

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 13 February 2025. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; Councillor Greig, Vice Convener; and Councillors Boulton, Clark, Cooke (as substitute for Councillor Alphonse), Copland, Farquhar, Lawrence and Macdonald.

The agenda and reports associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

DECLARATIONS OF INTEREST OR CONNECTIONS

1. Councillor Clark intimated as a transparency statement in relation to item 6.3 on the agenda (116 Dee Village, Millburn Street Aberdeen), that she knew one of the objectors who was due to speak against the application. Councillor Clark did not consider the connection required a declaration of interest, and indicated that she would remain in the meeting for consideration and determination of the item.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 5 DECEMBER 2024

2. The Committee had before it the minute of the previous meeting of 5 December 2024, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE PLANNER

3. The Committee had before it the committee business planner, as prepared by the Interim Chief Officer – Governance.

The Committee resolved:-

- (i) to note that the Development Manager would report to this committee at a future meeting, with the information which was to be submitted to the Scottish Government as part of the National Planning Improvement Framework;
- (ii) to request that the Clerk circulate information on how many cases had been before the Local Review Body in the last two years and the percentage of cases approved/overturned at the meetings; and to include this information on the Local Review Body in future Annual Effectiveness reports for this committee; and
- (iii) to otherwise note the committee business planner.

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PLANNING DIGEST

4. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which provided an update in relation to various planning appeals.

The report informed Members about planning appeals and notifications in relation to Aberdeen City Council decisions that the Scottish Government's Division for Planning and Environmental Appeals (DPEA) had received or decided since the last Planning Development Management Committee meeting and also listed appeals that were still pending.

The Committee resolved:-

- (i) to note that on page 15, a typo had occurred and the word should be authorised instead of unauthorised; and
- (ii) to otherwise note the information contained in the planning appeal digest.

WEST CHURCH OF ST NICHOLAS, BACK WYND, ABERDEEN - 240987

5. The Convener advised that the application had been withdrawn and therefore would not be considered at this meeting.

40 URQUHART ROAD ABERDEEN - 241252

6. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 2 people at 40 Urquhart Road Aberdeen, be approved subject to the following conditions:-

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

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The use of the flat for short term let accommodation as hereby approved, 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 of the property as serviced apartment accommodation in the meantime. Should no further planning permission be granted then the property shall revert to a flat in residential use after the aforementioned 5-year period.

Reason - In order to allow reassessment of 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.

The Committee heard from Esmond Sage, Planner, who spoke in furtherance of the report and answered various questions from Members.

The Committee then heard from Alan Gordon and Alan McKay, who both objected to the proposed planning application and asked that the application be refused.

The Convener moved, seconded by the Vice Convener:-

That the application be approved in line with the officer's recommendation.

Councillor Boulton, seconded by Councillor Macdonald, moved as an amendment:-

That the Committee refuse the application for the following reasons:-

The site was in close proximity to a mixed use area in the city centre and would be compliant in principle with Policy 30 (Tourism), paragraph (e) part (i) of National Planning Framework 4. It was considered that the proposed change of use of the property to Short Term Let accommodation would likely result in significant detrimental impacts upon the amenity of the immediate neighbouring residential properties within the application building beyond what could typically be expected if it were to be used as mainstream residential accommodation through noise disturbance, the frequency of changes in occupants, and the impact on security, real or perceived, within the communal areas of the building.

The proposed change of use was thus considered to be contrary to Policy H1 (Residential Areas) and Policy D2 (Amenity) of the Aberdeen Local Development Plan 2023.

On a division, there voted – for the motion (5) – the Convener, the Vice Convener and Councillors Clark, Cooke and Copland – for the amendment (4) – Councillors Boulton, Farquhar, Lawrence and Macdonald.

The Committee resolved:-

to adopt the motion and therefore approve the application conditionally.

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116 DEE VILLAGE, MILLBURN STREET, ABERDEEN - 241277

7. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use of flat to short term let accommodation with maximum occupancy of 3 people, at 116 Dee Village, Millburn Street, Aberdeen, be approved subject to the following conditions:-

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.

The Committee heard from Roy Brown, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from William Rae (Ferryhill and Ruthrieston Community Council), Sheena Leslie and Richard Fahey (Chairman Dee Village Residents Association) who all objected to the proposed planning application and asked that it be refused.

The Convener moved, seconded by the Vice Convener:-

That the application be approved in line with the officer's recommendation.

Councillor Boulton, seconded by Councillor Macdonald, moved as an amendment:-

That the application be refused for the following reasons:-

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There were tensions with Policy VC2 in as far as the proposal would undermine the sequential approach to locating visitor related attraction as close to the city centre as possible.

It was considered that the proposed change of use of the property to short term let accommodation would likely result in significant detrimental impacts upon the amenity of the immediate neighbouring residential properties within the application building beyond what could typically be expected if it were to be used as mainstream residential accommodation through noise disturbance, the frequency of changes in occupants, and the impact on security, real or perceived, within the communal areas of the building. The proposed change of use was thus considered to be contrary to Policy 30 (Tourism), paragraph (e) part (i) and (ii) of National Planning Framework 4, Policy 14 (Design, Quality and Place) of National Planning Framework 4, and Policies H1 (Residential Areas) and Policies D1(Quality Placemaking) and D2 (Amenity) of the Aberdeen Local Development Plan 2023.

On a division, there voted – for the motion (4) – the Convener, the Vice Convener and Councillors Cooke and Copland – for the amendment (5) – Councillors Boulton, Clark, Farquhar, Lawrence and Macdonald.

The Committee resolved:-

to adopt the amendment and therefore refuse the application.

- **COUNCILLOR MCRAE, CONVENER**