

# lucid architecture

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## **FLAT 3-1 AT 70 HOTSPUR STREET, GLASGOW, G20 8LP**

### **PLANNING APPLICATION FOR SHORT TERM LETTINGS CHANGE OF USE AS A PART TIME USE**

#### **SUPPORTING STATEMENT AND BACKGROUND INFORMATION**

##### **16th February 2024- Revision A at 27th March 2024**

##### **Current situation and background.**

This flat is owned by an owner occupier family who have been owners for many years. They live and work abroad part of the year but still use their flat here regularly as their only domestic base in Scotland.

This home has been used for short term lettings for many years as a part time and non-intensive usage on a small scale. This means an efficient use of the property in terms of it not being held empty while the owner occupiers are away as this would further fuel housing issues in the area and is bad for the building, the community and of course the owners' finances.

The flat has been operated by the owner occupier these last several years without any complaints or issues with neighbours and is maintained and managed to a high standard. It is positioned on the third floor of a building with 8 flats in total on what is a busy inner city street on a bus route.

##### **Change of use as a short term letting unit:**

The property has been used for many years in this way without problems or need for planning action or enforcement due to fact that there were no neighbour issues during this time. This use also pre-dates the 2016 Glasgow City Council Planning Policy on Short Term Lettings being introduced and so did not need planning permission when it began. It is not clear and has not been explained why it would need planning now as there was no requirement when the use started.

The new licensing scheme for short term lets, even part time ones, is linked to the planning system and thus the owner is now applying to clarify planning permission to meet these new requirements in conjunction with the licence, even though this is a low key and part time usage of their only home.

We note that there is recent local planning guidance already written up against any short-term lettings in flats so would like to take this opportunity to point out that the blanket policy of refusal in all cases amounts to a planning control zone that has been put in place without any proper procedure or process. In law each case must anyway be looked at on its own merits.

The property has only two bedrooms and is only used to accommodate up to a maximum of four guests or two couples at any time so is used at a sensitive level without over-loading the accommodation. This is also very similar to the general occupancy of these flats in normal use which could have exactly the same occupancy under current planning rules.

It is very well managed by a professional agent with the involvement of the owner as it is also their home and so they take an interest in running it. Therefore it is operated to a very high standard due to this fact. Arrangements for cleaning and linen are very similar to a domestic situation with only one cleaner coming and using items within the flat rather than carrying them in.

**This is a part time use carried out circa 70% of the time so is more minimal and limited than a full time short term letting unit.**

**Cont./**

The fact that the owner-occupier runs the lettings also ensures that this is not an intensive use with potential guest issues as they would not want this in their own home and can and do manage things very closely due to that fact.

This small scale, part time and well managed set up all point to the fact that this use will be very similar to normal domestic use and potentially better managed and less problematic than an absentee landlord rental flat for example. This is due to this being the applicants' home as well.

This is also a well serviced inner-city area and does not suffer from overloading of local services and infrastructure in the way some other areas do. The commercial absentee landlord owned short term let flats in the area will very likely be largely removed by the new policy. Therefore it makes sense to maintain some low-key provision through owner occupiers doing this on a part time basis and to a high standard. This would be a balanced and beneficial application of these new policies.

**It should not be of concern to grant planning permission in this case due to its specific and very favourable circumstances that must be considered in making a decision. This is due to the fact that in law each case must be considered on its own merits as per previous court rulings and 'blanket' policies have recently been twice ruled against in court in Edinburgh.**

**We would like to remind the Council, as am sure they are aware, that empty properties, even part time empty, fuel poverty and economic problems plus add to the ongoing housing crisis.**

**We feel that a part time use owner occupiers who do short term lettings should be treated in a balanced way in terms of planning permission in relation to the new licensing regime. They should not be considered in the same way as absentee investors and landlords with multiple units and little or no personal involvement in their intensively used properties, which are not homes like this one is.**

**Ironically if the owners were to have to sell their family home due to the unserviceably high costs of holding it empty most of the year then they would need to try to rent short stay accommodation to carry out their work and family life in Scotland.**

**This would then be almost impossibly difficult and expensive to find due to those same criteria being applied too harshly across the board and therefore there will be no short stay accommodation available.**

**A balanced approach is urgently needed in applying this policy and guidance so that the proverbial baby is not thrown out with the bathwater.**

**The short-term lettings here are so minor in nature and well managed that they are unlikely to have anything other than a positive impact locally in providing useful accommodation for visiting workers and travellers etc and adding to the community and economy when the owner is not in residence.**

**Overall, the usage here is extremely similar in character to normal domestic use due to all of the above points. It is very un-commercial in its nature and does not adversely affect the character of the area or the building and should meet the criteria to gain planning permission on that basis.**

We trust that this all makes sense and that you treat this case accordingly in a sensible way. Please do contact us if any further information, details or justification and explanation of anything is needed on any of these points.

**Andy Whyte**

**Director**

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