

6 Barnshot Road

Edinburgh

EH13 0DH

East Lothian Council

Licensing and Landlord Registration

John Muir House

Haddington

East Lothian

EH41 3HA

11/11/2003

The Clerk to the Local Review Body,

With reference to the decision to refuse planning permission for the

Change of use of flat to short term holiday let (retrospective) at

2A Forth Street Lane

North Berwick

EH39 4JB

App No. 23/00471/P

Thank you for your consideration of this retrospective planning permission. I note from your letter that the Councils Economic Service Manager supports this planning application however it was felt that the local economic benefits do not outweigh the unacceptable impact on local residential amenity.

The reasons for the Council's refusal of planning permission are: -

1. The holiday let use of the flatted property is incompatible with and harmful to the amenity of the occupants of the other flatted property used as a residential dwelling within the residential building of 2 Forth Street Lane, North Berwick and as such is contrary to part e) of policy 30 of National Planning Framework and Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

I would like to appeal the planning decision due to factual inaccuracies presented by the objector:

1.The planning assessment states “the other flatted property used as a residential dwelling within the residential building of 2 Forth Street Lane”

2 Forth Street Lane the flat below 2A is not a permanent/ long term residence but a second property / holiday home. The owner’s permanent address is elsewhere in Scotland. The owner sometimes spends several weeks at a time away from the property during which time their property is either unoccupied or used by their family and friends. When they do come, like the guests to our property at 2A they have to bring their own luggage, shopping etc.

2. You state that “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”

Flat 2, the property below flat 2A, is regularly used by family and friends of the owner when the owner is not resident therefore the owner is not in control of security to communal areas such as the gate being left open.

There are only 2 properties, No 2 and 2A sharing the common entrance, unlike in many tenemental properties where there are a large number of properties. The use of both is not, for the reasons stated, dissimilar given the use of No 2 is not a permanent/long term residence but rather a second property/holiday home. Given this, it is not justified to refuse consent in this instance and determine that the use of 2A is incompatible with and harmful to the amenity of the occupants of the other flatted property, and as such contrary to part e) of policy 30 of National Planning Framework and Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

I would also like to comment on the the Council’s Housing Strategy and Development Service statement that they “ object to this retrospective application as the use of the property as a short term let is considered a significant loss as the property is located in North Berwick with a concentrated number of short term lets: the short term let is not considered long term established : and the annual occupancy rate is low.”

Michael Wilkie Assessor Valuation Joint Board assessed the property in November 2022 and provided a non-domestic rating revaluation 2023 of £6000. Ref 421F700AE2(A). In his assessment information about occupancy and availability were submitted and these met the Council’s thresholds for a non domestic rating, I would therefore contest the statement that the annual occupancy rate is low.

Copy of letter dated 30/11/22 attached.

I hope that you will reconsider this planning application on these grounds.

Yours sincerely

Harriet Miles



Non-Domestic (Business) Rating
and Council Tax Banding

Michael Wilkie MRICS
Assessor
Lothian Valuation Joint Board
17A South Gyle Crescent, EDINBURGH, EH12 9FL
Visit our website at : www.lothian-vjb.gov.uk



26016/3319700
Harriet Miles
6 Barnshot Road
Edinburgh
EH13 0DH

314B

Our Ref: 421F700AE2(A)

Date: 30/11/2022



Dear Proprietor/Tenant/Occupier

NON-DOMESTIC RATING – REVALUATION 2023

All non-domestic properties will be revalued on 1 April 2023. This means that Assessors will set new Net Annual and Rateable Values for all non-domestic properties in Scotland based on rental levels as at 1 April 2022. For more information go to <https://www.saa.gov.uk/non-domestic-valuation/the-valuation-roll/>.

The Draft Valuation Notice on the reverse shows the Net Annual and Rateable Value provisionally set to take effect from 1 April 2023 for the property. It is not a rates bill and the value may change. A Valuation Notice will be issued in March 2023 and this will contain the final Rateable Value that your bill will be based on.

Non-domestic rates bills are sent by the relevant billing authority who will use the final Rateable Value to arrive at the bill for the financial year 2023/24. Bills are calculated by multiplying the Rateable Value by a rate set by the Scottish Government known as the 'poundage'. For more information on billing and reliefs go to www.gov.scot/policies/local-government/non-domestic-rates/.

Yours faithfully


ASSESSOR

East Lothian Council
Licensing

20 NOV 2023

 CONTACT US

Tel: 0131 344 2500 | E-mail: enquiries@lothian-vjb.gov.uk

DRAFT VALUATION NOTICE

Lands Valuation (Scotland) Acts

Issued in connection with the making up of a Valuation Roll under Section 1B
of the Local Government (Scotland) Act 1975

Issue Date: 30/11/2022


If any of the Proprietor, Tenant or Occupier names shown below are incorrect, please make the necessary amendments at www.saa.gov.uk/return-of-information or contact us as shown:

Email: enquiries@lothian-vjb.gov.uk

Tel: 0131 344 2500

Post: 17A South Gyle Crescent, Edinburgh EH12 9FL

Michael Wilkie, ASSESSOR

Reference	421F700AE2(A)	
Description	SELF CATERING UNIT	
Situation	2(A) FORTH STREET LANE NORTH BERWICK EAST LoTHIAN EH39 4JB	
Mark	Draft Net Annual Value	Draft Rateable Value
	£6,000	£6,000
Mark Description:		
Proprietor	Tenant	Occupier
HARRIET MILES	PROPRIETOR	
Scan the QR Code or go to www.saa.gov.uk/notice/ or contact us for information regarding:		
<ul style="list-style-type: none">• How to check if there are addresses of let properties used to inform the basic rate used to value the property;• What to do if you believe the Draft Valuation Notice is incorrect.		

Privacy Notice and the Data Protection Act 2018

Any personal data is collected in the performance of a task carried out in the public interest and in the exercise of official authority. All personal data supplied will be used for the purposes of the Valuation Acts and in accordance with data protection legislation. For further detail on how any personal data will be used, shared and disposed of, along with your rights as a data subject, visit our website at www.lothian-vjb.gov.uk/privacy or e-mail our Data Protection Officer at governance@lothian-vjb.gov.uk or telephone 0131 344 2500.