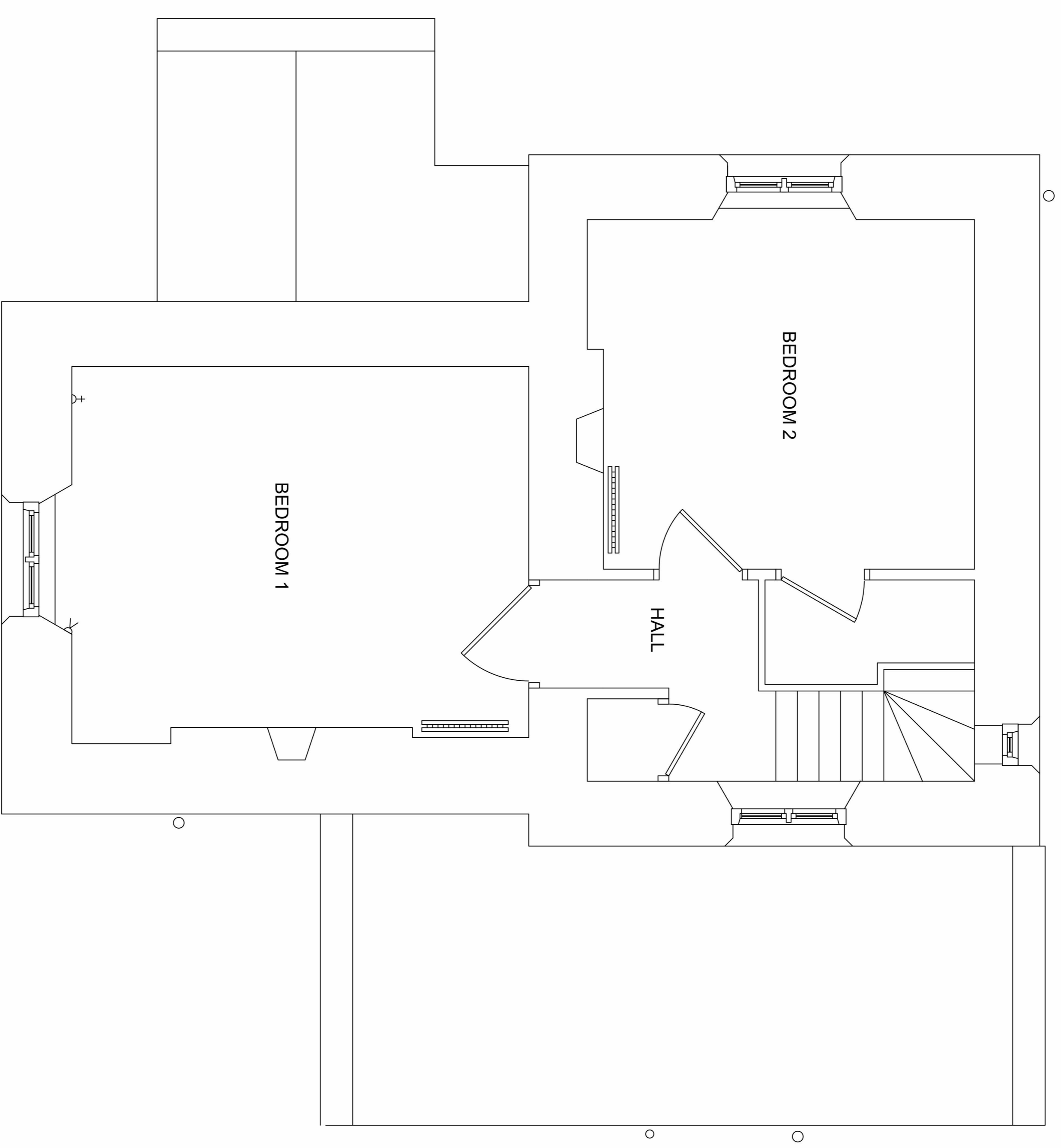
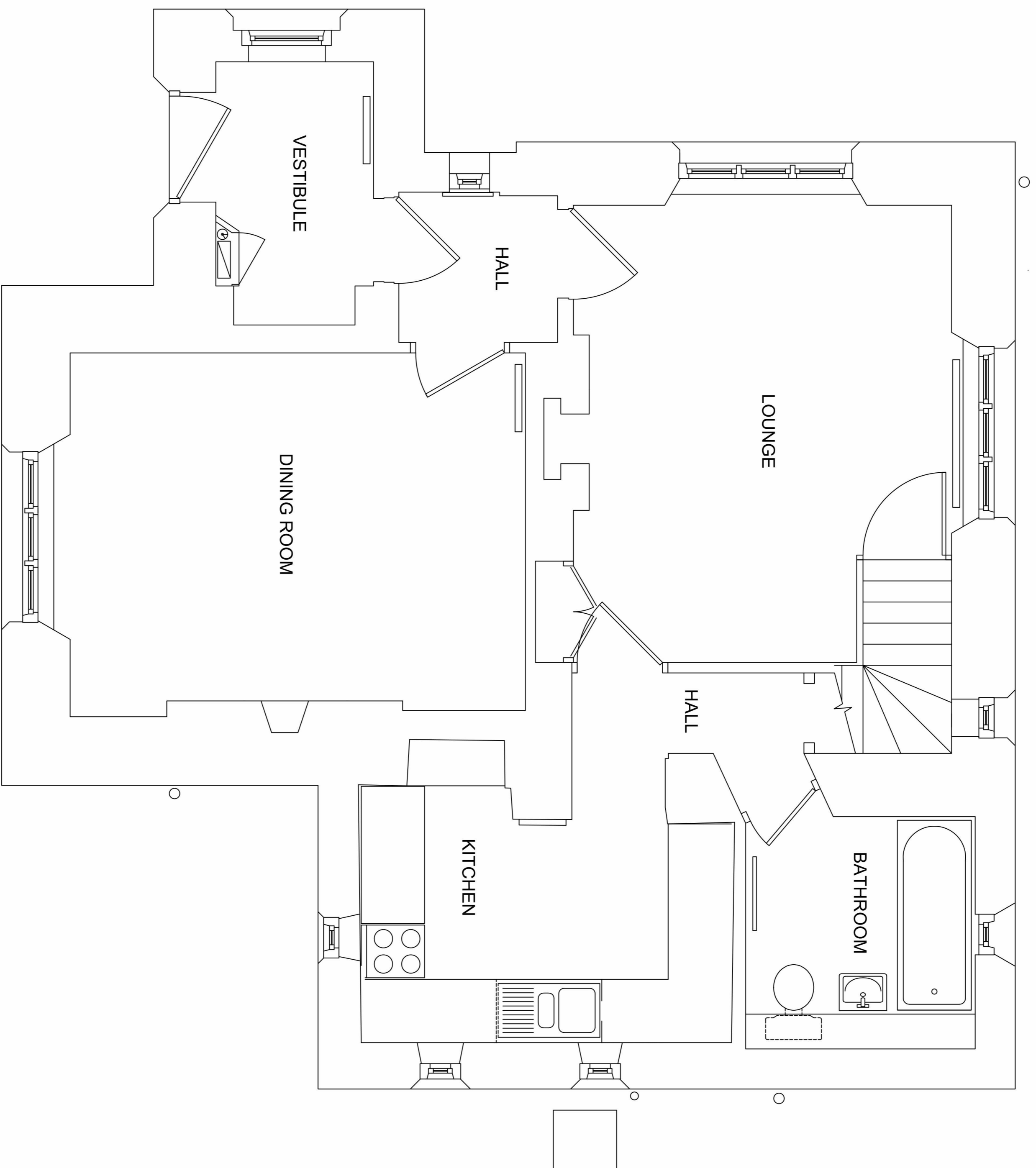
To be completed by an officer as authorised by the Chief Planning Officer to determined applications under delegated powers.

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

Authorising Officer (mRTPI): Lynsey Townsend

Date: 15 August 2023





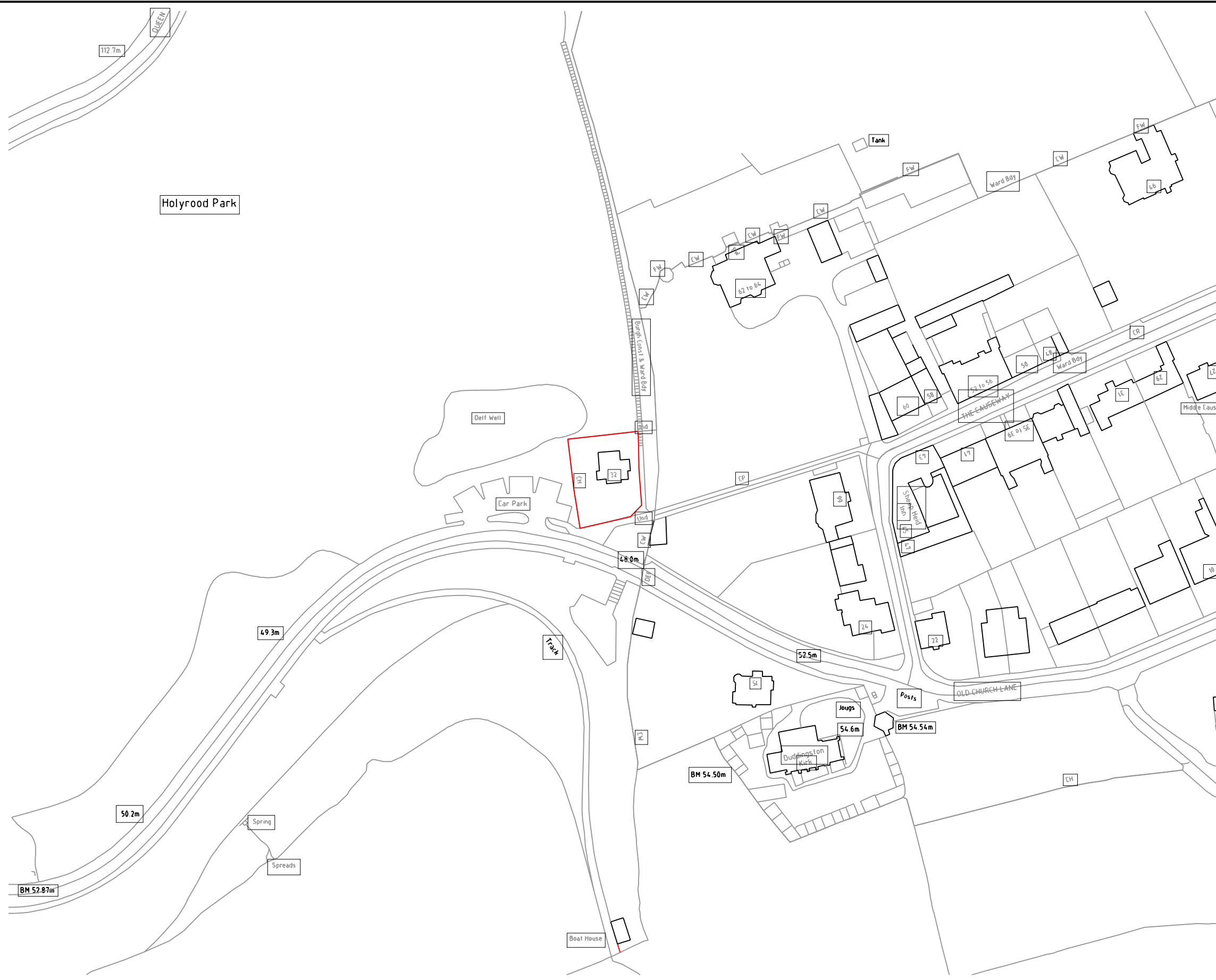
**INFORMATION ONLY**

**GROUND FLOOR PLAN**

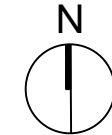
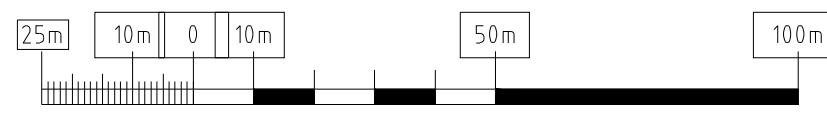
**FIRST FLOOR PLAN**

PROJECT INFORMATION	
PROJECT	Duddingston Lodge Holyrood Park Lodges - Holiday Lets
PROJECT NUMBER	TBC
SCALE	1:30 @ A1
DATE	7/3/2017
DESIGNER	Colin Hay
CLIENT	John Cree





Information Only



MONUMENT	Duddingston Lodge
PROJECT	Site Plan



PROJECT DRAWING NUMBER	2017-8-(6-)-003	
SCALE	1:1250 @ A3	PROJECT MANAGER Colin Hay
DATE	7/3/2017	DRAWN BY John Crae
ARCHIVE NUMBER		