

# Two neighbouring flat owners lose appeals to keep operating them as holiday lets.

The owners of the two flats on Cromwell Court, overlooking Dunbar Harbour, in East Lothian, both challenged the council's refusal to allow them to carry on letting out the properties by using a certificate of lawful use.

They argued that they did not need to apply for a change of use of the properties as there was 'no material difference' to using them for short term holidays or long term leasing.

However Scottish Ministers have dismissed their appeals after their Reporter ruled the flats did need planning permission to carry on and were not 'lawful'.

The owner of one of the flats revealed it was rented out 89 per cent of the year to a wide range of guests from Edinburgh Festival attendees to wedding guests, and people attending sporting events.

The other said their flat was advertised on Airbnb and welcomed holidaymakers and workers to stay.

The Reporter said in the case of the flat which was occupied

nearly 90 per cent of the time that its proximity to the heart of the seaside town would increase the impact on residents living in the flat block.

They said: "Given the access to the town centre and the local bars, restaurants and other attractions, I consider that guests are more likely to come and go from the property with greater frequency and are likely to generate more activity later in the evenings and at night time than neighbouring residents, at a time when residents may want a more peaceful atmosphere."

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By Marie Sharp Local Democracy Reporter