

RIBBLE VALLEY BOROUGH COUNCIL

REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 1st JUNE 2023
title: GOVERNMENT CONSULTATION ON SHORT TERM LETS
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1. PURPOSE

- 1.1 To update Members on the current government consultation on 'Introduction of a use class for short term lets and associated permitted development rights'.
- 1.2 Relevance to the Council's ambitions and priorities:-
- To sustain a strong and prosperous Ribble Valley
 - To match the supply of homes in our area with the identified housing needs

2. BACKGROUND

- 2.1 The government published a consultation on 12th April 2023: 'Introduction of a use class for short term lets and associated permitted development rights'. Public consultation runs for 8 weeks to 7 June 2023.
- 2.2 The increase in the number of short term lets in certain areas, such as coastal towns, national parks and some cities can impact on the availability and affordability of homes to buy or to rent for local people and on the sustainability of communities more broadly. While short term lets can support tourism and the local economy in such areas it is important that this is balanced with meeting the needs of the local community. The government is therefore consulting on planning measures that would help local areas have greater ability to control any future increase in the number of short term lets in their area and support the retention of existing properties to buy or to rent.
- 2.3 This consultation seeks views on the introduction of a short term let use class. In addition it seeks views on the introduction of new permitted development rights to provide flexibility where short term lets are not a local issue, and which allows for this flexibility to be removed where there is local concern. The consultation additionally seeks views on how homeowners might be provided with flexibility to let out their sole or main home for up to 30 nights in a calendar year.

3. PROPOSED CHANGES

- 3.1 Currently the Town and Country (Use Classes) Order 1987, as amended, groups uses of land and buildings into various categories known as 'Use Classes'. What are generally referred to as 'homes' typically fall within the 'C3 Dwellinghouses' use class. This use class makes no distinction between whether the dwellinghouse is used as a sole or main home, for personal or commercial use, or its tenure (rental or home ownership).
- 3.2 Section 55 of the Town and Country Planning Act 1990 sets out that planning permission is required for development, including the material change of use. The planning system allows for local consideration of the merits of individual cases "as a matter of fact and degree" as to whether there is a material change of use requiring planning permission. This gives rise to existing properties being used in a variety of ways. For example, a homeowner may be able to let out a room to boost their household income. In other cases, the whole property may be let out for a two week holiday period while the owner is away. Other properties however may be let out as a

series of short term lets, over all the holiday periods or for several weekends. Planning permission will be required in respect of any such cases where there has been a material change of use.

- 3.3 To allow for greater local control where in future additional dwellinghouses seek to become used as a short term let, the proposal is to introduce a new use class for short term lets. This would also allow local planning authorities to consider planning applications for new build short term lets and grant permission conditioned to the new class where appropriate.
- 3.4 The new use class is proposed as 'C5: Short Term Let' which would be defined as '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.' This definition is intended to capture short term lets that may be let out for a limited period while the owner themselves go on holiday as well as properties that provide for a series of lets for holidays etc or very short term overnight sleeping accommodation including renting an individual bedroom while the owners are in situ.
- 3.5 When the use class comes into effect the intention is that existing properties that meet the C5: short term let definition would fall into the new C5 use class. Those that don't will remain as C3 dwellinghouse.
- 3.6 Some homeowners let out a room within their house to boost their income and for some to help with rising costs. The creation of the new use class may provide greater clarity about whether permission is required for a change of use to a short term let. The proposed structure of the new use class means the letting out of a room or rooms, for example to a lodger, within a 'sole or main' dwellinghouse will be unaffected by the introduction of the new class.
- 3.7 'Second homes' that are additionally let out for part of the year will fall into the C5 short term let use class where they meet the definition.
- 3.8 It is proposed that the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) could be amended to introduce permitted development rights to allow:
 - A) The change of use from a C3 dwellinghouse to a C5 short term let. This would allow for continued flexibility to use a property as a home or short term let where there is no local issue
 - B) The change of use from a C5 short term let to a C3 dwellinghouse. This would allow short term let properties to be made available to rent or to buy without the need for a planning application for the change of use.
- 3.9 Where there is evidence of a local issue, the permitted development right for the change of use to a short term let (A) may be removed by making an Article 4 direction in line with national policy. This should apply to the smallest geographical area possible and could therefore be focussed on those areas or streets that see the highest numbers of short term lets, or individual properties
- 3.10 A second right, (B) could allow the change of use from a short term let to a C3 dwellinghouse. This would allow those premises that fall into the short term let use class when the changes are introduced to return to use as dwellinghouse for rent or to buy without the need for a planning application.
- 3.11 To minimise planning requirements where there is no local issue, it is proposed that the rights would not be subject to any limitations or conditions. This means there would

be no size limits or exclusions, and the rights would apply to listed buildings, and in National Parks and Areas of Outstanding Natural Beauty etc. As there would be no matters for prior approval there would be no planning process and therefore no fee payable.

- 3.12 It is proposed that the local planning authority should be notified whenever either of the individual rights for the change of use to a short term let (A) or from a short term let (B) are used.
- 3.13 The final part of the consultation relates to 'Flexibility to let out your home'. It is identified that some home owners (C3 dwellinghouses) see benefits in letting out their own home for a short time, including to help boost household income to manage the increase in the cost of living. The consultation is therefore seeking views on whether it would be helpful to expressly provide a degree of flexibility for C3 dwellinghouses to be let out for a number of nights (e.g. 30 nights in a calendar year). This could for instance be where homeowner is themselves on holiday, or to benefit from where sporting or other events are held locally, or where the owner works away, while retaining its use as a main or sole dwellinghouse.

4. CONCLUSION

- 4.1 That Members note the consultation.

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