

SHORT-TERM LETS FACTSHEET

CONTROL AREAS

Proposals for short-term let control areas.

LOCAL AUTHORITIES will have powers to designate short-term let control areas within which planning permission will always be required to change the use of whole properties to short-term letting. This factsheet is a summary of chapter 5 of the consultation paper where you can find out more.

Current position

Under current planning legislation, planning permission may be required for a change of use where a house is used for short-term lets. Whether a material change of use has occurred, and planning permission is required, is for the relevant planning authority to consider on a case-by-case basis. Enforcement action is a matter for the relevant planning authority, again on a case-by-case basis.

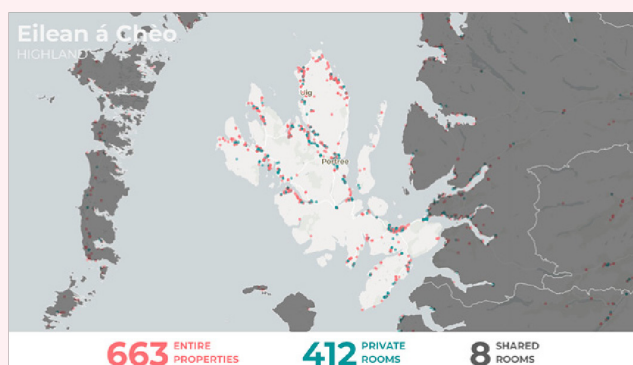
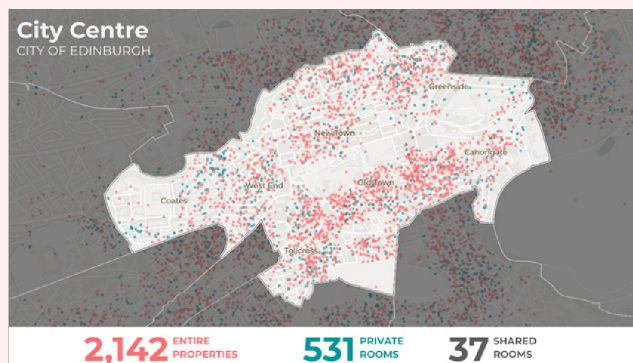
Short-term let control areas

In future, local authorities will be able to establish control areas where planning permission will always be required if owners want to change the use of their property to a short-term let. It will be for local authorities to decide whether to implement one or more control areas in their area.

What will control areas do?

Control areas could help local authorities:

- to manage high concentrations of secondary letting



▲ Short-term let concentration in Edinburgh and on Skye.
As at May 2019 Source: InsideAirbnb

- to restrict or prevent short-term lets in places or types of building where it is not appropriate; and
- to ensure that homes are used to best effect in their areas.

Which short-term lets are affected by control areas?

Only secondary letting is affected by control areas, where the local authority has created a control area and the accommodation is within the area. You can find out more about the types of short-term let on

the Definitions factsheet.

What happens outside control areas?

Outside control areas, the current planning policies would continue to apply as to whether planning permission is required or not.

Will planning permission be refused in a control area?

In a control area, planning permission must be sought. However, this does not mean that planning permission would necessarily be refused. Planning applications are determined in accordance with local development plans. Local authorities might choose to set out policies relating to short-

term lets in their local development plans.

How long will planning permission last in a control area?

Where planning permission is granted, the default position is that it would be valid for ten years. The local authority could choose to set a longer or shorter period. Local authorities will have the power to revoke planning permission after the specified period has elapsed.

What about hosts operating without planning permission now when they should have made an application?

We want hosts to come forward for licensing and we know that some hosts will not have asked for planning permission when they should have done so. So local authorities will have the power to set a grace period during which a host may submit a planning application and during which no enforcement action will be taken against them.

When will control areas be established?

We intend to lay the Control Area Regulations (and the Licensing Order) in December 2020. Subject to the approval of the Scottish Parliament, the Control Area Regulations are expected to come into force in spring 2021.

