Short term holiday lets – Govt consultation

<https://www.gov.uk/government/consultations/introduction-of-a-use-class-for-short-term-lets-and-associated-permitted-development-rights>

Responses are due by 7 June.

See also article by RSN on the consultation:

<https://rsnonline.org.uk/Government-consults-on-new-rules-to-protect-local-people-and-support-tourism>

Summary

The Government’s consultation on holiday lets and proposed new rules aims to give communities greater control over short term lets in holiday locations and tourist “hot spots”. The consultation is published by the Department for Levelling Up, Housing and Communities and proposes introducing new rules for planning permission for an existing home to start to be used as a short term let. The Government’s proposals aim to support local people in areas where high numbers of holiday lets are preventing them from finding affordable housing and where the increasing use of homes for short term lets may be disproportionately affecting the composition of the population in some communities, putting pressure on limited local facilities and infrastructure. The consultation will also consider whether to give owners flexibility to let out their home for up to a specified number of nights in a calendar year without the need for planning permission.

Consultation Questions

**Q.1 Do you agree that the planning system could be used to help to manage the increase in short term lets?**

**Yes**

**Q.2 Do you agree with the introduction of a new use class for short term lets?**

**Yes**

**Q.3 Do you agree with the description and definition of a short term let for the purpose of the new use class?**

Proposed: “C5 Short Term Let”:

Use of a dwellinghouse that is not a sole or main residence for temporary sleeping accommodation for the purpose of holiday, leisure, recreation, business or other travel.”

Yes, but see Q5 and Q11 below.

**Q.4 Do you have any comments about how the new C5 short term let use class will operate?**

**The registration scheme should list all existing C3 properties currently used for the purposes described in the new C5 use class, and local authorities should be required to consult on the list to check whether any of the existing properties should apply retrospectively for permission for change of use class. This would enable any current issues and local problems to be identified and addressed.**

**For new developments of properties, and also for a proposed new use of a self-contained part of an existing C3 property, which are proposed for use as C5 properties, planning consent should be required enabling full public consultation to take place.**

**Q.5 Do you consider there should be specific arrangements for certain accommodation as a result of the short term let use class? eg student lets**

No, an appropriate definition of the use class should be adopted. The draft definition as proposed should be suitable - as it stands, it would not cover accommodation for student lets for which existing arrangements would continue to apply.

Any proposals to use existing accommodation (including existing student lets) for C5 short term holiday lets should be subject to the same requirements for planning permission as for all C5 properties.

**Q. 6 Do you agree that there should be a new permitted development right for the change of use from a C3 dwellinghouse to a C5 short term let (a)**

**No, the change of use should be subject to planning consent granted after submission of a planning application and public consultation process. It will be unclear whether there are any local issues until the development is in place and local communities need to be given the opportunity to consider the potential impact in advance of the change of use. Such changes of use should be regarded as material.**

**Q.7 Do you agree that there should be a new permitted development right for the change of use from a C5 short term let to a C3 dwellinghouse (b)**

No, as above – the change should be subject to application for planning permission and public consultation and the change of use should be regarded as material. A property used for short term lets may not be appropriate for use as a dwelling. Local circumstances need to be taken into account in each case and the local authority, with local information provided through the public consultation process, is best placed to decide this.

**Q.8 Do you agree that the permitted development rights should not be subject to any limitations or conditions?**

**No – see answers to questions above. Permitted development rights should not apply for change of use class developments C3 to C5 or C5 to C3.**

**If it is decided to grant permitted development rights in either of these cases, exclusions should apply in respect of conservation areas and also with reference to the size of individual settlements in holiday locations, including rural and coastal areas. The smaller the settlement, the greater, potentially, the negative impacts on the local community as the number of homes used for holiday lets in a given area exceeds a certain percentage of the overall housing stock.**

**Q.9 Do you agree that the local planning authority should be notified when either of the two permitted development rights for change of use to a short term let (a) or from a short term let (b) are used?**

**Yes, and the local planning authority should then engage with the local community to identify any potential issues ie a planning application should be made and a public consultation should take place.**

**Q.10 Do you have any comments about other potential planning approaches?**

**It should be the role of the local planning authority to determine the best means of handling applications and consents in their area.**

**Q.11 Do you agree that we should expressly provide a flexibility for homeowners to let out their homes (C3 dwellinghouses)?**

**No, in respect of self-contained units and whole house lets by homeowners, this should be covered within the definition of the new use class C5, rather than by means of an express provision.**

**However, it may possibly be helpful to local homeowners to provide a flexibility to rent out single rooms within the house they occupy in order to recognise this as a source of household income.**

**No comments on Qs 12 & 13**

**Q.14 Do you agree that a planning application fee equivalent to each new dwellinghouse should apply to applications for each new build short term let?**

**Yes**

**No comments on Qs 15-17**

**Q.18 Do you think that the proposed introduction of the planning changes in respect of a short term let use class and permitted development rights could impact on:**

**a) businesses**
**b) local planning authorities**
**c) communities?**

Yes, all of these, but, as long as the new planning regulations provide for planning applications and public consultation to take place in each case, the impact on them would be for the right reasons. All 3 should be involved in the consultation and decision-making process for the continued expansion of short term let accommodation, because the impact on communities of having this increase continue unchecked, unmonitored and unregulated can potentially have a profound and lasting negative effect in local areas, particularly in very small rural and coastal communities.