

# **Second flat in same North Berwick street refused use as holiday let**

**A second short term holiday flat owner on North Berwick High Street has had a bid to carry on renting it out rejected this week.**

East Lothian Council planners rejected an application by the owner of the three bedroom property at 97A High Street to have its use declared lawful yesterday – one day after rejecting a similar application from a neighbouring flat at 108B.

In both cases the applicants had argued that the use as a holiday flat was not 'materially different' to how it would be used by long term residents and they pointed to the noise from the High Street as more disturbing than the arrival and departure of guests.

Agents for Elizabeth Wise, the applicant for 97A High Street, had argued that guests using the flat were no more disruptive than if her family stayed at the flat, adding there had been no complaints from neighbours about its visitors in the six years it had operated.

They said: "As local permanent residents, the applicant's family has compared their pattern of behaviour to that of the guests at the property. Their regular weekly pattern of activity, including commuting, university, and sport activities, is not materially different in impact to neighbours to the activities of guests, and may even be considered more disruptive.

“This, coupled to the absence of complaints, is strongly suggestive of the fact that the use of the property has no material impact on amenity.”

However planners insisted the holiday use was a material change of use which means the owner will have to apply for planning permission to continue operating it.

They said: “The frequency of the arrival and departures of guests at various times and the movements associated with the changeovers and cleaning between guest stays, would lead to a movement pattern which is different to that of a flat in use as a principal residence.

“Based on this information, it is considered that the use of the applicant’s second floor flat for short term holiday let accommodation constitutes a material change of use, requiring planning permission, where a lawful use cannot otherwise be demonstrated.”

A change of legislation last year means short term let operators are now required to have a licence to operate and lawful planning permission.

Concern over the number of properties in the seaside town which are now being used as short term lets and second homes saw North Berwick Environment and Heritage Trust last year call on the council to review its economic policies.

They have claimed that in some streets as many as 50 per cent of homes are short term holiday lets with long term residents feeling isolated and anxious.

By Marie Sharp Local Democracy Reporter