

<b>TEMPORARY LETTING ACCOMMODATION – GOVERNMENT CONSULTATION</b>	
<b>Executive Summary</b>	This report seeks Cabinets' support to agree a response on behalf of North Norfolk District Council to two consultations proposing to introduce new regulations in relation to the use of dwellings as temporary letting accommodation (holiday, Air B&B).
<b>Options considered</b>	Alternative consultation responses have been considered.
<b>Consultation(s)</b>	This report is in response to a Government consultation and members and officers have provided comments and views.
<b>Recommendations</b>	<b>That Cabinet resolves to respond to the consultations as outlined in Appendix A to this report</b>
<b>Reasons for recommendations</b>	To support government proposals to introduce a more effective regulatory framework for the use of dwellings for purposes other than as principal residences and hence give local authorities better tools to manage the potential impacts of such uses.
<b>Background papers</b>	None

<b>Wards affected</b>	All
<b>Cabinet member(s)</b>	Cllr A Brown, Portfolio Holder for Planning, Cllr W Fredericks, Portfolio Holder for Housing
<b>Contact Officer</b>	Mark Ashwell, Planning Policy Manager

<b>Links to key documents:</b>	
Corporate Plan:	Local Homes for Local People
Medium Term Financial Strategy (MTFS)	N/A
Council Policies & Strategies	N/A

<b>Corporate Governance:</b>	
Is this a key decision	Yes / No
Has the public interest test been applied	No
Details of any previous decision(s) on this matter	Overview & Scrutiny Committee considered this issue in July 2022

## 1. Purpose of the report

This report sets out how the Council intends to respond to the Government's consultation on Temporary Letting Accommodation.

### 1.1 Introduction and Background

Government has published two separate but related consultations concerning the regulation of homes used as temporary letting accommodation. The first seeks views on the introduction of a registration scheme. The second outlines options for introducing new planning controls. Both consultations close on the 7<sup>th</sup> of June and take the form of an on-line questionnaire.

### 1.2 Further details are available here:

(1) DCMS: [Consultation on a registration scheme for short-term lets in England - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

(2) DLUHC: [Introduction of a use class for short term lets and associated permitted development rights - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

## 2. New Registration Requirements

- 2.1 This seeks views on the potential introduction of a new national registration scheme for houses being used as temporary letting accommodation. The consultation asks about whether registration should be mandatory, who should administer the scheme and what information should be collected as part of the registration process. Broadly officers recommend supporting a mandatory national registration scheme and that registration is dependent on compliance with a number of standards (mostly existing) such as fire safety, boiler safety, furniture safety and so on. The intention would be to bring temporary uses such as Air B&B in line with the requirements which currently apply to accommodation such as guest houses.

## 3. Planning Changes – proposals and options

- 3.1 In summary government is seeking views on:

- (a) The creation of a separate use class for temporary letting accommodation – this would mean that for planning purposes temporary letting would be classed as a different use from a permanently occupied dwelling and as such would be a material change of use for which planning permission would be required. The consultation defines temporary letting accommodation as

*'Use of a dwelling-house that is not a sole or main residence for temporary sleeping accommodation for the purpose of holiday, leisure, recreation, business or other travel.'*

Note that this definition would not encompass second homes, other than those which are used for periodic letting, and would only be applicable to whole, rather than parts of, dwellings. The use of a single or a small number of rooms within a dwelling would remain outside of control.

- (b) Alongside the change in Use Class, government then proposes to introduce a new permitted development right which would grant an automatic planning permission for change of use from a dwelling to a temporary let, and vice versa.

At first glance this second proposal appears to render the first proposal redundant in that planning permission would be required under provision (a) and then granted by a new national allowance under provision (b).

- 3.2 This is intentional with government pointing out that temporary letting accommodation is not an issue in many (most) locations and in those areas where local authorities can evidence the need for local controls, they have the option to serve an Article 4 Direction. An Article 4 Direction has the effect of removing permitted development allowances for specified types of development in defined geographical areas. For example, if North Norfolk wished to introduce the need for planning permission for letting accommodation in some parts of the district, but not in others, it would do so via the making of an Article 4 Direction. Outside of the area defined in the Direction planning permission would not be required.
- 3.3 Views are also sort on whether government should continue to allow the use of homes for temporary letting for a defined period of days in each year, namely 30, 60 or 90 days without the need for permission. This would allow homeowners to let their properties for the defined period without the need for planning permission.
- 3.4 None of the provisions would apply retrospectively so would have no impact on owners already using properties for various types of letting accommodation.
- 3.5 The consultation questions and suggested responses are attached at **Appendix A.**

#### **4 Financial and Resource Implications**

- 4.1 New burdens could fall on Local Authorities to administer any registration scheme and deal with the increased number of planning applications. Initially these could be significant, and the Authority should make the case for additional resource. Proposed fees for both registration and planning applications would help to mitigate this impact in the longer term.

#### **5 Sustainability**

- 5.1 These measures are intended to improve the sustainability of communities

#### **6 Conclusion and Recommendations**

- 6.1 Taken overall the Council should broadly support these proposed measures. There is significant concern amongst communities that the rapid expansion of various types of holiday letting accommodation is adversely affecting the sustainability of communities and has the potential to have significant impacts on the character of areas and the amenity of occupiers of adjacent dwellings. The introduction of registration and a need for planning permission would

allow local authorities to develop locally specific responses via Local Plan policies if they wished to regulate this sector.