

Fiona Campbell
Chief Executive
Association of Scotland's Self-Caterers
Mansfield House
ARROCHAR
Argyle and Bute
G83 7AG

Date 16 March 2022

Your ref

Our ref

Dear Ms Campbell

PROPOSED SHORT-TERM LET CONTROL AREA – ASSC CONCERNS

Thank you for your and your solicitors' letters of 28 February 2022 to Councillor Gardiner setting out your Association's concerns with the Council proceeding with its proposal to create a citywide short term let control area. Councillor Gardiner asked me to respond to you. I apologise for not responding sooner. A copy of this letter will also be sent to your solicitors and to Scottish Government.

At the planning Committee on 23 February 2022, following the consultation on the STL Control area, the Council approved the proposals. However, the proposed STL Control Area cannot come into effect, unless it is approved by the Scottish Government. The Council submitted the proposals to the Scottish Government on 25 February 2022 to consider. It is now a matter for the Scottish Government to determine whether to approve or refuse the proposed STL Control Area, and whether any further procedure is required before they can make this decision. In the event the Scottish Ministers give their approval for the proposed STL Control Area, it is the intention of the Council to proceed to implement it by publishing details of when it will come into force.

I understand from your email of 1 March 2022 to me that you have sent copies of your letters to the Scottish Government. Your submissions will therefore form part of their consideration in determining whether further procedure is required and ultimately whether or not to approve the proposed STL Control Area. Given the decision now rests with Scottish Government it would not be appropriate for me to respond in detail to the terms of your letters at this time.

I will, however, briefly seek to address some of your concerns. In the absence of a control area there is currently a lack of clarity across Edinburgh and Scotland for all parties on whether or not planning permission is required for changing the use of a residential property to a short term let. This can result in the highly undesirable scenario that it is only through formal planning enforcement that businesses become aware they should have obtained planning permission to operate a property as a short term let. The purpose of the proposed control area is to provide clarity & certainty that within the Edinburgh area planning permission is required for changing the use of a residential property to a short term let. The proposed control area will not set the planning policy that will apply to determining such applications. Individual planning applications will be determined on their own merits in accordance with the development plan and any relevant material considerations. In 2021 the majority of STL applications to the Council were

consented. There is and will remain a right of appeal if an STL application is refused planning permission.

Thank you again for your letters setting out your Association's concerns with the Council's proposed Short Term Let Control Area. I now await with interest hearing from the Scottish Government in respect of the proposals.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Givan', followed by a long horizontal flourish.

David Givan

Chief Planning Officer and Head of Building Standards

cc if required

CC – FAO Hazel Moffat, Partner, Burness Paull, 50 Lothian Road, Festival Square, Edinburgh, EH3 9WJ

Dr Fiona Simpson, Chief Planner, Area 2-F (South), Planning and Architecture Division, The Scottish Government, Victoria Quay, Edinburgh, PH6 6QQ