



Application for Planning Permission



Land at 20 Regent Street, Portobello

Erection of holiday accommodation and replace existing access door to front.

Planning Statement

March 2023.

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*Proposed Erection of Single Holiday Accommodation Property at 20 Regent Street, Portobello
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The site at Regent Street provides an opportunity to deliver a unique, attractive holiday accommodation property on a brownfield site in Portobello.

The proposal will see the construction of a beautifully designed one-bedroom property benefitting from a small amenity space and total privacy from neighbouring properties.

Similarly, there will be no loss of amenity, privacy or overshadowing as a result of the proposal.

There has been a significant upheaval in the provision of short-term holiday accommodation in Edinburgh. This site benefits from a private dedicated access and private amenity space for the occupiers. Unlike other properties throughout the City, there will be no conflict with existing residential properties.

There are numerous examples of infill and backland development in this specific area of Portobello...it is a well-trodden path.

This will be a sustainable development, on a brownfield site and utilising modern construction methods including solar PV and enhanced insulation.

Introduction

1. **apt planning & development** is pleased to lodge this application for planning permission for the creation of an innovative and high quality holiday accommodation unit on land at 20 Regent Street in Portobello.
2. The proposal will see the creation of a unique one-bedroom property that will benefit from a dedicated pedestrian access off Regent Street, a small and attractive area of amenity space and a genuinely innovate approach to development of this compact site.

Site Characteristics, Background and Planning History

3. The application site forms a small, secluded plot of land situated between the rear of the properties at 16-18 Regent Street and the rear of the workshop buildings at 4-6 Bath Street Lane, Portobello. The site measures 11.8m by 7.2m; 85m² in area. The site has always had its own address and had previously been used as a builder's yard. As the maps below show, it did have a building on it in the recent past.

Historic Ordnance Survey Maps



OS Map 1853.



OS Map 1934.



OS Map 1947.



OS Map 1963.



OS Map 1968

4. Access to the site is through a dedicated door on the right-hand side of the front elevation of 16 to 18 Regent Street. The door leads into a vannel which is for pedestrian use only. The vannel is never narrower than 1m, comfortably wide enough to allow wheelchair access. There has never been a vehicle access to the site and despite its operating for many years as a commercial use.
5. The site is fully enclosed physically and visually by the high stone walls to the north, east and south. These form the boundary walls to the gardens of the neighbouring properties at 14, 16-18 and 22 Regent Street. The walls range from 1.8m to 3.5m in height. The western boundary of the site is formed by the rear elevation of the workshops and garages in Bath Street Lane. The stone wall on this side is up to 4m in height.
6. There is no immediate overlooking of the site from neighbouring properties. The end of the rear gardens to numbers 12 to 14 and 22 onwards Regent Street have a number of mature self-sown trees and overgrown shrubs that screen any potential views towards the application site from the upper floor windows of 16-18 and 22. There are no rear elevation or roof window openings from the Bath Street Lane workshops and storage buildings; their rear elevation is essentially a high, solid stone wall.
7. 16-18 Regent Street is split into 2 flats. The rear elevation has a number of upper floor windows; however, views into the site are obscured by the boundary vegetation along the rear garden wall. The windows of 16, 18 and 22 look onto their own gardens and the vegetation along their rear boundaries plus the rear stone wall of the Bath Street Lane workshops. The outlook from the ground floor windows is contained by the stone rear boundary wall that also forms the eastern boundary of the application site.
8. The character of this part of the conservation area consists of dense, tight streets, lines of houses and flats situated parallel to the road, buildings of various heights; streets sloping down towards the north, on street parking, backland plots accessed by vennels and lanes; vistas terminated to the north by Straiton Place tenements and to the south by Portobello High Street.
9. Unusually the site is an area of disused ground to the rear of the residential properties on Regent Street but not attached to any of them (and under separate ownership). It does not form part of anyone's garden ground and is a distinct piece of land within this mainly residential area. The site has easy access to the local facilities in Portobello, the beach is close by to the north and there are bus routes into Edinburgh (and East Lothian) easily available on Portobello High Street a very short walk away.

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10. To the west are the light industrial units and storage units/garages of Bath Street Lane (which also includes one converted live/work type residential unit). The remaining properties on Regent Street and the area in general are primarily residential though the converted church on Marlborough Street is a successful holiday let property.
11. The site itself is reached through a dedicated doorway (to be reworked) then along a path (exclusive use of this site) to the proposed site to the rear of the properties on Regent Street. The property is invisible from any public place and will not be seen from the majority of neighbouring properties, with the only actual view of the site being the solar panels on the proposed roof. It is essentially a hidden site.



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12. The site is flat and currently overgrown. There will be no loss of amenity either as open ground or impacting on neighbouring properties. It is a secluded site. As the images below illustrate, there has been considerable backland development on Regent Street, Marlborough Street, Bellfield Lane, Bellfield Street, Pitville Street and Pitville Street Lane. It is common and reasonable for owners to make best use of their backland areas. There is no specific pattern of development, whether positioning, layout or design (and it is fair to say that some of it is of dubious design quality).
13. This proposal on the other hand demonstrates an innovative approach to a constrained site that will deliver a unique and attractive holiday let property.



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14. The wider area is typified by a traditional grid layout with each of the roads linking the High Street with the seafront. It would be an attractive place to stay.

Planning History

15. **Applications 06/01449/FUL & 20/05719/FUL** – applications on the same site for the development of a single house in the same plot/footprint. Both applications were refused:
- This application is for a holiday let property not a new permanent home;
 - Both previous applications were for significantly larger buildings which filled the whole of the rear area - this fresh application is for a single storey structure that provides a small area of amenity space at the end of the path. This is a minor but positive change from the earlier applications;
16. The reasons for refusal include issues of open space and amenity afforded to the future occupiers of the property. This is obviously far less of a concern when the property is being proposed as a holiday let.
17. Other reasons for refusal refer to the scale and form of development. The applicant (and owner) has taken these views on board and has designed a more modest property, appropriate for holiday use and far less visible to neighbouring properties. The overall impact of the development on the Conservation Area and the residential amenity of neighbouring properties is significantly reduced from the equivalent development proposed under the previous applications.

18. Application 20/5179/FUL went before an LRB Panel in August 2021 and though there was considerable sympathy for the larger residential proposal, it was felt that it was too big for the site, a situation that has been addressed.
19. The panel acknowledged the efforts the applicant had gone to to create a home for the site, whilst also acknowledging that not every resident wants amenity space to have to maintain etc. and if a potential occupier wanted a garden etc. they simply wouldn't buy the property. The panel also inherently acknowledged that the site could accommodate development.
20. The same can be said in this instance. The holiday accommodation will not appeal to everyone. It will be small scale, with a small patio area but essentially a small unique but very well located option for people visiting Edinburgh and East Lothian.
21. Recent changes to regulations require short-term let properties to secure a change of use permission from residential use. This has caused a significant upheaval in the provision of AirBnB type properties with properties with shared entrances and communal amenity spaces in general being refused permission.
22. The City of Edinburgh Council has acknowledged that there is a huge shortfall in the provision of holiday accommodation and though this is only a single property, it does have its own dedicated access and amenity space, avoiding the concerns that many existing properties have found impossible to overcome under the current provisions.
23. **Planning Permissions 21/06643/FUL & 22/02704/FUL** both relate to backland development on Regent Street (NO's 36 and 10 respectively). They are more recent than the last application at 20 Regent Street and are more modest in scale than the previous applications at 20 Regent Street.
24. They are however comparable in size and form to the proposals that form this application and show that modern design is applicable in this circumstance alongside the modern interpretation of the existing building at No.10 (bottom image).
25. The proposal for No. 20 is equally acceptable with regards to scale, form and design and its impact on amenity. The proposal raises no concerns with regards to its impact on nearby listed buildings or the conservation area. There are no material considerations that outweigh this conclusion.

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Planning Policy

26. Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan consists of the recently Adopted National Planning Framework 4, the South East Scotland Strategic Development Plan (SESplan) and the adopted Edinburgh City Plan).

National Planning Framework 4 (NPF4)

27. NPF4 was been adopted in February 2023 and now forms the most up to date element of the Development Plan suite of documents. It must be taken into account when assessing the merits of this application as the development plan landscape has materially changed. The proposal at Regent Street can be tested against a number of key policies in NPF4:

NPF4; Policy 1 – Tackling The Climate Crisis	When considering all development proposals significant weight will be given to the global climate and nature crises.	The use of an urban site in an accessible location and close to all local facilities and attractions is a suitable site to promote development and this type of development in particular. The site is well located for existing infrastructure as well as being a short distance from both Portobello Town Centre and the beach to the north.
NPF4 Policy 2 – Climate Mitigation and Adaptation	<p>a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.</p> <p>b) Development proposals will be sited and designed to adapt to current and future risks from climate change.</p>	The use of this small site to enable the development of an innovative and energy efficient new property will achieve much higher than required standards of energy efficiency including the use of solar panels to generate electricity/hot water.
NPF4 – Policy 7 – Historic Assets and Places	<p>d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced.</p> <p>e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.</p>	<p>The proposed development at 20 Regent Street will be invisible from outwith the site and specifically from any public space. It will have no impact on the character and setting whilst creating a new, attractive and innovative new property on a vacant and unused site. It will add interest whilst not compromising the key aspects of the Conservation Area.</p> <p>No features which contribute to the character of the conservation area will be affected by the proposed development.</p>

<p>NPF4; Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings</p>	<p>Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account</p>	<p>The reuse of an existing vacant site, within an urban area is the most efficient use of land. The application is an appropriate use within the context of the site and its surroundings. The design takes specific reference from the opportunities and constraints of the site and existing properties.</p>
<p>NPF4; Policy 14 – Design Quality and Place</p>	<p>Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.</p> <p>Development proposals will be supported where they are consistent with the six qualities of successful places: Healthy: Pleasant: Connected: Distinctive: Sustainable & Adaptable.</p>	<p>The application site is a vacant and overgrown area of surplus backland ground. It has neither purpose nor use and detracts from the general attractiveness of the immediate context of the site. The proposal will be a significant improvement to the current situation. Repurposing the site for a modern and innovatively designed holiday property fit for modern living.</p> <p>The proposals meet the six qualities of a successful place being in an easily accessed site, close to local attractions and transport options being welcoming and adaptable In its design.</p>
<p>NPF4; Policy 15 – 20 Minute Neighbourhoods</p>	<p>a. Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:</p> <ul style="list-style-type: none"> • sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks; • shopping; • playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities; • publicly accessible toilets; 	<p>The application site is ideally located to respond to the 20 minute neighbourhood initiative. Local amenities, facilities and transport links are all within a 20 minute walk and importantly for a holiday let, these include Portobello beach and transport links to Edinburgh City Centre and other attractions in East Lothian. The proposals will offer cycle storage further enhancing and promoting sustainable travel.</p>

<p>NPF4; Policy 27 City, Town, Local and Commercial Centres</p>	<p>a. Development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported.</p>	<p>Whilst only being a small scale development, the introduction of holiday accommodation at Regent Street introduces a use that will help maintain the vitality and viability of the nearby town centre and other commercial businesses.</p>
<p>NPF4 – Policy 30 – Tourism</p>	<p>b. Proposals for tourism related development will take into account:</p> <ul style="list-style-type: none"> i. The contribution made to the local economy; ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors; iii. Impacts on communities, for example by hindering the provision of homes and services for local people; iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas; v. Accessibility for disabled people; vi. Measures taken to minimise carbon emissions; vii. Opportunities to provide access to the natural environment. <p>d. Proposals for huts will be supported where the nature and scale of the development is compatible with the surrounding area and the proposal complies with relevant good practice guidance.</p>	<p>The use of the site for a single holiday accommodation unit will make a positive contribution to the local economy generated from investment, visitor-spend and the use of local services (cleaning and welcome packs etc.).</p> <p>The setting of the proposed accommodation and its site specific design will ensure minimal impact on the surrounding area and will be compatible with the surrounding residential uses along Regent Street.</p> <p>The site is ideally located to make use of local facilities and transport links, enabling visitors without the use of a private car ample opportunity to explore the area on foot or by using public transport.</p> <p>The natural environment is literally at the end of the street (the River Forth coastline) whilst the single level property will be appropriate for use by less mobile visitors.</p> <p>The layout shows a ramp and wet room arrangement to promote occupation by those with limited mobility. As stated the vennel will comfortably accommodate a wheelchair.</p>

Edinburgh City Plan

Policies not covered by NPF4.

<p>Policy Des1 Design Quality and Context</p>	<p>Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place..... Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance</p>	<p>The proposed holiday accommodation is a unique, innovative and site-specific design that will add to the sense of place for this specific site whilst not having any detrimental impact on the wider character, appearance or amenity of the neighbourhood.</p>
<p>Policy Des3 Development Design</p>	<p>Planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.....Its aim is to ensure that development proposals are informed by a detailed analysis and understanding of the site....</p>	<p>The proposals do not impact on any features worthy of retention rather they make beneficial use of a vacant and unsightly backland plot</p>
<p>Policy Des4 Development Design</p>	<p>‘Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:</p> <ul style="list-style-type: none"> (a) height and form (b) scale and proportions, including the spaces between buildings (c) position of buildings and other features on the site; and (d) materials and detailing’ 	<p>The proposed holiday accommodation is a site-specific response to the site characteristics, both in size, height and materials. It will be a genuinely unique and innovative approach which will create an attractive, private and enclosed holiday home.</p>

Policy Des 5 Development Design	<p>Planning permission will be granted for development where it is demonstrated that:</p> <ul style="list-style-type: none"> a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to daylight, sunlight, privacy or immediate outlook b) the design will facilitate adaptability in the future to the needs of different occupiers, & in appropriate locations will promote opportunities for mixed uses c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas d) a clear distinction is made between public & private spaces, with the latter e) refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design. 	<p>The locating of a single holiday accommodation unit on this backland site will not have any unacceptable impacts on the level of amenity afforded to neighbouring properties.</p> <p>The proposed holiday home will have sufficient amenity with regards to short stays (small area of outside amenity space) whilst it will be a very private site from an occupants perspective.</p> <p>The single storey design and easy pedestrian access makes the proposed accommodation suitable for a range of potential visitors including those with limited mobility. The large sliding doors will merge indoor/outdoor living when conditions allow and further ensuring ease of access.</p> <p>A discreet, dedicated area for refuse and recycling is proposed on site. Either visitors will dispose of reuse or this will be removed as part of the weekly clean and preparation.</p>
Policy Des 6 Sustainable Buildings	<p>Planning permission will only be granted for new development where it has been demonstrated that a number of criteria have been satisfied.</p>	<p>As per NPF4 Policy 1 & 2 above</p>
Policy Env 6 Conservation Areas	<p>‘Development within a conservation area or affecting its setting;</p>	<p>As per NPF4 Policy 7 above.</p>

<p>Policy EMP 10 – Hotel Development</p>	<p>220 Tourism is the third biggest source of employment in Edinburgh, providing jobs for over 31,000 people. Maintaining and developing this key sector in the city’s economy relies upon sufficient provision of high-quality tourist accommodation. In 2006 a study looking at tourist accommodation demand and supply was commissioned by the Council and others.</p> <p>The study identified the particular importance of hotels to generating economic benefit from growth in tourism and satisfying the main sources of demand for accommodation. The study identified a theoretical requirement for 4,000 new hotel rooms in Edinburgh by 2015 to help meet predicted growth in demand. The city centre is the preferred location for most visitors, but accessible locations with good public transport accessibility within the urban area also offer opportunities for new hotel development.</p>	<p>Clearly this is not a proposal incorporating the provision of further hotel accommodation.</p> <p>We have included Policy Emp10 given the commentary that accompanies the policy which highlights the importance of the tourism and visitor sector to the Edinburgh economy.</p> <p>The application site is an appropriate site to locate holiday accommodation with the availability of a range of local facilities and services coupled with the excellent local transport links.</p> <p>Given the recent changes to the short-term let conditions and the impact this is having on the ‘Airbnb’ sector, this proposals delivers a self-contained holiday home with a dedicated access that will enable acceptable levels of amenity to both local residents and occupiers of the holiday let.</p>
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**Policy Tra2 –
Private Car
Parking**

Planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance. Lower provision will be pursued subject to consideration of the following factors:

It is acknowledged that Regent Street and surrounding streets do come under considerable pressure for the limited parking available. Modern households often have more than one car **which** coupled with the unrestricted **on-street** parking available makes parking a premium in the vicinity. The impact of a single holiday accommodation unit will have a negligible impact on the situation.

Occupants will often be coming and going at different times of the day and night from residents of Regent Street. The impact that this single unit will have on the overall parking situation will be within the daily parking fluctuations and variations.

The demand for the holiday unit, whilst all year round, will tend to be when the roads and parking are less busy – holiday periods and weekends. Visitors are more likely to arrive later at night and leave at odd times during the day making the overall situation fluid and flexible.

The availability of local amenities and public transport also helps in the proposed accommodation being attractive to visitors without a car or wishing to avoid using it when on holiday. As mentioned there will be secure cycle storage on site to further encourage sustainable means of transport (and a health and wellbeing).

Summary

28. Following previous refusals based on the creation of a two storey house on the application site, the applicant and site owner has revisited the design and use of the proposed development. This application represents a significant change in proposing a single storey property to be used as holiday accommodation.
29. It is a genuinely unique opportunity on a brownfield site, within the settlement of Portobello and a development that has a negligible impact on neighbouring properties. No overlooking or loss of privacy or amenity and the property itself will enjoy privacy and the use of a small outdoor patio area. It is a brownfield opportunity with clear evidence of previous development.
30. All attempts have been made to make this a sustainable construction including the use of PV Panels and the site characteristics dictate that the property will be sheltered and protected from the elements.
31. The site is ideally located to enable easy access to local services and amenities as well as public transport links. Secure cycle storage will further encourage sustainable means of travel, not to mention encouraging health and wellbeing.
32. The proposals meet the provisions of the Development Plan including the recently adopted NPF4. There are no material considerations that would alter this stance. This compliance with policy, the quality of the design coupled with the site specific characteristics provides ample justification for the application to be granted permission.