

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 100603723-001

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

Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	68
First Name: *	Sheila	Building Number:	
Last Name: *	Trueman	Address 1 (Street): *	Polmuir Road
Company/Organisation		Address 2:	
Telephone Number: *	[REDACTED]	Town/City: *	Aberdeen
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	AB11 7TH
Fax Number:			
Email Address: *	[REDACTED]		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

3F2

Address 2:

8 NORTH BANK STREET

Address 3:

OLD TOWN

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH1 2LP

Please identify/describe the location of the site or sites

Northing

673621

Easting

325557

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)

Reference 100559109, Planning Refusal. I respectfully request a review and change of planning decision.

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.

It is our view that the refused change of use, does not materially affect the amenity of the neighbourhood or present any nuisance. Please see enclosed document for evidence and supporting statements.

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. Supporting statements

Application Details

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

100559109

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

27/04/2022

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

13/10/2022

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: Mrs Sheila Trueman

Declaration Date: 18/10/2022

Sheila Trueman
68 Polmuir Road
Aberdeen
Ab11 7TH
18th Oct 2022

Reference Case 100559109. 8 North Bank Street, Flat 3F2. EH1 2LP. Request Review of Change of Planning Decision from Refused to Grant

Dear Sir/Madam,

Contrary to the decision: -

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

It is our view

The change of use will have no impact on the character, amenity of neighbourhood or have detrimental effect on the living conditions of nearby residents. And is supported by the following evidence: -

1. Summary

- i) Flat entry of guests is supervised in person, at sociable times.
- ii) Key boxes or code entry are not used.
- iii) Common areas including entrance and stairs are carpeted.
- iv) Car parking is not provided.
- v) Flat location is on a very noisy road, commercial and tourist area.
- vi) Flat maximum occupancy is 4 people (sharing standard double beds) and minimum stay of 3 nights limits disturbance.
- vii) No bunk, single, temporary or sofa beds are provided.

- viii) No change to physical parts of the building or land are required.
- ix) No issues or complaints reported in last 7 years.
- x) Continued second home use has no impact on availability on homes for long term rental or ownership.
- xi) Property is fully insured for STL including public liability insurance and all applicable business rates are paid.
- xii) Safe operation and features. In common areas connected, serviced fire detectors, alarms and automated vent are installed. Inside the flat connected heat, smoke and carbon monoxide detectors and fire door are installed. Furthermore, non gas heating system provides extra safety features.

2. General Information

- a. Flat is owned and managed responsibly by the applicant, Sheila Trueman. My permanent residence is in Aberdeen. As above.
- b. Flat has 2 bedrooms (1 standard double bed in each), 2 bathrooms (both ensuite) and has a combined half kitchen-dining and living space.
- c. Flat is our holiday home and is used by my immediate family for ad hoc, recreational use and we have no plan to sell or provide long-term letting.
- d. When not in use by family and friends, our property is listed on Airbnb for short term let. The property has Airbnb Plus status and is managed by me and my husband. We are Super hosts and have 4.95 (out of 5) rating from 323 reviews. We have let the property when not in personal use, since 2015 and have received no complaints or objections from neighbours.
- e. We indirectly employ a small, family run meet and greet, cleaning and laundry services. Otherwise, all property management, guest communication and vetting is managed by me, the owner. We have a vested interest in the quality of our guests and do not outsource this responsibility to an agency or commercial operators.
- f. I am not a commercial operator and I do not manage or operate any other properties other than that listed in this application.
- g. Income from the applicant property is used to cover costs and supplement my non worker income.
- h. Property Factoring is provided by James Gibb, including 24/7 emergency services, general maintenance of building and cleaning of common areas.
- i. Safety features. In the common areas, the building has a modern, centrally connected, maintained and serviced fire alarm system and automated, roof vent (**Figure 4**). Smoking is not permitted in the flat or common areas and is monitored by smoke alarms. Inside the flat, an automatic fire door is activated by kitchen fire or smoke and isolates sleeping areas. Carbon monoxide, mains connected, heat and smoke

alarms are installed. Furthermore, heating is provided by a relatively safe (no gas) combi electric system. The heating system is serviced annually (details available on request).

- j. The common areas are carpeted (**Figure 3**).
- k. Car parking is not provided or available to owners or guests.
- l. No change to the physical parts of the building, flat or land are required or requested
- m. Our flat is fully insured for short term let including public liability insurance, up to £5MM per claim. Reference Schofields, Policy No. 166969. (**Figure 5**).
- n. Edinburgh City, Business rates are paid, ref 3263855422 (**Figure 6**)
- o. Full income taxes are declared and paid.

3. Guest arrivals and departures

- p. Access is not permitted at unsociable times, and monitored as following:
- q. Guest arrival and check in is managed in person and within specified times between 3pm and 9pm. Evidence of person check in from last 7 years of operation is available on request.
- r. A code or lock box is not used. Our guests are met in person. This ensures guests do not exceed the maximum occupancy of 4 persons, and non or minimal disturbance of neighbours. The meeting of guests for check in is coordinated by me prior to arrival.
- s. Laundry and maintenance services are provided by Gill Holden Property Management Services. Laundry and change overs occur during normal working hours between 11.00am and 15.00 hrs.
- t. Guest departure and check out is required before or at 11.00am.

4. The impact on residents' in flatted buildings

- u. The security of the building is assured as key and code boxes are not used or permitted. Guests are checked in and met in person. This prevents unsociable check in times or behaviour. Personal check in is also used to verify booking details such as maximum persons (4) and the identity of guests matching the booked profile.
- v. Minimum duration of stay is 3 nights. This minimises change over activity and inconvenience to other residents.

5. Likely frequency and intensity of noise on neighbours

- w. The likelihood of increased ambient noise is low to none. This is due to an already very noisy neighbourhood, including commercial operations, traffic and tourist activity. Specifically, North Bank Street is a bustling thoroughfare for road, car, bus and bus tour traffic connecting the New

and Old Towns and therefore has high levels of ambient road noise **(Figure 7)**. Furthermore, the property ground floor has two busy commercial operations and there is shared door (emergency fire exit) in the entrance hall. They are The Makars Rest Café and Whisky Rooms Restaurant **(Figure 2)**. Both operate lunch and evening service. The immediate neighbouring Wash Bar operates a late bar (01.00am) with frequent bottle emptying and outdoor smoking activity, resulting in high levels of noise. The Courtyard to the rear of the property has immediate access to the Writers Museum with high footfall, and is used daily by many (multi language) walking, and theme group tours e.g. The Witchery Tour. The Money Museum is located directly to the front. Suffice to say, our neighbourhood is very noisy, and residents are custom to it. For this reason, the property is ideally located for tourists, but not ideally located for residents. Our change of use will therefore have no impact on existing ambient noise levels.

- x. Common areas including entrance hall and stairs are carpeted, which therefore minimises noise from foot and luggage disturbance. **(Figure 3)**
- y. Parties and unsociable behaviour is not permitted and requires agreement of house rules by guests prior to arrival. This is verified in person at check in.
- z. The duration of each stay allowed is between 3 days and 3 weeks. This minimises the risk of single night parties and prevents a high change over, disturbance rate.
- aa. The flat has two double bedrooms, each with a standard double bed, suitable for a sharing family or couples. Extra single, sofa or bunk beds are not provided or permitted. This arrangement reduces the risk of noisy parties.
- bb. Hogmanay period is not available to booking guests.
- cc. The whole building is managed by Factor and to our best knowledge, all flats (8 in total) are short term let (STL) except one – which is on the top floor -and is therefore not disturbed by passing guests.

6. Impact on public services and residents' amenity

- dd. Flat has maximum occupancy of 4, and has an approximate 70%, annual occupancy rate (including guests and owners). As guests and owners are tourists, eating at home is unusual as they utilise the many restaurants and cafes on the doorstep. It is our belief therefore, that the impact on rubbish collection services is the same or less than full time residents.
- ee. North Bank Street and indeed our flat specifically, has no parking facility and it is not offered to guests. The change of use to STL therefore has no impact on parking space availability for nearby residents. Most of our

guests arrive by foot or taxi. If they do drive (which is rare) we recommend that they use the nearby (10 min walk) commercial car parks at Waverley train station or QPark at Quartermile.

7. Impact on character and amenity of a neighbourhood

- ff. No external or internal changes to the fabric of the building or land are required or requested. The character of the building is therefore unchanged.
- gg. Before conversion in 2011, the buildings original use was a commercial office, linked underground to the neighbouring Bank of Scotland. Also, the flat is a secondary holiday home, and will not be offered for sale or long-term letting. Therefore, change of use to a STL has no impact on the historical or future long-term rental or ownership availability.
- hh. Regarding seasonal availability. We can demonstrate a high level of occupancy (70%) spread across the year, reflecting high in and out of season use. Non usage is mostly created by our 3-day minimum stay requirement, where 2 days between guests becomes unusable. The high, out of season occupancy rate ensures that the character of the neighbourhood is thriving and maintained.
- ii. Our Airbnb listing is PLUS status, verified by Airbnb inspection as accurate and high quality. We have Superhost status. It therefore appeals to guests that require high quality and does not appeal to single guests, stag or hen groups.
- jj. As our guests are either families or 2 couples (max 4 occupants in 2 double beds). It is our opinion that the activities of our guests are similar to long term residents. Guests are verified by person at check in and do not exceed 4 persons.
- kk. Guests arrive by foot, usually via the train, airport tram link or taxi. No parking space is provided or permitted. The flat is also on the 3rd floor with no elevator. Guests therefore do not bring food with them but either purchase it locally or use the restaurant sector and contribute significantly to the local food and leisure economy.

8. Number of People staying

- ll. The flat maximum occupancy is 4, with 2 bedrooms, each with a standard double bed. Our guests are families or sharing couples. As such, the number of occupants is similar to the long-term occupancy that might be expected, and the demand on services is similar if not the same as long term residents.
- mm. No bunk, single, temporary or sofa beds are provided. No partitioning of rooms is provided for extra beds.

Thank you for your attention. If you require more details or require an inspection, please do not hesitate to contact me.

Yours faithfully

Sheila Trueman



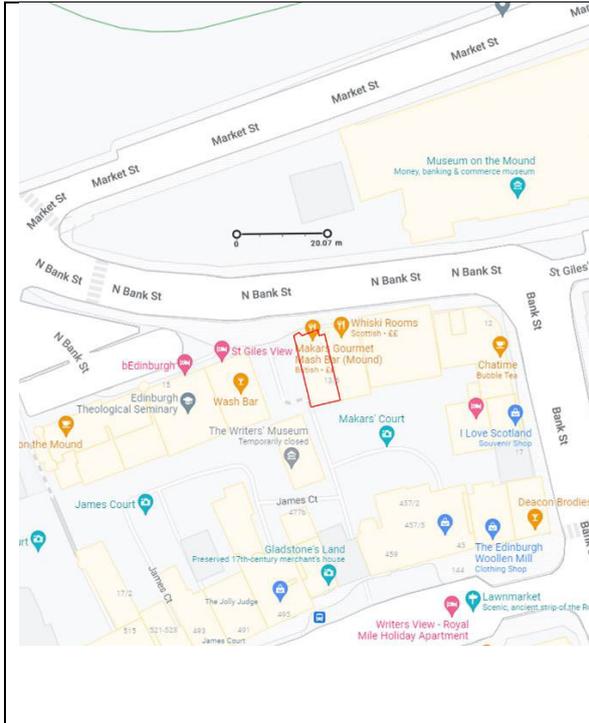
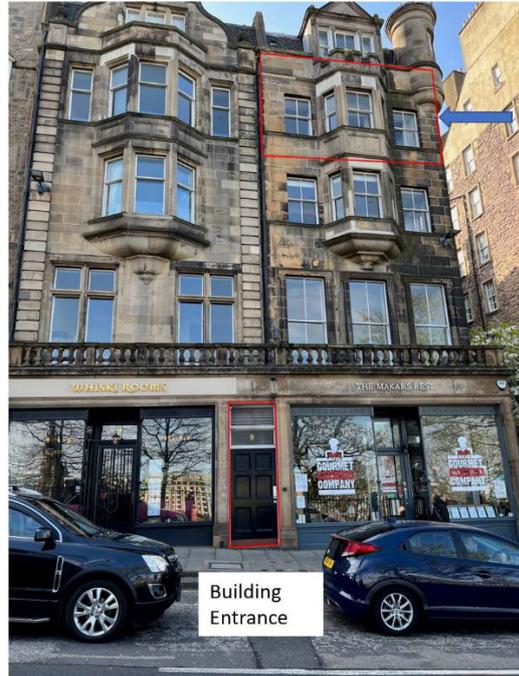


Figure 1. Location



Flat 3F2

Building Entrance

Figure 2. Photo Location

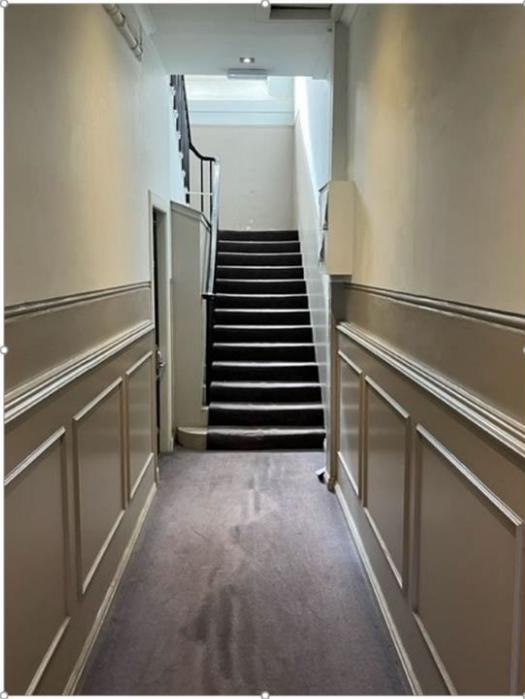


Figure 3. Entrance Hall and Stairs are Carpeted



Figure 4. Central Fire Alarm System

SCHOFIELDS
UNDERWRITING AGENCIES

General Tel: 01204 365080
Payment Tel: 01204 394345
Email: admin@schofields.ltd.uk
Website: www.schofields.ltd.uk

UK HOLIDAY HOMES INSURANCE
POLICY SCHEDULE - CERTIFICATE OF INSURANCE

Policy No: H6097
Start Date: Apr 19 2022

DATE: 01/24/2022
AGREEMENT NO: 2283810CV

THE ASSURED: MRS S TRUEMAN
Correspondence Address: 88 Polmuir Road, Aberdeen, AB11 7TH

PERIOD OF INSURANCE: FROM 18/05/22 to 09/05/23 (Both Days Inclusive)

Insurance is provided under each of the Sections below where an amount or the words "as stated therein" are inserted. Where there is NO INSURANCE the words "NOT INCLUDED OR NOT COVERED" are inserted in conjunction with the enclosed policy wording which details full cover provided and standard policy exclusions.

SECTIONS	SUMS INSURED
Section 1 Buildings	
Section 2 Contents	
Section 3 Additional Damage to Contents Extension	
Section 4 Accidents by Domestic Staff	
Section 5 Legal Liability to the Public	
Section 6 Loss of Use and Deprivation of Access - In Any One Period of Insurance	
Section 7 Theft of Keys	

The Premises: 4 NORTH BANK STREET, EDINBURGH, UK, EH1 2LP

ADDITIONAL VOLUNTARY EXCESS: AN ADDITIONAL VOLUNTARY EXCESS OF [REDACTED] APPLICABLE; THIS IS IN ADDITION TO THE STANDARD POLICY EXCESSES.

VALUABLE ENDORSEMENTS:
IC17 - WINTER HEATING DRAIN DOWN WARRANTY.

SUBSCRIBING SYNDICATES: Synodite 4141 at Lloyd's, managed by BCC Underwriting Agency Limited (BUCCUA) trading as York-Morrie (ICC - 100%).

This years renewal premium [REDACTED] inclusive of 12% Insurance Premium Tax of [REDACTED].
Renewal Code (for website payment use only): NFR

To review the policy you must make settlement of the premium, the policy does not auto renew.

OPTIONAL HOLIDAY HOME LEGAL EXPENSES POLICY: May be purchased as per the enclosed summary of cover at a cost of [REDACTED] annum. To purchase [REDACTED] to the optional renewal premium (including a cheque, request cover when receiving by telephone or purchase while receiving on line during the payment stage.

Schofields Underwriting Agencies, Trinity House, 7 Institute Street, Bolton, BL1 1PZ

TM1RH22.v1
Authorised and Regulated by The Financial Conduct Authority - FCA, registered number 110669

Figure 5. Certificate of Insurance

• EDINBURGH •
THE CITY OF EDINBURGH COUNCIL

Non-Domestic Rates
The City of Edinburgh Council
P.O. Box 463
Edinburgh
EH7 9DJ

t: 0131 608 1133
e: non-domesticrates@edinburgh.gov.uk
w: www.edinburgh.gov.uk/businessrates

Non-Domestic Rates

SHEILA TRUEMAN
88 POLMUIR ROAD
ABERDEEN
AB11 7TH

Lands and Heritages Description: Self Catering Unit
6(3F2) NORTH BANK STREET
EDINBURGH
EH1 2LP

Date of Issue: 01 April 2022

Reason for issue: Annual

Non-Domestic Rates Financial Year 2022/23

Rateable Value	Basic Property Rate (poundage):
[REDACTED]	[REDACTED]

Charge breakdown for 01-APR-2022 to 31-MAR-2023

Your rateable value: [REDACTED]
Your poundage rate: [REDACTED]
Your Rateable Value multiplied by Your Property Rate: [REDACTED]

Adjustments
SMALL BUSINESS BONUS UP TO 25% 01/04/2022 - 31/03/2023 [REDACTED]

Payments

Net Amount Due 1

Payment Instructions

You are paying by Bankers Standing Order 1 instalment of [REDACTED] on 15th May, followed by 9 instalments of [REDACTED] the 15th of each month.

If rates remain outstanding 14 days after issue of a Final Notice we may apply for a Summary Warrant. In this instance, the full amount outstanding will become payable, together with a penalty of 10% of the amount due. If unpaid, this may result in legal proceedings against you to recover the debt.

Help us to reduce costs and our carbon footprint by joining the thousands already registered for paperless billing. Sign up at www.edinburgh.gov.uk/business

Figure 6. Non-Domestic Rates



Figure 7. North Bank Street Road and Exterior