

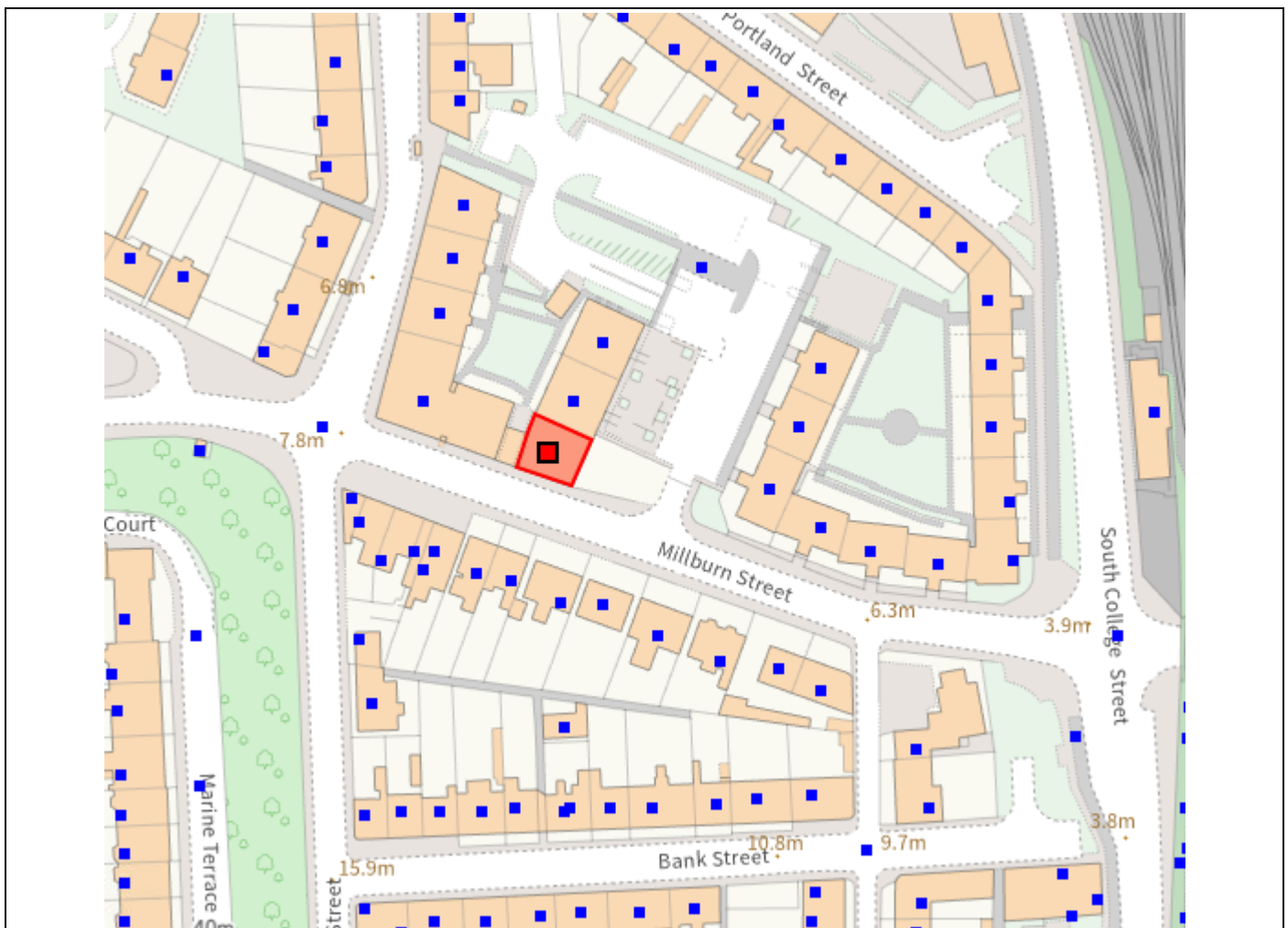


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date:** 13 February 2025

<b>Site Address:</b>	116 Dee Village, Millburn Street, Aberdeen AB11 6SY
<b>Application Description:</b>	Change of use of flat to short term let accommodation with maximum occupancy of 3 people
<b>Application Ref:</b>	241277/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	4 November 2024
<b>Applicant:</b>	Mr David Law
<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 first floor residential flat within a four-storey block in a residential area. It comprises two bedrooms, a kitchen/living room, a bathroom and a hallway. The building is accessed from a communal entrance door on Millburn Street.

The building forms part of the Dee Village residential development of 150 properties, which redeveloped the historic Electricity Works and associated offices undertaken in the 2000s. This property is within a category C-listed building, with the communal spaces having been extensively altered during the conversion (other than a historic mosaic floor on the ground floor landing, which depicts the Bon Accord coat of arms).

The block in which the application property is located serves seven residential flats. The wider Dee Village residential development has communal open space, a private car park with allocated parking spaces and a gym.

A review of the Short Term Let and Houses in Multiple Occupation Registers demonstrates that there are no other properties in the building in either STL or HMO use and thus all properties in the block are understood to be in mainstream residential use. There are two properties in the wider Dee Village development which have STL licenses, 113 Dee Village, which is in the adjoining block to the north and, 5 Dee Village, which is in a block fronting South College Street to the east.

### **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 three people at any given time. The property would be cleaned after each stay or around four times per month. Waste would be disposed of by a waste management company and it has been stated that they have an agreement in place. The site has an allocated car parking space in the residential car park.

### **Amendments**

In agreement with the applicant, the following amendments were made to the application –

- The proposed stated number of occupants that would stay in the short term let has been reduced from four to three.

### **Supporting Documents**

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SMFG4WBZL4500>

- 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 both 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; and
- formal timeous objection by the local (Ferryhill and Ruthrieston) Community Council within whose area the application site falls.

## **CONSULTATIONS**

**Ferryhill and Ruthrieston Community Council** – Objection – This is because there are several people who live in the area who have contacted it with their concerns.

Noting the building is category C-listed, they are concerned that excessive footfall would damage the deteriorating mosaic floor depicting the Bon Accord coat of arms on the ground floor landing.

Reference has been made to restrictions on the land registry title deeds in relation to which forbids drilling holes in common or party walls, stops a flat being occupied by more than one family, no bikes or rubbish in the stairwell and precludes any activity deemed a nuisance or occasions disturbance to other neighbours.

Because it is listed, residents are concerned that if this application is approved, the exterior of the building would be damaged and any boring or drilling of holes for a lockbox would go against the title deed and guest self-service would not be possible.

Parking concerns have been raised, mainly due to the limited parking in the area and the use of private parking spaces for residents in the flats, the security of vehicles using the car park and concern that parking spaces of other properties may be used by occupants of the STL, meaning that the residents would need to pay to park on the street.

There are noise concerns for the residents and the affect this may have on the current residents within the building. The block has a mixed age profile from young children to elderly. Any noise disturbance would affect the age groups differently. Having the check in period up to 10pm at night would affect current residents, especially those on the ground floor (elderly) when people are arriving or late at night on return from nights out.

Disturbance from the misuse of the exterior door entry system has been raised, noting the concern if all occupants do not have access to a key.

There is a concern guests would not adhere to the disposal of rubbish in line with the building requirements. The common areas will likely suffer greater wear and tear, not only from the tenants, but those servicing the flat after every let.

**ACC - Roads Development Management Team** – No objection – The site is in the Inner City Parking Zone and is in Controlled Parking Zone (CPZ) H. The site has one parking space and one is to remain. The existing and proposed uses have similar parking requirements. As this is in a CPZ, there is no scope for indiscriminate parking.

**ACC - Waste and Recycling** – No objection – As the application indicates there is a private waste collection contract, all guests need to be made aware that they are not authorised to use council bins for any refuse or recycling and, as such, enough waste storage must be provided for the duration of the stay. A commercial collection contract of all waste streams is required to satisfy Duty of Care regulations. Advice regarding business waste requirements has been provided.

## **REPRESENTATIONS**

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

- Noise and disruption from comings and goings in the building, the possibility of parties and antisocial behaviour, associated misuse of the door entry system and the congregation of transient persons outside the property. Specific concerns have been raised in this regard regarding very young, elderly and disabled residents in the building, as well as the elderly in the area.
- The impact on security of the block as well as the sense of security as a result of strangers accessing the building. Concerns relating to women's safety have also been raised in this regard.
- The impact on parking availability.
- Traffic generation.
- Concern regarding the safety of vehicles in the car park.
- Concern that the residential bins on Millburn Street may be used, exacerbating existing concerns that those bins are overflowing.
- As the occupants would be transient, there would not be immediate traceability for those causing the disturbance. The owner of the property would not be in the area, and therefore would not have control over the number of occupants.
- It is queried whether a lockbox would be allowed as the building is listed.
- The proposal would be allowing a lock box to be drilled into a listed building.
- The proposal would exacerbate concerns relating to the pharmacy on Millburn Street (in terms of drug prescriptions).
- There are already more than enough uses in Ferryhill having been converted to accommodate transient persons (hotels, tenement buildings etc).
- Concern with respect to the time in which the neighbour notification took to be sent, noting the limited time to consult a solicitor and to establish matters in relation to the Equality Act 2010.

Civil matters which are not material planning considerations have also been raised relating to a claimed breach in the covenant of the title deeds (which it is claimed requires the property to be used as a private dwellinghouse).

## **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 30 (Tourism)

## Aberdeen Local Development Plan 2023 (ALDP)

- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy H1 (Residential Areas)
- Policy R5 (Waste Management Requirements for New Developments)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy VC2 (Tourism and Culture)

## **Aberdeen Planning Guidance**

- 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.

### **Principle of Development**

The application site is zoned as Policy H1 (Residential Areas) on the Proposals Map of the Aberdeen Local Development Plan 2023 (ALDP). Policy H1 states that *'within existing residential areas, proposals for non-residential uses will be supported if:*

- i. they are considered complementary to residential use; or*
- ii. it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential 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.'*

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

To assess the likely impacts on amenity and character of the local area with regard to Policy H1 of the ALDP and Policy 30 e) i. of NPF4, the Short-term Lets Aberdeen Planning Guidance (APG) considers the following matters to be relevant:

- *'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 of the Area

In terms of Paragraph e) i. of Policy 30, whilst the area is predominantly residential in character and is zoned as such in the ALDP, the surrounding area and Millburn Street itself is a busy street with a high level of footfall and serves a large number of residential properties. There are furthermore local retail uses in close proximity on Millburn Street, as well as on Crown Street. There are few properties in short term let use in the area. There are two properties in the wider Dee Village development which have STL licenses, 113 Dee Village, which is in the adjoining block to the north and, 5 Dee Village, which is in a block fronting South College Street to the east approximately 100m away. There are no properties in short term let use which share the same postcode as the application property.

The change of use of the application property to STL accommodation with a maximum of three occupants would require access by transient guests and cleaners after each visit, presenting a minor increase in activity and coming and goings from the block compared to mainstream residential use. However, the proposal is small-scale and in its context and would not significantly affect the existing character of the surrounding area.

## Impact on Amenity of the Area

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 six residential flats, with there being a single flat on the ground floor landing and two on each landing on the three upper floors. The application property is located on the first floor. The door of the other flat is adjacent to that of the application property and there are flats directly above and below. Whilst Dee Village has communal open space serving the wider development, as well as a gym, there is no external semi-private residential garden ground serving the block itself.

The change of use from a flat to STL accommodation could result in increased harm to the amenity of the neighbouring dwellings 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 noise transmission from customer activities within the property through the floor, ceiling and walls and in the communal stairwell, particularly in the quiet and sensitive late evening and early morning periods – especially if used as a 'party flat'.
- 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.

The property has a c.80sqm floorspace with two bedrooms, and it has been stated that there would be a maximum of three occupants that would stay. Based on the floorspace and number of bedrooms, it is considered likely that three residents may stay in this property in its current use. Because of this, it is considered that noise transmission and disruption within the communal areas in the building and from within the property itself would not be to a degree whereby it would materially 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. The change of use would thus not have any significant impact on the neighbouring residential dwellings in terms of noise emissions. In the event noise and disturbance 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, it is recognised that the proposed STL accommodation would be located on the first floor of the building and therefore the transient occupants and cleaners would need to pass the front doors of two residential flats to access the property. The stairwell and landings serve seven 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. Six of the seven flats (86%) 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. 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 limited relative to the existing situation.

There are 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 nature of the application property (with a maximum of three customers when in use and periods of time when the property will likely not be in use) relative to the number of residents that would likely stay in the property in its current use as a flat, the number of other properties in the building and 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 area. Although a reduction in safety and security for the permanent residents in the building resulting from the change of use, whether actual or perceived, 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.

It is considered that the change of use of the property from a residential flat to STL accommodation with a maximum occupancy of three 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 H1 of 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 change of use of the residential flat to an STL, as required by Policy 30(e)(ii) of NPF4, the Short-term Lets APG recognises that STLs are generally expected to be used by tourists and / or business travellers. It is thus 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, noting the relatively close proximity of the property to the city centre. This is supported in general terms by the Scottish Government publication 'Research into the Impact of Short-Term Lets on Communities Across Scotland'.

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, it is c.250m from the defined City Centre boundary as well as 70m from a bus stop which has a route to the city centre. Taking into account the low number of short term let premises in the area, the small scale of the proposal and the accessibility of the site to the city centre using sustainable and active travel methods, the proposal would not undermine the aims of Policy VC2 of the ALDP to sequentially locate visitor facilities into the city centre by any significant degree.

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. 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 permission 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 using sustainable and active modes of travel as it would be located within approximately 250m from the defined City Centre boundary. The nearest bus stop is c.70m away on Crown Street, which has a route to the city centre. The site is thus less than 400m from the nearest bus stop, in accordance with Policy T2 of the ALDP. The site is also c.500m from the train station and c.650m from the bus station. The property has an allocated parking space within the private residential car park and is within a CPZ. The proposal would generate similar parking demand to the existing use, given the number of occupants that would stay. The proposal would thus have a negligible impact on parking provision in the area and the local transport network. The

ACC Roads Development Management Team have raised no concerns. 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 dispose waste and that there is an agreement in place. The ACC Waste and Recycling Team have been consulted and have advised that guests need to be made aware that they are not authorised to use council bins for any refuse or recycling and as such enough waste storage must be provided for the duration of the stay. Furthermore, they have advised that a commercial collection contract of all waste streams is required to satisfy Duty of Care regulations.

An advisory note has thus 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. 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.

### **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, disruption, the impact on safety and sense of security have been considered in this evaluation. With respect to the specific concerns in relation to noise and disturbance on very young, elderly and disabled residents, as well as women's safety, due regard has been given to Section 149 - Public Sector Equality Duty of the Equality Act 2010. There is no evidence that the proposal would result in disadvantages suffered by persons who share a relevant protected characteristic that are connected to those characteristics, nor have any material effect on the equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

Appropriate management of the property would be a matter controlled through the licensing process. Possible antisocial activity is not a material planning consideration 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.

The impact of this development in the context of existing uses and the character of the area, parking availability, traffic generation, waste disposal have also been addressed in this evaluation. The development would have no material impact on the security of vehicles in the car park.

The change of use would not materially impact on the architectural and historic interest of this listed building. The maintenance of the building, including the mosaic in the communal stairwell, is not a material consideration and would be a civil matter between the relevant parties. Whilst the short term let planning checklist states that a lockbox would be used, no details of the design or siting of this have been included. As the building is listed, if it is determined to have an impact on the special architectural and historic interest of the building, it could require listed building consent separately.

Neighbour notification was undertaken in accordance with the Regulation 18 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Representations could be made within twenty one days of the notifications being sent and all neighbours within twenty metres of the application site boundary were sent notifications.

## **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 three 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 in its use 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 Policies H1 (Residential Areas), 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.

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. Taking into account the low number of short term let premises in the area, the small scale of the proposal and the accessibility of the site to the city centre using sustainable and

active travel methods, the proposal would not undermine the aims of Policy VC2 of the ALDP to sequentially locate visitor facilities into the city centre by any significant degree.

The development would be accessible using sustainable and active modes of transport and it would be within 400m of the nearest bus stop, as well as being accessible from the city centre, and the train and bus stations. 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**

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

A commercial collection contract of all waste streams is required to satisfy Duty of Care regulations.

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)