

# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House



**ABERDEEN**  
CITY COUNCIL

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	1 September 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982  
(Licensing of Houses in Multiple Occupation) Order 2000  
Application for the Grant of a Licence to Operate a House in Multiple  
Occupation (HMO) at No.24 Sunnyside Avenue, Aberdeen  
Applicant/s: Georgia Kassab  
Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 14 September 2011, for the reason that 3 letters of objection were received by the HMO Unit.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is a two-storey & basement house. Planning Permission was recently granted to extend the house to provide the following accommodation:

Basement: Kitchen/Dining/Family room

Ground floor: 3 Bedrooms, 2 Public rooms & 1 Bathroom

Upper floor: 2 Bedrooms & 1 Bathroom

The applicant's intention is to use the 2 public rooms as bedrooms, thereby creating a total of 7 letting bedrooms.

The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence application was received by the Council on 13 May 2011. The Certificate of Compliance submitted by the applicant declares that the Notice for Display was displayed between 11 May 2011 – 6 June 2011.

**Works / Certification Requirements:-**

The HMO Officer carried out an initial inspection, then he wrote to the applicant on 8 June 2011, listing upgrading work and certification requirements to bring the property up to the current HMO standard. At the date of this memo, all requirements have not been met, although this is not the reason for referral to the Licensing Committee.

**Letters of objection:-**

3 letters of objection were received by the HMO Unit within the statutory Notice period, and are therefore competent. The letters are attached as appendixes B1, B2 & B3.

**Other considerations:-**

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of No.24 Sunnyside Avenue, Aberdeen.
- The applicant and her property are not registered with the Landlord Registration database. The applicant must therefore register prior to letting the property.
- The applicant has requested an occupancy of 7 persons, which is acceptable to the HMO Unit in terms of space and layout. However, following intervention from a Council Planning Inspector advising the applicant that Planning Permission Change of Use was also required, the applicant advised that she now wished to accommodate 5 persons, although she requested that the HMO Licence be granted for a maximum occupancy of 7 persons so as to allow her the option of applying for Planning Permission Change of Use at some time in the future. The correspondence is attached as appendix C.1.

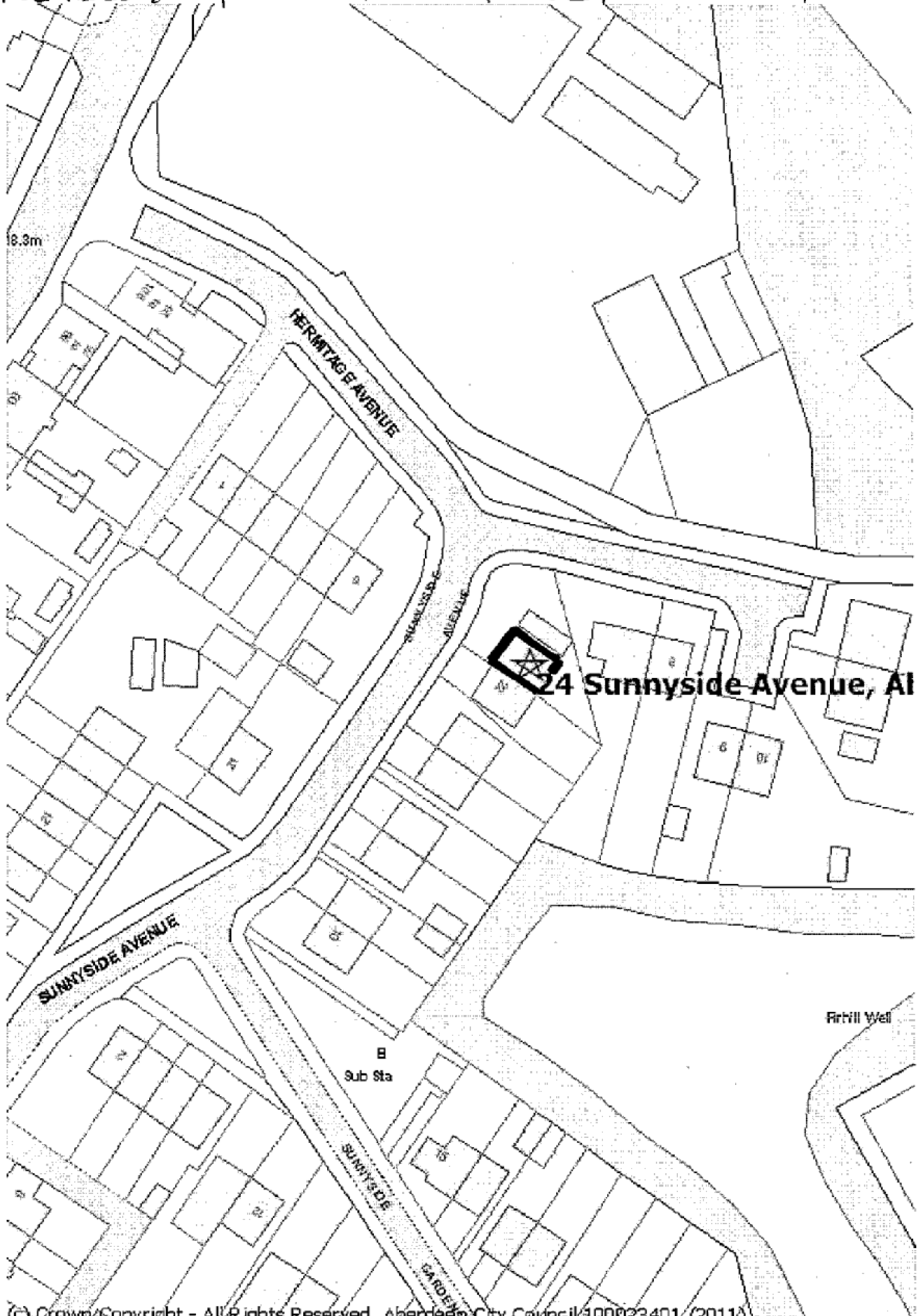
I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

**Ally Thain**

Private Sector Housing Manager

A

TITLE: APPLICATION FOR HMO LICENCE  
PREMISES: 24 SUNNYSIDE AVENUE, ABERDEEN



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B.1

27, MAY 2011

H.M.O. UNIT  
NEIGHBOURHOOD SERVICES (SOUTH AREA)  
4TH FLOOR  
ST NICHOLAS HOUSE  
BROAD STREET  
ABERDEEN  
AB10 1 BX

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	31 MAY 2011
Date Logged on Flare	

OBJECTION TO APPLICATION FOR MULTI OCCUPATION LICENCE AT 24 SUNNYSIDE AVENUE, ABERDEEN

DEAR SIR,

I RESIDE AT THE ABOVE ADDRESS WHICH IS A SEMI DETACHED HOUSE.

THE HOUSE AT 24 WAS SOLD ABOUT A YEAR AGO AND WAS BOUGHT BY A FEMALE WHO LIVES IN LONDON AND ALSO OWNS OTHER PROPERTIES IN ABERDEEN WHICH ARE LET OUT TO STUDENTS.

THE OWNER OF NUMBER 24 APPLIED TO THE COUNCIL TO DEMOLISH THE DETACHED GARAGE AND BUILD AN EXTENSION TO THE HOUSE OVER THE SITE OF THE GARAGE.

BY BUILDING THE EXTENSION SHE HAS MADE THREE DOUBLE BEDROOMS AND SHE HAS ALSO MADE THE TWO PUBLIC ROOMS ON THE GROUND FLOOR INTO ANOTHER TWO DOUBLE BEDROOMS. SHE HAS REBUILT THE PRESENT KITCHEN INTO THE BASEMENT AT THE FRONT OF THE HOUSE WHERE IT IS UNDERGROUND AND THEREFOR NO WINDOW. SHE HAS MADE THE ...

PRESENT KITCHEN INTO A BATHROOM WITH THE BACK DOOR BLOCKED UP. ALONG WITH THE TWO BEDROOMS AND BATHROOMS ON THE UPPER FLOOR THIS MEANS THAT THERE ARE 7 DOUBLE BEDROOMS. THERE IS ONLY TWO BATHROOMS FOR A POSSIBLE 14 RESIDENTS. THIS, IN MY MIND IS TOTALLY UNSUITABLE. THERE IS ONE COMMON ROOM IN THE UNDERGROUND BASEMENT WITH A PATIO DOOR LEADING OUT TO A FLIGHT OF STAIRS UP TO GROUND LEVEL. THIS WOULD BE THE ONLY ESCAPE APART FROM THE FRONT DOOR. SHOULD THERE BE A FIRE, COULD ALL 14 RESIDENTS ESCAPE UNHURT?

SECONDLY, THERE COULD BE PROBLEMS SHOULD ALL 14 RESIDENTS OWN CARS. THERE IS A RESIDENTS PARKING SCHEME COMING INTO FORCE ON 1ST SEPTEMBER 2011 AND EACH HOUSE WILL ONLY GET TWO PERMITS. ONE PERMIT FOR A SPECIFIC VEHICLE AND THE SECOND PERMIT FOR ANY VEHICLE

THE OWNER HAS APPLIED FOR A LICENCE FOR MULTIPLE OCCUPATION. I OBJECT TO THIS AS WHEN I BOUGHT OUR HOUSE [REDACTED] ALL THE HOUSES WERE RESIDENTIAL. THE PROPERTY AT 24 IS MORE OR LESS BECOMING A "HOSTEL" FOR 14 INDIVIDUALS HAVING TO SHARE A BEDROOM AND ONLY HAVE ONE COMMON ROOM IN THE UNDERGROUND BASEMENT. WITH THE OWNER LIVING IN LONDON IT WOULD BE DIFFICULT TO CONTACT HER IN CASE OF ANY COMPLAINT REGARDING EITHER PROPERTY OR THE RESIDENTS.

THIS PROPERTY IS BEING RUN AS A BUSINESS IN THE MIDDLE OF A RESIDENTIAL AREA.

B.1

I WOULD HOPE THAT THE ABOVE POINTS  
BE CONSIDERED AND THAT THE APPLICATION FOR  
THE LICENCE BE REVOKED

YOURS FAITHFULLY



(JOHN B. REED)

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received	1 JUN 2011
Date Logged on File	

[REDACTED]  
[REDACTED]  
[REDACTED]  
28 May, 2011

H. M. O UNIT  
NEIGHBOURHOOD SERVICES,  
ST NICHOLAS HOUSE  
BROAD ST.,  
ABERDEEN  
AB10 1BX.

B.2

OBJECTION TO APPLICATION FOR MULTIPLE  
OCCUPATION LICENCE AT 24 SUNNYSIDE AVE.,  
ABERDEEN.

Dear Sir,

I reside at [REDACTED]  
[REDACTED]. When  
the owner of the above property applied for Planning  
permission for an extension and also to excavate  
the cellar to create more living space I  
objected at that point, formally in writing, to  
what was clearly a multi-occupancy conversion. I  
also objected at that point to the further pressure

it would place on parking in what is already a very congested and busy area.

I wish to object most strongly to this application for multi-occupancy as it creates what is in effect a student hostel in a very established and mature residential area. It will have a major impact on the neighbourhood and with 7 double bedrooms and a possible total of 14 residents will be totally and significantly out of keeping with surrounding properties. Have all Health and Safety




issues been considered? If the property is being operated essentially as a hostel the very likely absence of the owner/proprietor will mean that residents will have no immediate contact if there are problems with the property or those residing there.

In summary I wish to object to this application on the grounds that it is totally out of keeping with neighbouring properties, will place further strain on an already almost impossible parking situation and would seem to have significant Health and Safety



implications. Furthermore the potential for pressure<sup>B.I.</sup>  
on services such as waste disposal (how many  
wheeled bins etc) and for increased noise levels  
will also be significant factors. I urge that  
this application be refused.

Yours faithfully

  
Mrs ELIZABETH WILKINS  
  


B.3

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	1 JUN 2011
Date Logged on Flare	

[REDACTED]

28<sup>th</sup> May 2011

HMO Unit  
Neighbourhood Services (South Area)  
4<sup>th</sup> Floor  
St Nicholas House  
Broad Street  
Aberdeen  
AB10 1BX

Dear Sirs

**24 Sunnyside Avenue Aberdeen AB24 3LY**

I have read your notice outside 24 Sunnyside Avenue regarding having any objections to multiple occupancy.

I would like to state my objections as under noted:

- (1) When we purchased our house this was a residential area and people are now proposing to build what could be classed as a small tenement. The builders informing me that there are going to be 7 double bedrooms accommodating 14 people.
- (2) Obviously this going to cause excessive noise for the people at number 22. This makes me wonder which house next will be granted permission to do this and I would point out from experience these houses are not sound proofed enough for that amount of people to live their daily lives.
- (3) Also there is a massive problem with the amount of cars in this street due largely to the amount of houses already let out. Resident parking is now being introduced and also parking meters so if all the people have cars who are going to move into number 24 it is going to make the position of finding a parking space impossible.

This area is already a disgrace with unkept gardens, windows with curtains hanging off, rubbish lying about and making it more like a university campus than a residential area and to consider giving permission to alter houses to allow such a large occupancy is ridiculous.

More thought needs to be given before handing out permission to convert semi-detached houses into mini tenements for multiple occupancy

Your comments would be appreciated.

[Redacted signature]

Yours faithfully

[Redacted signature]

Roland Cheyne

Our Ref. GB-P101408  
Your Ref.  
Contact Gavin Bruce  
Email pi@aberdeencity.gov.uk  
Direct Dial (01224) 522171  
Direct Fax (01224) 636181



**ABERDEEN**  
CITY COUNCIL

14<sup>th</sup> July 2011

Mrs Georgia Kassab  
[REDACTED]

Planning & Sustainable Development  
**Enterprise, Planning and  
Infrastructure**  
Aberdeen City Council  
8th floor  
St Nicholas House  
Broad Street  
Aberdeen AB10 1GY

Tel 01224 523470  
Fax 01224636181  
Minicom 01224 522381  
DX 529452, Aberdeen 9  
www.aberdeencity.gov.uk

Dear Madam:

**Use of House for Multiple Occupation  
24 Sunnyside Avenue, Aberdeen**

It has recently been brought to my attention that you have recently applied for an HMO licence for the house at 24 Sunnyside Avenue, Aberdeen. If it is your intention to operate a house of multiple occupancy from this address as indicated in the HMO licence application then planning permission for a change of use of the house will be required. I would therefore request that if this is your intention you should submit a planning application for a change of use of 24 Sunnyside Avenue, Aberdeen.

I understand that alterations are taking place at present to extend the house under planning permission ref no. P101408 that was granted planning permission in November 2010 and that the house is presently vacant. The house should not be occupied and used as a HMO prior to gaining all appropriate consents.

Please contact me if you require further assistance regarding this matter.

Yours faithfully

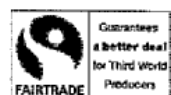
**Gavin Bruce**  
Planning Inspector

cc Ally Thain, Private Sector Housing Manager, Private Sector Housing Unit,  
Housing & Environment

GORDON McINTOSH  
DIRECTOR



**AGE POSITIVE**  
scotland



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C.1 (cont)

[REDACTED]

22.7.11

REG: 24 Sunnyside Ave, AB24 3LY

Dear Mr Gavin Bruce

Thank you for your letter dated 14.7.11 regarding applying for a change of use for 24 Sunnyside Ave . I have decided to let out the property for the coming year to only 5 individuals. I spoke to Gary from planning as I believe you were on annual leave. I discussed the issue with him and he informed me that change of use is not needed if the property is to be tenanted by only 5 individuals. I have also spoken to Ally Thain in the HMO department who is also dealing with my case. He is happy for me to proceed applying for an HMO for 7 people but only letting the property to 5 individuals, therefore complying with planning regulations. If and when I wish to increase the amount of tenants to 6 or 7 then I will apply to the Planning Department for a change of use. I shall copy this letter to Alley Thane, so there are no misunderstandings and to make sure I am acting within Aberdeen City Council guidelines/procedures.

Please do not hesitate to contact me if you have any queries. My contact number is 0207 2498315.

Thank you again,

Yours faithfully

[REDACTED]

G Kassab.