

Date: 28 March 2023

Owner/Occupier/Lessee
Flat 2
8A Randolph Crescent
Edinburgh
EH3 7TH

Case Ref: 23/00154/ESHORT

Dear Owner/Occupier/Lessee

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

**ALLEGED UNAUTHORISED CHANGE OF USE OF RESIDENTIAL DWELLING TO A
SHORT STAY COMMERCIAL VISTOR ACCOMMODATION AT FLAT 2, 8A
RANDOLPH CRESCENT**

**PLANNING ENFORCEMENT INVESTIGATION: 23/00154/ESHORT - FLAT 2, 8A
RANDOLPH CRESCENT**

It has been brought to my attention that the above property is being used for short stay commercial visitor accommodation. I am required to ascertain information about the use and characteristics of the property to determine whether a material change of use has occurred. With respect to the above, I have enclosed a Planning Contravention Notice (PCN) to be completed and returned via email or post within 21 days of the date of this letter.

In addition, I am also required to undertake a site visit of the property. With regards to such a visit, please contact me within 21 days to arrange a convenient date and time.

IMPORTANT NOTE: failure to respond to this notice and any requested access not being provided will require the authority to conduct unannounced site visits to the property to gather evidence. In addition, the use of formal powers as prescribed within the above Act, including the seeking of a warrant to enter the property and the serving of an enforcement notice, will be considered.

If you wish to discuss this matter further, please contact me on
[REDACTED]@edinburgh.gov.uk

Yours sincerely

[REDACTED]

Planning officer

The City of Edinburgh Council
PLANNING CONTRAVENTION NOTICE

The Town and Country Planning (Scotland) Act 1997 (as amended)

IMPORTANT NOTICE – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Served by: THE CITY OF EDINBURGH COUNCIL (the Council)

To:

**Owner/ Occupier/Lessee
Flat 2
8A Randolph Crescent
Edinburgh
EH3 7TH**

1. PLANNING CONTRAVENTION NOTICE

This is a formal notice served by the Council because it appears to it that there may have been a breach of planning control, within section 123(1A) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land or has another interest in it, or who is carrying out operations in, on, over or under the land or is using it for any purpose. The Council require you, in exercise of their powers under section 125 (2) and (3) so far as you are able, to provide certain information about interests in, and activities on, the land.

2. THE LAND TO WHICH THE NOTICE RELATES

**Land at:
Flat 2
8A Randolph Crescent
Edinburgh
EH3 7TH**

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Alleged unauthorised change of use of the residential dwelling to short stay commercial visitor accommodation.

4. WHAT YOU ARE REQUIRED TO DO

You must provide in writing, the following information specified in the tabled section below.

Time within which the information must be provided: within twenty-one days, beginning with the day on which this notice is served on you; therefore, you must provide the information by **18 April 2023.**

Table for your responses

1. What is your full name, address and interest in the land? (i.e. owner / tenant / manager / mortgagee) Your response:
2. Provide the full names and addresses of any other person(s) with an interest in the land (e.g. mortgage provider, joint owner, tenant). Your response:
3. How many bedrooms does the property contain? Your response:
4. What is the maximum number of occupants which can be accommodated at one time? Your response:
5. How many days within a calendar month on average is the property used for short stay commercial visitor accommodation? Your response:
6. On which platforms is the property being advertised? (please provide a link for each platform or the headline description of the listing) Your response:

7. What is the minimum number of nights which occupants can stay at the property?

Your response:

8. Please can you confirm from what date did you start letting the property for short stay commercial visitor accommodation?

Your response:

9. Is the property serviced by third parties with regards to cleaning?

Your response:

10. On what floor of the property is the flat located?

Your response:

Signed:

Dated:

This information must be provided within twenty-one days, beginning with the day on which this notice is served on you.

5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO NOTICE

To make a representation in person, the case officer can be contacted at peter.martin@edinburgh.gov.uk, within 21 days to arrange a mutually convenient time to discuss the matter.

6. WARNING

It is an offence to fail, without reasonable excuse, to comply with any requirements of this notice within twenty-one days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of [£5,000]. Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of [£10,000].

7. ADDITIONAL INFORMATION

If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 127 of the Act, requiring the breach, or any injury to amenity caused by it, to be remedied.

If the Council serve a stop notice, under section 140 of the Act, section 143 (5) (b) of the Act provides that should you otherwise become entitled (under section 143) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice, or had you otherwise cooperated with the Council when responding to it

Signed:



Date of issue: 28 March 2023

**On behalf of:
Chief Planning Officer
Place
City of Edinburgh Council
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG**