



Flat 2E, East Road, North Berwick

[REDACTED]

[REDACTED]

[REDACTED]

15 June 2024

The Clerk to the Local Review, Committee Team,  
Communications and Democratic Services,  
John Muir House,  
Haddington,  
East Lothian.  
SCOTLAND  
EH41 3HA

Dear Clerk,

AGGRIEVED BY THE DECISION / OUR APPEAL / APP. No. 23/01214/P

UNDER SECTION 43A, of the TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

DECISION DATE 22 MARCH 2024 / APPEAL DATE 15 JUNE 2024

THE LODGE, 2E, EAST ROAD, NORTH BERWICK EH39 4HN

We were disappointed not to have received Planning Consent of a Change of Use to allow Short Term holiday lets at this property.

We will respond to each objection levied. However, we do not see how a loss of amenity prevails on the basis that we progress short term lets. Quite the contrary. In our view amenity is improved with regular occupation and use of the building. Short term lets provide this as the owners of the property live elsewhere in Edinburgh & London.

This property was purchased as a family Holiday Home during the 'staycation' caused by the Covid-19, Pandemic. Renting the property on a short term basis helps to cover some of the (high & rising) ownership costs such as Council Tax & Utility Costs.

This property is not a starter flat. It is a conversion within a period Listed Building of Historic Interest. The value of the property would be 'out of reach' for most first time buyers.

The short term occupiers are sophisticated, wealthy & educated guests.

The majority, 2 out of the 18 complaints so 11% of all of the objections, relate to non planning matters. The two planning related matters from loss of amenity objections are limited to cars parking at our garage and potential anti social behaviour either late

at night or early in the morning with guests arriving or departing. To address this we would be happy to place a restriction on our guests 1) Not parking at our garage and 2) no departures or arrivals between 9am and 9pm.

We would respectfully ask that you reverse your original decision.

REPRESENTATIONS ARE DETAILED IN *ITALICS*

*i) The housing stock for long term lets has been reduced and properties are increasingly being bought for investment purposes to form businesses rather than homes, causing serious harm to local housing markets.*

As previously mentioned this property was purchased as a family Holiday Home during the 'staycation' caused by the Covid-19, Pandemic. We are not running a business from the property. Renting the property on a short term basis helps to cover some of the ownership costs. We are not damaging the stock of Housing for Local People by owning or renting this building on a short term basis.

*ii) House prices of small-town centre properties has increased making it difficult for locals (young or on low income) to purchase property with short-term lets extending beyond town centre locations in recent times.*

Our Property is not a small town centre building. It is a three bedroomed conversion within a Mansion House. It would be considered 'out of reach' on an affordability scale for first time buyers.

*iii) The housing market has become less diverse as a result of short -term holiday lets, leading to the reduction of affordable letting properties specifically for employment sectors.*

Our holiday home is not 'affordable'. It took considerable capital to purchase it and increasing revenue costs places ownership of the property not achievable for many.

*iv) North Berwick is less buoyant out of season with streets partially unoccupied.*

Our Property is occupied and let all year round. Retaining vibrancy, economic wealth and community engagement. Without the ability to undertake short term lets, and with our limited holiday home family use, the property could attract undesirable elements of Society, as it would be visibly unoccupied for long periods of time.

*v) The objector is not convinced that alleged benefits of short term lets outweigh their harm to towns.*

We are not convinced that the objector is an expert on the economics of Local Demographics, Economics or in the way that modern society use Land & Buildings. The Local Plan for North Berwick / East Lothian highlights the many benefits of short term lettings in East Lothian.

*vi) East Lothian Council through the development management process need to fully and carefully consider the wider adverse effects of this business use and associated activity on both immediate residential neighbours and the wider community.*

We are not running a business.

*vii) Objectors state that through the use of this property as a short-term holiday let, they have endured problems with damage to the property, noise, maintenance issues and leaks (on 8 separate occasions), pressure to spend large amounts of money on unnecessary communal works for the benefit of creating an upmarket short-term rental flat, drunken and disorientated guests knocking on their door and constant misuse of refuse and recycling arrangements.*

We accept that there have been instances of water ingress into the lower parts of the building, which are mainly storage space and/or circulation space. We have carried out the required repairs, on each occasion, at considerable expense to ensure that they do not re-occur. The underlying problem is from a previous owner being keen on DIY but not being very good at it. The Maintenance of the Building is improved from the income generated from the short term lets. Without the income we may not be able to properly maintain the fabric of the building. The common area is dilapidated. We would prefer that it be decorated and re-carpeted. We have never pressured anyone to spend any money on the property. The common areas remain as they were when we purchased the building in 2021. North Berwick prides itself on being a Holiday & Recreational area. This involves socialising. I am not aware of the misuse of the refuse or recycling areas.

*ix) Objectors state that this flat is used as a second home and is often left empty and unrented, meaning it won't be available full time for holiday accommodation, so cannot significantly contribute to the local economy.*

It would be left more unoccupied without the ability to progress short term lettings. We, and also East Lothian Council, believe that the progression of short term lettings do contribute significantly to the local economy.

*x) It would be a loss of a three-bedroom residential home, if this application is granted, which would not be acceptable in the current housing crisis.*

Is there a housing crisis in North Berwick? The Local Plan identifies 1,220 new homes by 2025 many of which have already been built.

*xi) The garage as advertised for guest parking is too small for most cars these days, leaving guests parking cars outside the garage which blocks access to other garages.*

If this appeal is granted we will ask our guest to use the North Berwick Council Controlled car parks rather than our garage.

*xii) Frequently changing guests impact upon the security of the building which causes discomfort to others within the stairwell given they are not familiar with guests.*

The objector could use their own dedicated front door to avoid any discomfort and also contact with either our family or our guests.

*xiii) There is no nominated agent in North Berwick who can be contacted in emergencies or when difficulties occur.*

We have emergency contractors close by who can react to any situation. Day to Day management of the property is undertaken by our sister who lives, in Edinburgh.

*xiv) The use of this property as a short-term holiday let contributes to dangerous parking within a public area.*

Our guests are advised to use the Public Car Parks serving North Berwick. This brings a wider economic benefit to the Town and also to Council revenues.

*xv) One objector does not think businesses should be run from homes within conservation areas.*

We are not running a Business from the property.

*xvi) The flat is not suitable for disabled users due to the flights of stairs.*

Agreed the flat is not suitable for people with disabilities and we inform any potential guests accordingly.

*xvii) Planning permission was never sought initially, and this flat has been used as an AirBnB or holiday let for a long time.*

The flat has been used as a holiday home for our family and also for short term lets since 2021 when we purchased the building. A long time during which there have been no anti social behavioural issues as confined by the Local Police and also the Local Council. The requirement for Planning Consent to progress short terms lets has only recently been introduced by East Lothian Council.

*xviii) The flats were restored as part of the National Trust for Scotland's little Houses Improvement Scheme and were not meant for use as businesses in accordance with the Feudal system in place.*

We are not running a business from the property.

Renting out our holiday home on a long term lease is not something we wish to consider. It did not form part of our rationale for investing in North Berwick in 2021, or today.

In order to address any possible instance of a loss of amenity we would be grateful if you would consider approving our application subject to the flooring conditions;

- A prohibition on our guests using our garage.
- Arrival / Departure times between 9am and 9pm.

We look forward to hearing the outcome to this appeal decision.

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

David Rodger, Paul Rodger & Lucy Deeley