

ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management
DATE	15 May 2024
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Aberdeen Planning Guidance: Short-term Lets
REPORT NUMBER	CR&E/24/143
DIRECTOR	Gale Beattie
CHIEF OFFICER	David Dunne
REPORT AUTHOR	Abigail Burrows / David Berry
TERMS OF REFERENCE	5

1. PURPOSE OF REPORT

- 1.1 This report updates Members on a recent period of public consultation on draft Aberdeen Planning Guidance covering the topic of Short-term Lets. It presents a summary of the comments received during the public consultation along with officer responses to the consultation comments and modifications that are proposed following the consultation. The report seek approval to adopt the final Aberdeen Planning Guidance: Short-term Lets as non-statutory planning advice to support the Local Development Plan 2023.

2. RECOMMENDATIONS

That the Committee:-

- 2.1 Note the comments received during the recent public consultation on the draft Aberdeen Planning Guidance on Short-term Lets and approve officers' responses to the consultation comments, as outlined in Appendix 1; and
- 2.2 Agree the final Aberdeen Planning Guidance: Short-term Lets, as set out in Appendix 2, and approve its adoption as non-statutory planning advice to support the Local Development Plan 2023.

3. CURRENT SITUATION

- 3.1 Members will recall that the new Local Development Plan 2023 was formally adopted in June 2023. The Local Development Plan focuses on the vision, spatial strategy and key policies and proposals for the future development of Aberdeen.
- 3.2 The Council can also adopt additional supporting guidance in connection with the Local Development Plan and this can be used to provide more detail on how its policies and proposals will be implemented. Appendix 4 of the Local Development Plan outlines the Aberdeen Planning Guidance that is expected to be produced. The majority of this guidance was adopted in late 2023 (see Council Report COM/23/303).

- 3.3 At this Committee on 18 January 2024, an additional draft Aberdeen Planning Guidance document covering the topic of Short-term Lets was approved for consultation (report PLA/24/013). The draft Aberdeen Planning Guidance aimed to provide clarification on the factors that the Council will consider when determining whether or not a proposed short-term let will require planning permission, as well as the issues that will be taken into account when determining any planning applications for short-term lets.
- 3.4 The public consultation on the draft Aberdeen Planning Guidance on Short-term Lets ran for a period of six weeks from Friday 26 January to Friday 8 March 2024. The consultation was publicised using the following methods:
- Publication of the draft document and consultation survey on the Council's online 'Consultation Hub'
<https://consultation.aberdeencity.gov.uk/planning/short-term-lets/>
 - A hard copy of the consultation document was made available for review at Marischal College Customer Service Centre during normal opening hours.
 - Social media posts on Facebook and X (formerly Twitter) from Aberdeen City Council and Local Development Plan social media accounts during the consultation process.
 - Notification by email to statutory consultees, Community Councils and other interested organisations.
 - Notification to individuals, organisations and businesses signed up to the Local Development Plan Newsletter.
- 3.5 A total of 19 responses were received to the public consultation. This level of response was in line with expectations given the specialist nature of the contents of the draft guidance. The responses were from a range of individuals, organisations and businesses. Responses reflected a mix of views, with some expressing a preference for stronger regulation of short-term lets and others preferring less regulation.
- 3.6 Appendix 1 presents a summary of the responses received. It also sets out officer responses to the consultation comments and, where necessary, outlines proposed changes to the draft Aberdeen Planning Guidance – a “you said, we did” approach to consultation feedback. One key amendment is proposed to the draft guidance following the public consultation. This involves adding additional text to identify that existing Houses in Multiple Occupation (HMOs) within the same building will be taken into account when assessing the cumulative impact of short-term let proposals within tenement buildings and blocks of flats. Minor technical changes have also been made to reflect the most recent planning legislation on short-term lets and the latest position with respect to waste management and collection.
- 3.7 The proposed final Short-term Lets Aberdeen Planning Guidance is attached at Appendix 2. The document is intended to help applicants, planning officers

and other stakeholders and to ensure a consistent approach to decision making on short-term lets.

- 3.8 Subject to Member approval, the final Aberdeen Planning Guidance document will be enhanced visually and published on the Council’s website. It will be formally adopted as non-statutory planning advice to support the Local Development Plan 2023, and it will thereafter become a material consideration in the determination of planning applications for short-term lets.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications associated with this report. The cost of preparing the Aberdeen Planning Guidance document has been met through existing budgets.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from this report. The proposed Aberdeen Planning Guidance will be a material consideration to inform decisions on future planning applications in Aberdeen. As a major landowner in the city, proposals for the development of land and assets owned by Aberdeen City Council will, where applicable, be subject to assessment in line with the principles and standards set out in the Aberdeen Planning Guidance.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 The draft Aberdeen Planning Guidance was subject to a Strategic Environmental Assessment (SEA) pre-screening process in accordance with relevant legislation. The SEA Gateway did not raise any concerns about the pre-screening process. As such, there is no requirement for a Strategic Environmental Assessment.

- 6.2 A Habitats Regulations Appraisal (HRA) is not required as the APG does not specifically recommend any actions or projects.

7. RISK

The assessment of risk contained within the table below is considered to be consistent with the Council’s Risk Appetite Statement.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	Not delivering the aims of the City Centre Masterplan	Ensure that a final version of the guidance is adopted timeously.	L	Yes

	and Local Development Plan relating to the future of Aberdeen.			
Compliance	Ensuring compliance with National Planning Framework 4.	Ensure that a final version of the guidance is adopted timeously.	L	Yes
Operational	By not providing guidance officers could, over time, provide inconsistent advice.	The proposed guidance provides clarity, consistency and certainly in terms of assessment of planning applications.	L	Yes
Financial	Not having timeously published and adopted supporting guidance for the new Local Development Plan could lead to uncertainty at planning application stage and potentially lead to more staff time being spent processing applications.	The proposed guidance should reduce the number of queries and provide clarity, consistency and certainly in terms of assessment of planning applications.	L	Yes
Reputational	Not providing guidance opens the possibility of inconsistency in decision making and misinformation in the public domain.	The proposed guidance sets parameters for the assessment of planning applications for short-term lets.	L	Yes
Environment / Climate	Ensuring that planning	SEA Pre-Screening has been undertaken	L	Yes

	frameworks take into consideration the relevant environmental and climate change legislation at the point of their development and production.	in line with relevant legislation.		
--	--	------------------------------------	--	--

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2022-2023</u>	
	Impact of Report
Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u>	The proposals within this report support the delivery of the following aspects of the policy statement:- <ul style="list-style-type: none"> • A vibrant city - making our city a better place for people to live, work, raise a family and visit.
Prosperous Economy Stretch Outcomes	The Short-term Lets APG will help to support the achievement of stretch outcome 2, through supporting the local labour market.
Prosperous People Stretch Outcomes	The Short-term Lets APG will help to support the achievement of stretch outcome 14 by promoting short-term lets in locations that are accessible by sustainable modes of transport.
Regional and City Strategies	<u>City Strategies and Strategic Plans</u> The Short-term Lets APG will support the Aberdeen Local Development Plan 2023 through providing more information on the content of the Plan. It will ensure Aberdeen is an excellent place to live, visit and do business.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Stage 1 and 2 assessment has been completed and no medium or high negative impacts have been identified that would require mitigation.
Data Protection Impact Assessment	Not required.
Other	Not required.

10. BACKGROUND PAPERS

- 10.1 [Aberdeen Local Development Plan 2023](#)
- 10.2 [Full Council Report COM/23/303: Aberdeen Local Development Plan 2023 – Proposed Aberdeen Planning Guidance and Supplementary Guidance \(as approved 03 November 2023\)](#)
- 10.3 [Planning Development Management Committee Council Report PLA/24/013 - Draft Aberdeen Planning Guidance: Short-term Lets \(as approved 18 January 2024\)](#)

11. APPENDICES

- 11.1 Appendix 1 – Summary of responses received and officer responses
- 11.2 Appendix 2 – Aberdeen Planning Guidance: Short-term Lets

12. REPORT AUTHOR CONTACT DETAILS

Name	Abigail Burrows / David Berry
Title	Planning Trainee / Senior Planner
Email Address	aburrows@aberdeencity.gov.uk dberry@aberdeencity.gov.uk
Tel	01224 045025 / 01224 045804