

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 100656146-001

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:	Planning Solutions Edinburgh		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Nicholas	Building Name:	Midlothian Innovation Centre
Last Name: *	Morris	Building Number:	
Telephone Number: *	07960020354	Address 1 (Street): *	Pentlandfield Business Park
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Roslin
Fax Number:		Country: *	Midlothian
		Postcode: *	EH25 9RE
Email Address: *	nicholaspse@gmail.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" value="Ms"/>	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="Rachel"/>	Building Number:	<input type="text" value="22"/>
Last Name: *	<input type="text" value="Garrard"/>	Address 1 (Street): *	<input type="text" value="The Butts"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Brentford"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="England"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="TW8 8BL"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="6 ABBEY MOUNT"/>
Address 2:	<input type="text" value="ABBHEYHILL"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH8 8EJ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="674305"/>	Easting	<input type="text" value="326949"/>
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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)

Application for planning permission for a short term let. See attached report

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 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)

Planning Statement provided with the application Appeal Statement

Application Details

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

23/03614/FULSTL

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

10/08/2023

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

27/09/2023

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Nicholas Morris

Declaration Date: 26/12/2023

Planning Statement/REF 23/03614/FULSTL

6 Abbey Mount

Edinburgh

EH8 8EJ

This Planning Statement supports a planning application by Rachel Garrard to City of Edinburgh Council seeking approval for the continued use of garden flat at 6 Abbey Mount for Short Term Let (in retrospect)

I have been asked to submit a statement which addresses NPF 4 30(e), regarding my STL/holiday home (6 Abbey Mount) I have tried to set out my statement to be as clear and concise as possible and I hope this document provides the necessary information and addresses the issues of the policy required at this time.

NPF 4 contains a specific policy on short term lets, Policy 30(e) states:

e) 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.*

Background to the Application

The application is a main door, garden flat with private entrance in a two storey house. The house is butted onto to the large rear wall of number 5 Abbey Mount (no windows or access points). Number 6 has its own private access directly through a private garden to the front of the property. (there is no rear garden)

The apartment is located within Edinburgh's busy Abbeyhill area with many local facilities and amenities. The property which I regularly occupy as my holiday home has also been let out to guests as a short-term residential apartment since 2018.

The property is set within a private cul-de-sac with a gated entrance on the main thoroughfare known as Abbey Mount. Via a shared driveway the flat is entered through a private garden, the layout of the flat is designed to suit short term living, the front door opens straight onto the open plan lounge, kitchen, diner. The separate front door to upper flat number 6A is located directly next to the bedroom window with their 'stair' sharing my bedroom wall, this small bedroom has cupboard space enough for a 'short stay,' there is one small bathroom with a high roll top bath.

I market the flat to prospective STL guests via booking portals Airbnb and booking.com

Property Setting and Driveway

6 Abbey Mount is a house divided into two flats, number 6 is the lower and 6A the upper - My property butts onto the rear wall of number 5 Abbey Mount (there are no windows/ doors etc on this large rear wall) The front of 5 Abbey Mounts faces directly out to the main road, Abbey Mount.

So number 6/6A effectively stands alone within the cul-de-sac/driveway which is in use in use 24/7

The driveway has a mixed-use character: two commercial garages used for storage are located the end of the driveway, whilst around the side of the house is the rear entrance for 11 x STL units (Abbey Gate) and Fortitude cafe.

The surrounding area/driveway is in constant use, to combat the disturbances I have recently installed double glazed windows and a soft closing front door which works to help minimise any potential disruption from the interior as well as to block out the exterior nuisances:

- To the front of the property: The driveway in constant use as a service road for the Abbey Gate STLs
- To the front of the property: The driveway in constant use for the commercial garages
- To the rear of the property: Abbey Gate, 22 guests self-checking in and out of the 11 x STL units (no time restrictions) through three doors (without soft closing mechanisms) which lies directly parallel to my kitchen/living room and bathroom.
- Cleaning and maintenance staff attending every day from 8-5pm to service the units
- 9 x powerful bulk head, motion sensor lights area attached to the building housing Abbey Gate STL units, the lights are located directly opposite the windows in my kitchen/living area.
- A busy access route within the city Abbey Mount is a main road, with associated sounds of a constantly busy thoroughfare emergency vehicles, as well as potential for pollution.

Design and guest profile

Abbey Mount is a small flat, maximum occupancy two guests (most commonly a mature couple) The STL apartment is furnished for short term stays/living;

- The small sized bedroom has limited storage facility
- The bathroom has an antique high claw bath (not accessible to people with mobility issues)
- The kitchen/living/dining area is designed to accommodate two people and large gatherings, parties are prohibited, this space is in close proximity to the 11 x STL units to the rear of the flat
- The bedroom shares a partition wall; between my bedroom and the staircase of the upper flat 6A which has concrete steps, in addition the bedroom window at number 6 is located directly next to the front door (not soft closing) of number 6A

Use of the apartment for Short Term Letting

To my knowledge no complaints have been issued by any neighbours regarding my holiday home/STL - my only close neighbour (6A Abbey Mount, flat above) has written a letter supporting the continued use as a STL let.

With no complaints about use of the apartment for short term letting since 2018 offers support to assess its acceptability in the close neighbourhood (albeit a driveway).

Feedback from guests of how the property is managed have also been very good with 5 star reviews.

Management

I am owner and full-time manager of my STL which in the past was my home/now holiday home - for nearly 30 years. As I oversee, manage and monitor advertising of the property handle all bookings and provide the point of contact for guests, I can check previous reviews of the individual or couple booking my home to assess if they are suitable.

My guests cannot check in 24/7 as other some STL accommodation allows. I welcome guests between 11am - 7pm at the property to show them around and explain the house rules, which includes no noise and disturbance should be caused to neighbours.

To date I have had no issues with any guest, they have been pleasant and respectful of my house rules, I also have a detailed house manual on view in the property.

Location, nearby shops and amenities:

Abbey Mount is a high traffic area with constant vehicle noise and pollution. The area is mixed-use character: within the direct vicinity of my property

- Brae House Yugo Student/holiday accommodating 399 single ensuite bedrooms in cluster flats of up to nine persons.
- Fortitude coffee shop, part of the Abbey Gate complex
- Abbey Gate 22 guests occupying 11 x STL units - minimum stay of 3 nights
- 5/5A Abbey Mount both HMO, mainly housing students
- Tenement block likely (unknown) to be mixed STL, LTL/home owner resident
- Regent public house

Around the corner on Montrose Terrace small local businesses such as a mini supermarket, hairdressers, coffee shops/cafe/restaurants, art studio, gift shops, book shops and well-being clinics further on Easter Road there is wide variety of retail outlets.

National Planning Framework

NPF4 - Sustainable Places

6 Abbey Mount is in a highly sustainable location being accessible via a choice of modes of transport including by foot, bicycle and public transport. This central location means that

most STL visitors wishing to sight see within the city do not require to use transport to view the main attractions.

With this in mind guests choose to leave their car at home and instead opt for rail as their mode of transport to the city, the main Edinburgh Waverley station being close by -15 walk away from the property.

The location of Abbey Mount makes is easily accessible via a wide variety of different modes of public transport, Waverley train station is walkable and the airport is quick and easy to access with the using the nearby bus network and tram links. Additionally the wide selection of bus routes on the doorstep to beauty spots such at the beaches at Portobello, North Berwick and Gullane means public transport will be favoured over private car to enjoy sights further afield which guests may otherwise thought out of reach without a car.

Being a garden flat with outdoor space to the front of the property bicycles and alternative Eco modes of transport can be easily accommodated - for this reason I think the property is highly sustainable by its position reduce the need to travel unsustainably.

As the Abbey Mount area already has a high concentration of commercial STL property i.e. not owner occupied properties. The continued use of 6 Abbey Mount as a short-term let will therefore satisfy the principles of sustainability and cause no adverse impact on the global climate and nature crises.

NPF4 - Tourism

As the applicant, I have spent much time, money and effort creating what I hope is an unique and stylish 'holiday home' my aim is to give my guests a really wonderful, luxurious experience and lasting memory of their time in Edinburgh whilst out and about sight seeing but also where they come back to at the end of the their day to relax and unwind.

Aimed primarily at mature guests vacationing for a short period, I consider it is an easily accessible premises, well managed with no self check ins and 24/7 support available.

I hope the kind words from my guests this year such as;

Simply wonderful, superb accommodation, very walkable, one of the nicest airbnbs I've stayed in, absolutely beautiful home meticulously finished, two words...absolutely brilliant, wonderful host.....

.....would contribute to encouraging and promoting tourism, and to inspire people to choose Edinburgh and Scotland as their first choice holiday destination.

6 Abbey Mount is part of a mixed-use character area which I consider the STL use of my holiday home is compatible. In addition the high volume of properties surrounding my property are all offering a combination of lets including STLs.

- To the South - Brae House Yugo student accommodation/summer holiday lets
- To the North - 11 x STL accommodation Abbey Gate
- To the West - 5/5A Abbey Mount both flats registered as HMO
- To the East - Commercial garages

- Above - flat 6A (separate main door entry) currently vacant.
- Coffe shop 2-4 Abbey Mount
- Regent bar Abbey Mount

No negative impact on local amenity

The flat is limited to two guests, mature couples who wish to enjoy Edinburgh, the tourist attractions and to dine out in the evenings - it is highly unlikely they would create such noises as to cause disturbance. As an apartment with its own entrance, in a mixed-use area its relationship with adjacent buildings means that no one is affected by the activities of STL guests. No negative impact is caused to local amenity, this is apparent from the lack of any complaints since 2018.

Contributes to achieving the policy by providing

- Well managed small short term let with direct involvement and 24/7 support
- Provides good quality and well maintained city centre accommodation for two guests
- Generating business for a wide variety of local enterprises
- Being compatible with the mixed-use area, whilst protecting and respecting local amenity

Demonstrable local economic benefits and positive impact on local amenity

The use of 6 Abbey Mount for short-term letting contributes in many ways to the local economy.....

- Guests spend money sight seeing/visiting the city's tourist attractions
- Guests contribute to public transport as well as taxis
- Guests drinking and eating in nearby bars and restaurants helps keep the neighbourhood vibrant/alive
- Guests shopping for fashion, interior accessories and/or other souvenirs help the high street thrive
- Accommodation fees generates income for a local small business
- Business created for local cleaning and maintenance staff
- Guests taking part in an event such as Fringe, will be paying for venue hire/staffing etc

Summary

6 Abbey Mount has its own private entrance, which means there is no possibility of direct impact on, any residential neighbours. In addition there are no shared facilities with any residential neighbours. I manage the cleaning, rubbish removal of the apartment and any

maintenance of the property. Maintenance /general upkeep /pest control at the property is carried out by local tradespeople whose livelihood depends on these contracts.

There have been no complaints regarding noise or disruption since 2018 when I began my STL - As the use of the apartment is already established this provides evidence on which to make an assessment against Hou7. As previously mentioned I have a letter of support from my only direct neighbour at 6A. My guests have left very positive comments regarding their stay on the Airbnb and Booking.com websites. In addition I have Super Host status on Airbnb as a result of my continued 5 star rating.

- Is compatible with the character of the area
- Causes no disturbance to neighbours
- Generates a variety of business for local trades /local economic benefit
- Makes a positive, 5 star guest rated contribution to visitor accommodation in the city



PLANNING SOLUTIONS EDINBURGH (PSE)

PLANNING APPEAL

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

Proposal: Change of use from residential to short term let (in retrospect Ref 23/03614/FULSTL)

Address: 6 Abbey Mount, Edinburgh, EH8 8EJ

Applicant: Rachel Watson

www.planningsolutionsedinburgh.co.uk Midlothian Innovation Centre, Pentlandfield, Roslin EH25 9RE email nicholaspse@gmail.com Tel 0131-441-7891 Mob 07960020354

Introduction

We write on behalf of Rachel Garrard , residing at 22 The Butts Brentford TW8 8BL. This report provides the grounds of appeal against the decision not to grant retrospective planning permission for the change of use of a residential property to a short term let.

Reason for Refusal

The proposal is contrary to Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as the use of this property as a short term let will have a materially detrimental effect on the living conditions and amenity of nearby residents.

The proposal is contrary to National Planning Framework 4 Policy 30(e) in respect of Local Amenity and Loss of Residential Accommodation, as the use of this dwelling as a short term let will result in an unacceptable impact on local amenity and the loss of a residential property has not been justified.

Site Description

The property comprises a living room, combined kitchen and living area, one bedroom and a bathroom all of which are located on the lower floor of a two-storey stone build villa, located at 6 Abbey Mount Edinburgh. The property is set within a private gated cul-de-sac and has a private front garden, a private car parking space, and is accessed via a locked front gate leading to a main door. The cul-de-sac area is mostly mixed use with some commercial garage activity and eleven short-term apartments directly behind the property at Abbey Gate.



The property at 6 Abbey Mount enjoys its own private locked gate and main door entrance.

Background information

The owner is also the full-time manager of the short term let, which was previously used as their home for almost 30 years. The owner oversees manages and monitors the advertising of the property and manages all bookings and provides the point of contact for guests. Each guest is fully vetted to ensure that that they can be trusted to behave appropriately and follow house rules. Guests cannot check in 24/7 but can only check in at designated times between 11am and 7pm, where they are welcomed at the property and shown around and briefed on the house rules, which includes no noise or disturbance to neighbours. To date there have not been any issues with guests, who have always shown themselves to be respectful to the neighbours.

Objections

There have not been any formal objections to the proposal.

Grounds for appeal

The proposal is contrary to Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as the use of this property as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents.

The property is located in a mixed-use area which includes commercial garages, student accommodation, multiple short term let properties and houses of multiple occupancy. There are eleven short term let properties located immediately behind the applicant's property. Therefore, there are very few residential properties in the area except for the flat above which is on a long term let and the adjoining property at 5 Abbey Mount Edinburgh. **However, it should be noted that neither resident objected to the proposal.** Despite the property being located within a gated cul-de-sac there is a considerable amount of activity taking place throughout the day with deliveries and ongoing work within the commercial garages. There are also 11 STL properties within the area which require regular servicing as well as guests coming and going throughout the day and sometimes at night (Appendix 1) This makes the area unsuitable for long term residents because of the potential noise disturbance from both the commercial garages and the 11 STL properties.

The clients have not had any complaints from neighbours regarding guests staying at the property nor was there any objections via the planning portal during or after the 21-day Neighbour Notification period. Had there been any issues with bad behaviour inappropriate parking etc residents would have complained or objected to the planning application. However, this is highly unlikely as most of the activities relating to the property take place within the gated area and would not affect the wider community.

The proposal is contrary to National Planning Framework 4 Policy 30(e) in respect of Local Amenity and Loss of Residential Accommodation, as the use of this dwelling as a short stay let will result in an unacceptable impact on local amenity and the loss of a residential property has not been justified.

As previously stated, the area is very much mixed use with only one or two permanently occupied flats out of a possible fourteen. The majority are Short Term Lets and have been for many years. Therefore, it can be argued that 6 Abbey Mount would be unsuitable for long term residential use due to the amount of activity in and around the area from the commercial garages and the apartment block where there are many short terms let apartments.

Conclusion

The Appellant believes that the proposed change of use (in retrospect) would not cause a materially detrimental effect on any residents and, therefore, is not contrary to LDP Policy Hou 7. This is because the property is located in an already busy mixed-use area where the continued use of a carefully managed STL would not have a detrimental impact on the amenity of the two remaining permanent residents or the surrounding area.

Furthermore, the flat at 6 Abbey Mount is located within a busy mixed-use area with many comings and goings at various times throughout the day and night. For this reason, the client does not believe that the property is suitable for anything other than short term accommodation and is therefore, not in breach of **National Planning Framework 4 policy 30(e) in respect of local Amenity and Loss of Residential Accommodation**. Moreover, there will also be no loss of a sense of community and no detriment to the amenity of the immediate location. Therefore, we would respectfully request that the application should be **granted** planning permission.

Appendix 1- STL flats behind the property



The building directly behind the appellant's site has eleven short terms let properties where guests come and go at various times of the day.

Appendix 2- the internal flat at 6 Abbey Mount



