



THE CITY OF EDINBURGH COUNCIL

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 100607668-004

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:

Ref. Number: You must enter a Building Name or Number, or both: \*

First Name: \* Steven Building Name: 4

Last Name: \* Kinsey Building Number: 4

Telephone Number: \* Address 1 (Street): \* West Winnelstrae

Extension Number: Address 2:

Mobile Number: Town/City: \* Edinburgh

Fax Number: Country: \* Scotland

Postcode: \* EH5 2ES

Email Address: \*

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="Mr"/>          | 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="Christopher"/> | Building Number:                                     | <input type="text" value="17"/>             |
| Last Name: *         | <input type="text" value="Gordon"/>      | Address 1 (Street): *                                | <input type="text" value="Drum Brae Walk"/> |
| Company/Organisation | <input type="text"/>                     | Address 2:   | <input type="text"/>                        |
| Telephone Number: *  | <input type="text"/>                     | Town/City: *   | <input type="text" value="Edinburgh"/>      |
| Extension Number:    | <input type="text"/>                     | Country: *   | <input type="text" value="Scotland"/>       |
| Mobile Number:       | <input type="text"/>                     | Postcode: *  | <input type="text" value="EH4 8DG"/>        |
| 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="FLAT 6"/>                    |
| Address 2:  | <input type="text" value="2 GAYFIELD CLOSE"/>          |
| Address 3:  | <input type="text" value="BROUGHTON"/>                 |
| Address 4:  | <input type="text"/>                                   |
| Address 5:  | <input type="text"/>                                   |
| Town/City/Settlement:   | <input type="text" value="EDINBURGH"/>                 |
| Post Code:  | <input type="text" value="EH1 3NA"/>                   |

Please identify/describe the location of the site or sites

|          |                                     |         |                                     |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="674601"/> | Easting | <input type="text" value="326038"/> |
|----------|-------------------------------------|---------|-------------------------------------|

## 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)

Change of use from residential to short-term let (secondary letting)

## 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 appeal statement uploaded as additional supporting documentation

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)

2-6 Gayfield Close Planning Appeal Statement

## Application Details

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

22/06000/FULSTL

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

05/12/2022

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

14/04/2023

## 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 Steven Kinsey

Declaration Date: 22/05/2023



City of Edinburgh Planning Local Review Body  
G.2, Waverley Court  
4 East Market Street  
Edinburgh  
EH8 8BG

May 2023

## **Planning Appeal Statement**

**Property: 2/6 Gayfield Close, Edinburgh, EH1 3NA**

Planning application reference: 22/06000/FULSTL

We are submitting an appeal in regards to the above-mentioned planning application which was refused by The City of Edinburgh Council on 14 April 2023 (appeal made within 3 months of decision date).

Background: An application for change of use was made on 05 December 2022 in order to comply with the 'Short Term Let Control Area', which requires all proprietors wishing to use their properties within Edinburgh City Centre as short term lets to have planning permission, if the property is classed as a secondary letting. The application was open to public comments until 06 January 2023 – there were no comments received during this period. The councils given determination date at the time of application was 03 February 2023 however this was not actually determined until 14 April 2023 – approximately 19 weeks.

The decision to refuse the change of use was in relation to the Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, the description of this policy as follows:

*The intention of the policy is firstly, to preclude the introduction or intensification of non-residential uses incompatible with predominantly residential areas and secondly, to prevent any further deterioration in living conditions in more mixed-use areas which nevertheless have important residential functions. This policy will be used to assess proposals for the conversion of a house or flat to a House in Multiple Occupation (i.e. for five or more people). Further advice is set out in Council Guidance.*

The property is located in a mixed-use development constructed in the 1990's, consisting of residential and commercial units. The residential block in which the flat is located comprises of 6 flats; 2 of which are long-term lets and 3 which are second homes – the second homes are vacant for the majority of the year. Before purchasing the property in December 2016 this was also a second home for the previous owner - which was largely vacant throughout the year. At the time of purchase, the property had been listed as a fixed price sale and had been on the market in excess of 5 months. Following the purchase there has been considerable investment to upgrade the flat to ensure compliance with the current rental standards. There is no history of the property being a primary residence for any occupier since its construction. We have also attached a supporting statement with this appeal from Philip G Meaden who has been leading the Gayfield Court Proprietors' Association for the last 7 years, for your consideration.

The top of Leith Walk is diversely populated with residential, commercial and retail units, we consider the proposed use of this property as short-term let within a development consisting of 20 flats being proportionate to this diversity. The flat has provided short term accommodation for the past 6 years



for clients visiting and working within the city, the merits of this accommodation are evident in the reviews received on various platforms; outlined in the planning statement. The property offers a good alternative to hotels, for those who are looking for a more home-from-home experience and prefer a bit more flexibility & space. There is a 2-night minimum booking policy which minimises the opportunities for anti-social behaviour (party bookings). The use of the property as a short term let inherently attracts visitors to the City which in turn helps to generate income for the local economy, this also provides additional employment for local trades/businesses in regards to maintenance and cleaning.

Whilst we understand the planner's assessment of the application in regards to the local development plan, we do not agree that the proposed use of this property as a short-term let is detracting any further from the immediate area. We therefore request for the Planning Local Review Body to reassess this decision by The City of Edinburgh Council planning department, in favour of this change of use application.

Should you require any further information regarding this appeal this can be provided on request.

Kind Regards

Steven Kinsey (Agent)  
Christopher Gordon (Applicant)