

The purpose of Aberdeen City Council is to protect the people and the place of Aberdeen from harm, enabling them to prosper and supporting them in the event of harm happening.

The purpose of an Integrated Impact Assessment is to evidence that Aberdeen City Council are making decisions in an informed way, and that the impact of decisions made is understood and accepted. The legislation that is considered within this assessment are:

- Section 2 [Equality Act 2010 protected characteristics](#)
- Section 3 [Socio-Economic](#)
- Section 4 [Human Rights](#)
- Section 5 [Children and Young People’s Rights](#)

The term ‘policy’ is used throughout this document and applies to policies, proposals, strategies, provision, criteria, functions, practice, budget savings and activities that includes delivery of our services.

## 1. About the Policy

### 1.1 Title

Aberdeen Planning Guidance: Short-term Lets

### 1.2 What does this policy seek to achieve?

This Integrated Impact Assessment relates to a report to Planning Development Management Committee on 15 May 2024, the recommendations of which are as follows:

That the Committee:-

- 2.1 Note the comments received during the recent public consultation on the draft Aberdeen Planning Guidance on Short-term Lets and approve officers’ responses to the consultation comments, as outlined in Appendix 1 (to the Committee report); and
- 2.2 Agree the final Aberdeen Planning Guidance: Short-term Lets, as set out in Appendix 2 (to the Committee report), and approve its adoption as non-statutory planning advice to support the Local Development Plan 2023.

The proposed Aberdeen Planning Guidance on short-term lets will support the Aberdeen Local Development Plan 2023 and will be a material consideration in the determination of planning applications. The document outlines the factors that will be taken into account by the Council when determining whether proposals for Short-term Lets require planning permission, and the criteria which will be used by planning officers when assessing any such planning applications for short-term lets in Aberdeen. It will also support Policy 30 (Tourism) of National Planning Framework 4, which states that proposals to change the use of existing buildings to short-term lets will not be supported where they would result in “an unacceptable impact on local amenity or the character of a neighbourhood or area” or “the loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits”. The Aberdeen Planning Guidance will help applicants, planning officers and other stakeholders and will ensure a consistent approach to decision making on short-term lets. The Aberdeen

Planning Guidance document was subject to a 6-week period of public consultation before being finalised.

**1.3 Is this a new or existing policy?**

The Aberdeen Planning Guidance is a new document. However, it supports existing policies that are enshrined within the Aberdeen Local Development Plan and National Planning Framework 4.

**1.4 Is this report going to a committee?**

Yes

**1.5 Committee name and date:**

Planning Development Management Committee – 15 May 2024

**1.6 Report no and / or Budget proposal number and / or Business Case reference number:**

CR&E/24/143

**1.7 Function and Cluster:**

Commissioning / Strategic Place Planning

## Impacts

This section demonstrates the considerations that have been made in relation to the policy - and that the impact of proposals made is understood and accepted.

## 2: Equality Act 2010 - Protected Characteristics

Aberdeen City Council wants to ensure everyone is treated fairly. This section identifies the [protected characteristics](#) that the policy potentially affects and records the impact and mitigating steps.

2.1 What impact could this policy have on any of the below groups?

Protected Characteristic	What is the impact?			Neutral	Positive
	High	Medium	Low		
<a href="#">Age</a>				X	
<a href="#">Disability</a>					X
<a href="#">Gender Reassignment</a>				X	
<a href="#">Marriage and Civil Partnership</a>				X	
<a href="#">Pregnancy and Maternity</a>				X	
<a href="#">Race</a>				X	
<a href="#">Religion or Belief</a>				X	
<a href="#">Sex</a>				X	
<a href="#">Sexual Orientation</a>				X	

2.2 In what way will the policy impact people with these protected characteristics?

The proposed Aberdeen Planning Guidance is expected to have a positive impact on people with disabilities, as it will help to ensure that all short-term let developments comply with policy T2 (Sustainable Transport) of the Aberdeen Local Development Plan. This requires developments to be designed to be accessible by a range of transport modes with an emphasis on active and sustainable transport, including wheeling. The proposed Aberdeen Planning Guidance emphasises this requirement and this will help to ensure that short-term let developments are accessible by people with restricted or limited mobility. The proposed Aberdeen Planning Guidance is expected to have a neutral (or potentially positive) impact on all other protected groups / characteristics as it intends to ensure that all short-term let developments appropriately respect local amenity and character. This will be to the general benefit of all groups in society, including those with protected characteristics and those without them.

2.3 What considerations have been made in reaching the above assessment?

**What internal or external data has been considered? What does this data tell us?**

There is currently limited data covering the specific topic of short-term lets. The above assessment is therefore based on officer judgement on the expected impacts of the Aberdeen Planning Guidance, taking into account that fact that it does not set new policy but merely elaborates on existing policies in the Aberdeen Local Development Plan and National Planning Framework 4 – both of which will have been subject to their own impact assessments.

**What consultation and engagement and has been undertaken with officers and partner organisations?**

Public consultation has been undertaken on the draft Aberdeen Planning Guidance, and changes have been made to accommodate the consultation comments where possible (see more detail below).

**What consultation and engagement and has been undertaken with people who may be impacted by this policy (e.g. citizens, community groups, or other people/groups)?**

As stated in section 1.2 above, the draft Aberdeen Planning Guidance was subject to a wide-ranging public consultation before being finalised. The consultation was publicised by a range of methods, including:

- Publication of the draft document and consultation survey on the Council’s online ‘Consultation Hub’ <https://consultation.aberdeencity.gov.uk/planning/short-term-lets/>
- A hard copy of the consultation document was made available for review at Marischal College Customer Service Centre during normal opening hours.
- Social media posts on Facebook and X (formerly Twitter) from Aberdeen City Council and Local Development Plan social media accounts during the consultation process.
- Notification by email to statutory consultees, Community Councils and other interested organisations.
- Notification to individuals, organisations and businesses signed up to the Local Development Plan Newsletter.

A total of 19 comments were received to the public consultation. This level of response was in line with expectations given the specialist nature of the topic. Consultation comments represented a mix of views, with some respondents seeking stronger regulation of short-term lets and others preferring less regulation. The comments have been taken into account, and changes have been made to address them where appropriate, when preparing the final version of the Aberdeen Planning Guidance.

2.4 What mitigations can be put in place?

**What mitigations are there against any negative impacts (if applicable)?**

N/A – No negative impacts have been identified, therefore no mitigations are required.

<b>With mitigations in place, what is the new overall rating of the negative impact(s)?</b>	High
	Medium
	Low
	Negative Impact Removed

**3: Socio-Economic Impacts**

This section is used to consider the impact of the policy on people who might be **unemployed, single parents, people with lower education or literacy, looked after children**, those with **protected characteristics** as examples.

Use this guide to understand more on socio-economic inequalities: [The Fairer Scotland Duty: Guidance for Public Bodies \(www.gov.scot\)](http://www.gov.scot)

### 3.1 What impact could this policy have on any of the below groups?

Group	Negative			Neutral	Positive
	High	Medium	Low		
Low income / income poverty – those who cannot afford regular bills, food, clothing payments.				X	
Low and/or no wealth – those who can meet basic living costs but have no savings for unexpected spend or provision for the future				X	
Material deprivation – those who cannot access basic goods and services, unable to repair/replace broken electrical goods, heat their homes or access to leisure or hobbies				X	
Area deprivation – consider where people live and where they work (accessibility and cost of transport)				X	
Socio-economic background – social class, parents' education, employment, income.				X	

### 3.2 In what way will the policy impact people in these groups?

The Aberdeen Planning Guidance aims to ensure that short-term lets do not distort the wider housing market in Aberdeen as it requires the duration of any planning permissions for short-term lets to be limited to 5 years. This will ensure that the impacts of short-term lets on local housing market conditions can be kept under review. Although this is likely to have a broadly positive impact on the overall affordability of housing in Aberdeen (ie by ensuring that short-term lets do not push up property prices for permanent residents), the impact is expected to be neutral for people in the above groups as they are already unable to afford basic living costs and regular bills such as housing. Other policies in the Aberdeen Local Development Plan (and the wider suite of Aberdeen Planning Guidance documents which support it) are designed to deliver more affordable housing to meet the needs of people in the above groups.

### 3.3 What considerations have been made in reaching the above assessment?

#### **What internal or external data has been considered? What does this data tell us?**

There is currently limited data covering the specific topic of short-term lets. The above assessment is therefore based on officer judgement on the expected impacts of the Aberdeen Planning Guidance, taking into account that fact that it does not set new policy but merely elaborates on existing policies in the Aberdeen Local Development Plan and National Planning Framework 4 – both of which will have been subject to their own impact assessments.

#### **What consultation and engagement and has been undertaken with officers and partner organisations?**

#### **What consultation and engagement and has been undertaken with people who may be impacted by this policy? citizens, community groups, or other people/groups impacted by this policy?**

As stated in section 1.2 above, the Aberdeen Planning Guidance was subject to a wide-ranging public consultation before being finalised. Consultation comments have been taken into account when preparing the final version of the Aberdeen Planning Guidance.

### 3.4 What mitigations can be put in place?

<b>What mitigations are there against any negative impacts (if applicable)?</b>	
N/A – No negative impacts have been identified, therefore no mitigations are required.	
<b>With mitigations in place, what is the new overall rating of the negative impact(s)?</b>	High
	Medium
	Low
	Negative Impact Removed

## 4: Human Rights Impacts

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000

The Act sets out our human rights in a series of ‘Articles’. Each Article deals with a different right.

Use this guide to understand more about [Human Rights](#).

### 4.1 What impact could this policy have on Human Rights?

Human Rights Article	Negative	Neutral	Positive
<b>Article 6:</b> <a href="#">Right to a fair trial</a>		X	
<b>Article 7:</b> <a href="#">No punishment without law</a>		X	
<b>Article 8:</b> <a href="#">Right to respect for private and family life, home and correspondence</a>			X
<b>Article 9:</b> <a href="#">Freedom of thought, belief and religion</a>		X	
<b>Article 10:</b> <a href="#">Freedom of expression</a>		X	
<b>Article 11:</b> <a href="#">Freedom of assembly and association</a>		X	
<b>Article 12:</b> <a href="#">Right to marry and start a family</a>		X	
<b>Article 14:</b> <a href="#">Protection from discrimination in respect of these rights and freedoms</a>		X	
<b>Article 1 of Protocol 1:</b> <a href="#">Right to peaceful enjoyment of your property</a>			X
<b>Article 2 of Protocol 1:</b> <a href="#">Right to education</a>		X	
<b>Article 3 of Protocol 1:</b> <a href="#">Right to participate in free elections</a>		X	

### 4.2 In what way will the policy impact Human Rights?

The Aberdeen Planning Guidance contains guidance which will help to ensure that all short-term let developments appropriately respect local amenity and character, including the amenity of neighbouring properties. This is expected to have positive impacts in relation to Article 8 and Article 1 of Protocol 1.

### 4.3 What mitigations can be put in place?

<b>What mitigations are there against any negative impacts (if applicable)?</b>	
N/A – No negative impacts have been identified, therefore no mitigations are required.	
<b>If mitigations are in place, does this remove the negative impact?</b>	No – negative impact remains
	Yes – negative impact reduced
	Yes - negative impact removed

## 5: Children and Young People’s Rights Impacts

The United Nations Convention has 54 articles that cover all aspects of a child’s life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to. It also explains how adults and governments must work together to make sure all children can enjoy all their rights.

Children’s rights apply to every child/young person under the age of 18 and to adults still eligible to receive a “children’s service” (e.g. care leavers aged 18 – 25 years old).

The Conventions are also known as the “General Principles” and they help to interpret all the other articles and play a fundamental role in realising all the rights in the Convention for all children. They are:

1. Non-discrimination (Article 2)
2. Best interest of the child (Article 3)
3. Right to life survival and development (Article 6)
4. Right to be heard (Article 12)

You can [read the full UN Convention \(pdf\)](#), or [just a summary \(pdf\)](#), to find out more about the rights that are included.

### 5.1 What impact could this policy have on the rights of Children and Young People?

UNCRC and Optional Protocols	Negative	Neutral	Positive
<b>Article 1:</b> definition of the child		x	
<b>Article 2:</b> non-discrimination		x	
<b>Article 3:</b> best interests of the child		x	
<b>Article 4:</b> implementation of the convention		x	
<b>Article 5:</b> parental guidance and a child's evolving capacities		x	
<b>Article 6:</b> life, survival and development		x	
<b>Article 7:</b> birth registration, name, nationality, care		x	
<b>Article 8:</b> protection and preservation of identity		x	
<b>Article 9:</b> separation from parents		x	
<b>Article 10:</b> family reunification		x	
<b>Article 11:</b> abduction and non-return of children		x	
<b>Article 12:</b> respect for the views of the child		x	
<b>Article 13:</b> freedom of expression		x	
<b>Article 14:</b> freedom of thought, belief and religion		x	
<b>Article 15:</b> freedom of association		x	
<b>Article 16:</b> right to privacy		x	
<b>Article 17:</b> access to information from the media		x	
<b>Article 18:</b> parental responsibilities and state assistance		x	
<b>Article 19:</b> protection from violence, abuse and neglect		x	
<b>Article 20:</b> children unable to live with their family		x	
<b>Article 21:</b> adoption		x	
<b>Article 22:</b> refugee children		x	
<b>Article 23:</b> children with a disability			x
<b>Article 24:</b> health and health services		x	
<b>Article 25:</b> review of treatment in care		x	
<b>Article 26:</b> social security		x	
<b>Article 27:</b> adequate standard of living			x
<b>Article 28:</b> right to education		x	

<b>Article 29:</b> goals of education		X	
<b>Article 30:</b> children from minority or indigenous groups		X	
<b>Article 31:</b> leisure, play and culture		X	
<b>Article 32:</b> child labour		X	
<b>Article 33:</b> drug abuse		X	
<b>Article 34:</b> sexual exploitation		X	
<b>Article 35:</b> abduction, sale and trafficking		X	
<b>Article 36:</b> other forms of exploitation		X	
<b>Article 37:</b> inhumane treatment and detention		X	
<b>Article 38:</b> war and armed conflicts		X	
<b>Article 39:</b> recovery from trauma and reintegration		X	
<b>Article 40:</b> juvenile justice		X	
<b>Article 41:</b> respect for higher national standards		X	
<b>Article 42:</b> knowledge of rights		X	
<b>Optional</b> Protocol on a Communications Procedure			

### 5.2 In what way will the policy impact the rights of Children and Young People?

The Aberdeen Planning Guidance contains guidance which will help to ensure that all short-term let developments appropriately respect local amenity and character, including the amenity of neighbouring properties. This is expected to have positive impacts in relation to Article 27.

The Aberdeen Planning Guidance will also help to ensure that all short-term let developments comply with policy T2 (Sustainable Transport) of the Aberdeen Local Development Plan, which requires developments to be accessible by a range of transport modes with an emphasis on active and sustainable transport, including wheeling. This will help to ensure that short-term let developments are accessible by people with restricted or limited mobility and is therefore expected to have positive impacts in relation to Article 23.

### 5.3 What mitigations can be put in place?

#### **What mitigations are there against any negative impacts (if applicable)?**

N/A – No negative impacts have been identified, therefore no mitigations are required.

**If mitigations are in place, does this remove the negative impact?**

No – negative impact remains

Yes – negative impact reduced

Yes - negative impact removed

## 6: Sign Off

<b>Any further positive or negative impacts on individuals or groups that have been considered?</b>
N/A
<b>Overall summary of changes made as a result of impact assessment.</b>
No changes have been made as a direct result of the impact assessment, as no negative impacts have been identified. The Aberdeen Planning Guidance is nevertheless expected to have positive impacts on some protected groups / features, as outlined above.
<b>Outline of how impact of policy will be monitored.</b>
Through regular monitoring which takes place on the use of all policies in the Aberdeen Local Development Plan.
<b>If there are any remaining negative impacts after mitigation, what is the justification for why this policy should proceed.</b>
N/A – no negative impacts have been identified that require mitigation.

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<b>Date</b>	22/04/24
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<b>Date</b>	01/05/24