

LOCATION-
1B Shorthope Street
Musselburgh
East Lothian
EH21 7DB

APPLICANT -Miss Katherine Seale
APPLICATION - 23/00714/P

Please see my statements outlined in highlighted yellow in rebut to the councils statement according to their reason for refusal.

The use of the application property as a holiday let enables it to be let out for short stays resulting in a turnover of people over short time periods with a significant proportion of occupants likely to be visitors. Such a regular turnover of users/occupants would change the nature of comings and goings not only to the application property itself but also within the communal entrance and hallway of the residential building. Most users/occupants of the holiday let would have a degree of luggage or other property to take through the communal external entrance and hallway which in itself would lead to a level of disturbance and nuisance not associated with the permanent/long term residential use of the property. This is harmful to the amenity of the occupants of the residential properties within the residential flatted building. – The check-in & check-out times are within working hours and therefore do not disturb the residents with their luggage. Generally, people carry one bag each, they aren't staying more months on end and therefore only carry one bag per person. It is accepted that permanent residents may also make noise but they tend to keep their luggage in their homes and do not move them with the same frequency as regularly changing guests who arrive and depart sometimes at unsociable hours, and this differs from typical residential circumstances. – Flat 1C actually stated they he has never heard any commotion or noise with people coming and going or from the flat itself. He is the closest flat.

Along with the extra comings and goings of users of the holiday let at check in/check out there is also an additional level of activity not only at the application property but also within the communal entrance and hallway as a result of people regularly accessing both the main building and the application property itself to service/clean it and remove waste and recycling material after each guests stay. This level of additional activity is evidently different to that expected with the permanent/long term use of the flat as a private residence again which is harmful to of the amenity of the occupants of the residential properties within the residential flatted building.- The guests are out most of the time, they generally leave in the morning & come back for the afternoon/evening. This is the same amount of activity a long-term resident would make, if not less.

Moreover, allowing frequently changing guests unfettered access to otherwise secure shared areas changes the actual and perceived level of security for permanent residents. Whilst permanent residents are likely to have visitors of their own from time to time, those permanent residents would remain in control of security to communal areas. – Only since I have been involved in the flat has the security improved. Before me, there was NO security and the garden/communal space was actually highly unsafe. I had the residents speak to me about this and warn me of the people. I changed this with no cost to any of the residents.

They had all been living there for years and never made the change as it was costly and therefore I took care of it, again with no cost to them. I highly disagree the security threat my Airbnb guests pose. I believe this statement made by the council to be highly untrue and based on conjecture.

The introduction of frequently changing guests regularly into these secure areas, independent of the owner, would therefore differ from typical residential circumstances. –

The property before I took ownership was HIGHLY unsecure. There used to be people from the streets, come into the garden & use it as their own. This was a security threat for sure. Since I took ownership I cleaned the garden & installed the coded gate to prevent this. I argue that the flat is actually more secure now than it was previously. With or without guests coming. The guests who are approved to book have high ratings on Airbnb and are good people, average people on holiday. Nothing unsecure about it at all.

Given the specific circumstances and location of the application property within the residential building named, which contains a number of permanent/long term residences which share a communal entrance, internal stair and hallway, the retrospective change of use of the applicant's first floor flat as a one bedroom unit of short term self-catering holiday let accommodation is incompatible with and harmful to the amenity of the occupiers of the properties within the residential building named. By having an unacceptable impact on local amenity, the proposal is contrary to part e) of Policy 30 of NPF4 and with Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

REASON FOR REFUSAL:

1 The holiday let use of the flatted property is incompatible with and harmful to the amenity of the occupants of other flatted properties used as a residential dwellings within the residential building of 1 Shorthope Street, Musselburgh and as such is contrary to part e) of Policy 30 of National Planning Framework 4 and Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

LETTERS FROM

7th September 2023

Att- East Lothian Council

App No - 23/00714/P

Below is a list of the occupants of the other flatted properties within Shorthope.

Below is a statement that all of the occupants have been happy to sign in disagreement of the council's decision

I confirm I am an occupant of one of the flatted properties of Shorthope Street, EH21 7DB.
I sign this today to confirm that I am happy for the property of 1B Shorthope Street, EH21 7DB to continue to be rented as a short term rental and do not find the rental of this property to be "harmful to myself or the amenities of the building"

1A Shorthope Street, Musselburgh EH21 7DB

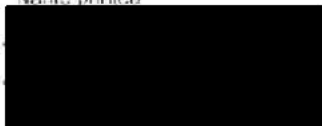
X 

Signature

X 26 10 23
Date

1C Shorthope Street, Musselburgh EH21 7DB

X Ann Morrison Smith
Name printed



X 26 10 23
Date

