

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 100573951-007

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:	
First Name: *	Amy	Building Number:	9
Last Name: *	Morgan	Address 1 (Street): *	Greenbank Drive
Company/Organisation	Morgan Residential T/A Amy Morgan	Address 2:	
Telephone Number: *	[REDACTED]	Town/City: *	Edinburgh
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH10 5RE
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:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

13 1f1 Upper Grove Place

Northing

673004

Easting

324340

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)

To Change a residential property to a self catering property

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.

Planning authority took excessive time to make the decision. Prior to Covid this property was a licenced self-catered property. During Covid we felt we should do the right thing as suggested by Govt so we housed NHS staff for the period of the pandemic. We took a financial loss but were assured it was an easy process to change its use again in the future. We've not had any neighbour complaints and feel the refusal is unfair in circumstances. The impact to our family income will be significant

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)

This is a new requirement to apply for planning permission as a result of the new Housing Act. I asked for advice from your portals and I didn't find much help, nor an appropriate place to present my case when I first applied for this planning permission. I wish to present my fuller case within this appeal process and supply more info relevant to our small family business, which will be deeply impacted financially by the refusal decision.

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 statement 2. ufm 2_REFULZ-Refuse_Planning_Permission_Notice

Application Details

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

22/03060/FUL

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

10/06/2022

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

15/09/2022

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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

You would need to arrange access with me directly. As this is a private property, you cannot just enter.

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 Amy Morgan

Declaration Date: 22/11/2022



9 Greenbank Drive
Edinburgh
EH10 5RE

Scottish Letting Agency Number: [REDACTED]

16th November 2022

To whom it may concern,

Supporting Documentation for 13 1f1 Upper Grove Place, Edinburgh, EH3 8AY

Appeal Ref **100573951-005**

Planning Application number: 22/03060/FUL

We Wish to appeal the decision made on 15th September to refuse our change of use application. The decision was 6 weeks late to arrive based on your own set timescales. Technically, this missed date is the best grounds for our appeal, although we feel other matters are more important than technicalities. Such as the moral and social implications.

We used to have a planning consent for a self catering business for this property, but during covid the property was changed to a residential property so we could house NHS staff that needed support. It was advised to us at the time that we would get the planning permission back after covid, but it appears this is no longer the case. We feel like we did the right thing during covid, at the request of helping out when society needed it the most, and have now lost out financially because of our decision to do the right thing. Should there be another future requirement during such times, we may think twice about helping if we know it will only cost us in the end. If this is the precedent the council wishes to set, by all means, set it.

Furthermore, with the rise in interest rates, the rent freeze and the removal of tax relief on mortgages, not being able to run this property as the business we forecasted, will cost us upward of £20,000 per year when all these different issues are combined. With the cost of living crisis, this is a massive financial set back to a small family run business. But again, it seems that citizen's financing their own lives seems to be at the bottom of the council's wish list.

If you close all the airbnb's and try to force tourism into only hotels, you will find a sharp drop in tourism, which I believe is a major money maker for this city. Not all visitors want to stay in hotels and prefer to stay in their own apartment with private self catering provisions. This will have further impact on already struggling businesses as tourist numbers drop. How will businesses run with this knock on effect? Again it seems making money to run a city is at the bottom of the Council's wish list.

To sum up, the financial impact added to the stark reminder than doing the right moral and social thing will only cost you in the future, we wish to appeal the decision made in relation to the above property. For what it's worth, we run an establishment that strictly meets all safety criteria and approved standards for both residential and self-catered property. Because we run it ourselves, we provide a wonderful service, (Not a Pass the Keys service!) So this decision will significantly impact my personal work, income and my returning customers will be very disappointed.

We hope that this information assists in your planning decisions.

Kind regards,

Amy Morgan

Morgan Residential,

Scottish Letting Agency Number: L

Morgan Residential T/A Amy Morgan.
FAO: Amy Morgan
9 Greenbank Drive
Edinburgh
EH10 5RE

Decision date: 15 September 2022

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

To Change a residential property to a self catering unit.
At 1F1 13 Upper Grove Place Edinburgh EH3 8AY

Application No: 22/03060/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 10 June 2022, 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:-

Reason for Refusal:-

1. 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.

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

Drawings 01-02., represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal does not comply with the development plan as it does not comply with LDP policy Hou7. It will have a materially detrimental effect on the living conditions and amenity of nearby residents. It does not comply with LDP policy Hou 7 or with the objectives of SPP, as it will not contribute towards sustainable development and a sustainable community. There are no material considerations that outweigh this conclusion. The proposed change of use is unacceptable.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Jackie McInnes directly at jackie.mcinnnes@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 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.

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.