



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100641990-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Eneas"/>	Building Number:	<input type="text" value="143"/>
Last Name: *	<input type="text" value="Duffy"/>	Address 1 (Street): *	<input type="text" value="Whitson Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH11 3BP"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

141 WHITSON ROAD

Address 2:

STENHOUSE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH11 3BP

Please identify/describe the location of the site or sites

Northing

672332

Easting

321940

Description of Proposal

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

We are seeking Planning Permission in retrospect for Short Term Let.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see paper apart and supporting documents.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

1. Paper Apart detailing reasons we appeal the decision 2. GlitznGlam 164 Balgreen Road - Letter of Support from Local Business 3. Bashir Grovers - 166 Balgreen Road - Letter of Support Local Business 4. Davies - 151 Whitson Road - Letter of Support Neighbour 5. Brunton - 137 Whitson Road - Letter of Support 6. Anico - 139 Whitson Road - Letter of Support

Application Details

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

23/04195/FULSTL

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

06/09/2023

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

08/11/2023

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Eneas Duffy

Declaration Date: 13/12/2023

We would argue that the proposed change of use to an Air BnB does encourage, promote and facilitate tourism as well as benefit local people and have a positive impact on the carbon footprint.

The location of the property is within a 5 minute walk from the tram stop, providing direct access to and from Edinburgh Airport, Waverley Station, Ingliston Highland Centre, Edinburgh City Centre, Leith and Granton. The property also benefits from being situated in the main artery of Lothian buses and within walking distance of the City Centre and Murrayfield Rugby Stadium.

It's close proximity to Corstorphine Hill, Water of Leith Walkway and the recently rejuvenated Saughton Park attracts ramblers, bird watchers and nature lovers.

The property being used as an Air BnB enhances the local area. Due to the size of the property, a maximum of 4 adults will be residing at any one time. In respect of the comment regarding "close proximity to the neighbouring windows at the first floor level" These windows you refer to, are in fact the windows of our home which is situated directly above the Air BnB, we have resided in this property for over 38 years. We can assure you that should there be any noise or disturbance then we would be first affected. In the event of any issue of noise or disturbance (should this ever arise) this would be dealt with immediately and effectively. We are proud of our neighbourhood and well known to many local residents. We could not in all conscience allow our Air BnB to impact negatively on the local residents and neighbours.

To date, we have never experienced this and this is evidenced by our supporting documents from neighbours which are attached for your perusal.

We advertise strictly a no Stag/Hen/group bookings. We operate a meet and greet policy where we advise the guests we reside directly above and all noise must be kept to a minimum. We find that the majority of guests leave early in the morning and are out of the property for the best part of the day, returning in the evening. If anything, the impact of people coming and going is less than the levels we experienced prior to our purchase of the property, when the use was a family home. This is also the position with background noise levels since the change of use moved to a STL.

Visitors/Tourists require different types of accommodation. We would argue that we provide affordable, clean, safe, accommodation which allows families to benefit from and enjoy a break/holiday in Edinburgh. The cost of accommodation at the majority of hotels and bed and breakfasts within Edinburgh is out with the reach of many families. We would not wish our beautiful City of Edinburgh to become a City that only the very rich or privileged can afford to visit.

The property is a ground floor property with a parking space/driveway to the front, this along with the close proximity to transport links means it is suitable for people with limited mobility. In addition, we have had bookings from companies where employees are contracted to work or attend training courses. One company in particular, is a sub-contractor of the Haymarket Edinburgh Development, frequently booking for their skilled workers as there is secure off street parking and again good local transport links. Thus, in addition to contributing to tourism also the wider economic growth of our City.

With regard to the impact on the local economy, we attach letters of support from both a local hairdresser and grocer who have commented on the benefit of passing trade from our guests, again confirming that it does benefit the local economy. We also have a guest book and leaflets with local recommendations. In addition, the lady who is paid to clean the property lives locally.

With regard to the objection, whilst we appreciate the comments made, we do not believe they are valid in respect of the comparison between Dalry and Whitson which are said to be similar areas/properties. Dalry, is mainly made up of tenement properties with shared access and communal garden areas. We can appreciate that a flat being used in a tenement for Air BnB purposes could have a detrimental impact on other residents/flats within the tenement. However, as already stated, our property is a lower villa with private access and a private garden area and which we reside directly above. We do not accept that the use of our property as an Air BnB causes any nuisance to neighbours as highlighted in our supporting documents numbered.

1. GlitznGlam Letter of Support
2. Balgreen Grocer Letter of Support
3. Davies 151 Whitson Road Neighbour Letter of Support
4. Brunton -137 Whitson Road Neighbour Letter of Support
5. Anico - 139 Whitson Road Neighbour Letter of Support

We would ask that you consider our review and all supporting documentation and arrive at a favourable decision.

Kind regards

Eneas & Jennifer Duffy

Subject: Appeal for Denial of Airbnb Permit Application

Dear Counsellor

I hope this letter finds you in good health and high spirits. I am writing to express my support for Mr. Duffy, the owner of the local Airbnb property located at 141 Whitson Road. As the owner of Glitz n Glam Hair, a hair salon situated in close proximity to Mr. Duffy's property, I have had the pleasure of interacting with his guests on numerous occasions.

I understand that Mr. Duffy's application for an Airbnb permit has been denied, and I would like to appeal this decision on his behalf. Having witnessed firsthand the positive impact of his Airbnb property, I believe that granting him the permit would not only benefit his business but also contribute to the growth and vibrancy of our community.

Mr. Duffy's property has been a valuable asset to my salon and the local economy. Many of his guests have become loyal customers of Glitz n Glam Hair, contributing significantly to the success of my business. The presence of his Airbnb has attracted a diverse clientele, and the resulting foot traffic has led to increased visibility and exposure for my salon. This symbiotic relationship has fostered a sense of community and has helped create a thriving local economy.

Moreover, Mr. Duffy has consistently demonstrated his commitment to being a responsible and considerate host. He ensures that his guests follow all local regulations and guidelines, and he maintains open lines of communication with neighboring businesses like mine. He has strived to minimize any potential disruptions and has been proactive in addressing any concerns raised by fellow business owners or residents.

Additionally, I would like to highlight the positive impact that Airbnb guests have made on our local businesses. The additional revenue generated through their patronage has allowed us to invest in our establishments, create jobs, and support other small businesses in the area. By denying Mr. duffy's permit, we risk losing these economic benefits and stifling the growth of our community.

I respectfully request that you reconsider the denial of Mr. Duffy's Airbnb permit application. Granting him the permit would not only be a testament to the spirit of entrepreneurship that our city cherishes but also a continuation of the positive relationship between local businesses and Airbnb hosts. With appropriate regulation and oversight, we can strike a balance that allows for the responsible operation of short-term rentals while preserving the unique character of our community.

Thank you for your time and attention to this matter. I trust that you will carefully evaluate this appeal and make a decision that supports the interests of local businesses, residents, and the overall growth of our community. Should you require any further information or have any questions, please do not hesitate to contact me.

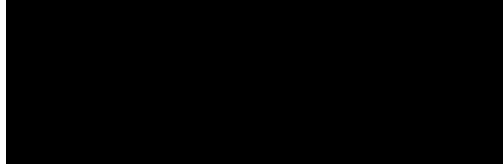
Yours sincerely,

Simone Black

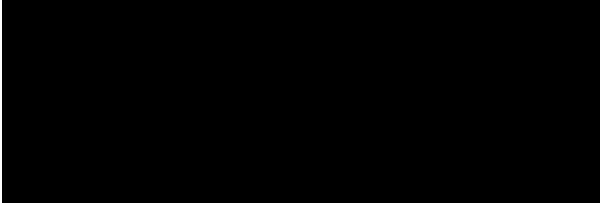


Sinead Duffy

From:
Sent:
To:
Subject:

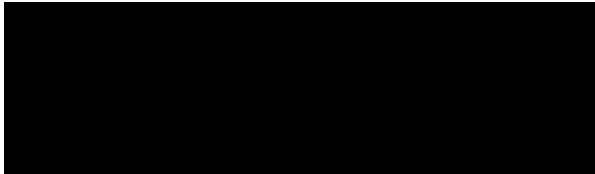


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Sent from my iPhone

Begin forwarded message:



We live next door to Eneas & Jenny and we can confirm that we don't have any problem if they will apply for Air B and B license.

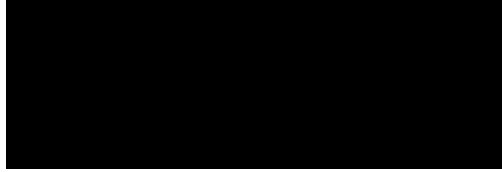
Regards,

Mr. & Mrs . Anico
139 whitson road
Edinburgh
EH11 3BP

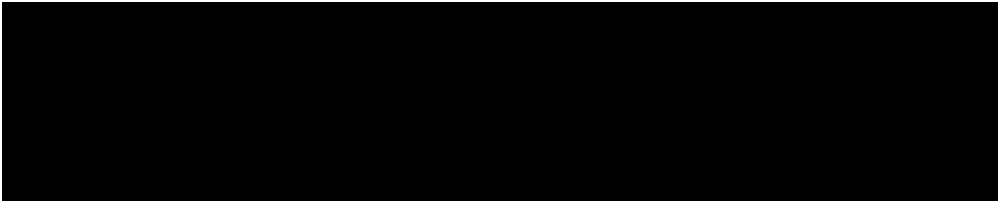
[Sent from Yahoo Mail for iPad](#)

Sinead Duffy

From:
Sent:
To:
Subject:

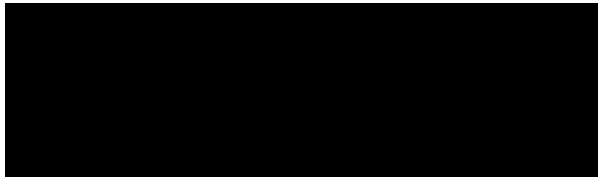


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Sent from my iPhone

Begin forwarded message:



Hi,

I am sending this email to verify that Mr Eneas Duffy is a great member of the balgreen community. And his Airbnb business is a great addition to local community providing valueable business for local businesses like ours.

We only have positive experiences from all the guests staying in his property. He is very meticulous and make sure the guests staying in the property are respctfull of the neighbours, community and have great reviews.

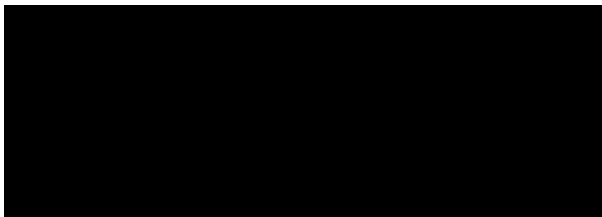
Asif Bashir
166 Balgreen Road
Edinburgh

Sinead Duffy

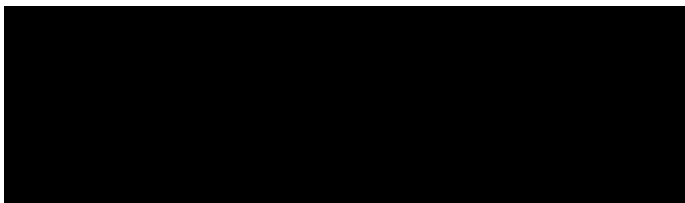
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ENEAS



Good evening Eneas,

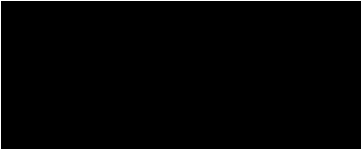
I can confirm since the property, 141 Whitson Road, has been used as an Airbnb there have been no issues regarding it's usage. The guests have been respectful of the neighbours in the area and I have no issue with this continuing.

Many thanks,

Dany

Dany Brunton
Director





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Theorise Ltd, Registered office: Westpoint, 4 Redheughs Rigg, Edinburgh, EH12 9DQ.

Company Registration - SC591484

Richard & Rodielyn Davies

151 Whitson Road

Edinburgh

EH11 3BP

23 November 2023

To whom it may concern

Re: Application Number 23/04195/FULSTL

We have been asked by Mr & Mrs Duffy of 141 Whitson Road, Edinburgh, to confirm that we live in the next block and that we can confirm there has been no issues that we have noted since the commencement of the short-term letting beginning September 2021.

Regards,

Richard & Rodielyn Davies