

LICENSING COMMITTEE INFORMATION SHEET

11 January 2024

Public Application

TYPE OF APPLICATION: SHORT TERM LET LICENCE APPLICATION
NEW OPERATOR-SECONDARY LETTING

APPLICANT: BEO HOLDINGS LIMITED

PROPERTY MANAGER: GRAMPIAN LETTINGS LIMITED

ADDRESS: 14 HAZLEDENE DRIVE, ABERDEEN

INFORMATION NOTE

- Application Submitted 19/08/2023
- Determination Date 18/05/2024

This Short Term Let licence application is on the agenda of the Licensing Committee for the reason that 12 representations/objections were submitted to the Private Sector Housing Team.

If, after consideration of the representations/objections, the Committee is minded to grant the Short Term Let licence, it may do so since at the time of drafting this report, the necessary upgrading works and certification have been completed.

DESCRIPTION

The property at 14 Hazledene Drive, Aberdeen, is the subject of this new Short Term Let licence application and its accommodation comprises 3 bedrooms (one with an en-suite), bathroom, open plan lounge kitchen and dining area. The applicant wishes to accommodate a maximum of 6 guests, which is acceptable in terms of space and layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- Aberdeen City Council's Planning Team
- A public Notice of Short Term Let Application was displayed outside the building, alerting the public to the licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- Aberdeen City Council's Planning Team – no objections
- One objection from Kirsty Chapman (Attached as Appendix B)

- One objection Kenneth Massie & Karen Moir (Attached as Appendix C)
- One objection Gordon Park & Fiona Freeland (Attached as Appendix D)
- One objection Leigh-Ann Mckenzie (Attached as Appendix E)
- One objection Steven Scott (Attached as Appendix F)
- One objection Douglas Brown (Attached as Appendix G)
- One objection Damir Tadjiev & Muhayyo Bonazarova (Attached as Appendix H)
- One objection Professor Jie Sui (Attached as Appendix I)
- One objection Kevin Murdoch (Attached as Appendix J)
- One objection Stephanie McBride (Attached as Appendix K)
- One objection Charles & Hazel Smith (Attached as Appendix L)
- One objection Claire McDonald (Attached as Appendix M)
- Representation on behalf of the applicant BEO Holdings Limited (Attached as Appendix N)

The objections were received within the statutory time period therefore the Council must consider.

COMMITTEE GUIDELINES/POLICY

All applications for Short Term Let licences are dealt with in accordance with the Scottish Government's document:
[Short term lets - licensing scheme part 2: supplementary guidance for licensing authorities, letting agencies and platforms](#)

GROUNDS FOR REFUSAL

This application is being dealt with under the provisions of '[Civic Government \(Scotland\) Act 1982 \(Licensing of Short Term Lets\) Order 2022](#)' (the 2022 Order)

Available [grounds of refusal](#) are as follows:

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified under section 7(6) of this Act, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

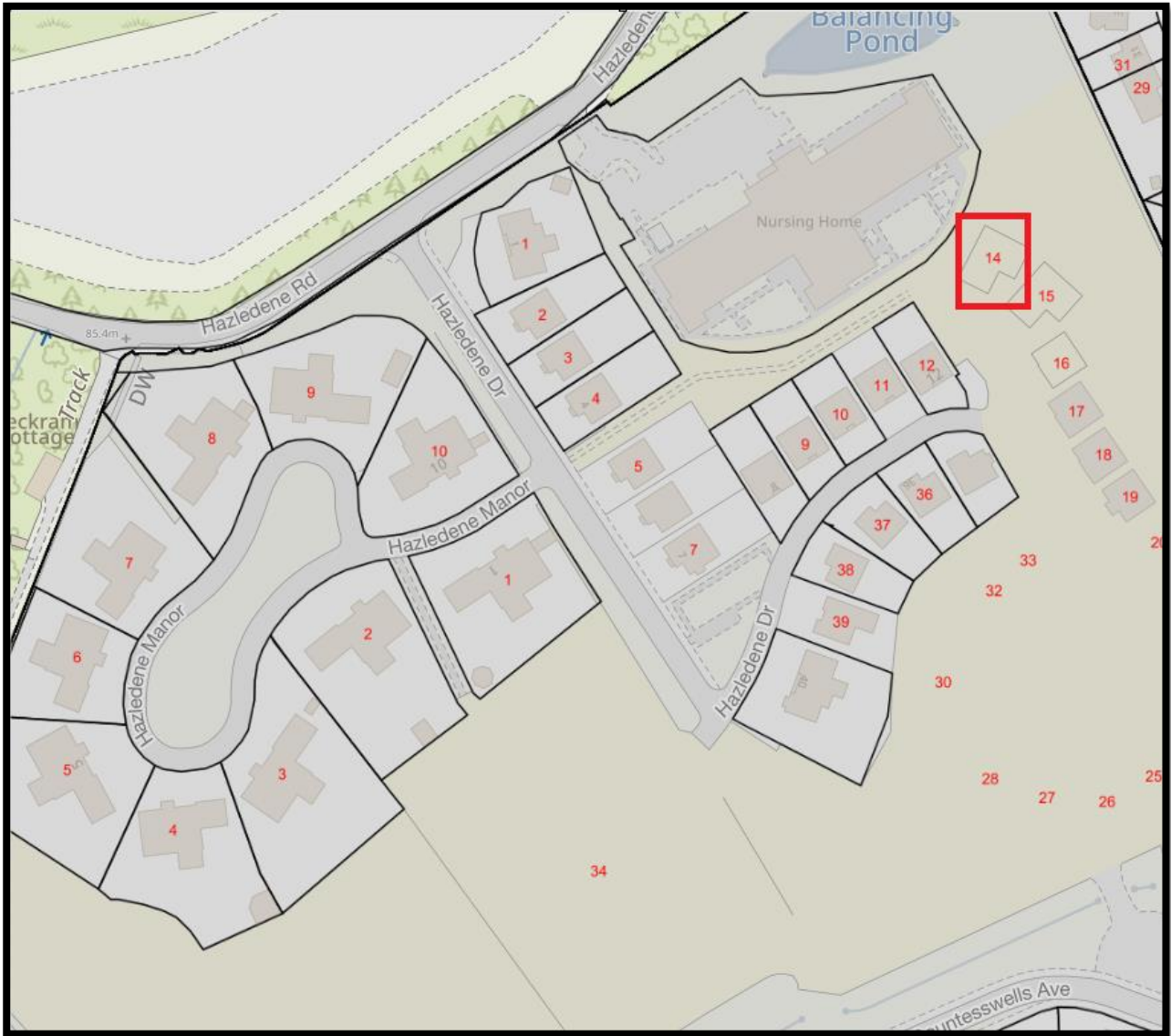
(v)public order or public safety; or

(d)there is other good reason for refusing the application;

OTHER CONSIDERATIONS

- Landlord Registration is not a requirement of Short Term Let licensing.
- All upgrading work required by the Private Sector Housing Officer, including certification, has been completed.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints in respect of 14 Hazledene Drive, Aberdeen.
- There are no Granted Short Term Let licenses on Hazledene Drive.
- The property is currently unlicensed. As the applicant is a new operator, the property cannot operate as a Short Term Let until the Licence application is determined.
- Information within the Deed of Conditions is not a ground for refusing a Short Term Let licence within the legislation. Licensing cannot be used to enforce other legal issues and that would have to be enforced via other means.

'A'



'B'

From: Kirstie Chapman [REDACTED]
Sent: Friday, September 15, 2023 8:40 PM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Hazledene Drive

To whom it may concern,

We have been made aware that two properties within our street have applied to Aberdeen city council for a short term let licence for each property (HSTL540545084 and HSTL540547209).

We would like to strongly formally object to both applications, we live in a community which comprises of family and elderly homes including a care home and to have a short term let immediately next to a care home would not be in keeping with the rest of the community.

Kind regards,

[REDACTED]

'C'

From: Ken Massie [REDACTED]
Sent: Saturday, September 16, 2023 10:25 AM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Objection to Application references HSTL540545084 and HSTL540547209

Properties at 14 & 15 Hazledene Drive Aberdeen

Dear Sirs

We write to object to the short term planning applications for the above properties at Hazledene Drive Aberdeen.

This section of the the development has been set as a home zone.

In the past we have personally experienced the issues surrounding properties that hold short term let status having a n impact on the people and houses around them.

We feel that short term let's would be detrimental to The 'Home Zone' that has been created by the developers and all that all the householders living here benefit from.

A point also required to be considered is that these houses are located next to a specialised Dementia care home which looks straight onto these properties.

We would be obliged if you can accept this email as a letter of objection and put forward for consideration when reviewing these applications

[REDACTED]

'D'

From: Gordon Park [REDACTED]
Sent: Sunday, September 17, 2023 9:02 AM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: REF: HSTL540545084

Dear Sir/Madam,

We write to express our objection to the application made by the owner of 14 Hazledene Drive, Aberdeen.

Ours reasons are stated below:

- We are of the opinion that this type of arrangement contravenes our deed of condition
- Having experienced this type of let previously, we have witnessed loud, rowdy parties where social media played a part in encouraging several attendees. It was also evident that alcohol and drugs were involved, as well as "ladies of the night" in attendance. This was also in a West End residence
- We feel that in todays world it is almost impossible to "vet" unknown potential renters as it is easy to obtain fake ID etc
- Another point of concern is that this bungalow is in very close proximity to a Care Home where residents are frail and vulnerable

Hazledene Drive, although a fairly new development, has already become a quiet, friendly, family location, where residents have purchased "forever homes" with hard earned money and are continuing to enhance their properties and the overall living environment. Hazledene Drive has become a desirable location and we wish that to continue. This is a peaceful, residential area, with no through road and we feel that short term letting is totally inappropriate for the area.

We sincerely hope that our aforementioned concerns and objection are taken extremely seriously.

[REDACTED]

[REDACTED]

'E'

From: Leigh-Ann McKenzie [REDACTED]
Sent: 19 September 2023 09:32
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Re: Application #HSTL540545084 & & HSTL540547209

My objection is for property #14 and the 15 Hazledene Drive, Aberdeen AB15 8AU

My reasons for objecting is as follows;

1. Community Cohesion; frequent turnaround can disrupt the sense of community with continual turnaround and coming and going.
2. Noise and Distraction; short term renters often lack a vested interest in maintaining a quiet and peaceful environment, increased noise levels and disturbance can decrease the overall quality of life for permanent residents.
3. Security Concerns; introducing higher security risks which lead to worry and safety concerns for permanent residents again lowering the quality of life and concerns for elderly people and children.
4. Property Value; this may become difficult for permanent residents to sell their properties in future or even decrease property values in the area.

Kind Regards
Leigh-Ann McKenzie

'F'

Aberdeen City Council
Private Sector Housing Team
HUB 11 Second Floor West
Marischal College
Broad Street
Aberdeen
AB10 1AB



Reference Short Term Let reference HSTLS40545084 and HSTLS40547209

Dear Sir/Madame

I would like to register my objection to the two short term let applications referenced above. My main concern is the properties are situated approximately 10 meters from the garden of Woodlands care home (see attached photographs). After 9pm you can here a pin drop in this neighbourhood, the reason many of us moved here.

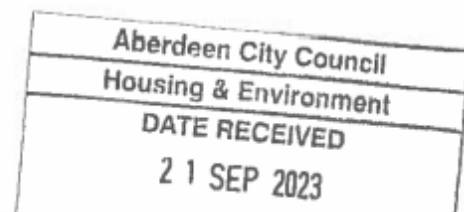
Having previously lived next to several short term let properties I know firsthand some of the issues they can bring to the neighbourhood, in general this could be described as anti-social behaviour such as noise and parking issues.

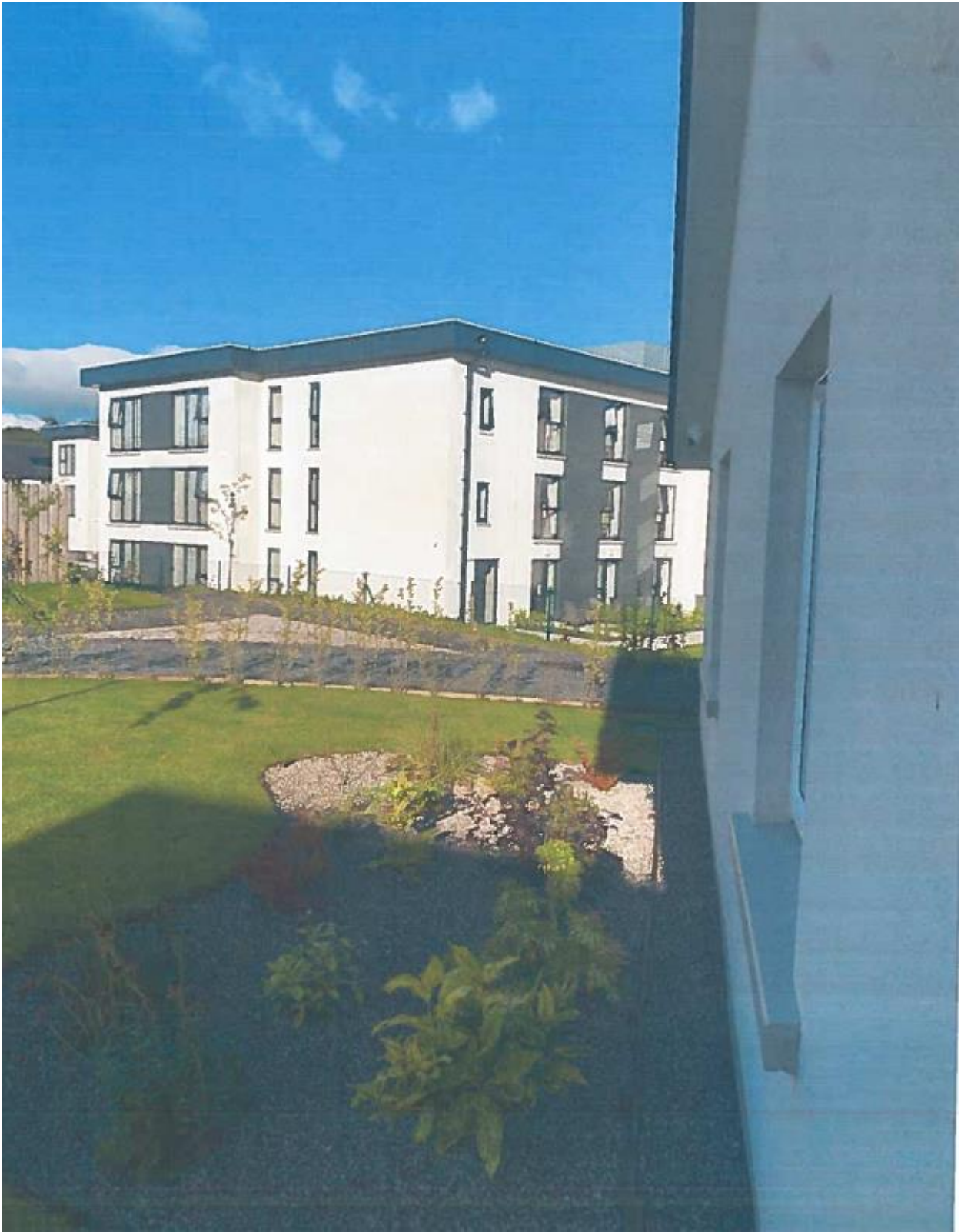
My main concern is the noise for all of us but in particular the impact for the care home residents.

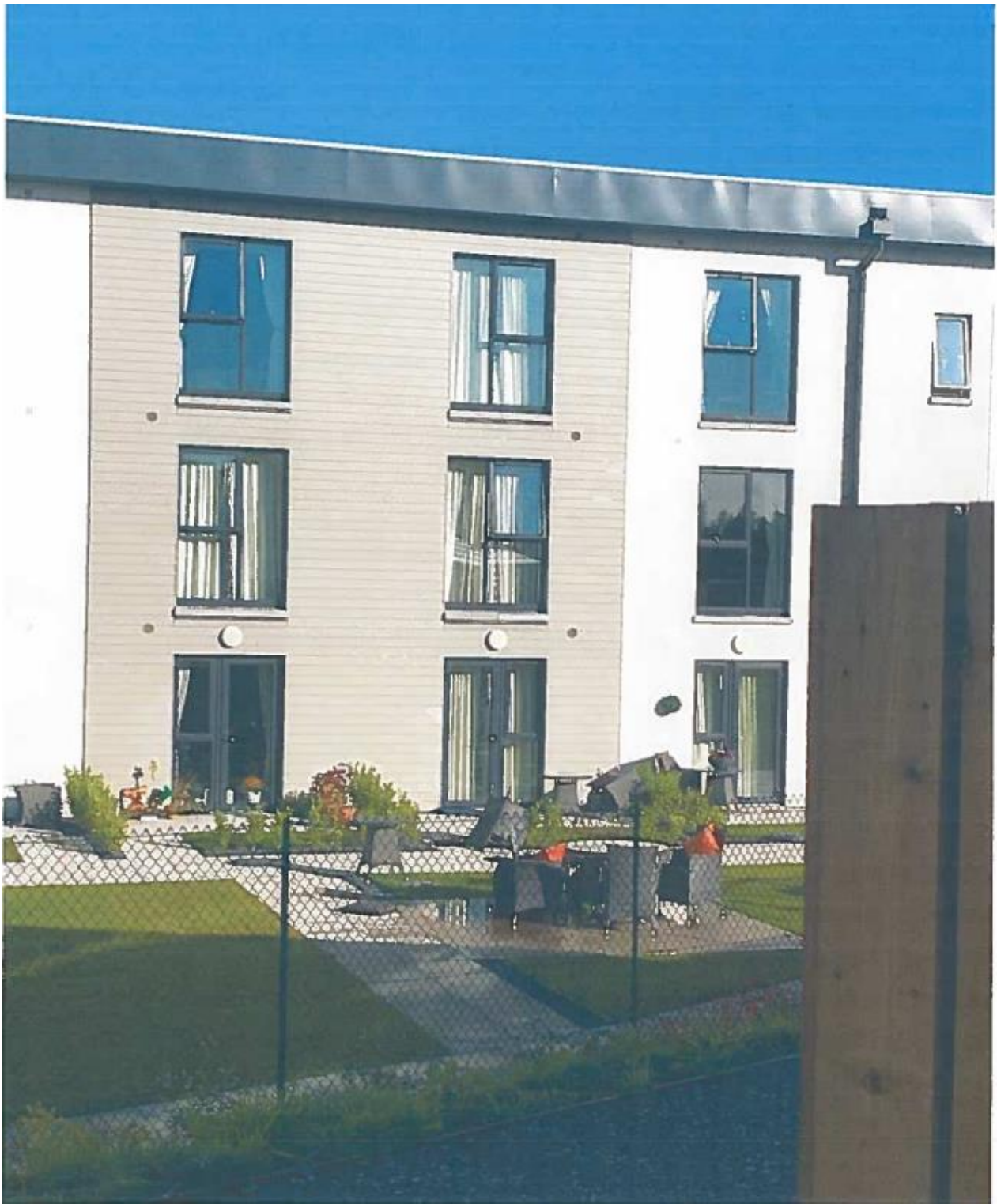
The owner of the two properties in question owns several more properties in our street which are on long terms lets and the tenants have fitted in well to this new community. Short term lets can attract a totally different clientele.

Hazledene is a designated HOME ZONE and is not suitable for Air B + B.

Yours Sincerely







'G'

24 September 2023



Aberdeen City Council
Private Sector Housing Team
Early Intervention & Community Empowerment
Hub 11
Second Floor West
Marischal College
Broad Street
Aberdeen AB10 1AB

Subject: **Objection to applications for Short Term Let Licence reference nos. HSTL540545084 and HSTL540540547209 (No. 14 and No.15 Hazledene Drive respectively.**

Dear Sirs,

It has come to my notice that the owner of Nos. 14 and 15 Hazledene Drive has applied for the subject Short Term Let Licences.

I wish to object strongly to the Short Term Let Licences on the amenity grounds set forth hereunder:

- Hazledene Drive is quiet, suburban residential area and unsuited to Short Term Lets akin to 'Air BnB'.
- The granting of the Short Term Lets Licences will significantly affect the character of the area and is at odds with a new housing estate developing a sense of community and becoming a 'socially sustainable place'. Buyers have moved to this area for peace.
- Short Terms Lets have a materially detrimental impact on the living conditions of close neighbours. Significant impact on neighbours include: An increase in anti-social behaviour, additional noise, disruption, intrusion by a frequent turnover of strangers, increase in 'comings and goings' and loss of community identity and cohesion. There will also be an impact on tidiness, bins, increase in traffic flow and parking.

Considering the foregoing and other factors, I would strongly urge Aberdeen City Council to reject the applications for these Short Term Let Licences.

Yours sincerely,

A black rectangular redaction box covering the signature area.

'H'

From: Damir Tadjiev [REDACTED]
Sent: Wednesday, September 27, 2023 12:49 PM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Re: Short term let Licence - Hazledene Drive Nos 14 and 15

Hello [REDACTED]

Please find below, as requested.

1. Addresses that we are objecting to, with regards to a short term let licence:

- 14 Hazledene Drive, Aberdeen AB15 8AU (application ref. HSTL540545084)
- 15 Hazledene Drive, Aberdeen AB15 8AU (application ref. HSTL540547209).

2. Reasons:

1. not keen to deal with the consequences of short term let, e.g. rowdy parties, "comings and goings" of a variety of service personnel etc. in our neighborhood.
2. these properties are originally meant to be used by elderly / retired people (single story bungalows)

3. Our contact details:

- [REDACTED]

Kind regards

Damir

“1”

From: Sui, Jie [REDACTED]
Sent: Tuesday, October 3, 2023 8:59 PM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Objections

Dear Sir/Madam

Objections to applications HSTL540545084 for 14 Hazledene Drive, HSTL540547209 for 15 Hazledene Drive

On behalf of my family, I am writing to strongly object to the above applications. We have enjoyed a lovely neighbourhood since we moved to our new home ([REDACTED]). However, we are now very much concerned about the safety and noises of the neighbourhood since we noticed the above applications.

From our past experiences, it is not uncommon that there are certain patterns of behaviours of residents living at short-term let properties, such as comings and goings and associated safety issues. Apparently, the owner of the above properties is aware of such possibilities but has installed several cameras around the properties, one of which faces our dining room. The property manager kindly showed us that it just records a corner of our garden rather than the dining room, but the camera keeps reminding us of the safety issues when we sat in the dining room. It is not something we would wish to have in this neighbourhood.

Yours sincerely

[REDACTED]

'J'

From: [REDACTED]
Sent: Thursday, October 5, 2023 7:14 AM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Notice - HSTL540545084 & HSTL540547209

Good morning

Ref - HSTL540545084 & HSTL540547209

I wish to object to the proposed use of private dwelling houses 14 and 15 Hazledene drive as short term let's on the following grounds-

There are already a number of properties in the street/development that are subject to types of letting. The purpose of the development was to create long term family homes and communities not more transients short term rental properties.

On your very own website page for short term letting there are contact details for dealing with anti social behaviour , the houses in question are in the direct vicinity of a care home are there assurances that short term let's won't increase the chance of unsociable behaviour, increased noise levels and disturb the residents of the care home or the development?

There are older/ retired occupants in the street that should not have to deal with the higher possibility of unsociable behaviour, this will already be a source of anxiety for some while they await the outcome and the arrival of the first guests.

People have paid significant costs to live in this area and are proud homeowners who look after their properties. It's highly unlikely that anyone in a short term let will be.

Granting the licence could/would have a detrimental effect on the development that retrospectively home owners will then have to deal with.

Regards

[REDACTED]

'K'

From: STEPHANIE [REDACTED]
Sent: Tuesday, October 10, 2023 1:31 PM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: HSTL540545084 rejection

I wish to object the application for short term lets at 14 & 15 Hazledene Drive AB15 8AU.

I assumed these bungalows would be bought and occupied by elderly/ retired couple in this quiet estate.

I live [REDACTED] with young family, baby, toddler and a dog and we liked this estate as it was a quiet cul d sac, not a through road with too many cars or passers, and with no pavements a safer place for family life children out playing.

Also we paid a premium with Dandara for this part of the estate for its executive quiet part of West End. The houses on this street are more expensive for the same house on the other side of the estate.

I would worry about the coming and goings of short term lease, change over of tennants, cleaners, etc, hen/stag parties, large groups of workers etc.

There isn't really car parking either so would end up with cars parked in front of our houses and blocking drive ways at the other side of the road.

It really would tarnish this quiet estate.

Regards

[REDACTED]



From: Charlie Smith [REDACTED]
Sent: Wednesday, October 11, 2023 1:58 AM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Objection to short term let licence application number HSTL540545084

Dear Sir/Madam.

I am writing on behalf of my wife and I to register our objection to the application for a short term let licence (reference HSTL540545084) at 14 Hazledene Drive, Aberdeen.

Short term lets such as this are often used by rowdy groups for stag/hen weekends, with the associated late night noise and disturbance being very undesirable in an otherwise entirely residential neighbourhood such as Hazledene Drive/Hazledene Manor. Furthermore, with an application also having been submitted by the same applicant for a licence for the neighbouring property at 15 Hazledene Drive (reference HSTL540547209), there is a high likelihood of both these two adjacent properties being let to a single, large group, thereby potentially significantly increasing the level of noise and disturbance to the adjacent properties and the neighbourhood in general.

It should also be noted that this property is a close neighbour to Woodlands Care Home. Any disturbance from this property would be very unwelcome to the elderly patients of the home.

Yours faithfully.

[REDACTED]

[REDACTED]

'M'

From: Claire McDonald [REDACTED]
Sent: Thursday, October 12, 2023 11:00 AM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Re: Application ref: HSTL540545084 & HSTL540547209

Good morning Jocelyn,

Apologies for the delayed response.

I, Claire McDonald [REDACTED] object to the below proposals - Short Term Let Licence:

- Application reference number HSTL540545084 No. 14 Hazledene Drive

AND

- Application reference number HSTL540547209 No. 15 Hazledene Drive

The reasons for my objection are as follows:

- This residential area is a family environment in which I believe do not align with the nature of short term let properties
- Having lived in rental accommodation before, I have experienced the comings and goings at all hours
- Noise pollution from parties, late nights typically enjoyed by short let tenants
- Bin collection is not frequent enough to accommodate short term lets

This location is simply not conducive to short term letting with many young families with children in the area.

Kind regards,

Claire McDonald
[REDACTED]

'N'

From: Anthony J. Dawson [REDACTED]
Sent: Wednesday, November 15, 2023 11:09 AM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: FW: BEO HOLDINGS LIMITED --SHORT TERM LET LICENSING APPLICATIONS FOR 14 AND 15 HAZLEDENE DRIVE ABERDEEN

Dear Sirs

I refer to your previous correspondence in relation to these 2 applications with Grampian Lettings Ltd and in particular to your letter of 24th October advising that the applications would not be heard on 12th December 2023 as previously advised.

Please note my firm's interest in this matter as law agents for the applicants Beo Holdings Limited and please copy us in also to all correspondence to their leasing agents Grampian Lettings Ltd.

I am not sure if the requirement contained in your letters of 18th September to provide you with a supporting letter by 17th November still stands in light of the Hearing of the 2 applications being deferred but my clients are happy to provide their comments on the application and objections lodged but strictly on the understanding that they will be able to provide additional information at any future Hearing and be entitled to make an oral submission on the day through our firm.

So far as the objections to these 2 applications are concerned, generally they seem to have a common theme that the applications will cause various types of nuisance and some make reference to Airbnb type rentals and "anti social behaviour, rowdy groups, late night noise and disturbance, stag/hen weekends, alcohol and drugs and ladies of the night".

As a point of fact they proceed on a completely false premise.

The applicant companies are experienced in the rental market, own several high end leased properties and have identified a significant gap in the market with high demand from Energy employers and Relocation Companies for quality properties available for relatively short term lets for families moving in to the area who do not want to stay in hotels whilst finalising house leasing or purchases. There is significant demand for putting such families in properties such as the 2 new build detached houses that are the subject of these applications. Applications would be vetted carefully by the leasing agents Grampian Lettings Ltd who are experienced in such lets and would be restricted to one family for each property as presumably is what happens in other parts of the same development. Minimum rental would be £400 per night with likely length of rental periods being measured in weeks not days although a minimum rental of 5 days will be required. It is anticipated that some of the families staying in these 2 houses will have children and want to settle their children in school as soon as they can and allow them to integrate in to the Aberdeen community.

In so far as the comments regarding disturbance to Woodlands Care Home is concerned, with each of the 2 properties only being occupied by one family unit and as such being the same as with other properties in the Hazledene Development, then I cannot see there is any merit whatsoever in that line of objection. Again as a matter of fact, the company owner resides in the same Hazledene development with his wife and children and certainly would not be making the applications if he foresaw them causing any problems being caused by the applications.

I would be grateful if you would acknowledge safe receipt of this email and confirm I will be able to address the committee in greater detail when the applications are being heard.

Many thanks

Tony Dawson
Consultant and former Senior Partner

[REDACTED]

