

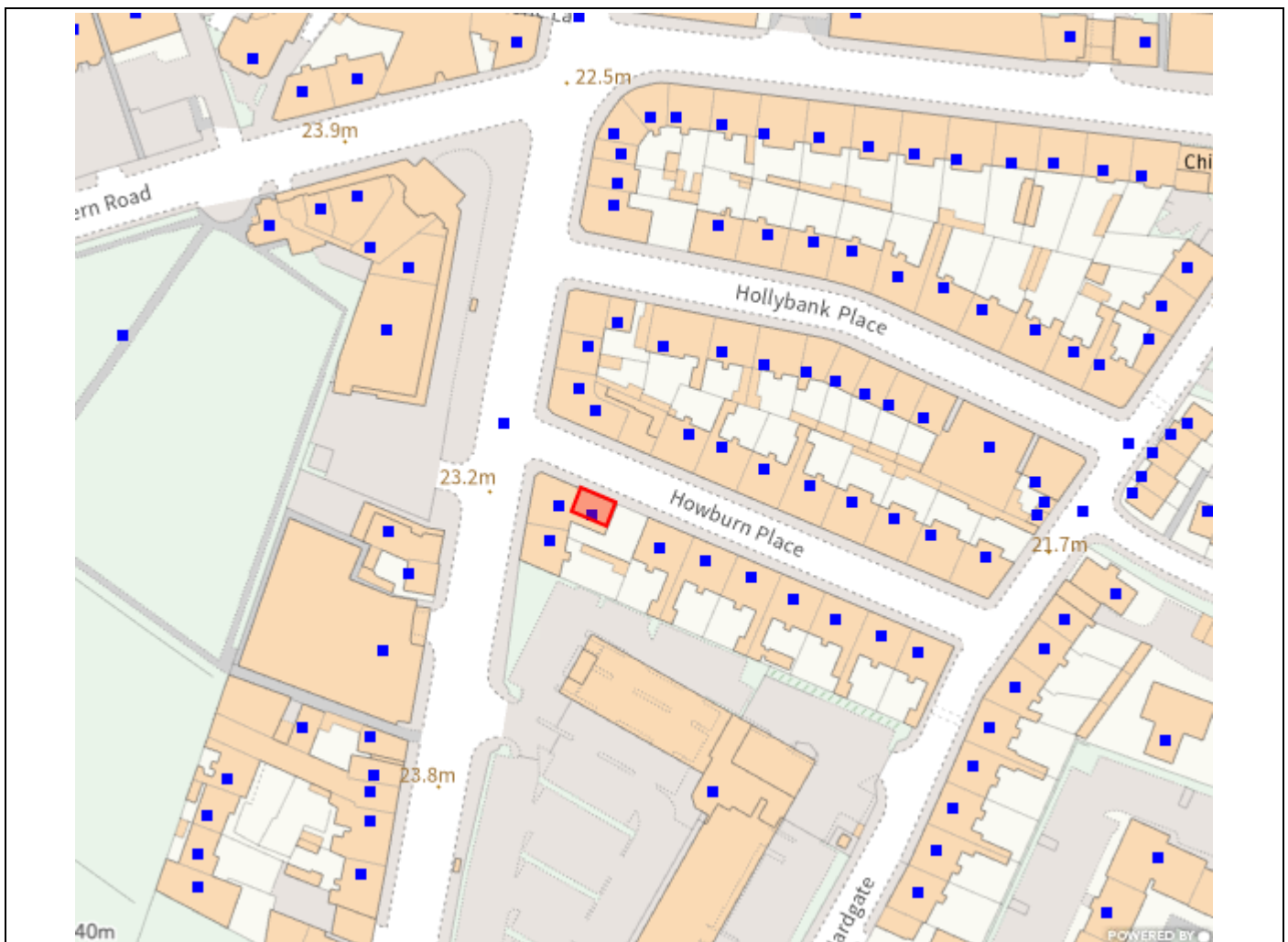


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 22 August 2024**

<b>Site Address:</b>	Second Floor Right, 6 Howburn Place, Aberdeen, AB11 6XX
<b>Application Description:</b>	Change of use of flat to short term let accommodation with maximum occupancy of 2 people
<b>Application Ref:</b>	240743/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	18 June 2024
<b>Applicant:</b>	Avalon Real Estates Ltd.
<b>Ward:</b>	Torry/Ferryhill
<b>Community Council:</b>	Ferryhill And Ruthrieston



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## **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The application site comprises a second floor residential flat within a four-storey granite tenement block in the Holburn Street Neighbourhood Centre. It comprises one bedroom, a kitchen/living room, a bathroom and a hallway.

The ground floor of the building is in Class 1A use as a dentist and a residential flat, 4 Howburn Place, which are accessed separately. The upper storey comprises a block of nine residential flats, with three on each floor. They are accessed from a communal entrance door on Howburn Place. A review of the Short Term Let and Houses in Multiple Occupation Registers demonstrates that there are no other properties in either STL or HMO use and thus all properties in the block are understood to be in mainstream residential use. A shared garden is located to the side and rear.

### **Relevant Planning History**

None.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Detailed Planning Permission is sought for the proposed change of use of the property from a mainstream residential flat to short term let accommodation with a maximum occupancy of two people at any given time. The property would be cleaned after each stay by a professional cleaning company. Waste storage arrangements have, however, not been specified.

### **Amendments**

None.

### **Supporting Documents**

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SF7Q67BZGRP00>

- Short Term Let Planning Checklist

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because the application is being recommended for approval and has been the subject of six or more timeous letters of representation that express objection or concern about the proposal.

## **CONSULTATIONS**

**ACC - Roads Development Management Team** – No objection – The site is in the Inner City Parking Zone and is in Controlled Parking Zone (CPZ) H. As this is in a CPZ, there are existing parking controls which would limit any obstructive or indiscriminate parking. The site is accessible by walking, cycling and public transportation. Properties and businesses in this CPZ are entitled to

apply for two parking permits. Business bins are not permitted to be stored on the street outwith collection times. The applicant should ensure that they have the correct permits, should this be classified as a business.

**ACC - Waste and Recycling** – No objection – The development is classified as commercial and therefore would receive a business waste collection. Current bins should be used until commercial status can be determined. General advice regarding business waste requirements has been provided.

**Ferryhill and Ruthrieston Community Council** – No response received.

## **REPRESENTATIONS**

Six representations, all of which are objections, have been received. The matters raised relate to:

- Noise and disruption from comings and goings from different people. It is noted there is no specific soundproofing because of the age of the building.
- The impact of safety, security and sense of security as a result of strangers accessing the building and it being turned into what is considered a hotel lobby. It is noted that the building is currently safe and quiet and the neighbours know each other. Concerns relating to women's safety have also been raised in this regard.
- The impact on on-street parking provision.
- There is suitable short term let accommodation across the street and therefore the proposal is unnecessary.
- Concern with respect to litter.
- Concern regarding the type of people that would use the flat and for what purpose, including illegal activity.
- Concerns with respect to drunken disorder, noting the proximity of a nearby licenses premises, the Hawthorn Bar, and resultant fire risk.
- Concerns with respect to the maintenance of communal repairs/cost sharing.
- The proposal would not benefit either the property or the other residents.
- A key box has been installed prior to planning permission being granted.

Matters have been raised relating to the ability of the saleability of a neighbouring flat and the impact on insurance, which are not material planning considerations.

## **MATERIAL CONSIDERATIONS**

### **Legislative Requirements**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

### **Development Plan**

#### **National Planning Framework 4**

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 27 (City, Town, Local and Commercial Centres)
- Policy 30 (Tourism)

#### Aberdeen Local Development Plan 2023 (ALDP)

- Policy VC8 (Town, District, Neighbourhood and Commercial Centres)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy R5 (Waste Management Requirements for New Developments)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy VC2 (Tourism and Culture)

#### **Aberdeen Planning Guidance**

- Network of Centres
- Short-term Lets
- Transport and Accessibility

#### **Other Material Planning Considerations**

Scottish Government publications:

- Circular 1/2023: Short-Term Lets and Planning
- Short Term Lets: Business and regulatory impact assessment (November 2021)
- Research into the impact of short-term lets on communities across Scotland (October 2019)

#### **EVALUATION**

##### **Key Considerations**

The determining material consideration in the assessment of this planning application is whether the use of the property as short term let (STL) accommodation would result in unacceptable harm to the amenity of the area – particularly to the neighbouring residential dwellings. These matters and all other material considerations are assessed in the context of the relevant policies of the Development Plan as set out below.

##### **Aberdeen Local Development Plan Zoning**

The application site is zoned within the Holburn Street Neighbourhood Centre on the Proposals Map of the Aberdeen Local Development Plan 2023 (ALDP). Policies 27 (City, Town, Local and Commercial Centres) of NPF4 and VC8 (Town, District, Neighbourhood and Commercial Centres) of the ALDP are thus of relevance.

Policy 27 of NPF4 states that *'development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported.'*

Policy VC8 of the ALDP states that: *'Proposals for development, including change of use, will only be acceptable if the proposal:*

- 1. makes a positive contribution to the vitality and viability of the centre;*
- 2. will not undermine the principal function of the centre in which it is located;*
- 3. caters for a catchment appropriate to the centre in which it is located;*
- 4. creates or maintains an active street frontage and attractive shop frontage;*
- 5. does not create overprovision and/or clustering of a particular use in the immediate vicinity which would undermine the character and amenity of the centre; and*
- 6. does not conflict with the amenity of the neighbouring area/existing commercial uses.'*

Whilst there is no definition of a 'principal function' of a centre in the ALDP, the Network of Centres Aberdeen Planning Guidance defines Neighbourhood Centres as providing *'local retail provision, primarily of a convenience nature. These serve a local catchment area (majority of customers living within 800 metres walking distance).'*

The proposal would make a positive contribution to the vitality and viability of the centre in that it could increase footfall in the local retail and hospitality premises as well as those in the city centre, which is within walking distance. It would be of a minor scale as it would comprise the change of use of a single flat to STL accommodation and it would have a maximum occupancy of two occupants and thus it would not materially impact the function of the Neighbourhood Centre in terms of it serving the local area. The proposal would not affect the street frontage given the unit is on an upper storey and solely comprises a change of use. In terms of criteria 5, the proposal would not result in an overprovision and/or clustering of STL accommodation in the area whereby it could undermine the character and amenity of the centre. Whilst there is short-term stay accommodation in the form of a block of serviced apartments within 7 Howburn Place, known as 'Howburn Residence', there are no individual STL units on the Short Term Let Register with the same postcode as this property, nor are there any in the block. Noting the absence of nearby individual STL units, the provision of such a use of the minor scale proposed would be suitable for the local catchment of the centre. The proposal would not conflict with the amenity of the adjacent commercial uses, notably the dentist premises at ground floor level. As has been set out in detail below, the proposal would not adversely affect the amenity afforded to the neighbouring residential flats by any significant degree, notably in terms of noise, privacy, security and sense of security. The proposal therefore accords with Policies 27 of NPF4 and VC8 of the ALDP.

### **Provision of Short Term Let Accommodation and Impacts on Character and Amenity**

Paragraph (e) of Policy 30 (Tourism) of National Planning Framework 4 (NPF4) states:

*'e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:*

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or*
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.'*

The Short-term Lets Aberdeen Planning Guidance (APG) states that the following matters will be taken into consideration in the assessment of planning applications for STL accommodation:

- *Whether the property is the only or principal home of the applicant;*
- *If the property is a flat, what floor of the building it is located on;*
- *The maximum number of occupants / guests that will use the STL at any one time;*
- *Whether the property is to be used as an STL on a full-time or part-time basis;*
- *Parking arrangements;*
- *Anticipated turnover of guests / length and frequency of stays;*
- *Arrangements for the storage and collection of waste from the property.*
- *How many other properties the STL shares an access and / or communal areas with;*
- *Details of any communal amenities and / or external amenity space that the property has access to; and,*
- *Character of the surrounding area, including existing uses.'*

### Impact on Character and Amenity of the Area

In terms of Paragraph (e) of Policy 30, the proposed STL would not adversely impact the character of the Holburn Street Neighbourhood Centre in the ALDP. It is recognised that Howburn Place is residential in character and there are a large number of residential properties on the street in its tenements. Given its siting within the Holburn Street Neighbourhood Centre, however, there is a high degree of activity and footfall. The use of the application property as STL accommodation would require access by transient guests and cleaners, presenting a minor increase in activity and coming and goings, compared to mainstream residential use. However, the proposal is small-scale as it comprises a two-bed unit and it is stated that it would have a proposed maximum occupancy of two people at any given time. In its context, the use of this property by non-residential occupants with the expected level of activity proposed would not significantly change the character of the surrounding area. Therefore, the character of the area would be preserved.

The qualities of successful places referred to in Policy 14 (Design, Quality and Place) of NPF4 seeks development to support the prioritisation of women's safety and improving physical and mental health. Policy D1 (Quality Placemaking) of the ALDP seeks development to be safe and pleasant, in terms of avoiding unacceptable impacts on adjoining uses, including invasion of privacy and in terms of noise. Policy D2 (Amenity) of the ALDP) seeks to ensure that the occupants of residential developments are afforded adequate levels of privacy.

The property shares an entrance door and stairwell with eight residential flats in a tenement building, with the application property located on the second floor. There are two other flats on the same floor and flats above and below. There is a shared garden to the side and rear. The change of use from a flat to STL accommodation could result in increased harm to the amenity of the neighbouring properties beyond that which would typically be expected from a property in mainstream residential use if the impact from the following issues would be significant:

- The potential for the disturbance of privacy and the impact on safety and security, whether actual or perceived, resulting from the use of the property by transient persons unknown to the permanent residents of the adjacent flats ,and their use of the communal stairwell and garden.
- The potential for noise transmission from customer activities within the property through the floor, ceiling and walls, and in the communal stairwell and external amenity space to the rear, particularly in the quiet and sensitive late evening and early morning periods – especially if used as a 'party flat'.

As the STL accommodation would be located on the second floor of the building, it is recognised that the transient occupants and cleaners would need to access the communal stairwell and pass

residential flats to access the property. It is also recognised that, being a historic tenement building, there is unlikely to be significant soundproofing between the residential flats.

However, the property has a minor 37sqm floorspace, there is only one bedroom, and it has been stated that there would be a maximum of two occupants that would stay. Due to the layout of the building, the door to the application property is relatively distant from the other flats on the floor. Given the minor scale of the proposal, as well as its distance from the entrances to the other flats, it is considered that noise transmission and disruption within the communal areas in the building or from within the property itself would not be to a degree whereby it would harm the amenity of the other residents of the other flats in this block. It is highly unlikely that the property would be used for the hosting of parties or other events of an anti-social nature that could harm the amenity of neighbouring properties in terms of noise emissions during the more sensitive late night and early morning periods, given the low number of occupants that would stay. Such activities could also take place in the property if operated as mainstream residential accommodation. It is considered that noise transference through the floor, ceiling and walls would likely be minor and not materially different to its existing residential use. With respect to the rear garden, given the low number of occupants that would stay, the garden would unlikely become a place of congregation for prolonged periods of time by multiple transient persons and thus the level of noise generation from the use of this space would not be materially different to the existing situation. The change of use would thus have minimal impact on the neighbouring residential properties in terms of noise emissions. In the event any issues were to arise, they could be addressed under separate legislative powers by either the Police or the Council's Environmental Health Service at the time, as well as the STL licensing scheme.

In terms of the potential for the disturbance of privacy and the perceived impact on security from the use of the communal areas by transient non-residents, the garden and stairwell serve nine flats in an urban area and therefore there is already the possibility that the residents in the building experience people unknown to them using the spaces. Eight of the nine flats (89%) would remain in residential use and therefore the communal hallway would remain predominantly residential in nature and the vast majority of those accessing the communal space would be the residents rather than the transient persons of the proposed STL accommodation. On the second floor itself, the property is located relatively far from the doors of the two other residential flats, which are both located close to each other. There would be a degree of natural surveillance from two of the three flats on the floor being in residential use. Having regard to prioritising women's safety, it is considered that the actual or perceived reduction in safety and security afforded to the neighbouring residents as a result of this change of use to STL would be very limited because proportionately very few of the occupants of the building would be transient, it would be located centrally in the hallway away from the two other flats and there would be a degree of natural surveillance within the building.

It is considered that the small-scale nature of the application property (with a maximum of two customers when in use and periods of time when the property will likely not be in use), and the number of other properties in the building combined with the context of the surrounding area, would be sufficient to ensure that its use as an STL would not, in itself, cause any significant harm to the amenity of the neighbouring mainstream residential properties within the building beyond the impacts to amenity which could occur if the property were to remain in mainstream residential use. Although a reduction in safety and security for the permanent residents in the building, whether actual or perceived, resulting from the use of the property as an STL could occur, it is considered that any such reduction would be minor and mitigated by appropriate management of the property – ensuring that the risk of actual harm to safety and security would be low.

There are also no other STL or HMO uses in the building. Therefore, there would be no cumulative impact as a result of this change of use to STL accommodation, in accordance with the Short-term Lets Aberdeen Planning Guidance.

It is considered that the change of use of the property from a residential flat to STL accommodation with a maximum occupancy of two people would not cause significant harm to either the character or amenity of the area, in accordance with Policies 14 and 30(e)(i) of NPF4 and D1, D2 and VC8 the ALDP.

### Provision of Short Term Let Tourist Accommodation and Local Economic Benefits

Although there is currently limited evidence on the local economic benefits would be derived from the use of this application property as an STL, as required by Policy 30(e)(ii) of NPF4, as the Short-term Lets Aberdeen Planning Guidance recognises that as STLs are generally expected to be used by tourists and / or business travellers, it is envisaged that businesses in the local tourism and hospitality sectors may experience some economic benefits as STL occupants are likely to use the services of these sectors. This is supported in general terms by the Scottish Government publication 'Research into the Impact of Short-Term Lets on Communities Across Scotland'. The site is also 120m from the defined City Centre boundary. Policy VC2 (Tourism and Culture) of the ALDP states that:

*'Proposals for new, or expansion of existing, visitor attractions and facilities capable of strengthening the appeal and attraction of Aberdeen to a wide range of visitors will be supported.'*

*'Proposals should complement existing visitor facilities and be sequentially located in the city centre, or on a site allocated for that use in this Plan, unless activity and locality specific issues demonstrate that this is impracticable.'*

Whilst not located within the city centre, given its 120m proximity to the defined City Centre boundary, as a visitor facility, the proposal also accords with the aims of Policy VC2 to sequentially locate visitor facilities into the city centre.

In relation to impacts on local housing need and demand, the Short-term Lets Aberdeen Planning Guidance states:

*'Although the most recent Housing Need and Demand Assessment (HNDA) has demonstrated a need for new open market housing in Aberdeen, and that there is also a significant need for more affordable housing, there is not currently understood to be any significant additional pressure placed on local housing need by the conversion of existing residential accommodation to STLs in the City. In this respect, the situation in Aberdeen is different from other areas of Scotland where the number of STLs has placed significant pressure on the availability and affordability of housing (for example in Edinburgh and parts of the Highlands and Islands). At present, the loss of residential accommodation resulting from changes of use to STLs is therefore considered unlikely to have any significant detrimental impact on local housing need within Aberdeen.'*

*'Nevertheless, it is recognised that housing need and demand can be subject to significant change over time, and HNDAs are updated regularly (normally every five years) to ensure that conditions and changes in the local housing market are appropriately identified and understood.'*

In relation to the duration of planning permissions for STL accommodation, the Scottish Government Circular 1/2023 (Short-Term Lets and Planning) notes that:



*‘4.14 Planning authorities can impose a condition when granting planning permission to require the permitted use to be discontinued after a specified period – this is known as “planning permission granted for a limited period”.*

*4.15 Planning authorities may consider applying a discontinuation condition of 10 years, or such other time period as they consider appropriate, when granting planning permission for short term letting in a control area (or outside, if they see fit).’*

The grant of planning permission for the use of the property as STL accommodation on a permanent basis would result in the loss of residential accommodation in a residential area on a permanent basis. As such, it is considered necessary in this instance to grant planning permission for a time-limited period of five years, which is the time period between the publication of Housing Need and Demand Assessments:

- To ensure that local housing need, demand and supply can be considered for any future applications for the continued use of the property as STL accommodation;
- To allow for the site to be automatically returned to residential use upon the expiry of the permission (unless a new consent is granted in the meantime); and
- To further consider the demonstrable local economic benefits of its use as an STL at the time of any further planning application.

### **Transport and Accessibility**

Policies 13 (Sustainable Transport) on NPF4 and T2 (Sustainable Transport) of the ALDP promote and encourage the use of sustainable and active modes of travel where possible, as opposed to private vehicle trips. The site is accessible via sustainable and active travel methods, with it being located within the Holburn Street Neighbourhood Centre and approximately 120m from the defined City Centre boundary. The nearest bus stop is approximately 50m away on Holburn Street and is thus less than 400m from the nearest bus stop, in accordance with Policy T2 of the ALDP. It has a route that leads to the city centre. The proposal would have a negligible impact on parking provision in the area and the local transport network, given the small-scale nature of the proposal which would generate similar parking demand to the existing use, it is within a CPZ and it is accessible using sustainable and active travel methods. The Roads Development Management Team agree with this position. The proposal therefore complies with Policies 13 of NPF4 and T2 and T3 of the ALDP.

### **Waste Storage and Collection**

Policy 12 (Zero Waste) of NPF4 and Policy R5 (Waste Management Requirements for New Development) of the ALDP both require developments that generate waste and/or recyclables to have sufficient space for the appropriate storage and subsequent collection of that waste and recyclable materials. The Council’s Short-term Lets APG states in relation to waste storage and collection:

*‘It should be noted that STLs are classified as a commercial/ business use. Applicants will therefore need to enter into a contract with the Council’s Business Waste and Recycling team or another licensed waste contractor operating within the City to make appropriate arrangements for waste collection and disposal. A Waste Transfer Notice (WTN) must be obtained by STL operators. WTNs are issued by commercial waste contractors. Business waste should never be put into public or domestic bins (without a supporting WTN).’*

The applicant advises that a professional cleaning company would attend the site to clean the property following guests checking out. However, the disposal of waste and recycling has not been specified. The Waste and Recycling Team have been consulted and have stated that current bins should be used until its commercial status has been confirmed. As there are on-street bins outside the block, waste and recyclables generated by the customers of the property can be adequately stored and collected and the proposal accords with Policies 12 of NPF4 and R5 of the ALDP.

An advisory note has been added for the applicant to be aware of in relation to guests and cleaning staff being made aware that they are not authorised to utilise the communal domestic street bins nearby in the absence of a commercial agreement with Aberdeen City Council for the use of those bins by customers or cleaning staff.

### **Tackling the Climate and Nature Crises, Climate mitigation and Biodiversity**

Policy 1 (Tackling the Climate and Nature Crises) of National Planning Framework 4 (NPF4) requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change. Policy 3 (Biodiversity) of NPF4 requires proposals for local development to include measures to conserve, restore and enhance biodiversity, proportionate to the nature and scale of development.

The development, comprising the change of use of an existing property, is sufficiently small-scale such that it would not have any material impact on the global climate and nature crises nor to climate mitigation and adaptation, nor are there any opportunities that can be identified to minimise greenhouse gas emissions given the nature of the proposal. Therefore, the change of use from a residential flat to STL accommodation is compliant with Policies 1 and 2 of NPF4. Whilst this proposal would not include measures to enhance biodiversity, which would have some minor tension with Policy 3 of NPF4, the proposal is a change of use, small-scale and does not offer the opportunity for meaningful biodiversity enhancements.

### **Matters Raised in the Representations**

The matters raised in relation to noise and disruption as well as on-street parking provision have been addressed in this evaluation. Likewise, the impact on safety and sense of security, including women's safety, has been considered in this evaluation. There is no evidence to support that the change of use to STL accommodation would result in litter and waste would be disposed of by cleaners after each stay.

Possible illegal, drunken and antisocial activity are not material planning considerations and would be addressed by separate legislative powers through the Environmental Health Service or Police Scotland. Responsible management of this premises would also be addressed separately through the licensing process. Aberdeen City Council applies a licence condition to every STL licence for license holder to take reasonable steps to prevent and deal with antisocial behaviour. Fire risk is also addressed separately through the licensing process.

The necessity of the proposal is not a material planning consideration. As set out in the evaluation, the proposal would not result in a clustering or overprovision of STL accommodation in the area.

The installation of the key box is not 'development' in terms of the Town and Country Planning (Scotland) Act 1997, as amended. It therefore does not require planning permission and is not relevant to the determination of this application.

Matters relating to the impact on property values, insurance premiums and communal repairs are not material planning considerations. The responsibility for communal repairs is a civil matter to be addressed by the relevant parties.

## **RECOMMENDATION**

Approve Conditionally

## **REASON FOR RECOMMENDATION**

The grant of planning permission for the change of use of the existing residential flat to short term let accommodation with a stated maximum occupancy of two occupants would not have a significant adverse impact on the character or amenity of the area, nor on the amenity of the immediate neighbouring flats, beyond what could typically be expected if it were to be used as mainstream residential accommodation, in accordance with the aims of Policies 14 (Design, Quality and Place) and 30 (Tourism) of National Planning Framework 4 (NPF4), as well as, D1 (Quality Placemaking) and D2 (Amenity) of the Aberdeen Local Development Plan 2023 (ALDP) and the Aberdeen City Council Short-term Lets Aberdeen Planning Guidance.

Commensurate with the scale of the proposal and the limited number of similar uses in the area, the proposal would make a positive contribution to the vitality and viability of the Holburn Street Neighbourhood Centre, would not undermine its principal function, would cater for a catchment appropriate to the centre in which it is located and it would not create overprovision and/or clustering of a particular use in the immediate vicinity which would undermine the character and amenity of the centre. The proposal therefore complies with Policies 27 (City, Town, Local and Commercial Centres) of NPF4 and Policy VC8 (Town, District, Neighbourhood and Commercial Centres) of the ALDP. As a visitor related facility located 150m away from the defined boundary of the City Centre, the short term let accommodation accords with the aims of Policy VC2 (Tourism and Culture) of the ALDP to sequentially locate visitor facilities into the city centre. The change of use to short term let accommodation would likely provide some local economic benefits, particularly to the tourism and hospitality sectors without causing any significant harm to local housing need through the loss of residential accommodation, in accordance with Policy 30 (Tourism) of NPF4.

The development would be accessible using sustainable and active modes of transport and it would be within 400m of the nearest bus stop. It would have minimal impact on parking provision in the area and the local transport network, in accordance with Policies 13 (Sustainable Transport) of NPF4 and T2 (Sustainable Transport) and T3 (Parking) of the ALDP.

The development would have sufficient means for the adequate storage and collection of any waste and recyclables generated, in accordance with Policies 12 (Zero Waste) of NPF4 and R5 (Waste Management Requirements for New Development) of the ALDP.

The proposed development, comprising a change of use with no associated external alterations, is sufficiently small-scale and of a nature whereby it would not make any material difference to the global climate and nature crises, climate mitigation and adaptation, nor would there be any opportunities to minimise greenhouse gas emissions given the nature of the proposals. The proposed development is compliant with Policies 1 (Tackling the Climate and Nature Crises) and 2 (Climate Mitigation and Adaptation) of NPF4. There would be no opportunity to meaningfully enhance on-site biodiversity, therefore the minor tension with Policy 3 (Biodiversity) of NPF4 is not significant.

## **CONDITIONS**

### **(01) DURATION OF PERMISSION**

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

### **(02) TIME LIMIT FOR SHORT-TERM LET USE**

The hereby approved use of the property shall expire 5 years following the date of the grant of permission as stated on this notice, unless a further planning permission has been granted for continued use as short term let accommodation in the meantime. Should no further planning permission be granted then the property shall revert to mainstream residential use as a flat after the aforementioned 5-year period.

Reason: In order to allow the local housing need and demand situation and the local economic benefits derived from the use of the property as short term let accommodation to be reassessed in 5 years' time, to ensure that the loss of the property as residential accommodation would remain compliant with Policy 30 of NPF4.

## **ADVISORY NOTES FOR APPLICANT**

### **(1) COMMERCIAL USE OF COMMUNAL DOMESTIC ON-STREET BINS**

As Short Term Let accommodation comprises a commercial use, business rates are payable by the operator, rather than Council Tax. In the absence of a Council Tax payment which would cover the cost of the collection of waste from the on-street bins, the operator is required to enter into a contract with Aberdeen City Council's Business Waste & Recycling team, to enable the lawful use of the on-street bins by customers and/or cleaning staff of the property, if they haven't done so already.

If any waste generated is to be collected and disposed of by a commercial waste contractor then the applicant should advise STL guests that they are not authorised to deposit waste in the communal domestic street bins adjacent to the property.

Further information is available on the Council's website at:

<https://www.aberdeencity.gov.uk/services/bins-waste-and-recycling/business-waste>

The operator can contact the Council's Business Waste & Recycling team at:

[businesswaste@aberdeencity.gov.uk](mailto:businesswaste@aberdeencity.gov.uk)