

4B Palmerston Road EH9 1TN
Planning Application 21/01449/FUL
COMMENT from Grange Association

The Grange Association has reviewed application 21/01449/FUL, which proposes a “change of use for short term lets and family use”. The property is within the Grange Conservation Area.

A number of our members have expressed concern about this application, both in specific terms concerning the site of this property in a quiet residential street, and in general about the precedent of a material change of use to short-term letting in the conservation area.

The specific concerns relate to the prospect of noise, disruption and additional parking pressure from groups of guests arriving and departing at any time, and to the potential unruly behaviour of guests. We note the commitment from the applicant “*to take steps to avoid any lets to stag or hen parties or to groups of young people*”. Nonetheless, if the change of use is granted it would apply to the property, not to the owner, and so this commitment would not be enforceable if the ownership were to change.

We note that the Scottish Government has been developing legislation for the regulation of short-term lets in Scotland. The [report on the consultation](#) included an amendment to the proposed legislation relating to the revocation of planning permission, noting (para 6.6) “*without such a mechanism, the granting of planning permission for use of residential property for secondary letting is a one-way ratchet, in which the number of properties which can be used for this purpose would only ever increase.*”

The report goes on to explain that local authorities are able to impose a condition that limits the period for which a change of use to short-term letting will apply.

Local authorities can impose a condition when granting planning permission to require the permitted use to be discontinued after a specified period – this is a “planning permission granted for a limited period”. There are also powers under section 43(1)(aa) of the 1997 Act which allow the Scottish Ministers to give directions to planning authorities in relation to the imposition of conditions.

We will set out in guidance that local authorities should consider applying a discontinuation condition of 10 years, or such other time period as they consider appropriate, when granting planning permission for secondary letting in a control area (or outside, if they see fit).

Scottish Government: Consultation report on proposals for a licensing scheme and planning control areas for short-term lets in Scotland - Para 6.6. (“Revocation of planning permission”)

We therefore request that, if the proposed change of use is to be granted, a condition should be imposed which revokes the change of use on the earlier of:

- The change of ownership of the property; or
- The expiry of ten years from the granting of permission.

Grange Association
4 May 2021