



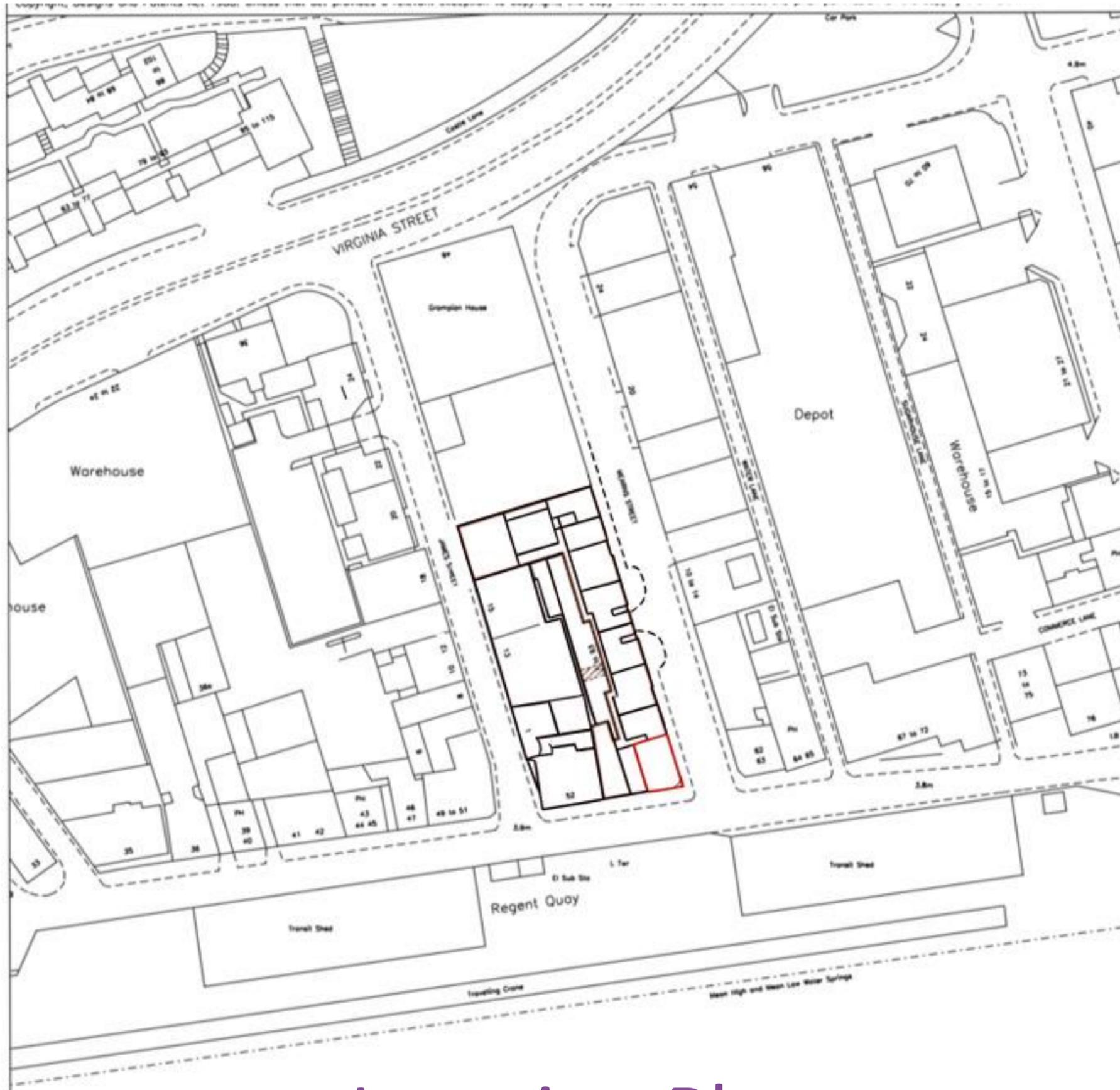
Local Review Body (LRB)

16 February 2026

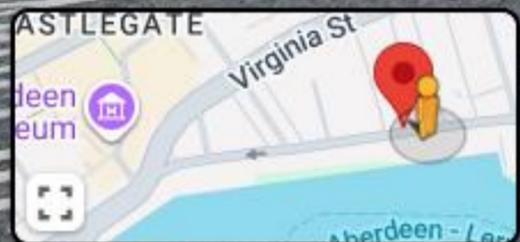
250841/DPP - 45 Mearns Street, Aberdeen

**Change of use of flat to Short Term Let accommodation with
maximum occupancy of 4 people**

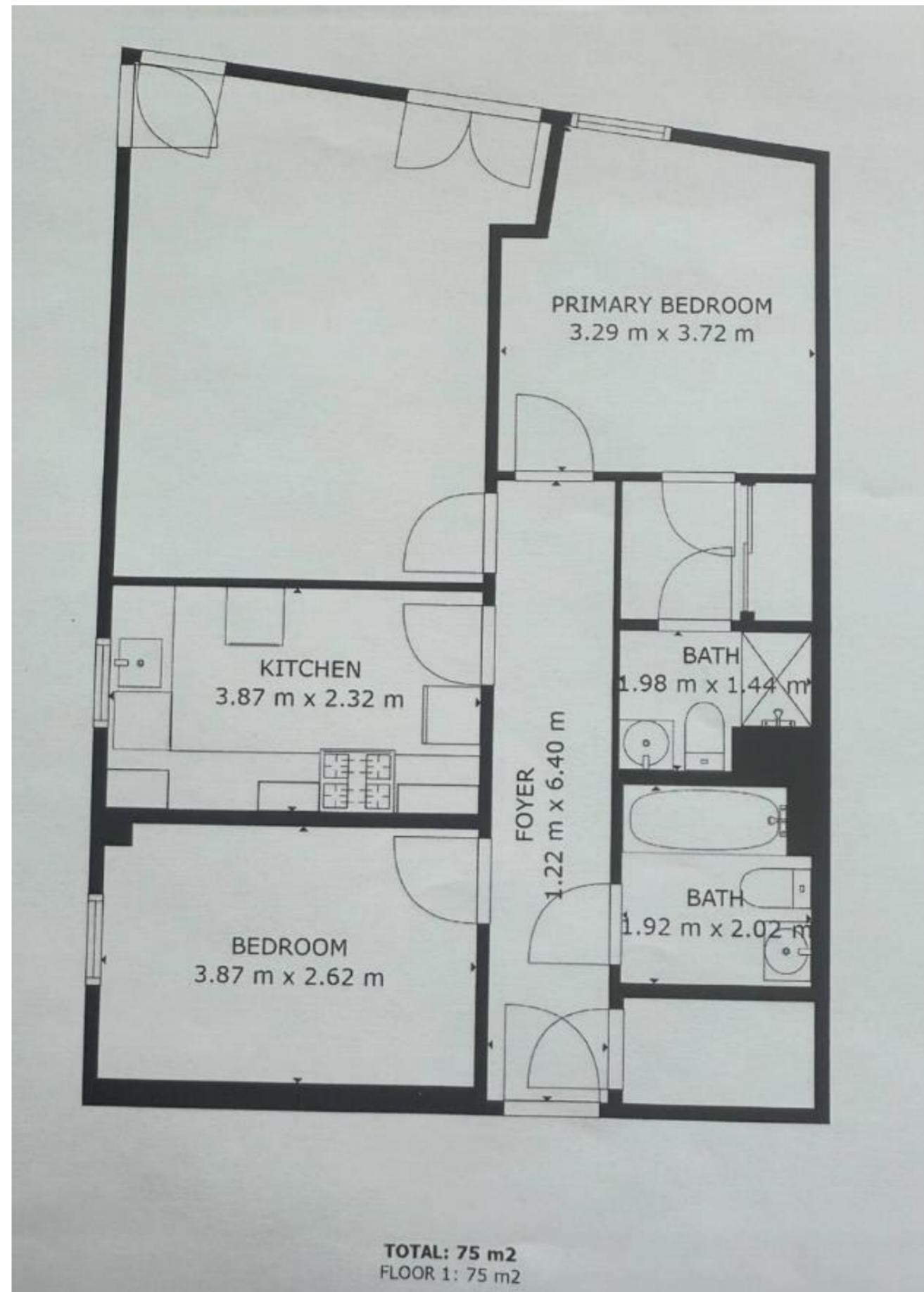
Lucy Greene, Planning Advisor



Location Plan



Third Floor flat



Reasons for Decision:

- Adverse cumulative impact on amenity of occupants of other flats of further STL. Would result in 7 out of 46 flats in STL use (26 guests total) with two STLs on floor of ten flats, with up to 8 guests.
- Negative impact on sense of security, due to large no. of transient visitors in communal areas, noise and disturbance of comings and goings.
- Conflict with policies H2 (Mixed Use Areas), D1 (Quality Placemaking) in LDP and 14 (Design, Quality and Place) and 30 (Tourism) in NPF4.

Applicant's Case, summarised as follows:

- Since

NPF4 Policies:

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 12: Zero Waste
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 30 (Tourism)

NPF4: Policy 1: Tackling the Climate and nature crises

Policy Principles

Policy Intent:

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy Outcomes:

- Zero carbon, nature positive places.

Policy 2: Climate mitigation & adaptation

Policy Principles

Policy Intent:

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy Outcomes:

- Emissions from development are minimised; and
- Our places are more resilient to climate change impacts.

Policy 2

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

Policy 1

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 12

Zero waste

Policy Principles

Policy Intent:

To encourage, promote and facilitate development that is consistent with the waste hierarchy.

Policy Outcomes:

- The reduction and reuse of materials in construction is prioritised.
- Infrastructure for zero waste and to develop Scotland's circular economy is delivered in appropriate locations.

- c) Development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:
 - i. provision to maximise waste reduction and waste separation at source, and
 - ii. measures to minimise the cross-contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.

Policy 13

Sustainable transport

Policy Principles

Policy Intent:

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

Policy Outcomes:

- Investment in transport infrastructure supports connectivity and reflects place-based approaches and local living.
- More, better, safer and more inclusive active and sustainable travel opportunities.
- Developments are in locations which support sustainable travel.

- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
 - i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
 - ii. Will be accessible by public transport, ideally supporting the use of existing services;

Design, quality and place

Policy Principles

Policy Intent:

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

Policy Outcomes:

- Quality places, spaces and environments.
- Places that consistently deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities.

Policy 14

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Tourism policies: **Policy 30**

NPF4 – Policy 30

Policy Intent:

To encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland.

Policy Outcomes:

- Communities and places enjoy economic, social and cultural benefits from tourism, supporting resilience and stimulating job creation.

- a) Development proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the LDP, will be supported.
- b) Proposals for tourism related development will take into account:
 - i. The contribution made to the local economy;
 - ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;
 - iii. Impacts on communities, for example by hindering the provision of homes and services for local people;
 - iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;
 - v. Accessibility for disabled people;
 - vi. Measures taken to minimise carbon emissions;
 - vii. Opportunities to provide access to the natural environment.

- 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.

LDP Policies:

- Policy H2 (Mixed Use Areas)
- Policy D1 (Quality Placemaking)
- Policy R5 (Waste Management Requirements for New Developments)
- Policy VC2 (Tourism and Culture)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- APGs: Short Term Lets
Transport and Accessibility
Houses in Multiple Occupation and Overprovision

Local Development Plan 2023

Policy H2 – Mixed Use Areas

Applications for development or change of use within Mixed Use Areas (H2 on the Proposals Map) must take into account the existing uses and character of the surrounding area and avoid direct conflict with the adjacent land uses and amenity. Where new housing is proposed, a satisfactory residential environment should be created which should not impinge upon the viability or operation of existing businesses in the vicinity. Conversely, where new industrial, business or commercial uses are deemed appropriate, development should not adversely affect the amenity of people living and working in the area.



Local Development Plan 2023

Policy VC2: Tourism and Culture

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.

Policy R5 – Waste Management Requirements for New Development

All new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate.

Local Development Plan 2023

Policy D1 – Quality Placemaking

All development must ensure high standards of design, create sustainable and successful places and have a strong and distinctive sense of place which is a result of detailed contextual appraisal.

Proposals are required to ensure:

- quality architecture, craftsmanship and materials;
- a well considered layout, including biodiverse open space, high quality public realm and landscape design;
- a range of sustainable transportation opportunities ensuring connectivity commensurate with the scale and character of the development.

Successful places will sustain and enhance the social, economic, environmental, wellbeing and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities.

- distinctive
- welcoming
- safe and pleasant
- easy to move around
- adaptable
- resource efficient

Safe and Pleasant

- designed with pedestrian movement as the priority
- avoids unacceptable impacts on adjoining uses, including noise, smell, vibration, dust, air quality, invasion of privacy and overshadowing
- enables natural surveillance of public spaces through active frontages and does not create spaces which are unsafe or likely to encourage or facilitate crime
- distinguishes between private and public space
- inclusive in its design and creates accessible environments

Local Development Plan 2023

Policy T2 – Sustainable Transport

Proportionate to the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated. New developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, wheeling, cycling and public transport. Proposals should be designed to allow for public transport penetration which should be available within 400 metres from the centre of the development.

Policy T3 – Parking

Inner and Outer City

In inner city areas, low or no car development will be supported in suitable locations where there is adequate access to active travel and public transport options. Where this is not possible, development shall be required to comply with the parking standards set out in Aberdeen Planning Guidance: Transport and Accessibility. Low car development is encouraged within conservation areas.

Short Term Lets APG

- *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*

Scottish Government's publication on 'Short Term Lets: Business and regulatory impact assessment' from November 2021 states:

'Short-term lets make an important contribution to the tourist economy because they can:

- a) offer visitors a unique tourist experience through a host's local knowledge, increasing the attractiveness of Scotland as a place to visit,*
- b) offer accommodation in places not served by hotels and hostels, for example, and therefore help with dispersal of visitors from "hotspot" areas,*
- c) offer more affordable accommodation, helping to attract tourists that may have a lower budget, and*
- d) provide additional capacity to accommodate tourist or other visitor demand in areas with a high demand over a short period of time (for example, to accommodate tourists during the Edinburgh Festival or the Open golf tournament).'*

Social Costs: (page 18)

- a) increased costs of housing (renting or purchase) for local people;*
- b) the supply of local amenities for residents may decrease if there are not enough residents to make these amenities financially viable;*
- c) the quality of the neighbourhood and sense of community can be adversely affected if residents feel less safe because of the high concentration of short-term lets or if residents have fewer permanent neighbours;*
- d) specific nuisance such as through noise, littering and other forms of antisocial behaviour; and*
- e) use of short-term let accommodation for criminal enterprises (such drug dealing, sex trafficking etc.), with or without the collusion of the host.*

Circular 1/2023: Short Term Lets and Planning

- Refers to Policy 30 in NPF4 - tourism
- Balance against wider policy objectives
- Planning Authorities may grant for limited time

SG Research findings: most common positive impact of STLs is local economic impact associated with tourism.

<https://www.gov.scot/publications/research-impact-short-term-lets-communities-scotland/>

Evaluation

- **Primacy of Development Plan**
- **The Planning Act requires all applications to be determined in accordance with Development Plan unless material considerations indicate otherwise**
- **Careful assessment, each application treated on its merits**

Basis for Decision

Zoning: Mixed Use Areas (H2)

Would there be harm to residential amenity of neighbours (Policy H1 and Policy 30)

Appropriateness of location for Short Term Let (VC2)

Impact on local economy (Policy 30 and VC2)

1. Does the proposal comply with the Development Plan when considered as a whole?

2. Do other material considerations weigh for or against the proposal? Are they of sufficient weight to overcome any conflict with the Development Plan?

Decision – state clear reasons for decision

Circular 4/1998 Use of conditions in planning permissions

2. Conditions imposed on a grant of planning permission can enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. While the power to impose planning conditions is very wide, it needs to be exercised in a manner which is fair, reasonable and practicable. Planning conditions should only be imposed where they are:

necessary

relevant to planning

relevant to the development to be permitted

enforceable

precise

reasonable in all other respects.

Circular 1/2023 (Short-Term Lets and Planning)

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).

Housing Need and Demand Assessment – 5 year cycle

Consideration of New Matters

A party to the proceedings is not to raise any matter which was not before the appointed person at the time the determination reviewed was made unless that party can demonstrate—

- (a) that the matter could not have been raised before that time, or
- (b) that its not being raised before that time was a consequence of exceptional circumstances.

The above does not affect any requirement or entitlement to have regard to—

- (a) the provisions of the development plan, or
- (b) any other material consideration.

Question for LRB: Is the LRB satisfied that the new matters raised in the notice of review should be taken into account in this review?

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