

LICENSING COMMITTEE INFORMATION SHEET

05 June 2024

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: DEVENDER NARULA

AGENT: NONE

ADDRESS: 19 PRIMROSEHILL GARDENS, ABERDEEN

INFORMATION NOTE

- Application Submitted 17/04/2024
- Determination Date 16/04/2025

This HMO licence application is on the agenda of the Licensing Committee for the reason that 1 representation/objection letter was submitted to the HMO Team.

If, after consideration of the representation/objection, the Committee is minded to grant the HMO licence, it may do so under delegated powers since at the time of drafting this report, the necessary upgrading works and certification have not been completed. I will advise Members during the Committee if that position has changed.

DESCRIPTION

The property at 19 Primrosehill Gardens, Aberdeen, is the subject of this new HMO licence application and its accommodation is a semi-detached house comprising on the ground floor, 2 letting bedrooms, lounge, kitchen and bathroom, with 2 letting bedrooms on upper floor. The applicant wishes to accommodate a maximum of 3 tenants, which is acceptable to the HMO Unit 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
- A public Notice of HMO Application was displayed outside the building, alerting the public to the HMO licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- One objection email from Lisbeth-Anne McLaughlin (Attached as Appendix B)
- One representation email from Devender Narula (Attached as Appendix C)

The objection was received within the statutory time period therefore the Council must consider.

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:

['Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'](#)

GROUNDINGS FOR REFUSAL

This application is being dealt with under the provisions of [Part 5 of the Housing \(Scotland\) Act 2006](#), as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality

OTHER CONSIDERATIONS

- The applicant is as a landlord with this Council however their registration does not include 19 Primrosehill Gardens.
- The Council's Community Safety Team has one record of complaint regarding the positioning of CCTV at No.19 Primrosehill Gardens from April 2021.
- All upgrading work required by the HMO Officer, including certification, has not yet been completed.
- There are currently no HMO licensed properties at Primrosehill Gardens or Primrosehill Drive, Aberdeen.
- The property is currently unlicensed and the application under consideration is a new application.

- The objection mentions car parking. Members may wish to note that car parking is not a consideration of HMO Licensing it is not specifically mentioned in the Statutory Guidance.

'A'





From: Devender Narula
Sent: Wednesday, May 8, 2024 3:13 PM
To: HMOUnit <HMOUnit@aberdeencity.gov.uk>
Subject: Re: HMO Licence Application - 19 Primrosehill Gardens

Hi Rachel

Q. The property is a three-bedroom semi-detached family home.

Ans: Yes, the property is a three-bedroom home, which is why we are applying for three people to live in it together. I believe all areas in Aberdeen are family-friendly, and since they will be leaving their families to come to Aberdeen, it would be nice for them to live in this area and not feel homesick, thus bringing a positive energy to the area.

Q. The property is situated next to a currently licensed HMO - 17 Primrosehill Gardens, which has been empty for nearly a year.

Ans: I spoke to the owner of 17 Primrosehill Gardens, and for the past year, he has been trying to give it to a family but has been unsuccessful. That's why it has been left empty. However, he is now planning to let it to students again since the property is very close to the University and hospital, making it ideal for students and professionals like yourself.

Q. The property is in a residential area occupied mainly by the elderly.

Ans: I believe it's a mix; there are a few HMOs, a few elderly residents, and a few families living there. I think my tenants will bring positive vibes to the environment.

Q. In addition to the property at 17 Primrosehill Gardens, a further property at 36 Primrosehill Drive is also an HMO, which would mean three HMO properties within a short distance of one another.

Ans: 36 Primrosehill Drive is on a different street and a bit far from this property. As for the only other HMO, I already explained the situation: they tried to let it to a family, but it remained empty for some time. Now, as it has an HMO license, three students are moving into the property soon. They are medical students at the University of Aberdeen.

Q. Parking would also be a problem.

Ans: There is plenty of space on the street to park cars. Fortunately, there is a park in front of the house and not another row of houses. Additionally, I am providing a garage with this property where two cars can park vertically. I also have a drive-through where two extra cars can park comfortably. Therefore, I can include this condition in the lease that my tenants should park their cars in the garage or drive-through.

Please, if you have any other concerns, let me know, and I will be happy to address them. I also want my tenants to become positive contributors to society and become part of this area.

Regards

Devender

