

APT Planning & Development.  
FAO: Tony Thomas  
6 High Street  
East Linton  
EH40 3AB

Mr Douglas  
C/o Agent  
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**Decision date: 13 October 2023**

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

Proposed holiday accommodation.  
At 20 Regent Street Edinburgh

**Application No:** 23/01301/FULSTL

**DECISION NOTICE**

With reference to your application for Planning Permission STL registered on 24 March 2023, 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;

**Reason for Refusal:-**

1. The proposal is contrary to NPF 4 Policy 7 and LDP Policy Env 6 as the proposal would not preserve the special character or appearance of the conservation area.
2. The proposal is contrary to NPF 4 Policy 14 and LDP Policy Des 4 as it would have an unacceptable impact on the established townscape character.
3. The proposal is contrary to NPF 4 Policy 30(b) (part ii) as it would be incompatible with surrounding areas in terms of the proposed use.

4. The proposal is contrary to LDP Policy Hou 7 as the use of the property for holiday accommodation 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 01-15, 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 scale and position of the building will be an incongruous addition that will have a detrimental impact on the spatial character of the conservation area and townscape. As such, it will fail to preserve or enhance the character or appearance of the Portobello Conservation Area. The proposed holiday accommodation in this location will have an unacceptable impact on neighbouring amenity and will be incompatible with surrounding areas. The proposal does not comply with NPF 4 policies 30 (b) (part ii), 7 and 14. It does not comply with LDP policies Hou 7, Des 4 and Env 6.

There are no material considerations that outweigh this conclusion. The proposal 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 Lesley Porteous directly at [lesley.porteous@edinburgh.gov.uk](mailto:lesley.porteous@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](http://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](mailto: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.

# Report of Handling

**Application for Planning Permission STL  
20 Regent Street, Edinburgh,**

**Proposal: Proposed holiday accommodation.**

**Item – Local Delegated Decision  
Application Number – 23/01301/FULSTL  
Ward – B17 - Portobello/Craigmillar**

## **Recommendation**

It is recommended that this application be **Refused** subject to the details below.

## **Summary**

The scale and position of the building will be an incongruous addition that will have a detrimental impact on the spatial character of the conservation area and townscape. As such, it will fail to preserve or enhance the character or appearance of the Portobello Conservation Area. The proposed holiday accommodation in this location will have an unacceptable impact on neighbouring amenity and will be incompatible with surrounding areas. The proposal does not comply with NPF 4 policies 30 (b) (part ii), 7 and 14. It does not comply with LDP policies Hou 7, Des 4 and Env 6.

There are no material considerations that outweigh this conclusion. The proposal is unacceptable.

## **SECTION A – Application Background**

### **Site Description**

The application site is a vacant back-land plot to the rear of a Victorian Terrace at 20, Regent Street, Portobello. It is situated between the rear gardens of 16-18 Regent Street and the rear of lock up garages/light industrial units to the north on Bath Street Lane. Access to the application site is taken from Regent Street via a short footpath between small gardens to the front of the houses on Regent Street, then via a dedicated enclosed vennel with main entrance door. There is a residential unit above the enclosed vennel. The application plot is surrounded by walls on all sides. The highest wall is on the west elevation which forms the rear of the lock-up garages.

The surrounding area is predominantly residential, with the rear gardens forming part of neighbouring residential properties.

The plot is adjacent to the curtilage of a group of C listed buildings at 16-20 Regent Street (LB 27589, 14.3.1989) and is in the Portobello Conservation Area.

### **Description Of The Proposal**

The application proposes the construction of holiday accommodation in the form of a single-storey unit with a sedum/solar panelled, monopitch roof and smooth, rendered walls with aluminium three-part sliding doors. The accommodation comprises a sitting room/kitchen, shower/wet room and bedroom and takes up most of the plot. There is a courtyard garden with seating outside the entrance to the property. A cycle rack and waste disposal area is located at the north west corner of the plot.

A previous application for a dwelling on this plot (20/05719/FUL) was refused in March 2021 and the decision upheld by the Local Review Body (LRB). This application seeks to address the reasons for refusal. The most significant amendments are the proposed change of the use of the new building from residential to holiday accommodation and a reduction in the height of the unit from double storey to single storey.

### **Supporting Information**

Planning statement  
Aerial images.

### **Relevant Site History**

06/01449/CON  
20 Regent Street  
Edinburgh  
EH15 2AX

Proposed two-bedroom two-storey detached dwelling house with patio and deck  
Permission is not required

25 April 2006

06/01449/FUL  
20 Regent Street  
Edinburgh  
EH15 2AX

Proposed new two-bedroom two-storey detached dwelling house  
Refused

24 August 2006

20/04136/FUL  
20 Regent Street  
Edinburgh

Erection of a dwelling house.  
withdrawn

10 November 2020

20/05719/FUL  
20 Regent Street  
Edinburgh

Erection of dwelling house and replace existing access door to front.  
Refused

10 March 2021

### **Other Relevant Site History**

20/05719/FUL.

Decision upheld (refused) by LRB 11.08.2021.

Reasons:

1. Site is not suitable for a house.
2. Inadequate provision of garden space for future occupiers.
3. Scale, form and position of building is unacceptable.
4. Height, form and position of building is unacceptable.
5. Unacceptable outlook for future occupiers.
6. Detrimental impact on the spatial character of the conservation area.

### **Consultation Engagement**

No consultations.

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 13 October 2023

**Date of Advertisement:** 14 April 2023

**Date of Site Notice:** 14 April 2023

**Number of Contributors:** 40

## **Section B - Assessment**

### **Determining Issues**

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
- (i) harming the listed building or its setting? or
  - (ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?

b) If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations; and
- any other identified material considerations.

## **Assessment**

### **a) The proposals harm the listed building and its setting?**

The following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment: Interim Guidance on the principles of listed building consent.
- Managing Change in the Historic Environment: Setting.

Managing Change in the Historic Environment: Interim Guidance on the principles of listed building consent sets out the principles for assessing the impact of a development on a listed building.

Managing Change in the Historic Environment: Setting sets out the principles that apply to developments affecting the setting of historic assets or places including listed buildings and conservation areas. It includes factors to be considered in assessing the impact of a change on the setting.

The site lies adjacent to the curtilage of a Category C Listed Victorian Terrace on Regent Street. Historic outbuildings to the rear on neighbouring plots have largely been demolished and these spaces have now been subsumed into the gardens of the listed properties which border the line of garages on Bath Street Lane to the north-west.

The proposed holiday accommodation would be positioned on a back-land plot to the rear of the terrace. The proposal would be positioned to the rear of the listed properties and would not interfere with oblique views of the listed building or disrupt formal approaches. In this regard, the proposal will not be detrimental to the architectural character, appearance or setting of the listed building.

The accommodation would be accessed via an entrance on Regent Street and includes replacing an existing non-original door. The proposed door is of an appropriate design, scale and form therefore would not diminish the historical interest of the listed building.

The proposal will not be detrimental to the architectural character, appearance or historic interest of the listed building, or its setting.

### **Conclusion in relation to the listed building**

The proposal harms neither the listed building or its setting. It is therefore acceptable with regard to Sections 59 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997.

### **b) The proposals harm the character or appearance of the conservation area?**

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials.

The building height of the new accommodation is in line with the height of the existing stone boundary walls. The open landscaped gardens of adjacent properties form an attractive setting to this part of the conservation area. The presence of a building at this scale (length) and position, will appear entirely incongruous and will visually interfere with this surrounding landscape.

In terms of the spatial character, this part of the conservation area has evolved over time through historic changes to the built form. In its present form, there is an established spatial pattern to residential development on Regent Street. There is a high-density form of development on the street frontage through terraced properties, with gardens of similar scale and form plotted in a continuous manner to the rear. The proposed building, by virtue of its incongruous scale (covering most of the plot length) and location on this back-land plot, is not in keeping with the current spatial pattern of the conservation area and will detract from the open garden settings.

### **Conclusion in relation to the conservation area**

The proposal fails to preserve or enhance the character of the conservation area and is therefore contrary to LDP policy Env 6 (Conservation Area - Development) and in this regard, fails to meet the requirements of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.



### c) The proposals comply with the development plan?

National Planning Framework 4 (NPF 4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF 4 policies support the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF 4. The relevant policies to be considered are:

- NPF 4 Sustainable Places Policy 1.
- NPF 4 Historic Assets and Places Policy 7.
- NPF 4 Liveable Places Design, Quality and Place Policy 14.
- NPF 4 Productive Places Tourism Policy 30.
- LDP Design Policy Des 4.
- LDP Environment Env 6.
- LDP Housing Policy Hou 7.
- LDP Transport Policies Tra 2 and Tra 3.

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering historic assets.

The non-statutory 'Guidance for Businesses' (2023) is a material consideration that is relevant when considering change of use applications.

#### Listed Buildings and Conservation Area

The proposal harms neither the listed building or its setting. However due to the scale (length) and location within the back-land plot, the proposal will not preserve the character of the conservation area. As such there will be an impact on historic assets and places. The proposal does not comply with NPF 4 Policy 7.

#### Proposed Use

Policy 1 of NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through the incorporation of a sedum roof and solar roof panels.

The proposal complies with NPF4 Policy 1.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas), seeks to protect residential amenity.

NPF 4 Policy 30 seeks to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland. As the proposal is for newly built holiday accommodation, Policy 30 (b) for tourism related development, criterion i, ii, v and vi are relevant to this application. The policy states that proposals for tourism-related development will take into account:-

#### *i) The contribution made to the local economy*

Paragraph 220 of the LDP acknowledges that tourism is the biggest source of employment in Edinburgh, providing jobs for over 31,000 people. The use of the application property by guests and the required maintenance and upkeep of holiday accommodation is likely to result in a level of job creation and spend within the economy which can be classed as having an economic benefit. The proposal complies with NPF 4 policy 30(b) part (i).

*ii) Compatibility with the surrounding areas in terms of the nature and scale of the activity and impacts of increased visitors*

The proposed holiday accommodation is a single storey one bedroom unit located on a back-land plot adjacent to the gardens of residential properties, within a predominantly residential area. The property would have its own main door access which would be accessed via a dedicated vennel.

The applicant submitted a planning statement in response to the NPF 4 Policy 30. The statement highlights that the setting of the proposed accommodation and its site specific design will ensure minimal impact on the surrounding area, and will be compatible with the surrounding residential uses along Regent Street.

As the area is predominantly residential there is a low ambient noise level and the introduction of tourist accommodation in this location will have a negative impact on the amenity of the surrounding area. Although it has its own main door access via a dedicated vennel, the use of this new building for tourist accommodation would have the potential to introduce an increased frequency of movement to the building, including access via the vennel and into the courtyard area at unsociable hours. The proposed one bedroom holiday accommodation would enable visitors to arrive and stay at the premises for a short period of time on a regular basis throughout the year in a manner dissimilar to that of permanent residents. There is no guarantee that guests would not come and go frequently throughout the day and night and transient visitors may have less regard for neighbours' amenity.

The potential for noise described above would be significantly different from the ambient background noise that neighbouring residents might reasonably expect and will have a significantly detrimental effect on the living conditions and amenity of nearby residents. The proposal does not comply with NPF 4 policy 30(b) part (ii)

*v) Accessibility for disabled people*

A ramp is to be created at the entrance off the main street to replace the steps, and a wet room arrangement is provided within the accommodation. The proposal complies with NPF 4 policy 30(b) part (v).

*vi) Measures taken to minimise carbon emissions*

The roof will comprise 16 photovoltaic solar panels and part of the roof will be sedum. The proposal complies with NPF 4 policy 30(b) part (vi).

*Conclusion*

The proposal complies with NPF 4 policy 30 (b) parts (i), (v) and (vi). The proposal does not comply with NPF 4 policy 30(b) part (ii) and LDP policy Hou 7.

## Scale, form and design

The prevalent character of the townscape is of terraced properties with spacious rear gardens. The exception to this arrangement are historic dwellings to the south-west end of Regent Street (no.9) which are atypical examples in the context of the surrounding area. It is acknowledged that the height of the proposed building has been reduced to single storey, but the scale and form remains out of proportion with its surroundings. It is inappropriate in this location as it will appear an incongruous and isolated addition from surrounding gardens, at odds with the spatial character of the wider townscape.

The position of the building is disruptive and harmful to the established spatial character of the area. A building in this location is not in keeping with the pattern of development in the area described above.

The design of the proposed building and materials used is acceptable and the inclusion of sustainable materials is supported. Terraced properties on Regent Street have been extended to the rear utilising a range of materials. However the overall design in terms of scale and form, is inappropriate in this location as detailed above.

The proposal does not comply with NPF 4 policy 14 and LDP Policy Des 4 due to the inappropriate scale and over-development of the site.

## Amenity

LDP Policy Des 5 ensures sufficient amenity for neighbouring developments as a result of the proposal. The height of the building is single storey, backs on to the rear of lock-up garages and has no negative impact on neighbouring developments. LDP Policy Des 5 also addresses amenity for future occupiers. However, this is not relevant as the proposed use is holiday accommodation and not for permanent residential occupation.

## Parking standards

There is no allocated car parking at the application property. The site is accessible by public transport within a 5-minute walk. There is no cycle parking standards for STLs. There is a cycle rack proposed in the courtyard area to the north of the unit. The proposals comply with policies Tra 2 and Tra 3.

## Other Matters

### *Trees*

Trees are positioned in proximity to the site's boundary. No tree survey or habitat and wildlife survey has been submitted as part of the proposal, and this has not been requested as the proposal is unacceptable in principle.

### *Flooding*

No information has been submitted in regard to flood mitigation measures. These have not been requested by the Planning Authority as the proposal is unacceptable in principle.

## *Flue*

The proposal includes a stove flue. There is separate Environmental Protection legislation under the Clean Air Act 1993 to limit fumes from such appliances. Should permission have been granted an informative would have been included in regard to this.

## *Other rear garden developments*

The applicant, in their supporting statement, has cited other examples of development in rear gardens in Portobello. However, the circumstances of each case are sufficiently different to allow differing conclusions to be reached.

## **Conclusion in relation to the Development Plan**

The scale and position of the building will be an incongruous addition that will have a detrimental impact on the spatial character of the conservation area and townscape. As such, it will fail to preserve or enhance the character or appearance of the Portobello Conservation Area. The proposed holiday accommodation in this location will have an unacceptable impact on neighbouring amenity and will be incompatible with surrounding areas. The proposal does not comply with NPF 4 policies 30 (b) (part ii), 7 and 14. It does not comply with LDP policies Hou 7, Des 4 and Env 6.

## **d) There are any other material considerations which must be addressed?**

The following material planning considerations have been identified:

### Emerging policy context

City Plan 2030 represents the settled will of the Council, and it has been submitted to Scottish Ministers for examination. As such, limited weight can be attached to it as a material consideration in the determination of this application.

### Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

### Public representations

40 representations.  
38 objections, one in support and one neutral.

A summary of the representations is provided below:

### *material considerations - objections*

-Inappropriate in a conservation area. Addressed in b) above.

- Negative impact on residential amenity. Addressed in c) above.
- Detrimental effect on character of street. Addressed in c) above.
- Will increase pressure on parking. Addressed in c) above.
- Poor standard of design. Addressed in c) above.
- Negative impact on neighbour's privacy. Addressed in c) above.
- Negative impact on habitats and wildlife. Addressed in c) above.
- Constitutes over-development. Addressed in c) above.

*non-material considerations -objections*

- Has unsatisfactory street access, particularly for emergency vehicles. This is not a material planning consideration for this specific application.
- Will create litter problems. The applicant should agree a Waste Strategy with CEC's Waste Services.
- Amenity for future occupiers will be limited. This is not a material planning consideration for holiday accommodation.

*material considerations- in support*

- Good use of space and unobtrusive. Addressed in c) above.

**Conclusion in relation to identified material considerations**

Identified material considerations have been assessed above and do not raise issues which outweigh the conclusion in relation to the development plan.

**Overall conclusion**

The scale and position of the building will be an incongruous addition that will have a detrimental impact on the spatial character of the conservation area and townscape. As such, it will fail to preserve or enhance the character or appearance of the Portobello Conservation Area. The proposed holiday accommodation in this location will have an unacceptable impact on neighbouring amenity and will be incompatible with surrounding areas. The proposal does not comply with NPF 4 policies 30 (b) (part ii), 7 and 14. It does not comply with LDP policies Hou 7, Des 4 and Env 6.

There are no material considerations that outweigh this conclusion. The proposal is unacceptable.

**Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following;

**Reason for Refusal**

1. The proposal is contrary to NPF 4 Policy 7 and LDP Policy Env 6 as the proposal would not preserve the special character or appearance of the conservation area.
2. The proposal is contrary to NPF 4 Policy 14 and LDP Policy Des 4 as it would have an unacceptable impact on the established townscape character.

3. The proposal is contrary to NPF 4 Policy 30(b) (part ii) as it would be incompatible with surrounding areas in terms of the proposed use.
4. The proposal is contrary to LDP Policy Hou 7 as the use of the property for holiday accommodation will have a materially detrimental effect on the living conditions and amenity of nearby residents.

### **Background Reading/External References**

To view details of the application go to the [Planning Portal](#)

**Further Information** - [Local Development Plan](#)

**Date Registered: 24 March 2023**

### **Drawing Numbers/Scheme**

01-15

Scheme 1

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

Contact: Lesley Porteous, Planning Officer  
E-mail:lesley.porteous@edinburgh.gov.uk

Appendix 1

## **Consultations**

No consultations undertaken.

## Appendix 2

### **Application Certification Record**

#### **Case Officer**

I have assessed the application against the City of Edinburgh Council's Scheme of Delegation (2023) Appendix 6 – Chief Planning Officer and the Statutory Scheme of Delegation (2023) and can confirm the application is suitable to be determined under Local Delegated Decision, decision-making route.

Case Officer: Lesley Porteous

Date: 12 October 2023

#### **Authorising Officer**

To be completed by an officer as authorised by the Chief Planning Officer to determined applications under delegated powers.

I can confirm that I have checked the Report of Handling and agree the recommendation by the case officer.

Authorising Officer (mRTPI): Damian McAfee

Date: 13 October 2023



# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Dr Hamish Thompson

Address: 55/5 Spottiswoode Road Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is a repeated application similar to previous attempts so might be reviewed in context of prior attempts. This time the proposed application is as a holiday residency that brings its own issues to neighbours. Fire engine access is just as challenging posing additional risk to neighbours. Additionally, the statement is made that in this part of the Portobello Conservation Area there is a proliferation of backland sites with single houses on them each with no vehicular access. No evidence has been lodged in any of the documents lodged on the planning portal to prove that this claim is true and that this proposal is similar to other back lane developments. It is true that several houses and flats at the top of Regent Street are accessed through pends between other houses fronting the street but these are almost all original Georgian and Victorian houses / flats built when Regent Street was first laid out and are not modern developments.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Ms Jane Thomas

Address: 2G East Road North Berwick

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This proposal is inappropriate for conservation area such as the heart of Portobello.

Expanding the provision holiday accommodation in this way would be detrimental to the residential character of the street.

Access is restricted and not satisfactory.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Daniel Patton

Address: 15 Bath Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: We think this looks like a good use of the space and should be an unobtrusive addition to the area.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mrs Alda Macleod

Address: Ballantrae La Rue Mahier St. Mary, Jersey

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My daughter lives at 14 Regent Street and is an immediate neighbour to this proposed development at no 20 Regent street. I am a regular visitor to Portobello and have always enjoyed the quietness of the immediate area around my daughters home.

I am appalled that a development such as this is considered to be appropriate in this area.

It is inevitable that holiday makers using this accommodation will create noise nuisance and light pollution therefore negatively impacting the peaceful ambience of this residential area.

I have seen the drawing illustrating the plethora of solar panels which are extraordinarily out of keeping in this peaceful, quiet conservation area.

As for the proposed alfresco shower!! (Should I be selling tickets when I come to visit - we can see into that corner from my daughters kitchen!)

The parking is a big problem on this street which is only bound to get worse with visitors, their guest, and the maintenance services required to upkeep a holiday let.

I strongly hope you issue a robust refusal to this application.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Ms Broghan Woolfe

Address: 65 Churchill Crescent St. Andrews

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am a student in full time education at St Andrews University, but regularly return home to 14 Regent Street at weekends and during holidays.

I object to this intrusive development which would change the character of this part of the Conservation area, both in its appearance, form and function, as well as increasing occupancy on the street and therefore increasing pressure on all existing services and parking provision. Its proposed function as a short term let also has the potential to create significant distress to neighbours through noise, nuisance, anti-social behaviour and littering. At worst, it could represent a risk to residents and property through inadequate access for emergency vehicles in the event of a fire - which is a documented increased risk in self-catering accommodation.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Dr alice thompson

Address: 22 regent st portobello edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: PREVIOUS AND STILL RELEVANT COMMENTS

- The standard of design does not meet what is expected for development in the curtilage of a listed building or in a conservation area.
- The volume of the design is not scaled to suit the surrounding character and forms a visual intrusion to neighbouring plots.
- Material and colour palettes also fail to respond to the special character of the listed building and the essential character of the Conservation Area.
- The design claims to rely upon shielding from vegetation in other ownership, which cannot be guaranteed to continue to exist for any significant period of time. (And will most likely have to be removed to both enable and as a consequence of construction activity)
- Inadequate access for servicing and other provisions, such as access for the emergency services,
- the impact upon the amenities of surrounding neighbours,

Furthermore:

- There will be increased pressure from guests' and their visitors' cars, and from access to the property by the host and other service providers for maintenance and cleaning etc.
- It will soon be illegal for cars to mount pavements when parking
- Problematic parking restricts access to the street for delivery vehicles, and refuse collectors.
- There is significant concern within the street about careless parking inhibiting emergency service access.
- Portobello becomes overcrowded in the summer, and at weekends. This is most likely to be the same period of highest occupancy in self-catering accommodation.
- The Council report on short term lets states that where there is no day-to-day management control or

supervision, such as this proposed self-catering holiday accommodation, complaints from residential neighbours increase because of frequency and intensity of noise, as well as general disturbance or otherwise wilful or negligent unsociable behaviour.

<https://www.edinburgh.gov.uk/planning-13/proposal-designate-short-term-let-control-area>

-the host (presumed to be the applicant) is not local or known by neighbours

-the host has less direct interest in respecting neighbours' rights

-the host has no opportunity to monitor guest behaviour or assess impact on residents' amenity.

- Within the Council documents it is also noted that fire can pose a serious risk to the occupants of premises providing sleeping accommodation.

- No contact by the Applicant has been made with neighbours.

## PLANNING STATEMENT

### APPLICANTS ARCHITECTS COMMENTS

### IMMEDIATE NEIGHBOURS RESPONSE

The proposed holiday accommodation is a unique, innovative and site-specific design that will add to the sense of place for this specific site whilst not having any detrimental impact on the wider character, appearance or amenity of the neighbourhood.

This development does not demonstrate that it will create or contribute towards a sense of place. It is an ill-considered, inappropriate and opportunistic design which would be damaging to the character and appearance of the area around it, particularly because this has a special importance as a terrace of listed buildings within a conservation area, characterised by open garden vistas similar in scale and layout.

Similarly, there will be no loss of amenity, privacy or overshadowing to neighbours as a result of the proposal.

This residential street has a quiet nature with low ambient noise levels and no light pollution to the close-by rear gardens. We will lose open vistas, natural habitat and suffer intrusive noise and light as well as an increased pressure on utilities, services and parking.

Unlike other (self-catering) properties throughout the City, there will be no conflict with existing residential properties.

The proposed use for self-catering accommodation is wholly inappropriate for this site because its activity will adversely affect the character of a residential Conservation Area through noise, nuisance and general disturbance as evidence in Council documents.

The converted church on Marlborough Street is a successful holiday let property.

Marlborough Street Church is a family home and is only let to guests when the homeowners are on holiday. Currently it is showing no availability throughout 2023 on Airbnb.

There are numerous examples of infill and backland development in this specific area of Portobello...it is a well-trodden path.

Any comparable examples in the surrounding area that have been granted permission in the past and which do not comply with current guidelines should not be taken as setting any form of precedent, and should not be used as examples to follow.

Planning Permissions 21/06643/FUL & 22/02704/FUL both relate to backland development on

Regent Street (Nos 36 and 10 respectively). The proposal for No. 20 is equally acceptable with regards to scale, form and design and its impact on amenity. The proposal raises no concerns with regards to its impact on nearby listed buildings or the conservation area.

Nos 36 & 10 do not encroach on undeveloped garden land, and do not change the character of open back garden vistas in a Conservation Area. They are within or replace existing structures, and do not increase the number of buildings, level of occupancy or activity on Regent Street.

Nos 36 & 10 do not increase disturbance, nuisance and noise and do not place additional strain on street services or amenity - including parking and are therefore irrelevant comparisons.

This will be a sustainable development,

No reference to a "fabric first" form of sustainable development has been made. Solar panels, rain chains and insulation have not been evidenced as mitigating the level of carbon footprint caused by material resource, manufacture, transportation and construction activity. There will be a loss of trees, habitat, wildlife and rainwater absorption.

...on a brownfield site and utilising modern construction methods including solar PV and enhanced insulation. It is a brownfield opportunity with clear evidence of previous development.

There is no evidence that commercial activity has ever been present on the site. No services or utilities are present. It has never been developed (ancillary outbuildings for the servicing of the main house do not constitute development). This is historic garden ground and an amenity open space which supports diverse wildlife, allows rainwater absorption and maintains the pattern of rear gardens and affords open views across green space. This is not a brownfield site.

There is no immediate overlooking of the site from neighbouring properties. The end of the rear gardens to numbers 12 to 14 and 22 .Regent Street have a number of mature self-sown trees and overgrown shrubs that screen any potential views towards the application site from the upper floor windows of 16-18 and 22.

Most rear windows to Nos 12, 14, 16, 18, 22 have clear sight lines into and across the site. The trees referred to as screening (inaccurately located on the drawings), sit within 1 metre, and adjacent to (not in front of) the boundary with 12/14. They provide no screening to immediate neighbours. Likewise, the apple tree at 16/18 is also on the boundary. The trees are unlikely to survive harm caused during excavation and construction. The vegetation referred to as protecting privacy to 16 & 18 is self-seeded and on 20s' side of the wall and will be removed. To 22, it is an ivy thicket, outwith his control.



# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Richard Berry

Address: 15 Marlborough Street Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I would like to correct a statement made in the Planning Statement, that provides our property (15 Marlborough Street) as an example of 'successful holiday let property'. The property is a family home that we have rented on Airbnb four times over the last few years to other families while we have been on holiday ourselves.

The Planning Application is for a permanent holiday let, and we do not consider our home can be used as an example to support the Application.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Thomas Smith

Address: 28 Regent Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Self catering accommodation is inappropriate for this site. The character of this residential conservation area would adversely be affected by nuisance, noise and the general disturbance that many unsupervised and unattended short term lets have caused across the city.

Existing trees will in all probability be damaged beyond recovery during the construction phase which will in itself cause serious disruption to the functioning of the local community.

This is not a brownfield site as claimed.

A short term let will place an additional burden on local services and amenities as well as exacerbate current parking difficulties.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Miss Fiona Spawforth

Address: 60 bath street Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Questioning if the design of the building meets the criteria of a conservation area .

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mrs Josephine Doorley

Address: 42 Regent Street Portobello

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

26th April 2023

Re: PLANNING APPLICATION REF: 23/01301/FULSTL | PROPOSED HOLIDAY ACCOMMODATION | 20 REGENT STREET

A proposal to build a self-catering holiday let at 20 Regent Street on the back-land behind Larry's garden at No.16 has been submitted to Planning.

Approx 2/3rds of the site is given over to a single storey 1 bedroom building with a mono-pitch roof almost entirely

covered with 16 solar panels and an approx 1.5 x 7 metre roof light. The rest is sedum and zinc.

The remaining space

is an external sitting out / dining space with weather screening and pathways from the vennel and along the

boundary wall with 16/18's garden. The location of the building within the plot abuts the boundary walls at No. 14

and Bath Street Lane, and spans almost the entire depth of the site. It sleeps two, and can otherwise cater for 6 and a

fully openable lounge elevation onto decking is noted to enable inside / outside seamless living.

We would be so grateful if you can make some comments on the link below. The application reference is

23/01301/FULSTL -

In summary, the proposals are contrary to the Portobello Conservation Area Appraisal, the Edinburgh Local Plan and

the Edinburgh Design Guidelines, all of which are material planning considerations. The proposals fail in terms of

quality of design, appropriate choice of materials, impact on amenity of neighbours, impact on the Portobello

Conservation Area and impact on the setting of listed buildings.

With all our best wishes and thank you again,

- The standard of design does not meet what is expected for development in the curtilage of a listed building or in a conservation area.
- The volume of the design is not scaled to suit the surrounding character and forms a visual intrusion to neighbouring plots.
- Material and colour palettes also fail to respond to the special character of the listed building and the essential character of the Conservation Area.
- The design claims to rely upon shielding from vegetation in other ownership, which cannot be guaranteed to continue to exist for any significant period of time. (And will most likely have to be removed to both enable and as a consequence of construction activity)
- Inadequate access for servicing and other provisions, such as access for the emergency services,
- the impact upon the amenities of surrounding neighbours,

Furthermore:

- There will be increased pressure from guests' and their visitors' cars, and from access to the property by the host and other service providers for maintenance and cleaning etc.
- It will soon be illegal for cars to mount pavements when parking
- Problematic parking restricts access to the street for delivery vehicles, and refuse collectors.
- There is significant concern within the street about careless parking inhibiting emergency service access.
- Portobello becomes overcrowded in the summer, and at weekends. This is most likely to be the same period of highest occupancy in self-catering accommodation.
- The Council report on short term lets states that where there is no day-to-day management control or supervision, such as this proposed self-catering holiday accommodation, complaints from residential neighbours increase because of frequency and intensity of noise, as well as general disturbance or otherwise wilful or negligent unsociable behaviour. <https://www.edinburgh.gov.uk/planning-13/proposal-designate-short-term-let-control-area>

- the host (presumed to be the applicant) is not local or known by neighbours
- the host has less direct interest in respecting neighbours' rights
- the host has no opportunity to monitor guest behaviour or assess impact on residents' amenity.
- Within the Council documents it is also noted that fire can pose a serious risk to the occupants of premises providing sleeping accommodation.
- No contact by the Applicant has been made with neighbours.

## PLANNING STATEMENT

### APPLICANTS ARCHITECTS COMMENTS IMMEDIATE NEIGHBOURS RESPONSE

The proposed holiday accommodation is a unique, innovative and site-specific design that will add to the sense of place for this specific site whilst not having any detrimental impact on the wider character, appearance or amenity of the neighbourhood.

This development does not demonstrate that it will create or contribute towards a sense of place. It is an ill-considered, inappropriate and opportunistic design which would be damaging to the character and appearance of the area around it, particularly because this has a special importance as a terrace of listed buildings within a conservation area, characterised by open garden vistas similar in scale and layout.

Similarly, there will be no loss of amenity, privacy or overshadowing to neighbours as a result of the proposal.

This residential street has a quiet nature with low ambient noise levels and no light pollution to the close-by rear gardens. We will lose open vistas, natural habitat and suffer intrusive noise and light as well as an increased pressure on utilities, services and parking.

Unlike other (self-catering) properties throughout the City, there will be no conflict with existing residential properties.

The proposed use for self-catering accommodation is wholly inappropriate for this site because its activity will adversely affect the character of a residential Conservation Area through noise, nuisance and general disturbance as evidence in Council documents.

The converted church on Marlborough Street is a successful holiday let property.

Marlborough Street Church is a family home and is only let to guests when the homeowners are on holiday. Currently it is showing no

availability throughout 2023 on Airbnb.

There are numerous examples of infill and backland development in this specific area of Portobello...it is a well-trodden path.

Any comparable examples in the surrounding area that have been granted permission in the past and which do not comply with current guidelines should not be taken as setting any form of precedent, and should not be used as examples to follow.

Planning Permissions 21/06643/FUL & 22/02704/FUL both relate to backland development on Regent Street (Nos 36 and 10 respectively). The proposal for No. 20 is equally acceptable with regards to scale, form and design and its impact on amenity. The proposal raises no concerns with regards to its impact on nearby listed buildings or the conservation area.

Nos 36 & 10 do not encroach on undeveloped garden land, and do not change the character of open back garden vistas in a Conservation Area. They are within or replace existing structures, and do not increase the number of buildings, level of occupancy or activity on Regent Street.

Nos 36 & 10 do not increase disturbance, nuisance and noise and do not place additional strain on street services or amenity - including parking and are therefore irrelevant comparisons.

This will be a sustainable development, No reference to a "fabric first" form of sustainable development has

been made. Solar panels, rain chains and insulation have not been evidenced as mitigating the level of carbon footprint caused by material resource, manufacture, transportation and construction activity. There will be a loss of trees, habitat, wildlife and rainwater absorption.

...on a brownfield site and utilising modern construction methods including solar PV and enhanced insulation. It is a brownfield opportunity with clear evidence of previous development.

There is no evidence that commercial activity has ever been present on the site. No services or utilities are present. It has never been developed (ancillary outbuildings for the servicing of the main house do not constitute development). This is historic garden ground and an

amenity open space which supports diverse wildlife, allows rainwater absorption and maintains the pattern of rear gardens and affords open views across green space. This is not a brownfield site.

There is no immediate overlooking of the site from neighbouring properties. The end of the rear gardens to numbers 12 to 14 and 22 .Regent Street have a number of mature self-sown trees and overgrown shrubs that screen any potential views towards the application site from the upper floor windows of 16-18 and 22.

Most rear windows to Nos 12, 14, 16, 18, 22 have clear sight lines into and across the site. The trees referred to as screening (inaccurately located on the drawings), sit within 1 metre, and adjacent to (not in front of) the boundary with 12/14. They provide no screening to immediate neighbours. Likewise, the apple tree at 16/18 is also on the boundary. The trees are unlikely to survive harm caused during excavation and construction. The vegetation referred to as protecting privacy to 16 & 18 is self-seeded and on 20s' side of the wall and will be removed. To 22, it is an ivy thicket, outwith his control.



# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Lars Petersson

Address: 42 Regent St Portobello

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

23/01301/FULSTL -

In summary, the proposals are contrary to the Portobello Conservation Area Appraisal, the Edinburgh Local Plan and

the Edinburgh Design Guidelines, all of which are material planning considerations. The proposals fail in terms of

quality of design, appropriate choice of materials, impact on amenity of neighbours, impact on the Portobello

Conservation Area and impact on the setting of listed buildings.

With all our best wishes and thank you again,

- The standard of design does not meet what is expected for development in the curtilage of a listed building

or in a conservation area.

- The volume of the design is not scaled to suit the surrounding character and forms a visual intrusion to

neighbouring plots.

- Material and colour palettes also fail to respond to the special character of the listed building and the

essential character of the Conservation Area.

- The design claims to rely upon shielding from vegetation in other ownership, which cannot be guaranteed to

continue to exist for any significant period of time. (And will most likely have to be removed to both enable

and as a consequence of construction activity)

- Inadequate access for servicing and other provisions, such as access for the emergency services,

- the impact upon the amenities of surrounding neighbours,

Furthermore:

- There will be increased pressure from guests' and their visitors' cars, and from access to the property by the

host and other service providers for maintenance and cleaning etc.

- It will soon be illegal for cars to mount pavements when parking

- Problematic parking restricts access to the street for delivery vehicles, and refuse collectors.

- There is significant concern within the street about careless parking inhibiting emergency service access.

- Portobello becomes overcrowded in the summer, and at weekends. This is most likely to be the same period

of highest occupancy in self-catering accommodation.

- The Council report on short term lets states that where there is no day-to-day management control or

supervision, such as this proposed self-catering holiday accommodation, complaints from residential

neighbours increase because of frequency and intensity of noise, as well as general disturbance or otherwise

wilful or negligent unsociable behaviour. [https://www.edinburgh.gov.uk/planning-13/proposal-designate-](https://www.edinburgh.gov.uk/planning-13/proposal-designate-short-term-let-control-area)

[short-term-let-control-area](https://www.edinburgh.gov.uk/planning-13/proposal-designate-short-term-let-control-area)

-the host (presumed to be the applicant) is not local or known by neighbours

-the host has less direct interest in respecting neighbours' rights

-the host has no opportunity to monitor guest behaviour or assess impact on residents' amenity.

- Within the Council documents it is also noted that fire can pose a serious risk to the occupants of premises

providing sleeping accommodation.

- No contact by the Applicant has been made with neighbours.

PLANNING STATEMENT

APPLICANTS ARCHITECTS COMMENTS IMMEDIATE NEIGHBOURS RESPONSE

The proposed holiday accommodation is

a unique, innovative and site-specific

design that will add to the sense of place

for this specific site whilst not having any

detrimental impact on the wider

character, appearance or amenity of the

neighbourhood.

This development does not demonstrate that it will create or

contribute towards a sense of place. It is an ill-considered,

inappropriate and opportunistic design which would be damaging to

the character and appearance of the area around it, particularly because this has a special importance as a terrace of listed buildings within a conservation area, characterised by open garden vistas similar in scale and layout.

Similarly, there will be no loss of amenity, privacy or overshadowing to neighbours as a result of the proposal.

This residential street has a quiet nature with low ambient noise levels and no light pollution to the close-by rear gardens. We will lose open vistas, natural habitat and suffer intrusive noise and light as well as an increased pressure on utilities, services and parking.

Unlike other (self-catering) properties throughout the City, there will be no conflict with existing residential properties.

The proposed use for self-catering accommodation is wholly inappropriate for this site because its activity will adversely affect the character of a residential Conservation Area through noise, nuisance and general disturbance as evidence in Council documents.

The converted church on Marlborough Street is a successful holiday let property.

Marlborough Street Church is a family home and is only let to guests when the homeowners are on holiday. Currently it is showing no availability throughout 2023 on Airbnb.

There are numerous examples of infill and backland development in this specific area of Portobello...it is a well-trodden path.

Any comparable examples in the surrounding area that have been granted permission in the past and which do not comply with current guidelines should not be taken as setting any form of precedent, and should not be used as examples to follow.

Planning Permissions 21/06643/FUL & 22/02704/FUL both relate to backland development on Regent Street (N0's 36 and 10 respectively). The proposal for No. 20 is equally acceptable with regards to scale, form and design and its impact on amenity. The proposal raises no concerns with regards to its impact on nearby listed buildings or the conservation area.

Nos 36 & 10 do not encroach on undeveloped garden land, and do not

change the character of open back garden vistas in a Conservation Area. They are within or replace existing structures, and do not increase the number of buildings, level of occupancy or activity on Regent Street.

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This will be a sustainable development, No reference to a "fabric first" form of sustainable development has

been made. Solar panels, rain chains and insulation have not been evidenced as mitigating the level of carbon footprint caused by material resource, manufacture, transportation and construction activity. There will be a loss of trees, habitat, wildlife and rainwater absorption.

...on a brownfield site and utilising modern construction methods including solar PV and enhanced insulation. It is a brownfield opportunity with clear evidence of previous development.

There is no evidence that commercial activity has ever been present on the site. No services or utilities are present. It has never been developed (ancillary outbuildings for the servicing of the main house do not constitute development). This is historic garden ground and an amenity open space which supports diverse wildlife, allows rainwater absorption and maintains the pattern of rear gardens and affords open views across green space. This is not a brownfield site.

There is no immediate overlooking of the site from neighbouring properties. The end of the rear gardens to numbers 12 to 14 and 22 .Regent Street have a number of mature self-sown trees and overgrown shrubs that screen any potential views towards the application site from the upper floor windows of 16-18 and 22.

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be removed. To 22, it is an ivy thicket, outwith his control.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Dr alice thompson

Address: 22 regent st portobello edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:MY ADDITIONAL COMMENTS : PLEASES ADD TO PREVIOUS COMMENTS( I have ticked the objection box a second time but I believe this should just count as one objection) As you are aware, planning applications for short term lets are a new form of application. There have been only 4 others for the Portobello area. 3 have been refused, while one is still to be determined. All 4 have been for flats - on the High Street, Great Cannon Bank, King's Road and Hillcoat Loan. They have therefore all been accessed by means of a common stair and this is why 3 of them have been refused. Yours is the first one in Portobello relating to a new build.

. The 3 previous applications from others that have been refused have been refused for the following reason, " the use of this dwelling as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents."

The planner's handling report also mentioned that transient visitors may have less regard for neighbours' amenity than permanent residents and that the additional servicing that a short term let requires is likely to result in an increase in disturbances impacting on neighbours' amenity.

The 3 that have been refused have been refused for the following reason, " the use of this dwelling as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents."

The planner's handling report also mentioned that transient visitors may have less regard for neighbours' amenity than permanent residents and that the additional servicing that a short term let requires is likely to result in an increase in disturbances impacting on neighbours' amenity.

All of these properties were accessed by means of a common stair unlike No. 20. However, no 20

is accessed through a path between and under residential properties and your gardens are adjacent to the property to be let. I would therefore suggest that you make the case for loss of amenity to neighbouring residents as strongly as you can.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Dr alice thompson

Address: 22 regent st portobello edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Additional comment: My third comment:

I think that it is very important not to forget that the application is also seeking to build a new residential unit, with an extremely small living space on what is a very small site. I would hope that the planners assessing this application bear in mind the planning standards required for a residential development. There are windows on only two sides of the proposed new build and one side is extremely close to a high stone wall. Objectors are therefore entitled to question whether the two habitable rooms will have sufficient daylight and sunlight and I hope the planners will be asking this question as well. There is also a very small amount of outside space and again the question needs to be asked if this is sufficient for a new residential development.



# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Ms Louise Rowlands

Address: 6/1 Regent Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: That this is still being considered is a mystery to me. Regent Street is a quiet street with peaceful garden space to the rear of each building & the idea of stuffing a holiday let into this small space at the back of several people's homes seems thoughtless and selfish. The design does not fit in with the existing architecture. It certainly doesn't demonstrate a 'sense of place' as it completely disregards the character of the area - a conservation area - for what seems like a business opportunity for a property developer. As I understand it, not one of the immediate neighbours has been consulted or visited for discussion. The applicant does not appear to have any interest in the rights of the existing homeowners,

Regent Street is already busy with through traffic and the on street parking is an absolute nightmare with increasingly careless parking making access from one end to the other difficult for vans, bin trucks, other cars (all we need is more 4x4s parked at an angle!), not to mention the emergency services. We also have the potential for the 'on pavement' parking to be restricted in the future. Adding to this with people unfamiliar with the area would make things worse. Highest occupancy of the holiday let is likely to be during summer time which is when Portobello gets very busy & congested as it is.

There will be a clear view onto this proposed property from the homes of the existing homeowners in numbers 14, 16, 18 & 22, removing their right to privacy as well as privacy for anyone staying in the new build. I am also concerned about noise and additional disturbance as well as the loss of trees and garden space. The application suggests that the mature trees & shrubs will remain and add to the privacy aspect however the area is very small so will the trees survive construction? It's unlikely. There is no evidence of this being a 'brownfield site' either - no-one has found evidence of it ever having been developed before & surely there are more sites in the area that are more suited to this proposal.

If this goes ahead, the existing neighbourhood, will lose green space which houses wildlife, birds, flowers - and a historic garden space which brings peace and tranquillity. The applicant has cited 'developments' at numbers 10 & 36...neither of which change the character of the space and are both the use of existing buildings. They are for private use and don't increase the demands on the current infrastructure - nor do they disturb the privacy of several longstanding homeowners who contribute to the local area every day.

As a Regent Street resident, I would urge you to reject this opportunistic proposal and support our beautiful little neighbourhood.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Daniel Emmerson

Address: 6/1 Regent Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is a quiet residential street in a conservation area. The proposed development gives no respect to this location and context. The proposal is opportunistic and would degrade the character and sense of place and community. Additionally, the street already has problematic parking to which the proposal would very likely add to. The backland - ie garden - areas in the street support wildlife and this proposal and the associated construction work would inevitably disturb this. I strongly object to this proposal.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Isaac Lloyd

Address: 11 Upper Gray Street Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I think that it is very important not to forget that the application is also seeking to build a new residential unit, with an extremely small living space on what is a very small site. I would hope that the planners assessing this application bear in mind the planning standards required for a residential development. There are windows on only two sides of the proposed new build and one side is extremely close to a high stone wall. Objectors are therefore entitled to question whether the two habitable rooms will have sufficient daylight and sunlight and I hope the planners will be asking this question as well. There is also a very small amount of outside space and again the question needs to be asked if this is sufficient for a new residential development.

As you are aware, planning applications for short term lets are a new form of application. There have been only 4 others for the Portobello area. 3 have been refused, while one is still to be determined. All 4 have been for flats - on the High Street, Great Cannon Bank, King's Road and Hillcoat Loan. They have therefore all been accessed by means of a common stair and this is why 3 of them have been refused. Yours is the first one in Portobello relating to a new build.

The 3 that have been refused have been refused for the following reason, " the use of this dwelling as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents."

The planner's handling report also mentioned that transient visitors may have less regard for neighbours' amenity than permanent residents and that the additional servicing that a short term let requires is likely to result in an increase in disturbances impacting on neighbours' amenity.

All of these properties were accessed by means of a common stair unlike No. 20. However, no 20 is accessed through a path between and under residential properties and your gardens are

adjacent to the property to be let. I would therefore suggest that you make the case for loss of amenity to neighbouring residents as strongly as you can.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Tauna Woolfe

Address: 11A Engleheart Road Catford London

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am a full time student in London, but my home address is 14 Regent Street, next door to the application site. I object to the proposal because,

- The standard of design does not meet what is expected for development in the curtilage of a listed building or in a conservation area.
- The volume of the design is not scaled to suit the surrounding character and forms a visual intrusion to neighbouring plots.
- Material and colour palettes also fail to respond to the special character of the listed building and the essential character of the Conservation Area.
- The design claims to rely upon shielding from vegetation in other ownership, which cannot be guaranteed to continue to exist for any significant period of time. (And will most likely have to be removed to both enable and as a consequence of construction activity)
- Inadequate access for servicing and other provisions, such as access for the emergency services,
- the impact upon the amenities of surrounding neighbours,

Furthermore:

- There will be increased pressure from guests' and their visitors' cars, and from access to the property by the host and other service providers for maintenance and cleaning etc.
- There is significant concern within the street about careless parking inhibiting emergency service access.
- Portobello becomes overcrowded in the summer, and at weekends. This is most likely to be the same period of highest occupancy in self-catering accommodation.
- The Council report on short term lets states that where there is no day-to-day management control or supervision, such as this proposed self-catering holiday accommodation, complaints

from residential neighbours increase because of frequency and intensity of noise, as well as general disturbance or otherwise wilful or negligent unsociable behaviour.

<https://www.edinburgh.gov.uk/planning-13/proposal-designate-short-term-let-control-area>

-the host (presumed to be the applicant) is not local or known by neighbours

-the host has less direct interest in respecting neighbours' rights

-the host has no opportunity to monitor guest behaviour or assess impact on residents' amenity.

- Within the Council documents it is also noted that fire can pose a serious risk to the occupants of premises providing sleeping accommodation.

- No contact by the Applicant has been made with neighbours.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mrs Helen McCormac

Address: 1e Bath Street Lane. Portobello EDINBURGH

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this planning application . Traffic and parking on Regent Street is already a problem and adding a holiday let will increase this further .

I live on Bath Street Lane near to the back of this proposal . It is a working lane and access for workers and homeowners is already difficult . Any extra machinery , skips would heavily impact on the lane

.Working from home would be a problem with an increase in noise level .



# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Dr Joy Allison

Address: 51 regent street Portobello Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The application for planning for proposed holiday accommodation is inappropriate for the site and surrounding conservation area.

The plot is inadequate size for what is proposed and the proposed plan is out of character for the conservation area. It will cause significant intrusion on neighbouring properties. The materials stated are out of character for maintenance of conservation area and specifically the slate rooflines.

The access is problematic and will cause intrusion for neighbours; it is also inadequate for both building and future access of emergency vehicles should that be required.

Running as a holiday let exposes adjacent properties to significant risk of fire due to limited boundary space and exposes tenants to inherent risk also. There have been 2 significant house fires in the street in the last 2 years. Luckily due to rapid and competent response by fire brigade the fires have been contained and no mortality.

Increasing density of housing in an already congested space with poor access will be negligent decision making.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Miss Susannah Lewis

Address: 21a/2 Regent Street Portobello Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It will impact negatively on the surroundings and increase traffic to the area.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Brian Roberts

Address: 13 Regent Street Portobello

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Applicant's architect comment that this development will add to the sense of place whilst not having any detrimental impact on the wider character, appearance or amenity - My response is that the design would be damaging as this is a terrace of listed buildings within a conservation area characterised by open garden vistas similar in scale and layout.

Applicant architect states there will no loss of amenity, privacy but my response is that there will be intrusive noise and light and increased pressure on utilities, services and parking.

Applicant architect states there will be no conflict with existing residential properties - My response is self-catering accommodation will adversely affect the character of a residential Conservation Area through noise, nuisance and general disturbance.

Applicant's architect states that this will be a sustainable development on a brownfield site - My response is there will be a loss of trees, habitat, wildlife and rainwater absorption with no evidence of previous commercial activity.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mrs Ann Roberts

Address: 13 Regent Street Portobello Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Applicant's architect comment that this development will add to the sense of place whilst not having any detrimental impact on the wider character, appearance or amenity - My response is that the design would be damaging as this is a terrace of listed buildings within a conservation area characterised by open garden vistas similar in scale and layout.

Applicant architect states there will no loss of amenity, privacy but my response is that there will be intrusive noise and light and increased pressure on utilities, services and parking.

Applicant architect states there will be no conflict with existing residential properties - My response is self-catering accommodation will adversely affect the character of a residential Conservation Area through noise, nuisance and general disturbance.

Applicant's architect states that this will be a sustainable development on a brownfield site - My response is there will be a loss of trees, habitat, wildlife and rainwater absorption and there is no evidence of previous commercial activity.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr craig hannigan

Address: 12b Regent Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Unfortunately I have lived here for two and a half years now and I don't think this is appropriate for the neighbourhood and don't want this in my back garden. I consider that it will cause an invasion to my privacy as a resident here.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Peter Scott

Address: 40 regent st portobello edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:-There will be an increased pressure on the already over crowded street with guests looking to park.

-It will soon be illegal for cars to park on the pavement.

- If the guests do not park with consideration, this will add the existing problem we have for refuse collection.

- In addition if they do not park with consideration this causes serious issues for the emergency services, twice recently this was an issue for Fire Engines with bad parking from people from other areas.

-The council report on short term lets states that where there is no day-to-day management control or supervision, such as this proposed self-catering holiday accommodation, complaints from residential neighbours increase because of the frequency and intensity of noise, as well as general disturbance or otherwise wilful or negligent unsocial behavior.

The Air B & B enterprises in Edinburgh are already under serious review for various significant reasons, and the same scrutiny should be considered here.

: the host (presumed to be the applicant) is not local or known by anyone in the street.

: the host will have less interest in respecting the neighbours' rights.

: the host will not be monitoring the guests' behaviour or respond to the inevitable noise pollution that will follow in a proposed holiday accommodation. Especially as we are so close to the beach and the very close proximity the new proposed building will be to the many houses very close by.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Ms Margaret Smith

Address: 28 Regent Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Self catering accommodation is inappropriate for this site. The character of this residential conservation area would adversely affected by nuisance, noise and the general disturbance that many unsupervised and unattended short term lets have caused across the city.

Existing trees will in all probability be damaged beyond recovery during the construction phase which will in itself cause serious disruption to the functioning of the local community.

This is n to a brownfield site as claimed.

A short term let will place an additional burden on local services and amenities as well as exacerbate current parking difficulties.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Miss CAITLIN McGill

Address: 12A Regent street Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As a neighbour whose bedroom window will be looking onto this property, I am concerned about the potential for a holiday home as guests who visit won't be respectful of surrounding neighbours. This residential street has a quiet nature with low ambient noise levels and no light pollution to the close-by rear gardens. We will lose open vistas, natural habitat and suffer intrusive noise and light as well as an increased pressure on utilities, services and parking.

This comment, "There is no immediate overlooking of the site from neighbouring properties", is completely untrue and happy to provide pictures to prove it. There will be increased pressure from guests' and their visitors' cars, and from access to the property by the host and other service providers for maintenance and cleaning etc. This area is already popular especially in summer and adding more guests to our street will continue to pit the strain on our amenities on the locals.



# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Miss Joanne Cowell

Address: 12B Regent Road Portobello Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As the planning shows this properly would be an invasion of my privacy. The noise will be an issue as well.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Ms Deborah Mackay

Address: 206 Portobello High Street Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is an unsuitable location for a holiday build as proposed.

I note in the application that they propose the space accommodates 2 people but can be used for 6 guests with noisy open-air get-togethers in what is a very quiet residential area. With the owner not present, having this site as a holiday let would cause significant disturbance to neighbours, as noted by Edinburgh Council's own guidance on short term lets.

Regent Street already has significant parking problems based on the number of residents and visitors using the street to park, and having guests on this scale (who will be travelling to Portobello) isn't sustainable.

I also understand that some trees in the rear gardens/neighbouring gardens may need to be removed to accommodate the proposed building. The screening they provide is essential in what is already a tightly packed residential area and replacing the current wild area with a building and decking area runs against best practice for encouraging thriving and diverse natural habitats.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Miss Maud Start

Address: 21 A1 Regent St Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Hello, I have looked in great detail at these plans which have been resubmitted.

Unfortunately, my stance has not changed. This is not, in my opinion, sustainable for the local area. There will be loss of habitat in a street where we are so very passionate about that. This is a family street, a historic street, and the plans are not in line with the standard of the conservation area. There is not enough access for this to not make a significant impact on our property whilst construction is underway. It will soon be illegal for cars to mount the pavements whilst parking, and we simply do not have space for extra vehicles accessing the street and the parking spaces we have already.

Our street is overrun during the summer months. The holiday let will likely attract guests during this time, I worry about an increased risk of fire, noise, traffic and unmonitored guests.

I'm sorry not to let this one fly but it simply will cause too big an impact on the permanent residents of the street, and to our little household.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Ms Lorraine O'Sullivan

Address: 58 regent Street Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This development will have a negative effect on the setting of the character of the Conservation Area. The development will create light pollution in the back gardens. Holiday accommodation will cause annoyance to immediate locals, the site is not appropriate for commercial activity. It will cause a lack of privacy to the existing properties.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Francis Bickmore

Address: 10 Regent Street Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I'm not convinced that this will enhance the neighbourhood. I'm concerned about the impact of short term let's on the very close neighbouring houses and gardens.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Ms Kerry Oliver

Address: 1F2, 7 Regent Street, Edinburgh EH15 2AY

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am a concerned neighbour and long term resident of Regent Street. I oppose this development on a number of grounds.

The narrow residential street is already very busy, with traffic congestion and parking problems common, to the point where essential vehicles sometimes cannot pass through. It is already particularly problematic in summer when Portobello is over crowded and congested, and the conservation area is particularly impacted and would be further impacted by a new holiday build in a congested area.

This proposed new build short-let would cause disturbance and problems for residents in the local community, both during the building phase and letting phase. It is already known that short-term visitors with no personal attachment to the community, no resident landlord and very little space can negatively affect their neighbours, as the council report on short term lets indicates <https://www.edinburgh.gov.uk/planning-13/proposal-designate-short-term-let-control-area>

This proposal does not seem to be a suitable addition to an already crowded street, either in design or purpose. It would not benefit the local community and would impact particularly adversely on close neighbours. Some inappropriate infill and backland developments have certainly been done in the past; this has been at some cost to the character and resources of the community, but is not a precedent as they would not be granted permission now. There would also be a further loss of trees, habitat and rainwater absorption through this build, and I would question its claim to sustainability.

The proposals remain contrary to the Portobello Conservation, Edinburgh local plan and the Edinburgh Design guidelines.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Org Portobello Amenity Society

Address: 4A Elcho Terrace, Edinburgh EH15 2EF

## Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Portobello Amenity Society objects to this application to erect a new dwelling for the purposes of holiday accommodation on several grounds.

Firstly, the society feels that this application represents overdevelopment of a very small site. The house will have extremely small living space with hardly any outside space. The recent lockdown has highlighted the contribution made by gardens to the well-being of residents in both mental and physical health. The society feels that a new house should have greater outside space than that offered by the small courtyard.

The society also objects to this proposal with regard to the amount of sunlight and daylight the new property will receive. There are windows on only two sides of the proposed new build and one side is extremely close to a high stone wall. The society questions whether the two habitable rooms will have sufficient daylight and sunlight. Evidence should be sought that the two habitable rooms will receive sufficient skylight in accordance with the Edinburgh Design Guidance.

Similarly, with the proposed courtyard, it should be shown that half the area should be capable of receiving potential sunlight as opposed to daylight for more than two hours during the spring equinox. An assessment using hour by hour shadow plans should be presented to show that this element of good design for the well-being of the occupants is met.

The access to the property through a narrow single pend under the houses fronting Regent Street also causes the society concern. This is not ideal in terms of servicing the new house and would, in our view, create difficulties should the emergency services need to access the property in the event of a fire.

The use of this dwelling as a short stay let will, in the society's view, have a materially detrimental effect on the living conditions and amenity of nearby residents as transient visitors may have less regard for neighbours' amenity than permanent residents and the additional servicing that a short term let requires is likely to result in an increase in disturbances impacting on neighbours' amenity.

The formation of another dwelling unit will put pressure on parking in Regent Street. The lack of a car parking space will cause increased nuisance to existing neighbours, more so when the parking ban on pavements is introduced and when street parking permits and ticketing are introduced.

In conclusion, the society feels that this proposal represents overdevelopment of the site and that the open space provided would be grossly inadequate. Neither are we convinced that the house and garden will receive sufficient daylight or sunlight. Running the property as a short term let would affect the amenity and privacy of neighbours. The current restricted access to the site is also unacceptable while the proposal would also add to the considerable parking problems that Regent Street currently faces.

For all of these reasons, Portobello Amenity Society asks that this application be refused. As the applicant has previously submitted several applications, which have been refused, to build a house for his own occupation on this site, the society asks that, should this present application be granted, there should be a stipulation that no let should be for a longer period than two weeks.

Yours sincerely, John M. Stewart, Chair, Portobello Amenity Society.



# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr John Stewart

Address: 4A Elcho Terrace, Edinburgh EH15 2EF

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this application to erect a new dwelling for the purposes of holiday accommodation on several grounds.

I feel that this application represents overdevelopment of a very small site. The house will have extremely small living space with hardly any outside space. The new property will also receive little daylight and sunlight. There are windows on only two sides of the proposed new build and one side is extremely close to a high stone wall. It is questionable whether the two habitable rooms will have sufficient daylight and sunlight.

The access to the property through a narrow single pend under the houses fronting Regent Street also causes concern. This is not ideal in terms of servicing the new house and would, I believe, create difficulties should the emergency services need to access the property in the event of a fire.

The use of this dwelling as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents as visitors may have less respect for neighbours' amenity than permanent residents and the additional servicing that a short term let requires is likely to result in an increase in disturbances impacting on neighbours' amenity.

The formation of another dwelling unit will put pressure on parking in Regent Street. The lack of a car parking space will cause increased nuisance to existing neighbours, more so when the parking ban on pavements is introduced.

In conclusion, I feel that this proposal represents overdevelopment of the site and that the open space provided would be extremely inadequate. Running the property as a short term let would affect the amenity and privacy of neighbours. The current restricted access to the site is also

unacceptable.

For all of these reasons, I object to this application.

Yours sincerely, John M. Stewart.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mr Lawrence Whelan

Address: 16 Regent Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I refer to the above application and, in common with many neighbours, now write to formally register my objections to the above proposals, on the strongest possible terms, as detailed below.

We note that this is the latest of 7 applications made by the same Applicant, Mr Craig Douglas, on the very same garden area site, within the space of relatively few years, all of which were clearly refused on substantial and multiple grounds, by Edinburgh City Council, or withdrawn by the Applicant.

Accordingly, we would refer you to these records and reports held on file by the Council, since these very same records, in totality, detail the historical grounds of refusal then, and, it is submitted now, that these grounds of refusal continue to apply and, indeed, many of these various issues of concern have become further compounded, in light of the passage of time.

Fundamentally, the claimed ownership of this piece of garden land, by the Applicant, is under question and the subject of further investigation.

My comments on specific Planning policies as below:

I think the application doesn't comply with Policy Des 1 Design Quality and Context because this development does not draw on the surrounding areas positive characteristics. Instead, it causes detriment to them by proposing insert a poor-quality structure with questionable space standards and daylight levels, an ill-considered function and an inappropriately scaled intervention, into the midst of private amenity garden spaces, with no regard to the special importance of place as a terrace of listed buildings within a conservation area, which is characterised by open garden vistas similar in scale and layout.

This residential street has a quiet nature with low ambient noise levels and no light pollution to the close-by rear gardens. We will lose open vistas, natural habitat and suffer intrusive noise and light as well as an increased pressure on utilities, services and parking.

The proposed use for self-catering accommodation is wholly inappropriate for this site because its

activity will adversely affect the character of a residential Conservation Area through noise, nuisance and general disturbance.

The Applicant claims that there are numerous examples of infill and back-land development in this specific area of Portobello, and that "...it is a well-trodden path". Any comparable examples in the surrounding area that have been granted permission in the past and which do not comply with current guidelines should not be taken as setting any form of precedent, and should not be used as examples to follow. Nos 36 & 10 Regent Street are used as examples of nearby built structures providing relevant precedents. Nos 36 & 10 do not encroach on undeveloped garden land, and do not change the character of open back garden vistas in a Conservation Area. They are within or replace existing structures, and do not increase the number of buildings, level of occupancy or activity on Regent Street. Nos 36 & 10 do not increase disturbance, nuisance and noise and do not place additional strain on street services or amenity - including parking and are therefore irrelevant comparisons.

The Applicant claims that this is a brownfield site. There is no evidence that commercial activity has ever been present on the site. No services or utilities are present. It has never been developed (ancillary outbuildings for the servicing of the main house do not constitute development). This is historic garden ground and an amenity open space which supports diverse wildlife, allows rainwater absorption and maintains the pattern of rear gardens and affords open views across green space. This is not a brownfield site. This proposal does not demonstrate a design concept which understands, respects or enhances the surrounding area. It would be damaging to the character and appearance of the area around it

I think the application doesn't comply with Policy Des 3 Development Design - Incorporating and Enhancing Existing and Potential Features because existing characteristics and features would be at direct risk as a result of its construction. The development proposals are not informed by a detailed analysis and understanding of the site as evidenced by inaccurate plotting and description of the surrounding built structures, trees, landscape character, views and biodiversity.

The trees referred to as screening (inaccurately located on the drawings), sit within 1 metre, and adjacent to (not in front of) the boundary with 12/14. They provide no screening to immediate neighbours. Likewise, the apple tree at 16/18 is also on the boundary. The trees are unlikely to survive harm caused during excavation and construction. The vegetation referred to as protecting privacy to 16 & 18 is self-seeded and on No 20s' side of the wall and will certainly be removed. To 22, it is an ivy thicket, outwith the Applicants control.

The development alters existing boundary walls, increasing the height of one, and makes two entirely inaccessible for common access with neighbours to repair and maintain these shared boundary walls, gutters and roofs.

I think the application doesn't comply with Policy Des 4 Development Design- Impact on Setting a) b) c) and d) because it is not demonstrated that the proposal will have a positive impact on its surroundings, including the character of the Conservation Area. This residential street has a quiet nature with low ambient noise levels and no light pollution to the close-by rear gardens. We will lose open vistas, natural habitat and suffer intrusive noise and light as well as an increased pressure on utilities, services and parking. Most rear windows to Nos 12a&b, 14, 16, 18 and 22 have clear sight lines into and across the site. Its impact on existing views for immediate

neighbours and beyond is significantly impacted. The solar panels are very intrusive and inappropriate and will cause nuisance through glint and glare. a) height and form. To sit at the height suggested on the drawings rely on increasing the height of a boundary wall not within the Applicants sole ownership. The form is too dominant within its site. b) scale and proportions are entirely inappropriate for this site, causing it in its entirety (including awning) to appear built upon, c) position of buildings allow no space for common access for maintenance d) materials and detailing are inappropriate. The sedum roof is located directly below a broad leaf deciduous tree - which if it survives construction activities, would cover the entire roof with shade and leaf fall. Thus, killing the sedum and rendering the solar panels inefficient. It seems they have been included as eco- tokenism rather than arrived at through proper consideration of site and context. Development proposals have no similar characteristics to the surrounding buildings and urban grain and demonstrates no sensitivity to views within the wider landscape and no understanding of local landscape character.

I think the application doesn't comply with Policy Des 5 Development Design - Amenity a) b) c) and e) because a) the amenity of neighbouring developments is clearly adversely affected through noise and light pollution, disturbance, littering privacy, immediate outlook being adversely affected and potentially unsociable behaviour. b) the design will not readily facilitate adaptability in the future to the needs of different occupiers due to its size, lack of amenity daylight and external space. This proposed development has an extremely small living space on a very small site. Does it meet space standards? There are windows on only two sides of the proposed new build and one side is extremely close to a high stone wall. Will the habitable rooms will have sufficient daylight and sunlight? There is no evidence submitted suggesting they will. There is also a very small amount of outside space which does not seem to be sufficient for a new residential development. It does not demonstrate flexibility of use and is questionable if it meets the need of its potential users and occupiers. c) community security will not be promoted by introducing a transient community into a private rear garden setting with readily scalable walls. This Cul-de-sac and single access residential layout does not provide natural surveillance from the street. e) low and zero carbon technology by means of solar panels will produce glint and glare as well as being inappropriate in a Conservation area and will create visual disturbance.

The proposed use for self-catering accommodation is wholly inappropriate for this site because its activity will adversely affect the amenity and character of a residential Conservation Area through noise, nuisance and general disturbance.

I think the application doesn't comply with Policy Des 6 Sustainable Buildings a), b) because it has not been demonstrated that: a) the current carbon dioxide emissions reduction target has been met. The inclusion of a wood burning stove will contribute to poor air quality. b) ii. there will be an increase in rate of surface water run-off in peak conditions. The top end of Regent Street regularly floods. The green roof indicated is mostly covered in solar panels and sits below a deciduous tree and will not be effective in absorbing water. iv. maximum use of materials from local and/or sustainable sources has not been demonstrated.

I think the application doesn't comply with Policy Des 7 Layout Design a) and e) because the proposal: a) does not present a comprehensive and integrated approach to the layout of the new building within the context of the private garden spaces within the conservation area. e) Safe and

convenient access and movement in and around the development has not been promoted, having no regard especially to the needs of people with limited mobility or special needs in an emergency or fire. It is questionable that the development offers the required access for wheelchair users as claimed. Nor does the proposal pay regard to the need to access and move safely around commonly maintained boundaries. The layout of development does not enhance community safety. It is introducing a transient community into the midst of a settled, quiet and established community with easily scalable garden walls affecting security, and introducing a fire risk, impacting safety. The proposal will encourage greater car use and add to congestion in the surrounding area.

I think the application doesn't comply with Policy Env 3 Listed Buildings - Setting, because this proposed development detrimentally affects listed buildings; their architectural character, appearance and their setting by means of inappropriate density, visual intrusion and disruption of the grain of the surrounding open gardens.

I think the application doesn't comply with Policy Env 6 Conservation Areas - Development a), b) and c), because this proposal within a conservation area does not: a) preserve or enhance the special character or appearance of the conservation area and is not consistent with the relevant conservation area character appraisal b) does not preserve trees and prevents access to maintain boundary walls which contribute positively to the character of the area and c) does not demonstrate high standards of design, nor utilises materials appropriate to the historic environment. The planning Statement submitted is not a Design statement which adequately references the relevant Conservation Area Character Appraisal and Council guidance on Conservation Areas and Listed Buildings and does not show how these have informed the proposed design.

I think the application doesn't comply with Policy Env 12 Trees because the development is likely to have a damaging impact on trees worthy of retention and not in the applicant's ownership. The affected trees have been inaccurately plotted on the drawings.

I think the application doesn't comply with Policy Env 22 Pollution and Air, Water and Soil Quality a), b) and c) because a) there will be significant adverse effects for health, because noise and light pollution would create disturbance and affect amenity detrimentally. b) there will be significant adverse effects on ground stability, and c) no mitigation to minimise any adverse effects have been provided. Trenching to bring utilities into the site and excavation to create foundations would cause a safety threat to neighbouring properties because trees, soil and existing structures would be destabilised by construction activities.

I think the application doesn't comply with Policy Hou 4 Housing Density a), b) and c) because the proposal would cause inappropriate density of development on the site having regard to: a) its characteristics of open gardens and vistas b) It would disrupt the attractive listed residential environment in the conservation area and could put the safety of the living conditions of neighbours at risk c) the accessibility of the site for emergency services is restricted. In this established residential area, the proposal will result in unacceptable damage to local character, environmental quality and residential amenity.

I think the application doesn't comply with Policy Hou 7 Inappropriate Uses in Residential Areas because the proposed use as a short term let would have a materially detrimental effect on the living conditions of nearby residents by way of noise and nuisance and is incompatible with the

residential area.

I think the application doesn't comply with Policy RS 1 Sustainable Energy a) and b) because the proposed solar panels will cause significant harm to the local environment and the character and appearance of listed buildings and conservation areas and will unacceptably affect the amenity of neighbouring occupiers by reason of visual dominance.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Ms Siobhann Macleod

Address: 14 Regent Street Portobello Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

I am an immediate neighbour.

No 20 Regent Street is a plot which is not suitable for development, as evidenced by the long history of rejected and withdrawn proposals. The latest iteration of a holiday home will cause detrimental loss of amenity to neighbours and is an inappropriate intervention in Portobello Conservation Area.

I robustly object to this seventh application by this applicant on the strongest grounds listed below.

### CONSERVATION AREA & LISTED BUILDING TERRACE

This proposed development represents a physical and land use change to garden land in a listed terrace within the Portobello Conservation Area. Overdevelopment of back gardens is identified as a key threat to the area in the Portobello Conservation Area Character Appraisal.

The presence of this building would not be in keeping with the current spatial pattern of the conservation area. It would be entirely incongruous and visually interfere with the surrounding landscape of open gardens. It does not respect, enhance or have a positive impact on the area.

The application does not demonstrate a detailed understanding of the historic and urban design context, instead making spurious claims to irrelevant precedents and derelict brownfield sites.

General claims about prolific back-land developments have been addressed in previous applications objections. In summary, any comparable examples in the surrounding area that have been granted permission in the past and which do not comply with current guidelines should not be taken as setting any form of precedent, and should not be used as examples to follow.

Specific claims to similarity re the below contemporary precedents are refuted.

- No 10 Regent Street is the conversion of an existing garden building to private home office and storage to support the household residents. It is not a new structure, there is no increase in occupancy to the street and the proposal is contained within the footprint of an historic structure.



The proposed alteration is sensitive and of high quality.

- No 36 replaces an existing structure and is also for the sole enjoyment of the existing household and does not increase occupancy on this already pressured street, its parking, utilities or servicing.
- Marlborough Street Church is a family home known to me and is only let to guests when the homeowners are themselves on holiday. Currently Marlborough Street Church is showing no availability at all throughout 2023 on Airbnb.

This plot at No 20 is not a Brownfield Site. No commercial activity has been present on the site (Casual storage of negligible quantities of building materials does not constitute a commercial operation). No services or utilities are present on the site. It has never been previously developed (outbuildings ancillary to and for the servicing of the main house do not constitute development, there is no apparent evidence of ruined structures on the site). This historic garden ground is now is an amenity open space which supports diverse wildlife and maintains the pattern of rear gardens and affords open views across green space.

The incongruous and inappropriate sixteen panel Photo Voltaic array in a sensitive conservation and listed townscape obviously has the potential to create significant visual impact by virtue of their number, site coverage and layout. The effect they have on the colour, pattern and form of the landscape and their degree of reflection would be entirely detrimental. The photo voltaic panels will cause significant harm to the local environment, including the character and appearance of listed buildings and conservation areas and will unacceptably affect the amenity of neighbouring occupiers by reason of visual dominance.

#### DESIGN QUALITY AND CONTEXT

The application is also seeking to build a new residential unit, with an extremely small living space a very small site. There are windows on only two sides of the proposed new build and one side is extremely close to a high stone wall. I question whether the two habitable rooms would have sufficient daylight and sunlight. There is also a very small amount of outside space and again the question needs to be asked if this is sufficient for a new residential development.

The standard of design does not meet what is expected for development in the curtilage of a listed building or in a conservation area. It is not scaled to suit the surrounding character. It is not based on an overall concept that draws upon positive characteristics of the surrounding area to create or reinforce a sense of place. It has a visually disruptive impact. The proposed solar panels are particularly intrusive. It does not sit comfortably in its context, it is not in harmony with or complimentary to its neighbours, nor does it fit into the "grain" of the Conservation Area.

No indication has been made within this proposal as to how my trees within 1 meter of the proposed development external wall will be protected from damage caused by excavation during construction work. I suggest that the extent of their roots ingress into 50% of the proposed site judging by the extent of their canopies. I consider it inevitable that if this proposal were to proceed, irreparable harm would come to these trees which would result in their loss. This would have a devastating impact on my outlook, amenity and the wider character of the open back gardens as well as causing the loss of two significant mature trees to the local eco system.

These trees are sited within the proposal as shielding the site from view. In fact, I suggest, this development would result in the trees forced removal, therefore no screening would exist.

Also of note is that from the aspect of Nos 12 & 14, these deciduous trees sit beside the

development, not between it and us, so provide no screening at all.

This proposal is ill-considered and inappropriate and does not respect the unique character and general ambience of Regent Street. Nor does it enhance or respect the existing quality and character of the immediate and wider environment. The design is out of character with the surrounding landscape.

#### SELF CATERING ACCOMMODATION / SHORT TERM LET

This area is wholly residential and the street has a quiet nature with low ambient noise levels, particularly at night-time and particularly to the rear gardens.

No. 20 is accessed through a stone pend between and under residential properties. There is a garden that would form part of the curtilage of this proposal and would be adjacent to and in close proximity to residential gardens.

There would be no day-to-day management control or supervision of short-term occupiers. This could increase the risk of general disturbance or otherwise wilful or negligent unsociable behaviour.

Furthermore:

- the host (presumed to be the applicant) is not local or known by neighbours;
- therefore, the host has less direct interest in respecting neighbours' rights and;
- the host has no opportunity to monitor guest behaviour or assess impact on residents' amenity.
- no contact by the Applicant to discuss his proposals has been made with neighbours.

The potential impact on amenity for neighbours caused by frequency and intensity of disturbance at unsociable hours is apparent.

It is clear that through furniture provision on the plans that the site is intended to accommodate two people overnight, but up to six at other times, therefore encouraging entertaining within the property and its external amenity space.

Noise nuisance is likely to be significant here because of the siting of a short-term holiday let in rear garden residential amenity space with many overlooking bedrooms.

The site is within a stone walled garden, accessed through a stone pend running below and adjacent to residents' bedrooms. This could amplify noises and cause echo. This will be compounded by the potential for al fresco entertainment provision on offer and guest arrival and departure times at unsociable hours with wheeled suitcases.

Glint will be produced as a direct reflection of the sun on the surface of the Photo Voltaic panels. The proposed pitch of the roof at 15 degrees, angles this light directly towards the rear elevation of neighbouring properties. This glint and glare from solar panels will constitute an intrusive light nuisance totally out of keeping with the current context.

Eight motion activated lights along the access route will be triggered by guests, their visitors, foxes, cats etc and will be a permanent material interference with neighbouring properties and the comfort of neighbours. There is a real risk of impact on health and wellbeing to neighbours' due light trespass, being kept awake, suffering repeated sleep disturbances, as well as impacting on the night time sky.

The sizeable proposed roof light will throw significant levels of invasive artificial light into the night sky causing light pollution and glare in an otherwise dark setting. It will contribute to sky glow in

the immediate area. This would be a great loss of amenity to neighbouring properties who currently enjoy an unusually dark night time sky. No gardens visible to me are illuminated and the extent of the large stone wall backing the Bath Street Lane has no window openings. No light is thrown into this stretch of rear gardens which creates a special night sky here. This is a particularly obtrusive proposal.

Fire can pose an increased risk to the occupants of short term lets. The addition of a stove is of particular concern, particularly because there is no access for emergency services. This proposal could directly impact the safety of residents and put property at risk.

Congestion on pavements on bin collection days is already bad and this will increase in line with increased waste generated by the property which could also possibly lead to littering and vermin. I would be directly affected by safety, noise, litter, light pollution and nuisance. This proposal will have a materially detrimental effect on the living conditions and amenity of nearby residents. Furthermore, the proposal exacerbates the pressure on Regent Street services and infrastructure which are already at capacity. (The lower end of the street regularly floods).

#### CARPARKING

There will be increased pressure on an already seriously problematic street from guests' and their visitors' cars, and from access to the property by the host and other service providers for maintenance and cleaning etc.

It will soon be illegal for cars to mount pavements when parking, which will have a huge impact on Regent Street which relies on pavement parking to both sides to ensure clear vehicular access to the entire street.

Problematic parking by non-locals often restricts access to the street for delivery vehicles, and refuse collectors. There is significant concern within the street about careless parking inhibiting emergency service access.

There is also a seasonal variation in numbers of people in the local area. For example, Portobello is a visitor destination which becomes overcrowded in the summer, and at weekends, when unrestricted parking is at saturation point and locals are often unable to park. This is most likely to be the same period of highest occupancy in self-catering accommodation, where visitors may be attracted to Portobello rather than the city centre because unrestricted parking enables them to bring their own cars.

This proposal would increase traffic and congestion on Regent Street.

#### STRUCTURAL INTEGRITY

Given that there are currently no services or utilities present on the site, all services would need to be trenched into the site, presumably through the narrow vennel which provides sole access to the site. This same route would likely take all drainage and sewage away from the site and connect into the main sewers in the street.

I am concerned that trenching of this nature, in such immediate proximity to historic walls would undermine the structural integrity of Nos 16, 18 and 22 Regent Street.

The proposal will alter the stability of boundary walls. Each neighbour has a duty in the common interest to make sure that the boundary wall is maintained. This proposal entirely negates the possibility of access for maintenance to the boundaries to 14 and 12 Regent Street and the external walls roofs and gutters of the properties on Bath Street Lane.

END COMMENT

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Ms Antonia Lee-Bapty

Address: 24 Regent Street, Edinburgh EH15 2AX

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There are already parking problems in Regent Street as there is still parking down both sides and it is always congested. This situation will be made a lot worse when the Scottish Government ban on pavement parking comes into force.

The claim that the new house will be masked by trees and shrubs from neighbouring properties is a) incorrect - particularly in the winter months and b) irrelevant as these plants are not under the new house's control.

The new house will be dependent for its light and outlook over land it does not own. Will the daylighting to the rooms or to the garden space comply with design guidance? The site is small, the house will be built right up against two of the neighbours' stone walls and the other two stone walls are high and will affect the amount of daylight entering the new house and garden.

The proposal will have a detrimental effect on appearance and setting of neighbouring listed buildings. In addition, there is no evidence to support the statement that there is a proliferation of back land sites without vehicular access. There are houses and flats at the top of Regent Street accessed through pends but these are almost all original Georgian and Victorian properties built when Regent Street was first laid out.

The access to the site is very restricted through the existing and very narrow single fennel. This is inadequate for day to day use and may present a fire risk.

No contact has been made by the applicant to the neighbours.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mrs Lucy Hackney

Address: 47 Regent Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Self catering accommodation is wholly inappropriate for this site because its activity will adversely affect the character of a residential conservation area through noise nuisance and general disturbance. On street parking is already extremely limited!

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Mrs Linda Mehdi

Address: 18 Regent Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear City of Edinburgh Council,

05/05/2023

Re: Application number 23/01301/FULSTL; Location: 20 Regent Street Edinburgh; Application

Proposal: Proposed holiday accommodation; Applicant: Mr Craig Douglas

I am writing to you regarding the above application proposal. I am the homeowner at 18 Regent Street, EH15 2AX, my property is directly adjacent to the land upon which the applicant proposes erecting a house for the purposes of holiday accommodation. I strongly oppose each and every aspect of this application proposal. This application proposal is now the seventh attempt to erect a dwelling house inappropriately on this land, with all previous applications and appeals (1980, 1981 [appeal], 2006, 2007 [appeal]) having been rejected by the council (and a further, additional application was withdrawn by the applicant). The reasons given for these rejections have not changed in any way, indeed, one could argue that the location is now even more unsuitable for the erection of a dwelling house. Previous pertinent issues noted remain present, including, for example, inadequate access for servicing and other provisions, such as access for the emergency services, the impact upon the privacy and amenities of myself and surrounding neighbours, lack of adequate parking and existing significant congestion in the area, and the contravening nature of the proposal in relation to the area's historical importance as land which has Portobello Conservation Area status.

The applicant has misrepresented many things within his application. For example, the applicant states that their vennel is at no point narrower than 1m in width, except that it is in fact narrower than 1m in width for a significant section, and more significantly, he states that the boundary walls between the land at number 20 and neighbouring properties are between 1.8m and 3.5m in height. This is factually inaccurate. The wall dividing the garden of 16/18 Regent Street and 20 Regent Street, which my home faces directly out on to from the rear, is actually 142cm in height (4ft 7"). I

am short yet I can stand next to the wall and my head and shoulders are above the top of the wall, meaning I can easily see directly into the plot of land at number 20 just by standing near the wall. Taller individuals can easily see over the wall from further back. This has obvious implications for my privacy and enjoyment of my home and garden, as well as security. Myself and the owner of 16 Regent Street continue to not consent to any changes regarding this wall. Likewise, this plot of land is fully visible from multiple windows in my home, including my bedroom and bathroom. The view is not obscured by the wall or any trees or shrubbery. There is one apple tree, which in no way obscures the view. I can also see that the trees belonging to number 14 Regent Street do not provide coverage like the applicant is claiming from that direction. This seems to be based on outdated visual information regarding the size of these trees that does not correspond with the current status of these trees with regards to their size and shape. The statement by the applicant "There is no immediate overlooking of the site from neighbouring properties. The end of the rear gardens to numbers 12 to 14 and 22 onwards Regent Street have a number of mature self-sown trees and overgrown shrubs that screen any potential views towards the application site from the upper floor windows of 16-18 and 22" is thus categorically false and an attempt to mislead the committee as to how invasive such a development would actually be. This can be easily verified with recent photos or videos if required. This also applies to the statement: "16-18 Regent Street is split into 2 flats. The rear elevation has a number of upper floor windows; however, views into the site are obscured by the boundary vegetation along the rear garden wall. The windows of 16, 18 and 22 look onto their own gardens and the vegetation along their rear boundaries plus the rear stone wall of the Bath Street Lane workshops. The outlook from the ground floor windows is contained by the stone rear boundary wall that also forms the eastern boundary of the application site." Again, there is no obscuring of the view from my property and garden into the land at number 20. I am not sure what the applicant is referring to in terms of vegetation obscuring the view as quite simply, this doesn't exist, and even if it did exist, this is not something that the applicant has any control over or can guarantee would remain in place.

I disagree with the assertion that "The proposal raises no concerns with regards to its impact on nearby listed buildings or the conservation area."

Planning applications for short term lets are a new form of application. There have been four STL applications for the Portobello area. Three have been refused, while one is still to be determined. The use of this dwelling as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents. Furthermore, there are already approximately 10,000 existing short-term lets in Edinburgh. The council's own website states that this is a third of all short-term lets in Scotland, and the high volume of STLs is one of a number of reasons why we now have a control area in place covering Edinburgh regarding such properties. We clearly are not experiencing a shortage of holiday accommodation in the city, contrary to the applicant's claims and to allow such a development here, would be to adversely affect the character of this conservation area.

As a holiday let, this will attract holidaymakers from outwith Edinburgh, over which the applicant



has no control over the way such individuals would make their way to the proposed holiday accommodation. Arguably, such individuals are likely to drive their own vehicle or rent a vehicle, which may include large campervan-type vehicles if they are exploring Scotland, which will cause congestion, pollution, and potentially block the road for emergency vehicle access.

Transient visitors may also have less regard for neighbours' amenity than permanent residents and the additional servicing that a short term let requires is likely to result in an increase in disturbances impacting on neighbours' amenity. Short-term lets are associated with noise pollution and anti-social behaviour; there would be no protection from the noise of people partying or otherwise being overly loud, the sound of which would be heard within my bedroom and others areas of my home, as well as within my garden. The applicant himself states: "Visitors are more likely to arrive later at night and leave at odd times during the day" which speaks to the high probability of disturbance to myself and neighbours within our homes. The Council report on short term lets states that where there is no day-to-day management control or supervision, such as this proposed self-catering holiday accommodation, complaints from residential neighbours increase because of frequency and intensity of noise, as well as general disturbance or otherwise wilful or negligent unsociable behaviour (<https://www.edinburgh.gov.uk/planning-13/proposal-designateshort-term-let-control-area>). As the host (presumed to be the applicant) is not local or known by neighbours, the host has less direct interest in respecting neighbours' rights and no opportunity to monitor guest behaviour or assess impact on residents' amenity.

The applicant also goes on to state: "The demand for the holiday unit, whilst all year round, will tend to be when the roads and parking are less busy - holiday periods and weekends.". It is bizarre to think that roads and parking in the immediate area are less busy during holiday periods and weekends. Such a statement shows the non-resident applicant lacks awareness of the day-to-day nature of the area and how congested it already is, especially at weekends and holiday periods. One just needs to stroll around the area at these times to see the volume of visitors and locals present in the area and the difficulties they encounter with parking.

The fact that the land at number 20 is accessed through a path between and under residential properties and gardens adjacent to the proposed holiday accommodation further strengthens the case for there being an unacceptable level of disruption to myself and neighbours. It will adversely affect the Conservation Area through noise, nuisance and general disturbance. Furthermore, the dwelling proposed will adversely affect the character of the listed residential terrace which is characterised by open views across gardens similar in scale and layout. I believe the proposals are contrary to the Portobello Conservation Area Appraisal, the Edinburgh Local Plan and the Edinburgh Design Guidelines. The proposals fail in terms of quality of design, appropriate choice of materials, impact on amenity of neighbours, impact on the Portobello Conservation Area and impact on the setting of listed buildings. No other buildings in proximity are constructed from the materials described and would be an eyesore in the area.

I also contest the statement: "It is a brownfield opportunity with clear evidence of previous

development."

The backland examples provided by the applicant are in no way comparable to the type or layout of existing property which borders the proposed site, nor were any of these examples constructed in recent history, for example, in the last 30 years. To allow the construction of a dwelling house for holiday let purposes in such cramped quarters and proximity to existing, longstanding, historical and listed residential property would disregard the Conservation Status of the area and set a dangerous precedent for overdevelopment and loss of the character and history of the area, as well as causing further congestion in an area already recognised by the council to have significant congestion problems, especially in regards to on-street parking. The land contained within 20 Regent Street is garden land. Garden land which has been left derelict, overgrown and with unfettered access from the main road (due to no lock ever having been present on the door of 20 Regent Street) for the last 30 years until the weeks leading up to the submission of the previous planning proposal, when the applicant cleared away some of the overgrowth and fitted a lock to the door. At no point in recorded history is there any proof that this land was ever used as a "builder's storage yard" as stated in the application, as was made clear in the committee report published in 2006 (ref: 06/01/449FUL). Furthermore, contrary to the applicant's claims, there has not been any building erected on this land in the "recent past". There has also never been any form of dwelling house located on this land, nor has any company ever operated business from here or the land been used for commercial purposes. The applicant states that the site has been "operating for many years as a commercial use" yet there is absolutely no evidence of this. The noise of any construction work, especially down a narrow single alleyway like this, as well as noise that would arise from people living in such a dwelling, would cause unavoidable and significant noise pollution which would be extremely detrimental to the quality of life and mental wellbeing of the existing homeowners at 16, 18 and 22 Regent Street. The level of this noise pollution would likely breach acceptable noise standards in residential areas as detailed by the council's environmental health department. Bedrooms (owned by 16 and 18 Regent Street, respectively) are located at each end of the vennel.

The building is entirely out-of-proportion for such a small area of land and is entirely inappropriate for the location due to this loss of privacy and the detrimental impact it would have upon the Portobello Conservation Area. It also does not appear to meet planning regulations. I strongly urge the Committee to take all these concerns into full consideration when considering the proposed application. There are windows on only two sides of the proposed new build and one side is extremely close to a high stone wall. I question whether the two habitable rooms will have sufficient daylight and sunlight. There is also a very small amount of outside space and the question needs to be asked if this is sufficient for a new residential development. I also understand that the impact on wildlife in a conservation area must be considered and this development would result in the loss of habitat for foxes, badgers, birds and rabbits in the area, some of whom have the right within council guidance to the protection of their habitat.

Council guidance also states:

"Proposals for commercial use of a property should ensure that there will be sufficient storage space off street to store segregated waste containers, in line with the Council's Trade Waste

policy."

"If a proposal has the potential to result in impacts then these should be addressed at the outset so they can be considered by the case officer. Examples of information that may be required include: - An acoustic report if there is potential for noise impact. - Details of ventilation systems if the application has the potential to create odour problems, and details of the noise impact of any proposed ventilation system. - Details of any plant and machinery - Details of attenuation measures if structure-borne and air-borne vibrations will occur."

"...where there is a garden that would form part of the curtilage of an STL and would be in close proximity to residential gardens, STLs will generally not be supported"

"If the use is acceptable in principle, establishments with cooking on the premises must satisfy ventilation requirements to ensure that they do not impinge on the amenity of the residential area or other neighbourhoods. An effective system for the extraction and dispersal of cooking odours must be provided. Details of the system, including the design, size, location and finish should be submitted with any planning application. A report from a ventilation engineer may also be required where it is proposed to use an internal route in an existing building for ventilation ducting. The ventilation system should be capable of achieving 30 air changes an hour and the cooking effluvia ducted to a suitable exhaust point to ensure no cooking odours escape or are exhausted into neighbouring premises. Conditions shall be applied to ensure the installation of an effective system before any change of use is implemented, and/or the restriction of the form and means of cooking where necessary. On a listed building or in a conservation area, the use of an internal flue should be explored before considering external options. The flue would need planning permission and listed building consent in its own right."

I believe that all of the above concerns apply to this planning application and have not been addressed sufficiently or at all in some cases by the applicant. I also would argue that the application doesn't comply with Policy Des 4 a, b and d within the Local Development Plan because the height and form, scale and proportions are out of keeping with the character of the area and the materials will have a negative impact on the character of the wider townscape. The volume of the design is not scaled to suit the surrounding character and forms a visual intrusion to neighbouring plots. Material and colour palettes also fail to respond to the special character of the listed building and the essential character of the Conservation Area. The solar panels proposed are out of keeping with the area and listed buildings surrounding the land and will also result in light pollution and reflect light into neighbouring properties as well as harm wildlife, in addition to being an eyesore. Council guidance further states:

"All house extensions and alterations - including dormers, conservatories, decking, energy devices and replacement doors and windows - should be well designed and of high quality. In particular, they must meet three key requirements. They should:

- complement the existing house, leaving it as the dominant element;
- maintain the quality and character of the surrounding area; and
- respect the amenity of adjacent neighbours."

The proposed holiday accommodation fundamentally fails to satisfy these criteria.

This development does not demonstrate that it will create or contribute towards a sense of place. It

is an ill-considered, inappropriate and opportunistic design which would be damaging to the character and appearance of the area around it, particularly because this has a special importance as a terrace of listed buildings within a conservation area, characterised by open garden vistas similar in scale and layout.

Some further counter-points concerning the following quotes from the planning application:

With regard to: "Planning Permissions 21/06643/FUL & 22/02704/FUL both relate to backland development on Regent Street (N0's 36 and 10 respectively). The proposal for No. 20 is equally acceptable with regards to scale, form and design and its impact on amenity. The proposal raises no concerns with regards to its impact on nearby listed buildings or the conservation area."

Nos 36 & 10 do not encroach on undeveloped garden land, and do not change the character of open back garden vistas in a Conservation Area. They are within or replace existing structures, and do not increase the number of buildings, level of occupancy or activity on Regent Street. Nos 36 & 10 do not increase disturbance, nuisance and noise and do not place additional strain on street services or amenity - including parking and are therefore irrelevant comparisons.

"The converted church on Marlborough Street is a successful holiday let property."

Marlborough Street Church is a family home and is only let to guests when the homeowners are on holiday. Currently it is showing no availability throughout 2023 on Airbnb.

"This will be a sustainable development"

No reference to a "fabric first" form of sustainable development has been made. Solar panels, rain chains and insulation have not been evidenced as mitigating the level of carbon footprint caused by material resource, manufacture, transportation and construction activity. There will be a loss of trees, habitat, wildlife and rainwater absorption.

"There are numerous examples of infill and backland development in this specific area of Portobello...it is a well trodden path."

Any comparable examples in the surrounding area that have been granted permission in the past and which do not comply with current guidelines should not be taken as setting any form of precedent, and should not be used as examples to follow.

Thank you for considering these points against the proposed development and the impact on myself, my neighbours, and the Portobello area.

# Comments for Planning Application 23/01301/FULSTL

## Application Summary

Application Number: 23/01301/FULSTL

Address: 20 Regent Street Edinburgh

Proposal: Proposed holiday accommodation.

Case Officer: Improvement Team

## Customer Details

Name: Miss N Mehdi

Address: 18 Regent Street Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear City of Edinburgh Council,

05/05/2023

Re: Application number 23/01301/FULSTL; Location: 20 Regent Street Edinburgh; Application

Proposal: Proposed holiday accommodation; Applicant: Mr Craig Douglas

I am writing to you regarding the above application proposal. I am the homeowner at 18 Regent Street, EH15 2AX, my property is directly adjacent to the land upon which the applicant proposes erecting a house for the purposes of holiday accommodation. I strongly oppose each and every aspect of this application proposal. This application proposal is now the seventh attempt to erect a dwelling house inappropriately on this land, with all previous applications and appeals (1980, 1981 [appeal], 2006, 2007 [appeal]) having been rejected by the council (and a further, additional application was withdrawn by the applicant). The reasons given for these rejections have not changed in any way, indeed, one could argue that the location is now even more unsuitable for the erection of a dwelling house. Previous pertinent issues noted remain present, including, for example, inadequate access for servicing and other provisions, such as access for the emergency services, the impact upon the privacy and amenities of myself and surrounding neighbours, lack of adequate parking and existing significant congestion in the area, and the contravening nature of the proposal in relation to the area's historical importance as land which has Portobello Conservation Area status.

The applicant has misrepresented many things within his application. For example, the applicant states that their vennel is at no point narrower than 1m in width, except that it is in fact narrower than 1m in width for a significant section, and more significantly, he states that the boundary walls between the land at number 20 and neighbouring properties are between 1.8m and 3.5m in height. This is factually inaccurate. The wall dividing the garden of 16/18 Regent Street and 20 Regent Street, which my home faces directly out on to from the rear, is actually 142cm in height (4ft 7"). I

am short yet I can stand next to the wall and my head and shoulders are above the top of the wall, meaning I can easily see directly into the plot of land at number 20 just by standing near the wall. Taller individuals can easily see over the wall from further back. This has obvious implications for my privacy and enjoyment of my home and garden, as well as security. Myself and the owner of 16 Regent Street continue to not consent to any changes regarding this wall. Likewise, this plot of land is fully visible from multiple windows in my home, including my bedroom and bathroom. The view is not obscured by the wall or any trees or shrubbery. There is one apple tree, which in no way obscures the view. I can also see that the trees belonging to number 14 Regent Street do not provide coverage like the applicant is claiming from that direction. This seems to be based on outdated visual information regarding the size of these trees that does not correspond with the current status of these trees with regards to their size and shape. The statement by the applicant "There is no immediate overlooking of the site from neighbouring properties. The end of the rear gardens to numbers 12 to 14 and 22 onwards Regent Street have a number of mature self-sown trees and overgrown shrubs that screen any potential views towards the application site from the upper floor windows of 16-18 and 22" is thus categorically false and an attempt to mislead the committee as to how invasive such a development would actually be. This can be easily verified with recent photos or videos if required. This also applies to the statement: "16-18 Regent Street is split into 2 flats. The rear elevation has a number of upper floor windows; however, views into the site are obscured by the boundary vegetation along the rear garden wall. The windows of 16, 18 and 22 look onto their own gardens and the vegetation along their rear boundaries plus the rear stone wall of the Bath Street Lane workshops. The outlook from the ground floor windows is contained by the stone rear boundary wall that also forms the eastern boundary of the application site." Again, there is no obscuring of the view from my property and garden into the land at number 20. I am not sure what the applicant is referring to in terms of vegetation obscuring the view as quite simply, this doesn't exist, and even if it did exist, this is not something that the applicant has any control over or can guarantee would remain in place.

I disagree with the assertion that "The proposal raises no concerns with regards to its impact on nearby listed buildings or the conservation area."

Planning applications for short term lets are a new form of application. There have been four STL applications for the Portobello area. Three have been refused, while one is still to be determined. The use of this dwelling as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents. Furthermore, there are already approximately 10,000 existing short-term lets in Edinburgh. The council's own website states that this is a third of all short-term lets in Scotland, and the high volume of STLs is one of a number of reasons why we now have a control area in place covering Edinburgh regarding such properties. We clearly are not experiencing a shortage of holiday accommodation in the city, contrary to the applicant's claims and to allow such a development here, would be to adversely affect the character of this conservation area.

As a holiday let, this will attract holidaymakers from outwith Edinburgh, over which the applicant

has no control over the way such individuals would make their way to the proposed holiday accommodation. Arguably, such individuals are likely to drive their own vehicle or rent a vehicle, which may include large campervan-type vehicles if they are exploring Scotland, which will cause congestion, pollution, and potentially block the road for emergency vehicle access.

Transient visitors may also have less regard for neighbours' amenity than permanent residents and the additional servicing that a short term let requires is likely to result in an increase in disturbances impacting on neighbours' amenity. Short-term lets are associated with noise pollution and anti-social behaviour; there would be no protection from the noise of people partying or otherwise being overly loud, the sound of which would be heard within my bedroom and others areas of my home, as well as within my garden. The applicant himself states: "Visitors are more likely to arrive later at night and leave at odd times during the day" which speaks to the high probability of disturbance to myself and neighbours within our homes. The Council report on short term lets states that where there is no day-to-day management control or supervision, such as this proposed self-catering holiday accommodation, complaints from residential neighbours increase because of frequency and intensity of noise, as well as general disturbance or otherwise wilful or negligent unsociable behaviour (<https://www.edinburgh.gov.uk/planning-13/proposal-designateshort-term-let-control-area>). As the host (presumed to be the applicant) is not local or known by neighbours, the host has less direct interest in respecting neighbours' rights and no opportunity to monitor guest behaviour or assess impact on residents' amenity.

The applicant also goes on to state: "The demand for the holiday unit, whilst all year round, will tend to be when the roads and parking are less busy - holiday periods and weekends.". It is bizarre to think that roads and parking in the immediate area are less busy during holiday periods and weekends. Such a statement shows the non-resident applicant lacks awareness of the day-to-day nature of the area and how congested it already is, especially at weekends and holiday periods. One just needs to stroll around the area at these times to see the volume of visitors and locals present in the area and the difficulties they encounter with parking.

The fact that the land at number 20 is accessed through a path between and under residential properties and gardens adjacent to the proposed holiday accommodation further strengthens the case for there being an unacceptable level of disruption to myself and neighbours. It will adversely affect the Conservation Area through noise, nuisance and general disturbance. Furthermore, the dwelling proposed will adversely affect the character of the listed residential terrace which is characterised by open views across gardens similar in scale and layout. I believe the proposals are contrary to the Portobello Conservation Area Appraisal, the Edinburgh Local Plan and the Edinburgh Design Guidelines. The proposals fail in terms of quality of design, appropriate choice of materials, impact on amenity of neighbours, impact on the Portobello Conservation Area and impact on the setting of listed buildings. No other buildings in proximity are constructed from the materials described and would be an eyesore in the area.

I also contest the statement: "It is a brownfield opportunity with clear evidence of previous

development."

The backland examples provided by the applicant are in no way comparable to the type or layout of existing property which borders the proposed site, nor were any of these examples constructed in recent history, for example, in the last 30 years. To allow the construction of a dwelling house for holiday let purposes in such cramped quarters and proximity to existing, longstanding, historical and listed residential property would disregard the Conservation Status of the area and set a dangerous precedent for overdevelopment and loss of the character and history of the area, as well as causing further congestion in an area already recognised by the council to have significant congestion problems, especially in regards to on-street parking. The land contained within 20 Regent Street is garden land. Garden land which has been left derelict, overgrown and with unfettered access from the main road (due to no lock ever having been present on the door of 20 Regent Street) for the last 30 years until the weeks leading up to the submission of the previous planning proposal, when the applicant cleared away some of the overgrowth and fitted a lock to the door. At no point in recorded history is there any proof that this land was ever used as a "builder's storage yard" as stated in the application, as was made clear in the committee report published in 2006 (ref: 06/01/449FUL). Furthermore, contrary to the applicant's claims, there has not been any building erected on this land in the "recent past". There has also never been any form of dwelling house located on this land, nor has any company ever operated business from here or the land been used for commercial purposes. The applicant states that the site has been "operating for many years as a commercial use" yet there is absolutely no evidence of this. The noise of any construction work, especially down a narrow single alleyway like this, as well as noise that would arise from people living in such a dwelling, would cause unavoidable and significant noise pollution which would be extremely detrimental to the quality of life and mental wellbeing of the existing homeowners at 16, 18 and 22 Regent Street. The level of this noise pollution would likely breach acceptable noise standards in residential areas as detailed by the council's environmental health department. Bedrooms (owned by 16 and 18 Regent Street, respectively) are located at each end of the vennel.

The building is entirely out-of-proportion for such a small area of land and is entirely inappropriate for the location due to this loss of privacy and the detrimental impact it would have upon the Portobello Conservation Area. It also does not appear to meet planning regulations. I strongly urge the Committee to take all these concerns into full consideration when considering the proposed application. There are windows on only two sides of the proposed new build and one side is extremely close to a high stone wall. I question whether the two habitable rooms will have sufficient daylight and sunlight. There is also a very small amount of outside space and the question needs to be asked if this is sufficient for a new residential development. I also understand that the impact on wildlife in a conservation area must be considered and this development would result in the loss of habitat for foxes, badgers, birds and rabbits in the area, some of whom have the right within council guidance to the protection of their habitat.

Council guidance also states:

"Proposals for commercial use of a property should ensure that there will be sufficient storage space off street to store segregated waste containers, in line with the Council's Trade Waste



policy."

"If a proposal has the potential to result in impacts then these should be addressed at the outset so they can be considered by the case officer. Examples of information that may be required include: - An acoustic report if there is potential for noise impact. - Details of ventilation systems if the application has the potential to create odour problems, and details of the noise impact of any proposed ventilation system. - Details of any plant and machinery - Details of attenuation measures if structure-borne and air-borne vibrations will occur."

"...where there is a garden that would form part of the curtilage of an STL and would be in close proximity to residential gardens, STLs will generally not be supported"

"If the use is acceptable in principle, establishments with cooking on the premises must satisfy ventilation requirements to ensure that they do not impinge on the amenity of the residential area or other neighbourhoods. An effective system for the extraction and dispersal of cooking odours must be provided. Details of the system, including the design, size, location and finish should be submitted with any planning application. A report from a ventilation engineer may also be required where it is proposed to use an internal route in an existing building for ventilation ducting. The ventilation system should be capable of achieving 30 air changes an hour and the cooking effluvia ducted to a suitable exhaust point to ensure no cooking odours escape or are exhausted into neighbouring premises. Conditions shall be applied to ensure the installation of an effective system before any change of use is implemented, and/or the restriction of the form and means of cooking where necessary. On a listed building or in a conservation area, the use of an internal flue should be explored before considering external options. The flue would need planning permission and listed building consent in its own right."

I believe that all of the above concerns apply to this planning application and have not been addressed sufficiently or at all in some cases by the applicant. I also would argue that the application doesn't comply with Policy Des 4 a, b and d within the Local Development Plan because the height and form, scale and proportions are out of keeping with the character of the area and the materials will have a negative impact on the character of the wider townscape. The volume of the design is not scaled to suit the surrounding character and forms a visual intrusion to neighbouring plots. Material and colour palettes also fail to respond to the special character of the listed building and the essential character of the Conservation Area. The solar panels proposed are out of keeping with the area and listed buildings surrounding the land and will also result in light pollution and reflect light into neighbouring properties as well as harm wildlife, in addition to being an eyesore. Council guidance further states:

"All house extensions and alterations - including dormers, conservatories, decking, energy devices and replacement doors and windows - should be well designed and of high quality. In particular, they must meet three key requirements. They should:

- complement the existing house, leaving it as the dominant element;
- maintain the quality and character of the surrounding area; and
- respect the amenity of adjacent neighbours."

The proposed holiday accommodation fundamentally fails to satisfy these criteria.

This development does not demonstrate that it will create or contribute towards a sense of place. It

is an ill-considered, inappropriate and opportunistic design which would be damaging to the character and appearance of the area around it, particularly because this has a special importance as a terrace of listed buildings within a conservation area, characterised by open garden vistas similar in scale and layout.

Some further counter-points concerning the following quotes from the planning application:

With regard to: "Planning Permissions 21/06643/FUL & 22/02704/FUL both relate to backland development on Regent Street (N0's 36 and 10 respectively). The proposal for No. 20 is equally acceptable with regards to scale, form and design and its impact on amenity. The proposal raises no concerns with regards to its impact on nearby listed buildings or the conservation area."

Nos 36 & 10 do not encroach on undeveloped garden land, and do not change the character of open back garden vistas in a Conservation Area. They are within or replace existing structures, and do not increase the number of buildings, level of occupancy or activity on Regent Street. Nos 36 & 10 do not increase disturbance, nuisance and noise and do not place additional strain on street services or amenity - including parking and are therefore irrelevant comparisons.

"The converted church on Marlborough Street is a successful holiday let property."

Marlborough Street Church is a family home and is only let to guests when the homeowners are on holiday. Currently it is showing no availability throughout 2023 on Airbnb.

"This will be a sustainable development"

No reference to a "fabric first" form of sustainable development has been made. Solar panels, rain chains and insulation have not been evidenced as mitigating the level of carbon footprint caused by material resource, manufacture, transportation and construction activity. There will be a loss of trees, habitat, wildlife and rainwater absorption.

"There are numerous examples of infill and backland development in this specific area of Portobello...it is a well trodden path."

Any comparable examples in the surrounding area that have been granted permission in the past and which do not comply with current guidelines should not be taken as setting any form of precedent, and should not be used as examples to follow.

Thank you for considering these points against the proposed development and the impact on myself, my neighbours, and the Portobello area.