

Two East Lothian holiday flats ruled unlawful by Scottish Ministers

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The flats, which are just a few doors apart, on Melbourne Place, in the popular seaside town, had been used as short term lets for several years before a change in legislation saw them need permission to continue.

But when the owners applied for a Certificate of Lawfulness from East Lothian Council to allow them to carry on they were refused after the local authority said they needed to submit a new planning application.

Now Scottish Ministers have agreed after their Reporter threw out their appeals ruling the use of the flats as short term holiday homes was not the same as if they were residential homes.

Both property owners had argued that there was no need for a change of use application because guests staying in the flats had no more of an impact on neighbours than if they were long

term tenants.

One of the flats, owned by Angus Watson, had its own main entrance and agents STL Solutions argued it had no impact on neighbours. The other, owned by Abbie Clowes, had a communal entrance but, agents STL Solutions, argued no other flat door was passed en route to it.

In both cases STL Solutions provided pages of examples of cases which it argued back its appeal case but the Reporter said, while they made note of those each application was taken individually.

The Reporter ruled in both cases the use of the flats as short term holiday lets was a change of use because of the impact on a high turnover of guests on neighbouring residents.

The appeals were dismissed.

By Marie Sharp Local Democracy Reporter