

SHORT TERM LET BRIEFING NOTE

BACKGROUND

The tourism economy has always been an important component of the wider Cotswolds economy. However in more recent years problems have arisen as a result of the number of such units, the impact that a high proportion of non-residential properties has upon the ability of local residents to occupy houses, the impact on local services (eg through reduced numbers of school children actually living in a village) and antisocial behaviour from some occupiers. The lack of regulation/ clarity over what does and does not come under control to be able to regulate use of an existing residential property for holiday purposes compounds the issue. There have even been complaints from residents in tourism hot-spots of there being too many tourists.

There needs to be a greater awareness of the issues and clarity as to the regulatory environment and this paper sets out a suggested framework with which to advise the discussions taking place in Westminster as to how to resolve these issues.

SUGGESTED SOLUTION

It is suggested that a licensing regime be introduced that seeks to regulate the operation of individual premises and that separately the requirements as to what does and does not require planning permission is clarified.

The Licensing system would ensure that premises were operated in such a way as to ensure that individual premises were managed and operated in a manner that respected the amenity of neighbouring dwellings.

The planning system would seek to balance the overall number and location of units such as to ensure that the undoubted benefits of such uses can be balanced against the harms that occur when there are too many or they are too concentrated

SUGGESTED LICENSING CONTROLS/REQUIREMENTS

Fire safety

Parking

Waste management

Outside/late night use

PLANNING CONTROLS

There are two suggested mechanisms whereby planning control could be exercised. One would be to give the LPA a power to designate specified areas as part of their local plan as being areas where change of use of any dwellings to holiday lets /air b n b etc. comes under planning control. This would enable a tailored approach that would allow unrestricted holiday /short term lets in non-designated areas (where the benefits clearly outweighed the harms) but would bring the use under planning control where there were issues so that a more detailed assessment could be made on a case by case basis.

A complimentary approach that could be considered would be to set limits on the amount of occupation that a house could have in holiday use before the need for planning permission is required.

Thus, for example, it could be legislated that a use for less than 28 days per calendar year was deemed not to be development and as such falls outside planning control. Use for 29 – 90 days could be made “permitted development” that did not need planning permission but was subject to a series of limitations as set out by regulation. All use in excess of 90 days would require planning permission.

As well as giving clarity for regulation and enforcement this twin track licensing and planning approach would also assist in clarifying at what point the dwelling had passed from a residential use into commercial use for tax/business rate etc purposes.

SPECIFIC PROBLEM AREAS IDENTIFIED

NOISE:

- People eating, drinking and playing music late into the evening.
- Amenities such as hot-tubs, BBQ's, gazebos etc being used late at night.
- Fireworks
- Disturbance during changeover period of servicing the property

PARKING:

- insufficient parking at the house and guests are invited to park outside the premises
- Parking often on narrow village lanes which are used by the residents.
- Use of resident parking
- Off-site parking away from the property with danger of walking to parking
- Not allowing enough room for farm machinery or emergency vehicles to pass.

RUBBISH:

- Guests rarely know about rubbish collection dates and recycling, leaving refuse by the bins and making a mess (aided and abetted by the local wildlife!).
- Bins left in street long before/after collection dates

FINANCIAL AND OTHER

- Whether some properties were being claimed as STL but were really second homes and advantage was being taken of the fact they were classed as a business and not a property for council tax /taxation purposes?
- Whether Councils are supplying domestic waste containers to what were effectively businesses and the cost implication of this?
- Whether properties were insured for business purposes and met any necessary fire regulations as may apply to businesses as opposed to houses?