

LICENSING COMMITTEE INFORMATION SHEET
25 February 2026

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: JOSH JOHNSTON

AGENT: CAPITAL LETTERS PROPERTY MANAGEMENT

ADDRESS: 12 BURNETT PLACE, ABERDEEN

INFORMATION NOTE

- Application submitted 17/04/2025
- Determination date 16/04/2026

This HMO licence application is on the agenda of the Licensing Committee for the reason that 1 representation/objection letter was submitted to the HMO Unit.

If, after consideration of the representation/objection, the Committee is minded to grant the HMO licence, it may do so under delegated powers since at the time of drafting this report, the necessary upgrading works & certification have not been completed. I will advise Members during the Committee meeting if that position has changed.

DESCRIPTION

The property at 12 Burnett Place, Aberdeen, is the subject of this renewal HMO licence application and its accommodation is double upper flat within a terraced property comprising, 2 letting bedrooms on the first floor and 3 bedrooms on the upper floor. The property also contains a lounge, dining room, kitchen and 2 bathrooms. The applicant wishes to accommodate a maximum of 5 tenants, which is acceptable to the HMO Team in terms of space and layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building, alerting the public to the HMO licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- One objection from Objector A (Attached as Appendix B)
- One representation from the Agent (Attached as Appendix C)

The objection was received within the statutory time period therefore the Council must consider.

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:
'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'

GROUNDS FOR REFUSAL

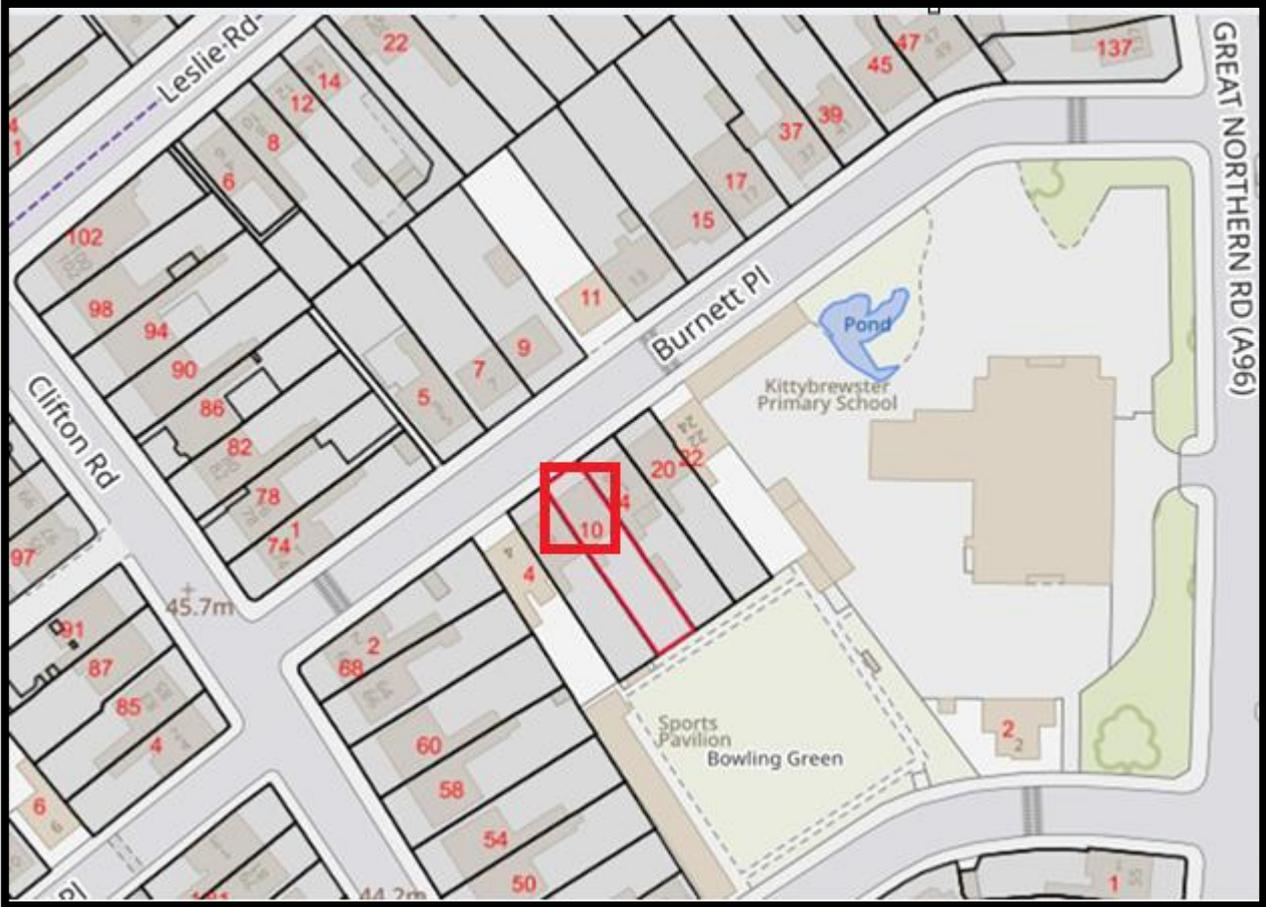
This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and their registration includes No.12 Burnett Place, Aberdeen.
- The Council's Community Safety Team has no record of any complaints in respect of No.12 Burnett Place, Aberdeen.
- There are currently no other HMO licensed properties at Burnett Place.
- The objection mentions car parking. Members may wish to note that car parking is not a consideration of HMO Licensing it is not specifically mentioned in the Statutory Guidance.

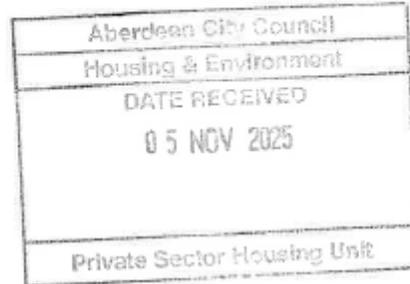
'A'



'B'

From:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



29 October 2025

To:

HMO Unit, Early Intervention and Community Empowerment

Hub 11, Second Floor West

Marischal College, Broad Street

Aberdeen

AB10 1AB

Objection to HMO Application for 12 Burnett Place

Dear Sir/Madam,

I am writing as the [REDACTED] 12 Burnett Place to raise my concerns and formally object to the proposed House in Multiple Occupation (HMO) at 12 Burnett Place.

[REDACTED] I believe the proposed change would have a significant negative impact on both my household and the wider community. My key concerns are as follows:

1. Parking and Traffic Congestion

Parking on Burnett Place is already very limited. If 12 Burnett Place were to house up to five tenants, this could mean five additional cars competing for space. Furthermore, our street is part of a school zone, with a primary school located nearby. Traffic is already heavy during school drop-off and pick-up times, and additional vehicles would make the situation more congested and potentially more dangerous for children and parents walking to and from school.

2. Safety and Security

There are concerns about high tenant turnover and uncertainty about who will be living at the property. This makes it difficult for neighbours to feel secure and maintain the strong sense of community that currently exists on our street.

3. Noise and Disturbance

With multiple unrelated occupants, there is a higher likelihood of increased noise,

particularly in the evenings and weekends. As our homes are very close together, even moderate noise carries easily and would directly affect my living conditions.

4. Shared Outdoor Space

The garden and washing line are shared between neighbours. An increase in the number of residents could lead to the outdoor area becoming cluttered or poorly maintained, reducing its usability and appearance for everyone who shares it.

For these reasons, I strongly believe that approving the HMO application for 12 Burnett Place would negatively impact both neighbouring residents and the safety and character of the surrounding area.

I respectfully request that the Council reconsider or refuse this HMO application, taking into account the concerns of local residents who value the safety, peace, and community spirit of Burnett Place.

Thank you for your attention to this matter. Please confirm receipt of this letter and that my objection will be included in the assessment of the application.

Kind regards,

██████████ ██████████ ██████████ ██████████ ██████████ ██████████

From: [REDACTED]
Sent: 11 February 2026 12:12
To: HMOUnit <HMOUnit@aberdeencity.gov.uk>
Cc: [REDACTED]
Subject: HMO Application – 12 Burnett Place, Aberdeen

To: HMO Licensing Team
Aberdeen City Council
Town House
Broad Street
Aberdeen
Re: HMO Application – 12 Burnett Place, Aberdeen
Licensing Committee: 25 February 2026
Applicant Response to Letter of Objection

Dear Sir/Madam,

I write in response to your correspondence regarding the objection submitted in respect of my application for an HMO licence at **12 Burnett Place, Aberdeen** to advise we will be in attendance at the Licensing Committee meeting at **10am on 25 February 2026** to address the matters raised and set out below my response to the specific concerns contained within the objector's letter.

1. Parking and Traffic Congestion

The objector expresses concern that granting an HMO licence could increase pressure on parking and traffic, particularly due to the proximity of a primary school

I would respectfully submit that:

- Parking provision on Burnett Place is **not within the control of the applicant** and is governed by public road and planning policy;
- The property is not being altered to increase occupancy beyond what is already lawful as a dwellinghouse;
- There is no requirement within HMO legislation that tenants must own vehicles, and many HMO occupants, particularly students and young professionals, do not;
- The Licensing regime cannot be used to regulate general parking demand in a street.

2. Safety and Security / Tenant Turnover

The objection suggests that higher tenant turnover may affect community cohesion and feelings of security

I would highlight:

- HMO licensing specifically exists to ensure that such properties are **well managed and regulated**, with fit-and-proper landlords and enforceable conditions;
- There is no evidence that HMO properties are inherently less safe than family homes;

- All tenants will be subject to referencing, written tenancy agreements and house rules.

As the agent we are:

- A named local management contact available to neighbours;
- With clear procedures for dealing with any complaints;

- Regular property inspections;
- Cooperation with Police Scotland and Environmental Health if ever required.

3. Noise and Disturbance

Concerns are raised about potential increased noise due to multiple occupants

I respectfully note:

- The objection refers to **potential** future disturbance rather than any actual issue connected with this property;
- Noise nuisance is regulated through existing legislation and licence conditions;
- The HMO will operate under strict management controls including tenancy clauses on noise, guests and conduct.

Any substantiated complaints would be addressed immediately and could ultimately be enforced through tenancy action or licence review, providing reassurance to neighbours.

4. Shared Outdoor Space

The objector refers to shared garden and washing line facilities and fears these may become cluttered or poorly maintained

I can confirm that:

- The property will be managed with a clear cleaning and maintenance regime;
- Tenants will receive written guidance on refuse, recycling and use of shared areas;
- Regular inspections will ensure the external areas remain tidy and respectful of neighbouring amenity.

Good management, not refusal of the licence, is the appropriate means of addressing such matters.

5. Suitability of the Property

The statutory question for the Committee is whether **12 Burnett Place is suitable for use as an HMO** having regard to:

- Physical standards and amenities
- Safety requirements
- Management arrangements
- The fitness of the applicant

The property has been inspected by the Council's HMO team and will meet all required standards prior to any grant. I am committed to full compliance with all licence conditions and the Letting Agent Code of Practice.

6. General Observations

While I appreciate the objector's desire to protect the character of their street, the HMO licensing regime is not intended to prevent lawful residential use where a property:

- Meets required standards,
- Is properly managed, and
- The applicant is fit and proper.

The concerns expressed are largely speculative and relate to generalised fears rather than evidence specific to this address.

Conclusion

For the reasons above, I respectfully request that the Committee:

1. Notes that the objections do not demonstrate that the property is unsuitable under the 2006 Act;

2. Recognises that any potential issues are capable of being addressed through standard licence conditions and good management; and
3. Grants the HMO licence for 12 Burnett Place.

I intend to attend the Licensing Committee on **25 February 2026** and will be happy to answer any questions.

Kind regards,

[Redacted]

[Redacted]

[Redacted]

