



Draft Supplementary Guidance

Topic: City Centre / Residential

Title: Serviced Apartments

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1. Introduction

1.1 Status of Supplementary Guidance

This Supplementary Guidance (SG) forms part of the Development Plan and is a material consideration in the determination of planning applications.

1.2 Policy Context

This SG relates to, and expands on the following policies in the Aberdeen Local Development Plan:

- Policy C1: City Centre Development – Regional Centre
- Policy C2: City Centre Business Zone and Union Street
- Policy I1: Infrastructure Delivery and Developer Contributions
- Policy T2: Managing the Transport Impact of Development
- Policy D1 Architecture and Placemaking
- Policy D2 Design and Amenity
- Policy D3: Sustainable and Active Travel
- Policy H1: Residential Areas
- Policy H2: Mixed Use Areas
- Policy NE2: Green Belt
- Policy R6: Waste Management Requirements for New Development
- Policy R7 Low and Zero Carbon Buildings

2. Guidelines

2.1 Definition of Serviced Apartments

Serviced Apartments are residential flats used as quasi hotel accommodation by business and leisure visitors to the city, where periods of occupation are generally but not necessarily less than 90 days by any individual, family or group, and services such as cleaning and laundry are provided, either on a daily basis or between periods of occupation. All apartments within a development must be in single ownership and operated as a single business. They should **not** be a form of permanent housing.

2.2 Use Class Order

Serviced apartments are considered to be *Sui generis* (of its own kind) and therefore not within any specific use class. All proposals to create serviced apartments within existing properties will therefore require the submission of a planning application for a change of use. Planning permission would also be necessary for changes of use from a serviced apartment to any other use. If a development is to be considered as serviced apartments according to this Supplementary Guidance, then the description of the development for the application will have to specifically refer to the intended use of serviced apartments.

2.3 Serviced Apartments in the City Centre and the existing built up area

Aberdeen City Council encourages serviced apartments in the City Centre (as defined on the Proposals Map) in principle, subject to satisfying all other policies contained within the Local Development Plan, such as siting, design, and other amenity considerations. Serviced apartments outwith the City Centre but within the existing built up area will be assessed on their own merits. All planning applications for serviced apartments will take into consideration the potential issues discussed below. Please see the sections below for guidance on amenity, servicing, sustainable travel and parking, developer contributions and legal agreements.

2.4 Serviced Apartments in Green Belt

Aberdeen City Council will operate a presumption against the location of serviced apartments in Green Belt areas across the City. For guidance on development within the green belt please refer to Policy NE2: Green Belt contained within the Aberdeen Local Development Plan.

The next section of this Supplementary Guidance sets out guidance on the potential issues that Serviced Apartments can bring.

2.5 Amenity

Residential amenity should not be adversely affected by the introduction of serviced apartments and the applicant should demonstrate this is the planning application. Whilst the Council encourages the provision of such accommodation in appropriate locations, amenity problems can arise where serviced apartments are established in close proximity to residential uses .

Serviced apartments should fit into their surroundings and should not adversely affect residential amenity by reason of noise, disturbance, traffic generation or exacerbation of parking problems. This can be an issue particularly in H1: Residential Areas and H2: Mixed Use Areas (please see Proposals Map) throughout the city.

For new purpose built serviced apartments we will take into account other policy considerations, such as density, impact on loss of light, loss of privacy, etc.

As a result of all the amenity considerations, serviced apartments are more preferable in the city centre and locations with good access to public transport.

2.6 Servicing

The servicing of serviced apartments can also create concerns relating to residential amenity and road safety, such as disturbance and parking obstructions.

All planning applications for serviced apartments must include a servicing strategy for the development. The servicing strategy must detail how the development will be serviced including parking for any vehicles attributed to the servicing of the development, details of storage facilities for waste, means of collection of waste, laundry services and other associated servicing such as delivery of mail. Details on the type, number and frequency of vehicles used for servicing and hours of servicing will require to be submitted. Each application for serviced apartments will be assessed on its own merits depending on the location and existing refuse facilities available. Conditions may be attached to control any aspect of the proposed servicing strategy if there are road safety or amenity considerations that require them. Applicants are encouraged to speak to Development Management at pre-planning stage, and may also wish to discuss proposals with the Environmental Health Team and the Roads Projects Team within the Council, regarding waste and access respectively, before submitting a planning application.

The Planning Authority wishes to ensure that residential amenity is not adversely affected by the collection of waste from serviced apartments, or other servicing arrangements such as cleaning and laundry .

2.7 Sustainable Travel and Parking

In line with policy D3: Sustainable and Active Travel serviced apartments should minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel.

In order to minimise travel by private car and encourage sustainable modes of transport the Council may condition applications for serviced apartments in the following ways: no on site parking spaces, cycle spaces made available on site, the availability of a bike hire scheme and membership of the Car Club. In instances where no parking is supplied with the serviced apartments and the development is within the City Centre and the existing built up area (when a bus stop is no more than 800m from the apartment) then serviced apartments shall be regarded as 'car free' and contributions as per the Infrastructure and Developers Contributions Manual will apply.

When car parking is provided for a serviced apartment development, a car parking standard for the City Centre and existing built up area should be a maximum of 0.75 car parking spaces per apartment.

Aberdeen City Council also encourages the production and promotion of a Residential Travel Pack, especially for low or no car developments. This should promote walking, cycling, public transport, car club and other helpful site-specific transport information tailored to the development and made available on the businesses website and in the apartments. This may be conditioned in a planning consent.

Please see Supplementary Guidance on Transport and Accessibility for further information on transportation issues.

2.8 Developer Contributions

Serviced apartments can have an impact on a number of services and facilities. Developer contributions may be sought, on a floor space basis and calculated on gross internal floor area including additional car parking and hardstanding, for the development of serviced apartments. Examples of contributions that may be sought for the development of serviced apartments are public realm and core path improvements. Please be aware that further considerations such as developer contributions will be required for future applications for a change of use of serviced apartments to residential. Please see the Council's Infrastructure and Developer Contributions Manual for further details.

2.9 Single Ownership

In order to control maintenance and servicing of serviced apartments, Aberdeen City Council wishes to see serviced apartments remaining in single ownership, ensuring that, they are not sold off separately or disposed of for any alternative use. This would be secured by a legal agreement with any planning permission the Planning Authority grants.

2.10 Legal Agreements

Aberdeen City Council will seek to enter into a legal agreement with the applicant(s) to ensure that blocks of serviced apartments remain in single ownership. The legal agreement will also ensure that any serviced apartments do not become permanent residential properties. With this in mind the agreement will specify a maximum length of continuous occupancy of any apartment(s) within a block of serviced apartment by any occupant(s). This will normally be a period of 90 days duration unless a strong case has been made by the applicant for a variation supported by evidence of controls that ensure the apartments will not be occupied on a permanent basis and that prevents both tenancy duration and continuous periods of occupation of a single unit extending beyond a specified period. In all circumstances this specified period will be less than 9 months.

2.11 Houses in Multiple Occupation (HMO)

Please see the Householder Development Guide for guidance on HMOs.

3. Summary of Guidelines

Please find a summary of the key guidelines on Serviced apartments:

- Serviced apartments should remain in one ownership.
- Serviced apartments in the City Centre are encouraged in principle.
- Serviced apartments outwith the City Centre but within the existing built up area will be assessed on their own merits.

- Presumption against serviced apartments in Green Belt.
- Residential amenity must not be adversely affected by the introduction of serviced apartments. Serviced apartments should fit into their surroundings and should not adversely affect residential amenity.
- All planning applications for serviced apartments must include a servicing strategy for the development.
- Within the City Centre and the existing built up area, the Council wish to see serviced apartments confirmed as 'car free' if no parking is proposed within the development.
- When car parking is required, it is recommended that parking standards for the City Centre and existing built up area meet 0.75 car parking spaces per apartment.
- To minimise travel by private car and encourage sustainable modes of transport applications may be conditioned.
- Encourage the production and promotion of a Travel Pack, especially for low or no car developments.
- Developer contributions may be sought, on a floor space basis and calculated on gross internal floor area.
- Legal agreements may be sought with the applicant to insure that blocks of serviced apartments remain in single ownership and length of occupancy does not exceed 90 days by the same occupant(s) unless a strong case has been made by the applicant for a variation supported by evidence of controls ensure that the apartments will not be occupied on a permanent basis and that prevents both tenancy duration and continuous periods of occupation of a single unit extending beyond a specified period. In all circumstances this specified period will be less than 9 months..