

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

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE      100670471-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant    Agent

## Applicant Details

Please enter Applicant details

|                      |            |  |              |
|----------------------|------------|--|--------------|
| Title:               | Miss       | You must enter a Building Name or Number, or both: * |              |
| Other Title:         |            | Building Name:                                       | Woodbank     |
| First Name: *        | Rebecca    | Building Number:                                     |              |
| Last Name: *         | Carter     | Address 1 (Street): *                                | Dervaig      |
| Company/Organisation |            | Address 2:   |              |
| Telephone Number: *  | [REDACTED] | Town/City: *   | Isle of Mull |
| Extension Number:    |            | Country: *   | Scotland     |
| Mobile Number:       |            | Postcode: *  | PA75 6QW     |
| Fax Number:          |            |  |              |
| Email Address: *     | [REDACTED] |  |              |

## Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

FLAT 4

Address 2:

69 HENDERSON ROW

Address 3:

STOCKBRIDGE

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH3 5DL

Please identify/describe the location of the site or sites

Northing

674767

Easting

324948

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Short Term Let Application with reference 23/06899/FULSTL

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Supporting document will be provided for this purpose

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

A reason given for the decision was that the change was said to be in contrary to National Planning Framework Policy 30(e), which states that the change will result in an adverse impact on local amenity and the loss of a residential property. I am therefore confirming that the flat will not be used as a long term let if we aren't permitted to take short-term lets, it will be used as a second home only by our family, which means there is no 'loss of residential property'.

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

I will attach supporting statement in a document

## Application Details

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

23/06899/FULSTL

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

21/11/2023

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

02/05/2024

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Miss Rebecca Carter

Declaration Date: 30/05/2024

Edinburgh Council Planning Local Review  
Waverley Court  
East Market Street  
Edinburgh  
EH8 8BG

30 May 2024

### **Planning Permission Application**

Thank you for your letter of 2 May 2024. I'd like to contest the decision for the refusal of planning permission for change of use to a short-term let for this property and have addressed the points raised in your letter below.

Firstly, I'd like to contest the fact that the proposal is **contrary to the Local Development Plan Hou 7** and that the use of this dwelling will have a materially detrimental effect on the living conditions and amenity of nearby residents. I have several reasons to support this:

1. None of the immediate neighbours in our building have contested our application for Planning Permission, so that would suggest they don't believe it will have a detrimental impact on their living conditions.
2. We are applying for the planning permission with a view to short-term letting it, on a minimal basis (not throughout the whole year and taking on weekly lets only, to keep disruption and coming and going of guests to a minimum for neighbours). Regardless of whether we have permission granted, the flat will still be in use, on occasion, by ourselves and family members, so the effect on nearby residents **will not change** – there will still be people coming and going from our flat, it's just a case of whether they are paying guests or not. I would therefore argue there will be **no detrimental impact** on the amenity of neighbouring residents by granting permission.
3. The material effect on the building in granting permission will be **beneficial** as we will have funds in place to make improvements to the communal stairwell and outside pathway/garden, which we have already discussed with our neighbours, and they are in favour of. We are therefore looking to **enhance** the character and appearance of the area.

Secondly, your letter states that the proposal is in **contrary to the National Planning Framework in respect of loss of amenity and local residential accommodation**. Again, I would contest that for the following reasons:

1. There will be **no loss of residential accommodation** as a result of granting us planning permission as we will **not** be making the flat available as a long-term let if we do not gain permission for Short Term Lets. We are using the flat as a second home only for the foreseeable future. We want to be able to visit with our children during the school holidays, and in the future, allow them to stay for longer periods for further education in Edinburgh if they wish (at which point we would stop the short-term lets). This means that there is **no loss** in terms of providing residential accommodation in the area. It is much more beneficial to the local area to have the flat used by paying guests, who are likely to be coming to spend money in the capital, use local shops and businesses, visit tourist attractions and boost the local economy.

2. Our priority when letting the flat is indeed to make sure it **benefits** local residents, rather than be to the detriment, which is why we are putting in place measures to ensure anyone who stays in the flat is reminded of the need to show due diligence when it comes to using the communal stairway, keeping noise to a minimum and making use of local services.

In summary, I hope I have given you enough reassurance here that the proposed change of use won't be to the detriment of residents or contrary to the national framework.

We have furnished the property to a high standard with a view to attracting professionals to the flat, and had a visit from the self-catering licence operators who said it was of an 'excellent standard' and have granted us a licence with all our safety checks in place (Licence number EH-74078-F). If our application is granted and self-catering guests did indeed prove to be a problem for our neighbours, we would revert to using the property as a second home only, as we have no desire to have a detrimental impact on their living conditions. We would be using a local concierge company to look after our changeovers, who have lost lots of customers over the recent pandemic and also due to the introduction of tighter rules surrounding short-term lets.

Thank you for your consideration and apologies for not providing more detailed information in my initial application, which is perhaps what was required.

I look forward to hearing from you.

Kind regards,

Rebecca Carter

