

Short term let appeal for 78c High Street Dunbar EH42 1JH

Client: East Lothian Council Planning Department

Property: 78c High Street Dunbar EH42 1JH

### **Appeal against Planning Refusal**

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Introduction

Description

This document is the basis of an appeal against the Planning Refusal to operate 78c High Street Dunbar as a Short Term Let (STL).

**The application number is 24/00229/P.**

### **Scope of the Appeal**

The scope of this appeal is to make a case for 78c High Street Dunbar to continue as a Short-Term Holiday Let as it has been since Sep 2017

### **Executive Summary**

#### **Basis of the Planning Refusal**

ELC Planning Department stated that the refusal was based on the following documents:

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 residential dwellings within the residential building of 78c High Street, Dunbar 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

#### **Extract from Policy 30 of National Planning Framework 4**

(e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

(i) an unacceptable impact on local amenity or the character of a neighbourhood or area; or

(ii) The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

**Basis of our Appeal**

(i) Our property has been operating as a Holiday Let since Sep 2017 long before the National Planning Framework was introduced.

(ii) In the 7 years that we have been operating there has been no record of anti-social behaviour or complaints from the neighbour below. This proves that there has been no unacceptable impact on local amenity or character of a neighbourhood.

(iv) Section (ii) of the National Planning Framework makes reference to loss of residential accommodation however ELC Housing stated the following in the Planning Report "The Council's Housing Strategy & Development Service state that the change in use of this property from a long term residential dwelling to a short term let is not a significant loss because (i) the property has been a short term let since 2017; and (ii) the property has an estimated annual occupancy rate of over 6 months. Accordingly, the Council's Housing Strategy & Development Service raise no objection to this retrospective planning application".

(v) Section (ii) of the National Planning Framework refers to demonstrable local economic benefits. The East Lothian Economic Development Strategy 2012-22 identifies tourism as one of the strengths of the East Lothian economy and a source of employment opportunities in the future and the adopted East Lothian Local Development Plan 2018 states that a range of hotel, guest house and other accommodation attracts visitors and encourages them to stay and benefit the economy of East Lothian. The adopted East Lothian Local Development Plan 2018 states that all leisure and tourism related development proposals, including visitor attractions, hotels, and holiday accommodation, will be assessed against all relevant Local Development Plan policies. Dunbar has a number of Hotels which are unaffordable to many families holidaying in the Town and there is a general

shortage of cheap holiday accommodation. STL's provide significant financial contribution to the town and help to support Dunbar by the Sea, Scottish Open Golf, ELC Tennis Tournament amongst many other events nearby.

(vi) Our property has an annual occupancy rate of 80% therefore for 20% of the year the flat lies empty. If the flat was to be returned to a residential let, then significantly more traffic in the common stairwell would exist.

The Town exists on tourism and has been well known as a tourist destination for centuries. STL properties maintain the structure of Dunbar and contribute significantly to the growth and economic development and provide affordable accommodation for families.

### **Detail of the Appeal**

#### **History of our Property**

We have been operating as a Short-Term Holiday Let since Sep 2017.

We have been operating through Booking dot com and Airbnb since 2017. We achieve a 80% occupancy rate and average around 15 lets throughout the year. We would say that most of our lets are contractors and occasionally families other time we stay there ourselves.

I should add that in fact east Lothian council used us for a booking for temporary accommodation when one of the council tenants required temporary accommodation due to mould issues in her council house, another local couple stayed with us as there home was drying out after being flooded out of there house. There is definitely a need for short term lets for various other reasons.

#### **Anti-Social Behaviour**

In the 7 years we have been operating we have had no incidents of anti-social behaviour from any of our guests. Our neighbours occupying 78c High Street Dunbar are willing to provide written confirmation substantiating our claim.

We have 1 public house 2 doors along from us and another over the road from us the noise coming from them some nights has to be heard to be believed.

#### **Other Similar Properties** in Dunbar are operating as a STL.

There is only one flat that is affected by foot traffic in the common stairwell.

We would ask you to consider 78c High Street Dunbar for Retrospective planning approval.

#### **Loss of Residential Accommodation**

ELC Housing Department stated that they had no objection for us to operate as a STL. Therefore section (ii) of Policy 30 National Plan Framework 4 should not apply to our application.

### **Local Economic Benefits**

As stated, we have on average 15 occupants staying in our property at say 2 persons per stay. We have 80% occupancy which equates to 292 nights. If you were to take an average spend in retail/pubs and restaurants of £50/person/night that would equate to around £50,000 going into the local economy. This helps to maintain small businesses in the Town.

### **Recent Media Reports**

It has been reported that with the continuing loss of affordable holiday accommodation the properties that exist can put up their prices. We can see this happening in Edinburgh with hotels doubling their room rate.

It has also been confirmed by Airbnb and other operators that the search hits for holiday lets for East Lothian has reduced in recent months. Potential customers are looking for cheaper accommodation in the North of England and elsewhere, therefore the reduction in STL's is already having an impact on the local economy.

Dunbar has always been a holiday town and STL's provide affordable accommodation for families choosing to stay in the UK.

### **Conclusion**

We would ask that East Lothian Council consider our appeal to continue to operate as a STL and grant us with Retrospective Planning Approval based on the points listed within this report.

In addition, we harmoniously integrate with the first floor flat and the top floor flat.

We co-ordinated trades to repair a water main leak and also organised a serious roof leak recently. Both repairs were co-ordinated and paid for by us, demonstrating how well we integrate with other owners in the block.