



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: [planning.support@edinburgh.gov.uk](mailto: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 100622866-003

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: | <input type="text" value="Mr Kanak Bose"/> |  |   |
| Ref. Number:          | <input type="text"/>                       | You must enter a Building Name or Number, or both: * |   |
| First Name: *         | <input type="text" value="Kanak"/>         | Building Name:                                       | <input type="text" value="Ogscastle"/>      |
| Last Name: *          | <input type="text" value="Bose"/>          | Building Number:                                     | <input type="text"/>                        |
| Telephone Number: *   | <input type="text"/>                       | Address 1 (Street): *                                | <input type="text" value="Ogscastle"/>      |
| Extension Number:     | <input type="text"/>                       | Address 2:   | <input type="text" value="Carnwath"/>       |
| Mobile Number:        | <input type="text"/>                       | Town/City: *   | <input type="text" value="Lanark"/>         |
| Fax Number:           | <input type="text"/>                       | Country: *   | <input type="text" value="United Kingdom"/> |
|                       |  | Postcode: *  | <input type="text" value="ML11 8NE"/>       |
| Email Address: *      | <input type="text"/>                       |  |   |

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="Ms"/>          | 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="Svetlana"/>    | Building Number: <input type="text" value="18"/>                        |
| Last Name: *         | <input type="text" value="Bryukhanova"/> | Address 1 (Street): * <input type="text" value="Niddrie Mill Terrace"/> |
| 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="Midlothian"/>                      |
| Mobile Number:       | <input type="text"/>                     | Postcode: * <input type="text" value="EH15 3HF"/>                       |
| 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="13 NIDDRIE MILL TERRACE"/>   |
| Address 2:  | <input type="text" value="NIDDRIE"/>                   |
| Address 3:  | <input type="text"/>                                   |
| Address 4:  | <input type="text"/>                                   |
| Address 5:  | <input type="text"/>                                   |
| Town/City/Settlement:   | <input type="text" value="EDINBURGH"/>                 |
| Post Code:  | <input type="text" value="EH15 3HF"/>                  |

Please identify/describe the location of the site or sites

|          |                                     |         |                                     |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="671800"/> | Easting | <input type="text" value="330348"/> |
|----------|-------------------------------------|---------|-------------------------------------|

## 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)

Application for change of use for short term lets (in retrospect)

## 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.

Please see separate document in Supporting Documents section

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)

Statement of Appeal; Support Info : Doc 1 - Planning Application; Doc 2 OGS 370 03A; Doc 3 OGS 370 02A; Doc 4 OGS 370 01A; Doc 5 Statement to Council 22.5.2023; Doc 6 Post Submission Documents; Doc 7 UFM101 Refusal Notice; Doc 8 Applicant's Observations; Doc 9 AirBnB reference page 1; Doc 10 Air BnB reference page 2; Doc 11 Nearby empty flat; Doc 12 Nearby empty House; Doc 13 Neighbour's signed petitions

## Application Details

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

23/01369/FULSTL

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

30/03/2023

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

30/05/2023

## 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 Kanak Bose

Declaration Date: 21/08/2023

# KANAK K BOSE

B ARCH HONS DIP ARCH

OGSCASTLE  
CARNWATH  
LANARK  
ML11 8NE



## STATEMENT OF APPEAL

18 Niddrie Mill Terrace, Edinburgh, EH15 3HF

### Planning Application 23/01369/FULSTL

The Applicant purchased the property in 2021 with a view to running an AirBnB propelled business from the premises. The applicant is a single divorcee, and she works night shifts at the Royal Infirmary as a subcontractor on the minimum wage. The night shifts enable her to spend time during the day maintaining the AirBnB. She has two such premises, both in the east side of the city.

The applicant has spent considerable time and money installing fire detection, maintaining the outdoor spaces and upgrading the indoor spaces to create a safe and pleasant environment for paying guests.

In late 2022 she became aware that planning consent would be required under the STL programme the council have established. My instruction was to submit and obtain this consent.

The refusal notice states two reasons for refusal – (1) 'the proposal is contrary to the Local Development Plan Policy HOU 7' - & (2) 'The proposal is contrary to National Planning Framework Policy 30(e) in respect of Local Amenity and Loss of Residential accommodation'

I submitted a statement to Edinburgh City Council on 22<sup>nd</sup> May 2023. Please refer to the statement (document 5) which is within the supporting documents.

It is fact that the house at No 18 is an ex-council property. Perhaps not what one would consider an archetypical holiday-home but none the less providing good short-stay accommodation which some might not otherwise have financial access to. Please refer to documents 9 & 10 where there is a specific reference from a recent guest. Also, please refer to the applicant's observations (document 8) which are relevant in understanding the nature of the business and how it interacts with the local community.

With regards the loss of housing stock, I note from local knowledge that the council has considerable housing assets in the area which are empty or redundant. For examples, see photographs (Doc 11 & 12) and refer to comments made in the e-mail contained in Document 8 regarding empty properties. The proposals in this planning consent are reversible and in the event the AirBnB no longer operates, the property can easily revert to residential. There is therefore no loss of housing stock – merely an alternative use for a given period.

Finally, in support of the applicant's integration into the wider community I attach a petition signed by neighbours and residents and in some cases, with relevant comments (see Document 13). I hope the facts submitted along with this statement will be enough to overturn the council's decision for refusal.

Kanak Bose  
21<sup>st</sup> August 2023

