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**Decision date: 24 March 2022**

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

Change of use from residential to short-term let visitor accommodation.  
At 2 Cumberland Street North East Lane Edinburgh EH3 6SB

**Application No:** 21/06633/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 31 December 2021, 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;

**Conditions:-**

**Reasons:-**

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

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01, 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 not harm the listed building or its setting and it will preserve or enhance the character or appearance of the conservation area.

However, the proposal will have a materially detrimental effect on the living conditions and amenity of nearby residents and therefore it does not comply with LDP policy Hou 7. It also does not comply with the SPP as it will not contribute towards sustainable development. Therefore, the recommendation is to refuse planning permission.

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 Robert McIntosh directly at [robert.mcintosh@edinburgh.gov.uk](mailto:robert.mcintosh@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**

**2 Cumberland Street North East Lane, Edinburgh, EH3 6SB**

**Proposal: Change of use from residential to short-term let visitor accommodation.**

## **Item – Local Delegated Decision**

**Application Number – 21/06633/FUL**

**Ward – B11 - City Centre**

## **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 not harm the listed building or its setting and it will preserve or enhance the character or appearance of the conservation area.

However, the proposal will have a materially detrimental effect on the living conditions and amenity of nearby residents and therefore it does not comply with LDP policy Hou 7. It also does not comply with the SPP as it will not contribute towards sustainable development. Therefore, the recommendation is to refuse planning permission.

## **SECTION A – Application Background**

### **Site Description**

The application site relates to No. 2 Cumberland Street North East Lane. It is a 2 bedroom basement flat to the rear of Cumberland Street.

It is part of a B listed building. NT 25312 74659, 15/07/1965.

The site lies within the New Town Conservation Area and the World Heritage Site.

### **Description Of The Proposal**

The application is for planning permission for the change of use of a residential flat to a short term visitor let accommodation.

## Supporting Information

Planning Statement.

### Relevant Site History

No relevant site history.

### Consultation Engagement

Environmental Protection

## Publicity and Public Engagement

**Date of Neighbour Notification:** 24 March 2022

**Date of Advertisement:** 14 January 2022

**Date of Site Notice:** 14 January 2022

**Number of Contributors:** 7

## 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 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

If the proposal is in accordance with the development plan the determination should be to grant planning permission unless material considerations indicate otherwise?

If the proposal is not in accordance with the development plan the determination should be refuse planning permission unless material considerations indicate otherwise?

In the assessment of material considerations this report will consider:

- the Scottish Planning Policy presumption in favour of sustainable development, which is a significant material consideration due to the development plan being over 5 years old;
- equalities and human rights;

- public representations; and
- any other identified material considerations.

## Assessment

To address these determining issues, it needs to be considered whether:

### 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: Interiors

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.

Managing Change in the Historic Environment: Interiors sets out the principles that apply to altering the interiors of historic buildings and states that the interior makes a substantial contribution to the special architectural or historic interest of a building.

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 complies with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed building or its setting.

### 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 preserving or enhancing the character or appearance of that area."

The New Town Conservation Area Character appraisal states *The New Town, constructed between 1767 and 1890 on the glacial plain to the north of the Old Town, contains an outstanding concentration of planned ensembles of ashlar-faced, world-class, neo-classical buildings, associated with renowned architects, including John and Robert Adam, Sir William Chambers, and William Playfair. Contained and integrated*

*with the townscape are gardens, designed to take full advantage of the topography, while forming an extensive system of private and public open spaces. It covers a very large area, is consistent to an unrivalled degree, survives virtually intact and constitutes the most extensive surviving example of neo-classical town planning in the world.*

*The Conservation Area ranks as one of the most important in the United Kingdom, in terms of both its architectural, urban planning and historic interest. Its significance is reflected in the extensive number of Statutory Listed Buildings, the number of tourists that visit the area, and its international recognition as part of the UNESCO designated Old and New Towns of Edinburgh World Heritage Site.*

There are no external alterations and the development preserves both the character and appearance of the conservation area. The change of use from a two-bedroom domestic flat to a short-term holiday 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 comply with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

### **c) The proposals comply with the development plan?**

The development plan comprises the Strategic and Local Development Plans. The relevant policies of the adopted Edinburgh Local Development Plan (LDP) to be considered are:

Environment Policies, Env 1, Env 3, Env 4 and Env 6.  
Housing Policy, Hou 7.  
Transport Policies, Tra 2 and Tra 3

The non-statutory Listed Building and Conservation Area Guidance and the non-statutory Guidance for Businesses are material considerations that are relevant when considering LDP policies.

#### Listed Buildings and setting

LDP Environment policy Env 4 (Listed Buildings - Alterations and Extensions) seeks to ensure that proposals to alter or extend a listed building are justified; that there will be no unnecessary damage to historic structures or diminution of its interest; and that additions are in keeping with other parts of the building.

LDP Environment policy Env 3 (Listed Buildings - Setting) states that development affecting the setting of a listed building will be permitted only if not detrimental to the appearance or character of the building, or to its setting.

The impact on the listed building, its setting and the setting of neighbouring listed buildings has been assessed in section a) above which concluded that the special architectural and historic interest of the building would not be harmed and the setting of

the listed buildings would be preserved. As the proposal complies with the statutory test, it therefore also complies with LDP policies Env 3 and Env 4.

### Conservation Area

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The impact on the character and appearance of the conservation area has been considered above in b). It was concluded that the change of use would not have any material impact on the character of the conservation area and would preserve the appearance of the conservation area.

The proposal complies with LDP Policy Env 6.

### World Heritage Site

LDP policy Env 1- World Heritage Sites states that development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh as World Heritage Sites or would have a detrimental impact on the site's setting will not be permitted.

The applicant has confirmed that there will be no external alterations to the building. The change of use of one flat from residential to short term let will not harm the setting of the World Heritage Site.

The proposal complies with LDP policy Env 1.

### Proposed Use

The application site is situated in the urban area as defined in the adopted Edinburgh Local Development Plan (LDP).

The main policy that is applicable to the assessment of short-stay commercial visitor accommodation (SCVA) lets is LDP policy Hou 7 (Inappropriate Uses in Residential Areas) which states that developments, including changes of use which would have a materially detrimental impact on the living conditions of nearby residents, will not be permitted.

The non-statutory Guidance for Businesses states that an assessment of a change of use of dwellings to SCVA 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.

There has been a number of appeal decisions which have helped to assess whether short stay visitor accommodation is acceptable or not. These appeals are material planning considerations. The main determining issues in these cases relate to the following:

- The location of the property and, in particular, whether it is part of a common stair shared by residents. Typically, appeals are successful where the property has its own private access;
- The frequency of movement and likely disturbance for neighbours, and whether this is likely to be more than a full-time tenant occupying the flat. Generally, the smaller the flat the less likelihood of disturbance to neighbours;
- The impact on the character of the neighbourhood. Again, this often relates to the size of the property and whether anyone renting it for a few days is likely to shop or use local services any differently from a long-term tenant;
- The nature of the locality and whether the property is located within an area of activity such as being on a busy road or near shops and other commercial services. As such, residents would be accustomed to some degree of ambient noise/ disturbance.

These appeals have also found that short stay visitor accommodation units can be acceptable in predominately residential areas.

Paragraph 220 of the LDP acknowledges that tourism is the biggest source of employment in Edinburgh, providing jobs for over 31,000 people. Whilst there is not a specific LDP policy relating to the jobs created through the required care, maintenance and upkeep of SVCA properties, the economic benefits are a material planning consideration.

The application property is a two bedroom flat. It is located on Cumberland Street North East Lane. The lane is to the rear of Cumberland Street and it is a relatively quiet and sheltered residential lane. There are residential properties directly above and to the side of the property. Whilst the property has its own private front door it is noted that access to the flat is gained from a cobbled lane and down two flights of stairs. The use of the property as a short term let would likely introduce an increased frequency of movement to the flat at unsociable hours. Baggage would also likely be wheeled across cobbles and up and down the stairs which would add to the potential disturbance to neighbours.

The property also has its own patio area which is located near to where the rear windows of neighbouring properties are located. It is apparent that many of these nearby windows appear to permit light to bedrooms.

Environmental Protection were consulted as part of the assessment of the application. It stated that it was of the opinion that the application cannot be supported due to concerns relating to the potential for surrounding residential amenity to be affected.

The proposal will have a materially detrimental effect on the living conditions and amenity of nearby residents and therefore the proposal does not comply with LDP policy Hou 7.

#### Parking standards

LDP policy Tra 2 - Private Car Parking encourages low car provision where a development is accessible to public transport stops and that existing off-street car parking spaces could adequately accommodate the proposed development.

LDP policy Tra 3 - Private Cycle Parking supports development where proposed cycle parking and storage provision complies with the standards set out in Council Guidance.

There is no off street car parking available within the site however there is metered on street parking available nearby. The site is highly accessible by public transport.

There is no cycle parking standards for SCVA's. Bikes could be parked within the property or within the patio area of the property if required.

The Roads Authority had no comments to make on the application.

The proposals comply with policies Tra 2 and Tra 3.

### **Conclusion in relation to the Development Plan**

The proposal does not comply with LDP Policy Hou 7 as the change of use of this property to a short-term visitor let would materially harm neighbouring amenity. There are no material considerations that would justify approval.

#### **d) There are any other material considerations which must be addressed?**

The following material planning considerations have been identified:

##### SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal does not comply with all thirteen principles outlined within Paragraph 29 of the SPP as it would not protect the amenity of existing development. The proposal will therefore not contribute to sustainable development.

##### Emerging policy context

The Draft National Planning Framework 4 is being consulted on at present and has not been adopted. As such, little weight can be attached to it as a material consideration in the determination of this application.

While City Plan 2030 represents the settled will of the Council, it has not yet been submitted to Scottish Ministers for examination. As such, little weight can be attached to it as a material consideration in the determination of this application.

##### Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

### Public representations

A summary of the representations is provided below:

#### *material considerations*

- Would impact upon residential amenity. This is addressed in section C
- Impact on parking. This is addressed in section C
- Does not comply with the policies contained within the SPP. This is addressed in section D.
- Impact on littering and waste. The proposal will not have a material impact on levels of waste and littering

#### *non-material considerations*

- Loss of residential accommodation. This is not a material consideration under the current LDP. While City Plan 2030 represents the settled will of the Council, it has not yet been submitted to Scottish Ministers for examination. As such, little weight can be attached to it as a material consideration in the determination of this application.

### **Overall conclusion**

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

However, the proposal will have a materially detrimental effect on the living conditions and amenity of nearby residents and therefore it does not comply with LDP policy Hou 7. It also does not comply with the SPP as it will not contribute towards sustainable development. Therefore, the recommendation is to refuse planning permission.

## **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following;

## **Reasons**

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

## **Background Reading/External References**

To view details of the application go to the [Planning Portal](#)

**Further Information - [Local Development Plan](#)**

**Date Registered: 31 December 2021**

## **Drawing Numbers/Scheme**

01

Scheme 1

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

Contact: Robert McIntosh, Planning Officer  
E-mail: [robert.mcintosh@edinburgh.gov.uk](mailto:robert.mcintosh@edinburgh.gov.uk)

## Appendix 1

### **Consultations**

NAME: Environmental Protection

COMMENT: The main issues of concern from short-term lets relate to the impacts they can have on neighbouring residential amenity mostly by way of internal and external noise.

The application property has its own front door access which is a positive aspect in that it is not a shared access, however the access sits within a basement below other residential properties and their windows.

Short term lets generally involve a regular flow of visitors entering and exiting the property sometimes with suitcases. In this situation there is the potential for the visitors to cause external noise by way of wheeled suitcases rattling on road cobbles, cases banging on the steps and from voices in the early and late hours as visitors arrive and depart. There are also noise concerns relating to guests standing outside the property to congregate to smoke which could cause noise and also smoke to enter adjacent property windows.

By way of internal noise, the Council has previously received complaints from neighbours situated adjacent to, above and below short term lets relating to loud music, banging noise and shouting being audible within the adjacent residential properties.

The applicant has advised in their supporting information that there have been no amenity or noise concerns relating to the application property as it is actively managed by a professional letting firm. However, there remains concerns that a short term let in this position (i.e. below residential properties) has the potential to cause detrimental amenity impacts by way of noise which will be difficult to control by the associated letting agent

Environmental Protection is therefore of the opinion that this application cannot be supported due to concerns relating to the potential for surrounding residential amenity to be affected.

# Comments for Planning Application 21/06633/FUL

## Application Summary

Application Number: 21/06633/FUL

Address: 2 Cumberland Street North East Lane Edinburgh EH3 6SB

Proposal: Change of use from residential to short-term let visitor accommodation.

Case Officer: Robert McIntosh

## Customer Details

Name: Mr James Ball

Address: 9/1 Cumberland Street Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment:-----

Dear Sir/Madam.

I have the following concerns and objections to this application:

1) The development would have unacceptable impacts on neighbourhood amenity. This includes but is not limited to concerns about: Noise associated with short-term lets, turnover, loss of community and security. In the Old Town, one in four properties are listed on Airbnb. Very few have planning authorization. Short-term letting affects the ability of the area to function as a "socially sustainable place". (see <https://www.theguardian.com/technology/2020/feb/20/revealed-the-areas-in-the-uk-with-one-airbnb-for-every-four-homes>)

2) Additional short term lets will have a material impact on the accessibility of housing to long-term residents, contrary to Scottish Planning Policy on "socially sustainable places" . Additionally, Main door properties have been found unacceptable for short-term letting when they are close to other residential properties and / or share communal spaces. Furthermore, the demand for main door housing in Edinburgh is so great that, incentivizing main door housing for short-term holiday lets is contrary to Scottish Planning Policy on "supporting delivery of accessible housing".

Please see: <https://www.dpea.scotland.gov.uk/CaseDetails.aspx?ID=120999>

<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?ID=120857>

<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=120050>

<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?ID=120492>

<http://dpea.scotland.gov.uk/CaseDetails.aspx?ID=120047>

<https://www.russell-cooke.co.uk/media/1039650/2012-ewca-civ-1202.pdf>

Regards.

# Comments for Planning Application 21/06633/FUL

## Application Summary

Application Number: 21/06633/FUL

Address: 2 Cumberland Street North East Lane Edinburgh EH3 6SB

Proposal: Change of use from residential to short-term let visitor accommodation.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Ruth Connelly

Address: 9 Cumberland Street Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I cannot believe the Council is considering giving permission to change another residential property into short term let accommodation. We are surrounded by them including our own stair which has Airbnb lets. Definitely no especially when there is such a shortage of residential accommodation for people.

# Comments for Planning Application 21/06633/FUL

## Application Summary

Application Number: 21/06633/FUL

Address: 2 Cumberland Street North East Lane Edinburgh EH3 6SB

Proposal: Change of use from residential to short-term let visitor accommodation.

Case Officer: Robert McIntosh

## Customer Details

Name: Ms Judith Norkin

Address: 17 1f1 Royal Crescent Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed change of use should not be approved because changing the use has a very high potential to interfere with the neighbouring properties' use and enjoyment of their own homes.

This property has an outdoor courtyard and this space has historically been used by residents for large social gatherings which produce a lot of noise (in the form of shouting and loud music), litter and bottles left in the street, and generally anti-social behaviour.

This is often late at night, and because the properties in the lane actually face out to the rear of the properties on Royal Crescent where most people on Royal Crescent and Fettes Row have their bedrooms, this anti-social activity is very disruptive for nearby residents trying to sleep.

In the past, our household has asked residents of this property to lower the volume of their music and shouting when they've entertained, but this has had no effect.

I think that this application change of use should not be granted because the raucous behaviour is a standard and well-documented behaviour for AirBnB properties.

If you grant this change of use, you are basically giving the property owner permission to impose their commercial activity and the poor behaviour of guests whose interests are not usually aligned with the residents, to behave however they wish and create problems for the permanent residents.

Please deny this application. Thank you.

# Comments for Planning Application 21/06633/FUL

## Application Summary

Application Number: 21/06633/FUL

Address: 2 Cumberland Street North East Lane Edinburgh EH3 6SB

Proposal: Change of use from residential to short-term let visitor accommodation.

Case Officer: Robert McIntosh

## Customer Details

Name: Dr Sean Stevens

Address: 15 Roseneath Place edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Primary objections will be loss of amenity for residential housing and over-provision of short term lets.

There is absolutley no need for further short term lets in this area, and actually the city in general.

# Comments for Planning Application 21/06633/FUL

## Application Summary

Application Number: 21/06633/FUL

Address: 2 Cumberland Street North East Lane Edinburgh EH3 6SB

Proposal: Change of use from residential to short-term let visitor accommodation.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Katherine Armstead

Address: 14 Cumberland Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Sir

I write to object to this application on the grounds it represents a material change of use from the current permitted residential use. Granting permission for short term lets reduces the number of permanent residents thus the community invested in the neighbourhood. This issue has been well documented in the Old Town, where residents have seen communities significantly reduced or completely destroyed. Here residents have found themselves with few other residential neighbours, but a majority of neighbours being transient visitors. This particularly impacts the vulnerable or elderly. In addition, the high turnover of guests in short-term lets increases the chance of some people wilfully or negligently to behave appropriately. Other issues include more household waste than would be expected from residential use, leading to full or overflowing bins (possibly leading to littering and vermin); pressure from guests' cars on availability of on-street parking to neighbours and the likelihood of increased noise and general disturbance compared to the occupation of the property on a permanent or long term residential basis. An other consideration is the impact on the availability of affordable and appropriate housing for local residents. For these these reasons I am logging this objection to the application.

Yours faithfully

# Comments for Planning Application 21/06633/FUL

## Application Summary

Application Number: 21/06633/FUL

Address: 2 Cumberland Street North East Lane Edinburgh EH3 6SB

Proposal: Change of use from residential to short-term let visitor accommodation.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Judith Conn

Address: 1 Fettes Row Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this application on the grounds that it will remove a residential property from occupation by either a long term tenant or an owner occupier, in an area of the city where already a significant number of properties are devoted to holiday lets, undermining community cohesion with all its beneficial social effects.

# Comments for Planning Application 21/06633/FUL

## Application Summary

Application Number: 21/06633/FUL

Address: 2 Cumberland Street North East Lane Edinburgh EH3 6SB

Proposal: Change of use from residential to short-term let visitor accommodation.

Case Officer: Robert McIntosh

## Customer Details

Name: Ms Deirdre Henderson

Address: BF2 6 York Place Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It is clear from the responses to the city plan 2030 consultation and the evidence of the research into the negative impacts for neighbours and communities from commercial short term lets in residential properties, that this use of a residential property is not suited to short term letting commercially. Edinburgh is short of homes for residents due to them being used for visitors, creating homelessness and increased housing prices, leading to poverty and negative outcomes for residents. There is already an overprovision of visitor accommodation in Edinburgh.

To: Robert McIntosh

From: Colin Brown, Environmental Protection, Place

Date: 06/01/2022

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

CHANGE OF USE FROM RESIDENTIAL TO SHORT-TERM LET VISITOR  
ACCOMMODATION AT 2 CUMBERLAND STREET NORTH EAST LANE,  
EDINBURGH, EH3 6SB

REFERENCE NUMBER: 21/06633/FUL

The main issues of concern from short-term lets relate to the impacts they can have on neighbouring residential amenity mostly by way of internal and external noise.

The application property has its own front door access which is a positive aspect in that it is not a shared access, however the access sits within a basement below other residential properties and their windows.

Short term lets generally involve a regular flow of visitors entering and exiting the property sometimes with suitcases. In this situation there is the potential for the visitors to cause external noise by way of wheeled suitcases rattling on road cobbles, cases banging on the steps and from voices in the early and late hours as visitors arrive and depart. There are also noise concerns relating to guests standing outside the property to congregate to smoke which could cause noise and also smoke to enter adjacent property windows.

By way of internal noise, the Council has previously received complaints from neighbours situated adjacent to, above and below short term lets relating to loud music, banging noise and shouting being audible within the adjacent residential properties.

The applicant has advised in their supporting information that there have been no amenity or noise concerns relating to the application property as it is actively managed by a professional letting firm. However, there remains concerns that a short term let in this position (i.e. below residential properties) has the potential to cause detrimental amenity impacts by way of noise which will be difficult to control by the associated letting agent

Environmental Protection is therefore of the opinion that this application cannot be supported due to concerns relating to the potential for surrounding residential amenity to be affected.

Should you wish to discuss the above please contact me on 0131 469 5802.