



13a Manor Place - Front Courtyard

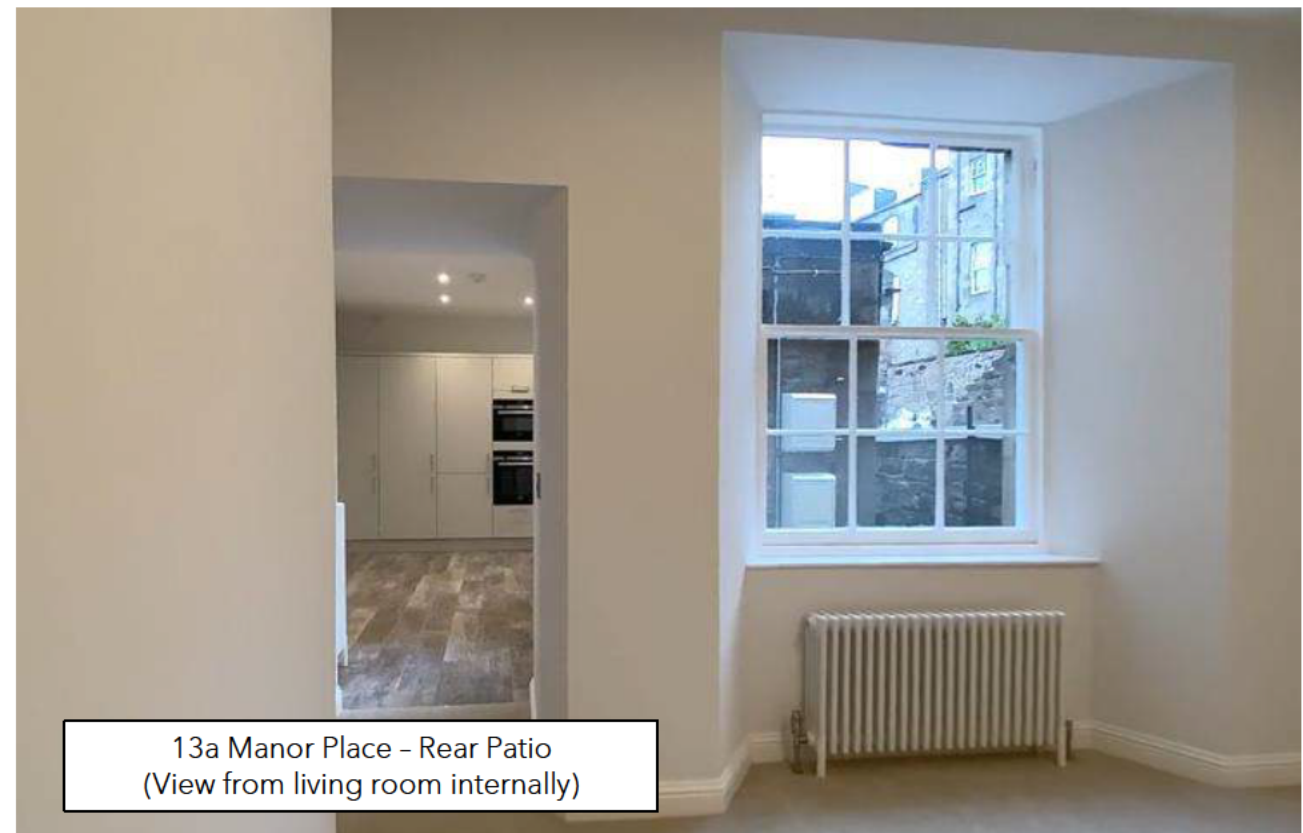


13a Manor Place - Rear Patio
(View from 13 Manor Place above)

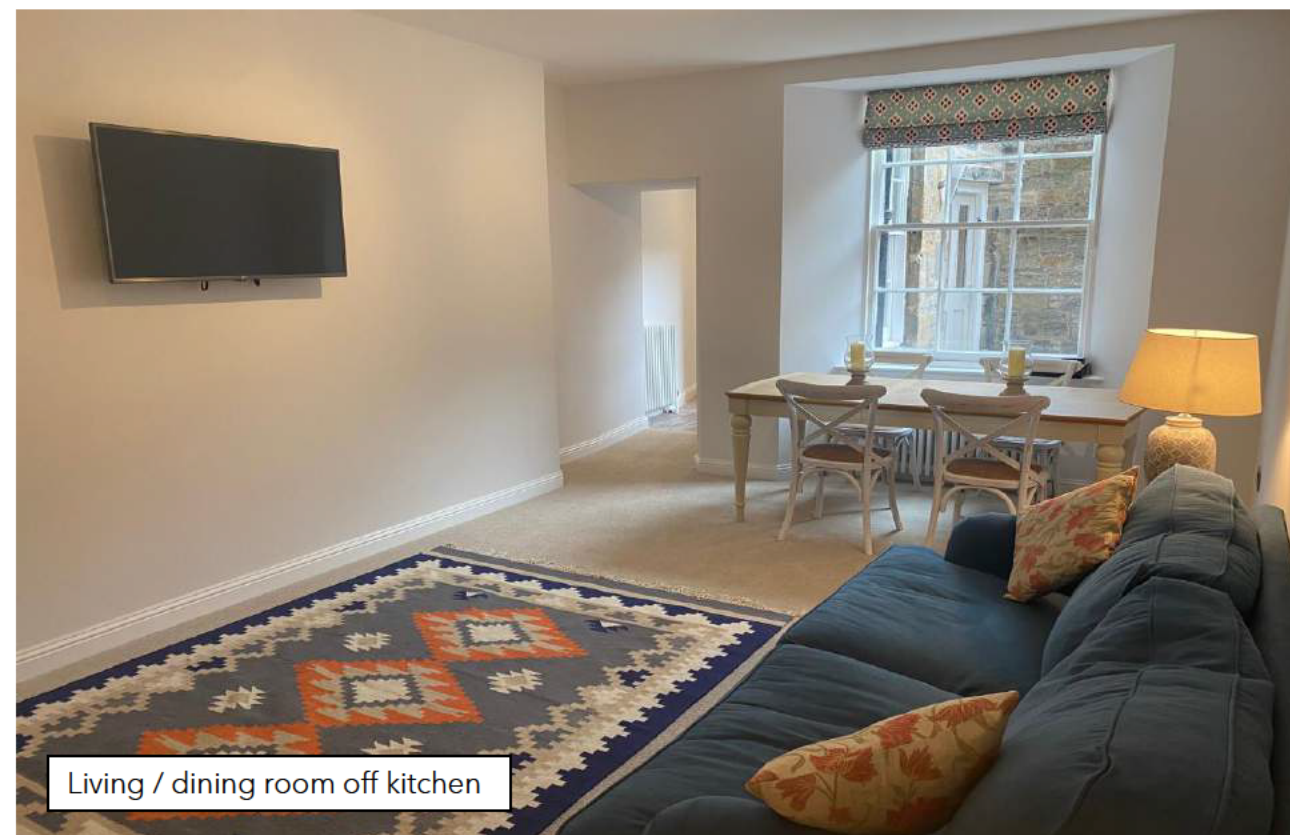
Images of external courtyard and patio areas associated with 13a Manor Place



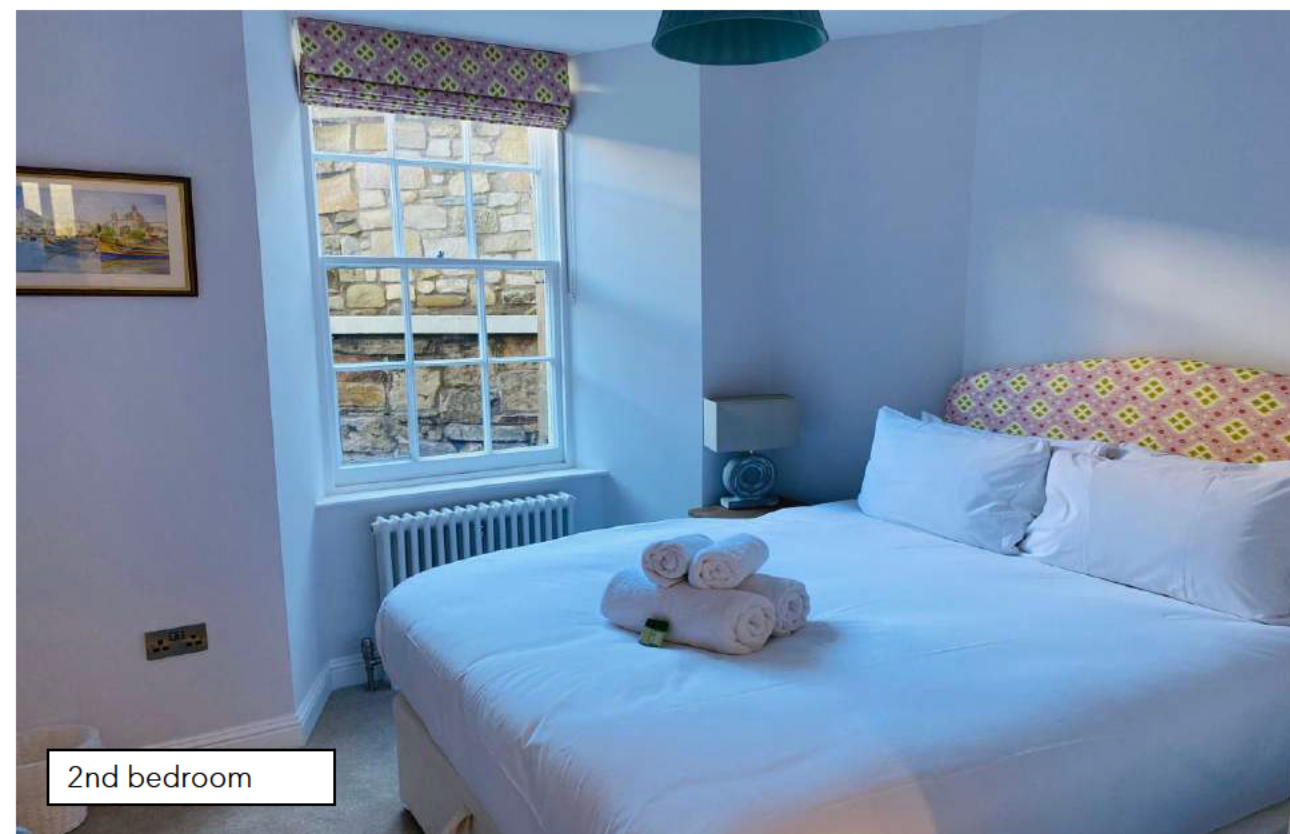
13a Manor Place - Rear Patio
(View from 13 Manor Place above)



13a Manor Place - Rear Patio
(View from living room internally)



Images of interior layout of 13a Manor Place



ASSC RESPONSE TO CITY OF EDINBURGH COUNCIL CONSULTATION ON SHORT-TERM LET PLANNING GUIDANCE FOR EDINBURGH

Founded in 1978, the Association of Scotland's Self-Caterers (ASSC) are the leading source of knowledge on short-term letting and holiday homes in Scotland and are the only trade body representing the interests of the traditional self-catering sector. We represent over 1,700 members, operating tens of thousands of self-catering properties throughout Scotland, from city centre apartments to rural cottages, to lodges and chalets, to castles. The ASSC commits its members to maintaining the principles of "quality, integrity, cleanliness, comfort, courtesy and efficiency" and to offering visitors to Scotland consistently high standards within their self-catering properties.

INTRODUCTION

The ASSC welcomes the opportunity to respond to City of Edinburgh Council's consultation on short-term let planning guidance. As the main trade association for the self-catering sector in Scotland, the ASSC hopes that our expertise and insight can help inform the approach taken by the Council. We have always strived to work collaboratively and proactively with both local and national government stakeholders to ensure a balanced and proportionate outcome for all. We wish to make clear that the ASSC is not averse to regulation; but we do challenge policies that are pursued while lacking a firm evidence base which will damage the livelihoods of our members.

OUR RESPONSE

It is with considerable regret that there is once again a presumption of bad practice attributed to the short-term letting sector by City of Edinburgh Council. The proposed planning policy is unfair, disproportionate and discriminatory, setting criteria that amounts to a de-facto ban on short-term letting despite all assurances to the contrary. By identifying only a small number of limited circumstances where short-term lets are to be permitted, for example those with a main door in an area that is "commercial" in character, this will mean that the vast majority of short-term lets will be refused, leading to an exodus of small tourist accommodation businesses, severely impacting the local economy which depends on tourism.

Overall, the ASSC believes that the proposed planning policy should be rejected on the following grounds:

- It is disproportionate in nature, lacks coherence and balance, and relies on assertions and anecdotes rather than a firm evidence base;
- It will harm Edinburgh's tourism related economy at a time when it should be supported to recover, and will all but remove a key source of accommodation that is imperative to the viability of the Festivals; and
- It fails to properly consider the economic impact of the draft policy which will cost jobs and livelihoods in a sector that provides a £70m annual boost to the city.¹

¹ ASSC, *Economic Impact of the Self-Catering Sector to the Scottish Economy* (2021). Url: <https://www.assc.co.uk/wp-content/uploads/2021/09/Economic-Impact-Study%E2%80%9393Scotland.pdf>

We have set out our response to the specific consultation questions below.

Q4 – The character of the new use and of the wider area

ASSC Response: STRONGLY DISAGREE

- City of Edinburgh Council: *“Where the location is wholly commercial in character and there are no residential properties nearby, adverse impacts on amenity are less likely. This means it is more likely short-term lets (STLs) can be supported in such locations.”*

The Council should identify and highlight the areas within the city which are described as “wholly commercial in character”.

- City of Edinburgh Council: *“Where the location is mixed in character (residential / commercial) regard will be had to those residential properties nearby and therefore there is a presumption against granting planning permission.”*

This statement by the Council overlooks the fact that in such mixed locations, a proportion of short-term lets can be positive. Thus, a balanced approach is necessary, as opposed to a lop-sided attitude against granting permission. The positive effect of short-term lets adding to the character of an area can be seen in the likes of Easter Road, with regeneration having been driven and supported by quality short-term lets in the vicinity.

While the draft guidance focuses on the perceived negatives associated with short-term letting, this type of property can actually improve a shared stair. Indeed, operators have an incentive to ensure this is the case. With the competition to maintain standards, holiday let owners often spend money more frequently on additional property maintenance than they would on their own property. Their guests spend money in local food shops, cafes, gift shops, restaurants, tourist attractions etc – many of which would simply be unviable without visitor spending.

- City of Edinburgh Council: *“Where the street has a quiet nature or low ambient noise levels (particularly at night-time), STL will not generally be supported.”*

A well-managed professional self-catering unit should not cause a problem for the local community. However, if short-term lets will be supported in busier areas, perhaps in the aforementioned “commercial” locations, then they are more likely to be found in flatted dwellings which of course, are unsupported by the Council. This underlines the incoherence in the draft policy. Taken in full, this criteria begs the question: how many short-term letting properties will be left in Edinburgh that meet the requirements?

Moreover, this section is further undermined by the assumption that all guests staying in short-term lets are tourists. This does not reflect the broad range of guests that short-term lets support: those travelling on business, corporate relocation, those shifting between homes, local families needing temporary accommodation during renovations, families visiting relatives, hosting film companies, and those requiring accessible accommodation. These are the same types of people who would be found in such communities in any case. The Council do not appear to understand the diversity of those who stay within short-term lets and their importance to many social and economic factors beyond tourism.

Finally, a de-facto ban on short-term lets – a form of accommodation that consumers increasingly prefer in order to ‘live like a local’ – will create knock-on problems for businesses in our local communities, such as cafes, restaurants, laundrettes, cleaning companies etc, who all depend on the economic footfall.

- City of Edinburgh Council: *“It should be noted, once a short-term let is granted planning permission, the Council cannot control how it is used, for example by restricting numbers of occupants, or by setting limits on how a property is let. Planning permission is granted to property rather than individuals, which means that property can change hands and be operated in a different way than was intended by the applicant for planning permission. Because of this, when considering the pattern activity associated with a use, only limited regard can be had to how an applicant intends to manage that.”*

We believe that the concerns expressed here are largely unfounded. The Council’s short-term let licensing scheme stipulates that an applicant will have to re-apply each year. Evidence of anti-social behaviour relating to that property would be a valid reason for refusal.

Q5 – The size of the property

ASSC Response: STRONGLY DISAGREE

What evidence does the Council hold to support the supposition contained in this section? Neither the size or number of rooms is an indication of increased potential for noise and disturbance – other factors, including but not limited to, the age of a property or the thickness of walls, are more likely to influence this. On a more basic level, we do not believe this is a planning consideration so should not form part of the Council’s guidance.

Q6. The pattern of activity associated with the use

ASSC Response: STRONGLY DISAGREE

This section is yet another instance of the presumption of bad practice against our sector that runs through this proposed guidance. Moreover, with matters such as noise and disturbance, this pertains to licensing and is not a planning consideration. This part of the guidance goes beyond planning and is largely pointless in nature when there is existing anti-social behaviour legislation the Council can utilise to tackle any perceived issues in the city.

Operators want harmonious relationships with neighbours and the local community – it is not in their interest to allow any anti-social behaviour in their business. For instance, the Antisocial Behaviour Notices (Houses Used for Holiday Purposes) (Scotland) Order 2011 granted local authorities the power to deal specifically with the problem of antisocial behaviour in properties let for holiday use. However, this needs to be enforced, as the Cabinet Secretary for Housing Shona Robison MSP stated: “We expect all relevant authorities to use the powers available to them to deal with antisocial behaviour”.²

In any case, instances of anti-social behaviour emanating from self-catering properties is extremely rare. An FOI was requested from 32 local authorities by the ASSC about the reported incidences of

² Shona Robison MSP, in [answer to Parliamentary Question S6W-03022](#), 01/10/21.