

Aberdeen Planning Guidance 2023: Serviced Apartments (DRAFT)

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1. Introduction

1.1 Status of Aberdeen Planning Guidance

This Aberdeen Planning Guidance (APG) supports the Development Plan and is a material consideration in the determination of planning applications.

This APG expands upon the following Aberdeen Local Development Plan policies:

- Policy VC1 – Vibrant City
- Policy VC4 – City Centre and Retail Core

1.2 Introduction to Topic

Serviced apartments are residential flats used as short term quasi hotel accommodation by business and leisure visitors to the city. They are usually fully furnished and can be equipped with kitchen facilities and Wi-Fi. Other services can include house keeping and laundry, either on a daily basis or between periods of occupation.

Providing a range of short term residential accommodation options to both business and leisure visitors to the city centre is to be encouraged. Promotion of a diversification of uses in the city centre can support its vitality and vibrancy. The planning application process will consider impact on other uses in the locality and whether the proposal satisfies the policies in the development plan. The convenience of city centre accommodation can enable visitors to make more sustainable transport choices on both their inward and outward journeys in addition to during their stay.

1.3 Climate Change

Directing the location of serviced apartments to the city centre is aligned with the following UN Sustainable Development Goals: 8 (Decent Work & Economic Growth); 11 (Sustainable Cities & Communities); 12 (Responsible Consumption & Production); and 13 (Climate Action).

Encouraging development, or change of use to, serviced apartments in accessible, city centre locations can assist in helping to achieve the Net Zero Vision for Aberdeen by helping to promote low/zero carbon forms of transport, encourage active travel, support economic activity and a vibrant city centre. This will also help to achieve Goals 10 (Prioritising Health & Wellbeing) and 11 (Building Resilience in the Economy) of Aberdeen Adapts.

2. Aberdeen Planning Guidance

2.1 General

Serviced apartments are considered by the Council 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 guidance, then the description of the development for the application will have to specifically refer to the intended use as serviced apartments.

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, but rather short term periods of occupation; generally, but not necessarily, less than 90 days by any individual, family or group. The development of serviced apartments must not be to the detriment of other uses in the locality.

2.2 Serviced Apartments in the City Centre and the Existing Built Up Area

The 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 areas, will be assessed on their own merits. All planning applications for serviced apartments will take into consideration the potential issues discussed below.

2.3 Serviced Apartments in the Green Belt

There is 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 NE1: Green Belt.

2.4 Amenity

Residential amenity should not be adversely affected by the introduction of serviced apartments and the applicant should demonstrate this in 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 (refer 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 such amenity considerations, serviced apartments are more preferable in the city centre and locations with good access to public transport. In all cases the Agent of Change Principle will apply, whereby the responsibility for mitigating any detrimental impact of noise from a new development or operation lies with those carrying out the new development or operation.

2.5 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 its 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 Environmental Health, Roads Projects and Public Sector Housing Unit teams within the Council, regarding waste and access respectively, before submitting a planning application.

2.6 Sustainable Travel and Parking

In line with Policy T2: Sustainable Transport, serviced apartments should minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Aberdeen Planning Guidance on Transport and Accessibility provides further information.

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 a 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 800 metres from the apartment) then serviced apartments shall be regarded as 'car free' and contributions as per Supplementary Guidance: Planning Obligations 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 applied in accordance with Policy T3: Parking.

The Council encourages the production and promotion of a Residential Travel Pack, particularly 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 business's website and in the apartments. This may be Conditioned in a planning consent.

2.7 Planning Obligations

Serviced apartments can have an impact on a number of services and facilities. 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 environmental and core path improvements. Please be aware that further considerations such as contributions will be required for future applications for a change of use of serviced apartments to residential or any other use. For further details see Supplementary Guidance: Planning Obligations.

2.8 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 apartments 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.

3. Summary of Policy

Proposals for the development of Serviced Apartments:

- Pre-application discussions are recommended;
- Require the submission of a planning application for a change of use and for the description of the development to refer to the intended use as serviced apartments;
- Within the city centre are encouraged in principle, subject to satisfaction of other local development plan policies such as amenity, servicing, sustainable travel and parking, and planning obligations;
- Outwith the city centre, but within the existing built up areas, will be assessed on their own merits;
- Within the Green Belt have a presumption against development;
- All apartments within a development must be in single ownership and operated as a single business;
- Should not be a form of permanent housing;
- Must not be to the detriment of other uses in the locality;
- Must include a Servicing Strategy for the development;
- The production and promotion of a Residential Travel Pack is encouraged; and
- Will be subject to a required legal agreement covering issues such as ownership and maximum length of continuous stays.