

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100688172-001

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:	<input type="text" value="Miss"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Rothesay Mews"/>
First Name: *	<input type="text" value="Sarah"/>	Building Number:	<input type="text" value="4B"/>
Last Name: *	<input type="text" value="Cochrane"/>	Address 1 (Street): *	<input type="text" value="Russell Gardens"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="19/3"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH12 5PP"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

4B ROTHESAY MEWS

Address 2:

NEW TOWN

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH3 7SG

Please identify/describe the location of the site or sites

Northing

673753

Easting

323948

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)

Planning permission refused for my STL again.Ref; 24/02490/FULSTL No material change of use on property, planning permission in retrospect was deemed unlawful after JR2.

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.

No material change of use to my property. An STL for 8 1/2 years. No change internally or externally to my property. Main door. Sleeps 2. Not a party flat. Health and safety compliant. License granted, no further action was needed after inspection. No objections or complaints from neighbours.

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

Yes No

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

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

I have supplied a document which relates to why i should not need planning permission to carry on running my STL. I was granted a full license, no further action was needed after the inspection. I have a small property, it sleeps 2 people. It has a main door. It is health and safety compliant. It is not a party flat. I have full control over my property. I have had no objections or complaints from my neighbours in over 8 years.

Application Details

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

24/02490/FULSTL

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

27/05/2024

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

11/07/2024

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 Sarah Cochrane

Declaration Date: 09/10/2024

I have had my STL since 2016. My property has always been a STL, it has never been a residential property. I had been paying council tax on the property unaware that i should be listed as a short term catering unit on the valuation roll and given a rateable value and, after a visit from the VJB in 2017, i was advised how to proceed. After my conversation with them and the changes that followed with the council, i was never advised that i should also, as a STL, be applying for planning permission. It seemed to be, at that time, only if it was a development so, as it was not, planning permission was not needed.

In the eight and a half years of having this property as a STL, there have been no internal or external changes to this property. I have had no complaints or objections from my neighbours. My immediate neighbour put in a representation for me in my 1st planning application. This obviously counts for nothing?

I have a small one bedroom property for 2 guests.

It is a main door.

It is not and never has been a "party" property.

I do not have guests coming and going at all hours.

It is a home from home for my guests. They come and go as normal residents would do, granted they are out more as they are visiting all that Edinburgh has to offer. Spending more money, i would imagine, visiting attractions, eating out the majority of the time.

I have full control of my property. If any guest was to mis-behave, i can ask them to leave, this, however, has never happened.

I have had guests coming back year after year which is always nice.

I am on a WhatsApp group with my neighbours and have always said to contact me if they have any problems with any of the guests. This also has never happened.

After my license inspection earlier the year, no further action was needed. I was granted my licence straight away. This should have been the end of it.

Planning permission in retrospect was deemed unlawful after the 2nd judicial review. To obtain my license i should not have had to apply for planning permission but, originally, i could not apply for a license as a secondary property unless i had applied for planning permission, paying an overinflated fee of £750. Let's be honest here, as secondary property owners, we knew we were going to be refused but, what choice did we have if we wanted to carry on and not let down our guests that had already booked?

Listening and reading interviews with Paul McLennan and Cammy Day, it seems this scheme was all about STL properties complying with health and safety, getting rid of the party flats, main door properties were a must. I have and always complied with these and have always been a hands on owner.

After this years Festival, it became abundantly clear that there is not enough reasonably priced accommodation in Edinburgh. We seem to now be opening a new hotel or luxury apartments every week with, i suspect, overly inflated prices.

What also seems to be happening now and will continue to happen, now that you're closing the regulated STLs, is the black market properties. You have now created a back market of unregulated rental properties, no health and safety, no safety certificates, fire regulations etc etc. Well done!!

I am also taking legal advice on how to claim my £750 planning permission fee back. I feel this was taken under false pretences from the start. It is now abundantly clear that secondary properties never stood a chance unless they were lucky enough to have grandfather rights as such.

If you had had no complaints or objections over the years concerning your property, the licensing board, after their inspection, had deemed your property fully compliant with health and safety, fire safety etc, that should have been enough.