

SHORT-TERM LET DRAFT NON-STATUTORY GUIDANCE
SUMMARY OF CONSULTATION RESPONSES

Acronyms used in this appendix

CLUD	Certificate of Lawful Use or Development
CPO	Compulsory Purchase Orders
HNA	Housing Needs Assessment
LDP	Perth & Kinross Local Development Plan
PKC	Perth & Kinross Council
P&K	Perth & Kinross
NPF	National Planning Framework
STL	Short-term let

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Table 1

Resident	224	67%
Resident and business owner	46	29%
Business owner	49	
On behalf of organisation / group	14	4%
Not stated	1	
TOTAL	334	100%

Table 2

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|---|
| <ul style="list-style-type: none"> • Aberfeldy Community Council • Aberfeldy Development Trust • Airbnb • Association of Scotland's Self-Caterers • Conservative Group on Perth and Kinross Council • Federation of Small Businesses • Glenlyon and Loch Tay Community Council • Glenshee & Strathardle Tourist Association • Rannoch Community Trust • Ristol Consulting Ltd representing estates who provide STL accommodation in Highland Perthshire • Scottish Conservative Group on Perth and Kinross Council • West Carse Community Council • Response on behalf of 12 residents • Response on behalf of 30 residents |
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The responses set out in the tables below are grouped by the criteria set out in the draft planning guidance and by respondent sector i.e. resident, business owner (including those who are also residents), or organisation / group.

1 – The proposal is for the extensive refurbishment of a long term empty residential property which will bring the building back into active use

Table 3

Response	Residents	Business owners (including those who are also residents)	Organisations / groups
Agree / strongly agree	53%	47%	36%
Disagree / strongly disagree	28%	32%	50%
Neither agree nor disagree / don't know / no comment	19%	21%	14%

Table 4

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
Agree / strongly agree	<ul style="list-style-type: none"> • Agree with the principle of reusing empty buildings • Assists the local economy • Private owners should be left to do what they want with their building – not everyone wants to be a landlord for long-term lets • Improves the area • Provides additional accommodation so isn't directly affecting housing availability 	<ul style="list-style-type: none"> • Agree with the principle of reusing empty buildings • Allows owners to recoup investment in a property / area • Equal to a new business start up • Helps create additional capacity • Improves amenity • Assists the local economy 	<ul style="list-style-type: none"> • Agree with the principle of reusing empty buildings • Better refurbish an existing building than take a site for new build
Disagree / strongly disagree	<ul style="list-style-type: none"> • Community should be helped to buy such property instead • Council should refurbish for affordable housing or help fund individuals to renovate 	<ul style="list-style-type: none"> • Should be for long-term let or sale instead of STL • Could discourage estates and landowners handing such buildings over to communities or individual owners 	<ul style="list-style-type: none"> • Potential for negative impact on existing residents e.g. amenity • Should instead be sold or let for

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
	<ul style="list-style-type: none"> • Owners of long-term empty properties should be obliged to sell to the Council or upgrade for long-term let • Priority should be for full time residential – sale or long-term let • Depends on need for housing vs need for STLs • Should only be allowed for a limit time before use is reassessed • Demand for STL means empty properties aren't affordable for locals • Risk owners will leave property empty so can use this criterion • Council should not interfere with private property • Should be no more changes of use of residential to STL • Real issue is lack of affordable housing • Criterion not relevant – some locations are not good for holidays • State of the property shouldn't matter 	<ul style="list-style-type: none"> • Potential for negative impact on existing residents e.g. increased traffic • Young people should be incentivised to take on property instead • Expensive so will only be viable in prime tourism locations • Risk owners will leave property empty so can use this criterion • Not sufficient as a reason • Council should not interfere with private property • NPF includes policy on STLs so guidance not required 	<p>housing – unless it can be proven they're not needed</p> <ul style="list-style-type: none"> • Too restrictive • Should instead target empty homes
Neither agree nor disagree / don't know	<ul style="list-style-type: none"> • Community groups / local families should be given opportunity buy such buildings first • Better to refurbish for long-term let or sale • Only where the property has failed to sell • Must depend on location and need • Should instead be on a case-by-case basis • Doesn't contribute to housing stock 	<ul style="list-style-type: none"> • Depends on many other factors • Should instead home people on housing list • There should be no barriers to someone establishing a STL business unless there is over-provision in the area 	

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
	<ul style="list-style-type: none"> Should not preclude other types of property from also being STLs 		
Other comments	<ul style="list-style-type: none"> Need to be clear on terms 	<ul style="list-style-type: none"> Need to be clear on terms 	

PKC Officer comments

A proportion of respondents in all respondent sectors agreed with the overall principle of reusing empty buildings but there was also agreement from respondents in all sectors that sale or long-term let of such properties should be prioritised over STLs.

Rather than this being a specific criterion it is proposed in the finalised guidance to instead tie this more closely to the policy framework set out in NPF4.

NPF Policy 30: Tourism, part e) criterion i) does not support a change of use to short-term let where the proposals will result in an unacceptable impact on local amenity or the character of a neighbourhood or area. It is therefore proposed to include refurbishment as a consideration to be taken into account under this NPF criterion as follows:

- Is the proposal for the extensive refurbishment of a long-term empty property which will improve the area by bringing the building back into active use?

2 – The proposal relates to a residential property with four or more bedrooms as this stock is considered less significant in terms of housing needs assessments

Table 3

Response	Residents	Business owners (including those who are also residents)	Organisations / groups
Agree / strongly agree	32%	33%	50%
Disagree / strongly disagree	39%	38%	36%
Neither agree nor disagree / don't know / no comment	29%	29%	14%

Table 4

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
Agree / strongly agree	<ul style="list-style-type: none"> • Demand is generally for smaller properties • This size of property unlikely to be classed as affordable • 4+ bedroom properties less sought after in some areas 	<ul style="list-style-type: none"> • Private owners are not responsible for the shortage of long-term let properties • This size of property unlikely to be classed as affordable or suitable for first time buyers • Majority of STL market is not taking rental property from first time buyers / renters • Need for this size is different to the need for affordable housing • STLs this size usually party houses which cause disturbance to neighbours • Smaller properties more desirable for permanent housing so should be restricted for STL • Larger properties are harder to let 	<ul style="list-style-type: none"> • There is already a shortage of smaller properties in Perth and this will get worse without control of STLs • This size of property likely to be too big for most local needs • Number of bedrooms not necessarily related to value of the property

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
Disagree / strongly disagree	<ul style="list-style-type: none"> • Need larger houses for families and people homeworking • Should be no limit on size – need for all size of property for homes • Need may be less significant but larger properties are more scarce • Larger properties could be subdivided for long-term let • Should be for sale or long-term let instead of STL • Less attractive as a STL • Unfair to smaller STL operators • It is the larger houses which cause most difficulties for residents • Should be decided on case-by-case basis • Arbitrary threshold • Large STLs contribute to the local economy • Should be trying to attract large families to rural locations to rejuvenate communities 	<ul style="list-style-type: none"> • Arbitrary and generalised assumption – doesn't take into account varying occupancy needs e.g. homeworking, assisted living • Should be decided on case-by-case basis • Larger houses would enable families to stay in the area they work • Will keep the price of these properties high • Unfair to smaller STL operators • Any property size may be required for different sized families • All options for affordable housing should be considered first • Will encourage 'party houses' – should instead restrict properties by description e.g. flats, shared access etc. • Much of the demand is for smaller STLs • NPF includes policy on STLs so guidance not required 	<ul style="list-style-type: none"> • Larger properties should be subdivided for long-term let • Larger STL properties should only be allowed in rural areas as they can have an adverse impact on amenity in urban areas • Should instead be sold or let for housing unless it can be proven they're not needed • Guidance should be limited to planning matters only
Neither agree nor disagree / don't know	<ul style="list-style-type: none"> • Should be decided on case-by-case basis 	<ul style="list-style-type: none"> • Should be decided on case-by-case basis • Larger properties could be subdivided 	

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
	<ul style="list-style-type: none"> Households may need to upsize as they grow Acceptable where this size does not match housing demands Larger properties could be subdivided 	<ul style="list-style-type: none"> Assumes less market for family sized housing but real issue is lack of childcare There should be no barriers to someone establishing a STL business unless there is over-provision in the area 	

PKC Officer comments

Similar issues were raised by respondents in the different respondent sectors both by those who agreed and who disagreed. Many respondents questioned why there was deemed to be less of a need for larger properties and that this could negatively impact on families in particular.

Whilst Local HNAs showed less of a need for the largest properties it is proposed that, rather than this being a specific criterion in the finalised guidance, the issue of property size will instead be tied more closely to the policy framework set out in NPF4.

NPF Policy 30: Tourism, part e) criterion i) does not support a change of use to short-term let where the proposals will result in an unacceptable impact on local amenity or the character of a neighbourhood or area. Respondents in all sectors raised the concern of larger properties becoming 'party houses' for groups or multiple families which increases the risk of disruption for residents. It is therefore proposed to include property size as a consideration to be taken into account under this NPF criterion as follows:

- Does the proposal relate to a residential property with four or more bedrooms, and can it be demonstrated that there will be no adverse impact on local amenity from noise or disturbance if the let is occupied by a group or more than one family?

3 – It can be demonstrated that the residential property has been operating as a short-term let for more than 10 years and is therefore exempt from planning enforcement action

Table 3

Response	Residents	Business owners (including those who are also residents)	Organisations / groups
Agree / strongly agree	38%	52%	36%
Disagree / strongly disagree	45%	40%	36%
Neither agree nor disagree / don't know / no comment	17%	8%	28%

Table 4

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
Agree / strongly agree	<ul style="list-style-type: none"> In line with existing planning law Protects existing long-established businesses If STL has been operating for 10+ years then there can be few issues Providing property doesn't change ownership Providing there has been no history of complaints If STL has been operating for 10+ years then it cannot reasonably have contributed to housing shortfalls identified more recently 	<ul style="list-style-type: none"> In line with existing planning law Protects existing long-established businesses Housing need wasn't as bad over 10 years ago long established STLs are not the problem rather the growth in second homes, retirees and people moving in from cities who can now home work Unreasonable to stop a business which has been operating for 10+ years 	<ul style="list-style-type: none"> In line with existing planning law
Disagree / strongly disagree	<ul style="list-style-type: none"> Will take more houses out of the system 	<ul style="list-style-type: none"> Should be a shorter timeframe e.g. 5 years more realistic for existing 	<ul style="list-style-type: none"> Shouldn't be applied retrospectively

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
	<ul style="list-style-type: none"> • All existing businesses should have to apply for planning permission (perhaps with a grace period) • All STLs should be treated equally • Just because it is been a STL doesn't mean it can't be a home • Should depend on individual circumstances – properties should be looked at on their merits • Too long a timeframe • STLs are often smaller properties which would suit first time buyer or downsizers which would free up larger properties • Priority should be to enable a better supply of affordable houses for sale or long-term let • Will negatively impact on rural homeowners looking to create an income • There should be no exemptions • Arbitrary time limit • Operating a STL for 10 years shouldn't make it lawful • Existing STLs should be justified against other criteria e.g need, location, size • Number of STLs needs to be reduced • Doesn't allow for small businesses to start up 	<p>business which has invested in early start up and growth</p> <ul style="list-style-type: none"> • Should be a shorter timeframe • The problem of lack of housing has been going on for years and operators should not be exempt when they have contributed to the problem • Arbitrary time limit • Some STLs operating for <10 years may be more desirable as STLs • Should be a shorter timeframe to impact on less existing operators • What happens if there have been breaks in the STL? • Operating a STL for 10 years shouldn't make it lawful • Should be assessed on a case-by-case basis • Should use more intelligent parameters e.g. no. nights booked / available p/a • All operators should be treated the same • Shouldn't be included as it's planning law • Distinction is discrimination as tenants duration can change between short and long term let depending on their circumstances 	<ul style="list-style-type: none"> • There are already too many STLs affecting availability of housing • Existing residents having to live with noise from STLs • STLs in towns should not be allowed • STLs taking up houses which could be given to a household in need • STLs in operation 20+ years should be allowed • All properties should be sold or let for housing unless it can be proven they're not needed

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
Neither agree nor disagree / don't know	<ul style="list-style-type: none"> Probably sensible to stop further de-population Depends on the suitability of the property Better to encourage owners to rent their properties for long-term let Should not preclude other type of property being suitable for STL Unfair – all STLs should be treated the same 	<ul style="list-style-type: none"> There should be no barriers to someone establishing a STL business unless there is over-provision in the area 	

PKC Officer comments

Many of the comments related to whether it should be a longer or shorter time period. The 10-year period was chosen as after this point owners can apply for a CLUD which exempts them from enforcement action. The key point raised in the consultation, however, was that it is not appropriate to include in the guidance that which is already enshrined in planning law, in this case, through the CLUD process. The process by which short-term let owners can apply for a CLUD where they have been operating continuously for more than 10 years is now included as a statement of fact in the guidance rather than as a specific criterion for assessing planning applications.

4 – It can be demonstrated that the proposal for the change of use to short term let is part of a diversification scheme to support an existing Perth and Kinross business within the same landholding

Table 3

Response	Residents	Business owners (including those who are also residents)	Organisations / groups
Agree / strongly agree	36%	41%	43%
Disagree / strongly disagree	28%	19%	28.5%
Neither agree nor disagree / don't know / no comment	36%	40%	28.5%

Table 4

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
Agree / strongly agree	<ul style="list-style-type: none"> • Will increase employment • Might help empty buildings to be utilised • Provides a necessary income stream • Diversification, especially in farming, should be supported • As long as it supports affordable housing 	<ul style="list-style-type: none"> • Good for existing or new businesses to be able to stay and bring more people into the area whilst providing a service and supporting other local services / could provide staff accommodation • Diversification, especially in farming, should be supported – allows flexibility • Businesses should be able to expand to meet demand – growth fundamental to a thriving community • Reasonable providing the business supports local suppliers and net zero 	<ul style="list-style-type: none"> • Essential part of Scottish agritourism • Provide support to other businesses e.g. local suppliers
Disagree / strongly disagree	<ul style="list-style-type: none"> • Risk this could be abused • Preferential treatment for landowners – everyone should be treated the same • Housing should always come first 	<ul style="list-style-type: none"> • Not if the property is already long-term occupied 	<ul style="list-style-type: none"> • Could have detrimental impact on landscape • All properties should be sold or let for housing

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
	<ul style="list-style-type: none"> • Diversification is long-term so properties should be for long-term let • No need to keep allowing diversification for STL • Risk this could allow rural properties to become unavailable for long-term let resulting in homelessness for an existing long-term tenant – many estates renting previously tenanted properties as STLs • Priority should be for long-term lets • Should have to evidence why STL • Diversification not a sufficient reason – wider implications of a change of use must be considered • More thought should be given to the landscape capacity and environmental impact of more development • Favours existing businesses over new entrants • Council should CPO such properties for affordable housing • Too much emphasis on tourism – what about supporting other small businesses • Must reduce STLs as quickly as possible 	<ul style="list-style-type: none"> • Preferential treatment and limits competition – all businesses should be treated the same • Only where there is evidence the property is not suitable for affordable housing • Should be expanded to where the STL is within the curtilage of the owners home • Should be up to the owner to decide • NPF includes policy on STLs so guidance not required 	<p>unless it can be proven they're not needed</p> <ul style="list-style-type: none"> • Diversification should be supported but Council should not discriminate against one sector
Neither agree nor disagree / don't know	<ul style="list-style-type: none"> • Should only apply to existing properties not new build • Should be on a case-by-case basis • Should be for worker accommodation not holidays • Diversification shouldn't reduce housing stock for permanent residents 	<ul style="list-style-type: none"> • Risk it will be used as a loophole • Could help renovation of old buildings • There should be no barriers to someone establishing a STL business unless there is over-provision in the area • Not for the Council to decide what is a valid business proposal 	<ul style="list-style-type: none"> • Should only be in rural areas, not within the towns

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
	<ul style="list-style-type: none"> • Acceptable if new build in addition to existing permanent home • Businesses should be encouraged to provide accommodation for employees too • Should not preclude other types of property for STL • Some diversification schemes never get off the ground 		

PKC Officer comments

A significant number of respondents did not comment or gave a neutral response. This is perhaps indicative of a need for more clarity on this criterion. Rather than this being a specific criterion it is therefore proposed in the finalised guidance to instead tie this more closely to the policy framework set out in NPF4.

NPF Policy 30 e) criterion ii) does not support a change of use to short-term let where the proposals will result in the loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits. All short-term lets have the potential to provide benefits to the local economy through visitor spend and the provision of services e.g. cleaning, laundry, property maintenance etc. There is, however, a need to balance this in areas where short-term lets are resulting in an unsustainable loss of residential accommodation. It is therefore proposed to include cross-reference to existing LDP2 policies on rural business as a consideration to be taken into account under this NPF criterion to ensure that the impacts of any diversification proposals are fully assessed:

- Can it be demonstrated that the proposal for the change of use to short-term let is part of a diversification scheme to support an existing Perth & Kinross rural business in line with NPF4 Policy 29: Rural Development and Local Development Plan policy 8: Rural Business and Diversification?

5 – In all cases properties must have their own door to the street to reduce the risk of adverse impact on the amenity of neighbouring residents

Table 3

Response	Residents	Business owners (including those who are also residents)	Organisations / groups
Agree / strongly agree	53%	27.5%	43%
Disagree / strongly disagree	23%	45%	36%
Neither agree nor disagree / don't know / no comment	24%	27.5%	21%

Table 4

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
Agree / strongly agree	<ul style="list-style-type: none"> • Security issue with STLs in shared access blocks / using communal spaces – residents shouldn't have to share these with strangers • Would help prevent anti-social behaviour, disruption and potential conflict with existing residents • Fair to existing residents – quality of life, physical and mental wellbeing, privacy of residents should come first • Shouldn't be allowed STL where this impacts on neighbours • Impacts on sense of community – visitors have no vested interest in the area 	<ul style="list-style-type: none"> • Security issue with STLs in shared access blocks / using communal spaces especially for families with children • Adverse impacts have to be balanced against need to provide tourist accommodation • Could mean less impact on residents but would depend on layout and use of neighbouring properties • Would help protect existing residents e.g. with medical ailments • Adverse impacts on amenity – noise disturbance, litter etc unfair on residents 	<ul style="list-style-type: none"> • Existing residents have to put up with disturbance and noise from STLs – often no noise insulation • Security issue with STLs in shared access blocks • Loss of amenity for existing residents • Each application should be assessed on its own merits

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
	<ul style="list-style-type: none"> Some STL occupiers inconsiderate to existing residents with little control by landlords Flatted properties should not be STLs Remoteness of landlord an issue 		
Disagree / strongly disagree	<ul style="list-style-type: none"> Depends on the property – proper enforcement on anti-social behaviour laws would solve the problem Existing residents should have a say in the decision-making No difference to number of times going in and out between STL guest and permanent residents Noise not just an issue at the door Parking is a problem too Each application should be assessed on its own merits – semi-detached and detached properties that are built very close together could also adversely impact on amenity for residents Practicalities of some existing buildings would make this impossible Would mean STL operators would move to buying properties with their own door impacting on availability of those properties Most anti-social behaviour comes from local residents not tourists Maybe important for city tenements but not rural areas 	<ul style="list-style-type: none"> Discriminates against flat owners Each application should be assessed on its own merits – unfair to treat well run STLs in same way as those which are poorly run Too prescriptive Presumptuous to assume all tourists are trouble-makers – this is not the correct way to control anti-social behaviour Often STLs are used by contractors and working people and they shouldn't be limited to properties with their own door Residents no more likely to be disturbed by STLs than occupants with short assured tenancies or existing residents – responsible STL owners should have house rules Not in business interest to allow unruly behaviour – majority of guests do not impact on neighbouring residents and many businesses work hard to ensure this is the case 	<ul style="list-style-type: none"> Each application should be assessed on its own merits – other legislation coupled with the licencing scheme will enable Council to deal with anti-social behaviour No published evidence or justification for this criterion Unfair assumptions being made about those who use STLs Concerns licencing and not planning policy and should therefore be removed from guidance

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
	<ul style="list-style-type: none"> • Mandating noise management measures better way of avoiding adverse STL neighbour impacts • Unnecessary and unfair • Residents no more likely to be disturbed by STLs than long-term tenants • Ruled unlawful elsewhere • Preference is for self-contained properties which will nearly all be in rural areas so criterion is pointless • Would adversely impact on Perth city centre – needs people and life in it • Criterion inhibits the more affordable and sought-after STL properties which could damage tourism and impact on local business • Highland Perthshire cannot afford to lose tourism income 	<ul style="list-style-type: none"> • Anti-social behaviour could be controlled with extra licence conditions • Smaller STLs unlikely to cause issues e.g. hen / stag parties • Limiting STLs in this way will adversely impact Perth centre • Relevant for Edinburgh but not Highland Perthshire • Too many different types of accommodation and this criterion does not necessarily address neighbours concerns • Will have a negative impact on Perth city centre where some properties are attractive for STL but not to residents • Criterion may be unlawful • STLs operators undertake to be responsible and neighbourly as part of the licencing process • Communal spaces require to be shared • If STL hosts can demonstrate effective practices and management they will benefit the local economy • STLs have less impact than long-term lets as they are only there a short time • Impossible to enforce depending on architecture of property 	

Response	Respondent		
	Residents	Business owners (including those who are also residents)	Organisations / groups
Neither agree nor disagree / don't know	<ul style="list-style-type: none"> • Most holiday properties have their own front door • Fine if whole block is STL but could be friction if there is a mix • Residents can be bad neighbours too • May be more efficient to fine owners if regular unruly behaviour • Depends on how well the house / flat is designed • May be exceptions to consider individual cases • Appear to exclude shared stairs? • Would depend on individual circumstances – shouldn't be a blanket rule • Problems in Edinburgh do not exist in other areas • Not important 	<ul style="list-style-type: none"> • Each application should be assessed on its own merits depending on circumstances and location – buildings need to be better managed • Should not apply to flats let out to students during term time • Should be a strike system in place so disturbances can affect whether STL is allowed 	
Other comments		<ul style="list-style-type: none"> • "Door" is confusing – should be access? 	

PKC Officer comments

This proposal has the biggest divide in opinion between residents and business owners in terms of percentage split although the issues raised, both in agreement and disagreement, are similar across the sectors. Respondents in all sectors recommended that each application should instead be treated on its own merits.

Rather than this being a specific criterion it is proposed in the finalised guidance to instead tie this more closely to the policy framework set out in NPF4.

NPF Policy 30: Tourism, part e) criterion i) does not support a change of use to short-term let where the proposals will result in an unacceptable impact on local amenity or the character of a neighbourhood or area. It is therefore proposed to include shared access as a consideration to be taken into account under this NPF criterion.

A tiered approach is now proposed which seeks to recognise that the impact of properties being used as short-term lets will differ depending on the existing uses within the area. For example, the impact of a short-term let off a shared access within a predominantly residential area will potentially be greater than in a town / city centre or other area where there is a mix of other uses which could already impact significantly on residential amenity. The following consideration is therefore proposed under this NPF criterion:

- Where is the proposal located? Is it:
 - Within the city centre or a town centre (as identified in the LDP2) where there is no adverse impact on amenity or character of the area?
 - Within a settlement boundary (as identified in the LDP2) and located in an area where there is a mix of other uses which could already affect residential amenity?
 - Within a predominantly residential area and there could be adverse impact on amenity for existing residents, particularly in blocks with shared / communal entry?

General comments on STL controls

The open question drew a lot of comments, some relating specifically to support or otherwise for additional controls through a STL Control Area, but others relating more generally to the overall need to manage STL numbers in Perth & Kinross irrespective of any control area.

Table 5

STLs in P&K should be managed / controlled / restricted / reduced because:	STLs in P&K should <u>not</u> be managed / controlled / restricted / reduced because:
<ul style="list-style-type: none"> • Workers and locals (especially young people starting out and families) are priced out of the area with prices pushed up by people purchasing to STL • Unfair that local people – especially adult children – are having to move away from their communities in order to live, controlling STL numbers would make it fairer • Increased travel from people having to live further away from where they work because they can't access housing has an environmental impact • Without locals and homes for workers, there isn't enough staff to service the tourist industry or carry out essential tasks / services e.g. care services which will ultimately increase costs to the Council, or allow businesses to expand, alternatively they have to pay higher wages for workers to travel • An excess of STLs adversely affects keeping a sense of community / fragments the community for those surrounded by STLs • Tourism is important but shouldn't be at the expense of those of live, work and contribute to the local economy all year round and the longer-term sustainability of communities • There are enough hotels, B&Bs and caravan parks in Highland Perthshire to accommodate short term stays • Businesses have to apply to change a use and so should STLs 	<ul style="list-style-type: none"> • Restricting STLs will not increase supply of affordable housing and should not be blamed for the lack of affordable housing – PKC should make more land available to enable more affordable houses to built instead / people would prefer modern homes which are well insulated and easy to heat rather than older buildings which most self-catering units are in Highland Perthshire / other factors also cause problems e.g. lack of affordable childcare, poor transport links etc. • STLs provide temporary accommodation for workers as well as holiday-makers e.g. contractors, hospitality workers • STLs encourages tourism all year round • STLs provide employment and bring in revenue to the wider community – they support local businesses e.g. cleaning and laundry, property management, gardening and property maintenance, which could be irreparably damaged by a lack of tourist spending - Highland Perthshire cannot afford to lose so much tourism income / loss of tourism-related jobs • Many STLs would not be affordable to buy or rent due to their size or location / reducing STLs won't drop property prices enough to make them affordable – they are more likely to be bought by retiring home owners • The Council should not interfere with the market / private property / people trying to run a business • More should be done to address housing provision for local residents but not at the expense of the tourism industry of which STLs are a vital part

STLs in P&K should be managed / controlled / restricted / reduced because:	STLs in P&K should <u>not</u> be managed / controlled / restricted / reduced because:
	<ul style="list-style-type: none"> • There is already extensive anti-social legislation which could and should be used – pubs and 24hour shops create noise / disturbance too • Reducing supply will push up holiday accommodation prices / STLs provide less expensive accommodation for those who can't afford hotels or want more freedom • There is no benefit it forcing second home owners who STL part time to instead leave their property vacant • Properties in the city centre may not be attractive for long term residents or landlords (current interest rates making it not worth buying to let) but are attractive for STLs • Cannot increase visitor numbers in Perth City if lose STL holiday accommodation

PKC Officer comments

The NPF is part of the statutory development plan and already sets the policy context for STLs with a general presumption against the reuse of existing buildings for STLs. Given there is not a specific policy in LDP2 the Council has to use the policy framework set out in the NPF until such time as the LDP is reviewed. The proposed guidance simply seeks to provide more information on the circumstances under which the Council may support an application for the change of use of an existing dwellinghouse to a STL within the policy framework set out in the NPF.

Additional suggestions / comments

Table 6

Respondent comments	PKC Officer comments
<ul style="list-style-type: none"> • Various suggestions on taxing STLs – taxed more heavily than principal homes; bed tax for no. nights STL is let; review of when STLs pay business rates rather than council tax e.g. small business rate relief • Incentives should be offered / made easier for owners to bring smaller STL properties / second homes back into longer term residential use – regulation makes it harder / less attractive for owners to long term let – not a level playing field • Second homes are as much / more of a problem but the guidance doesn't impact on these / targets the wrong type of property use • Second homes which are only used for STL part of the year should also be included as an exception as these will never be available as a primary residence and so provides economic benefits without impacting on the housing supply • Unintended consequence of controlling STLs may be an increase in second homes as no guarantee owners will sell • The cost for planning permission is too high and the process too complex • Should instead target empty homes • There should be no exemptions and neighbours must be consulted on STL applications • There should be enough purpose-built holiday accommodation to keep STLs out of the local housing market • Limiting STLs will damage the area's position as a tourism destination and will have knock on effects on other local businesses too 	<p>Outwith scope of planning guidance which simply seeks to provide more information on the circumstances under which the Council may support an application for the change of use of an existing dwellinghouse to a STL within the policy framework set out in the NPF</p>
<ul style="list-style-type: none"> • Each area should have a maximum quota of properties that can be turned into short term lets informed by local housing requirements • Shouldn't be a blanket application of the guidance as there are different concentrations of STLs in different areas and different types / sizes of STL • Criteria list is too narrow and restrictive – there should be no barriers to anyone wishing to establish a STL business • Agree with criteria but list should not be exhaustive, and the emphasis of the policy should change from negative to positive 	<p>Outwith scope of current planning guidance which has been prepared to assist in the application of the policy framework set out in the NPF. These issues can, however, be considered through preparation of policy framework in next LDP</p>

Respondent comments	PKC Officer comments
<ul style="list-style-type: none"> • Distinction between STLs owners who live outwith PKC where the rental income is most likely spent elsewhere, and local owners who are more likely to spend the income locally and provide closer supervision • Planning permission should not be required for STL accommodation which is part of or within the curtilage of a permanent resident's principal home • The default position should be that properties are available for long term let or sale to residents and it should be incumbent on those proposing short term lets to prove they are not needed • Individual flats within a residential block should not be permitted to operate as STL due to the adverse impact on existing residents 	
<ul style="list-style-type: none"> • NPF policy 30 e) requirements are subjective and it is not clear what measurable criteria will be used to make decisions 	<p>The guidance has been prepared to assist in the application of the policy framework set out in the NPF.</p>
<ul style="list-style-type: none"> • The new guidance should not apply retrospectively to existing owners only to new or where there is a change of ownership • Most STL properties are converted commercial properties e.g. farm steadings, purpose-built lodges / pods etc which are not suitable for long term letting and already have planning permission so should be supported • Traditional B&Bs / renting out rooms / home sharing should not be impacted by the guidance 	<p>The guidance clarifies the position in relation to planning permission</p>
<ul style="list-style-type: none"> • Risk that a presumption in favour of granting planning permission in certain circumstances could override other important considerations 	<p>All planning applications will be assessed against the full suite of relevant LDP policies</p>
<ul style="list-style-type: none"> • There's a need for liaison with Cairngorms National Park Authority 	<p>Liaison has been undertaken</p>

General comments on consultation / process

Table 7

Respondent comments	PKC Officer comments
<ul style="list-style-type: none"> • There's little in the way of any hard evidence to support the alleged impact of STLs on loss of housing stock or house prices • Need to focus on empirical data and engage with all sides • Insufficient / flawed data • All evidence and data should be reissued after the licencing scheme deadline has passed 	<p>The STLs Evidence Paper will be updated to inform the recommendation on a STL Control Area to a future Committee.</p>
<ul style="list-style-type: none"> • Misleading data on position in other Council areas – Edinburgh and Highland 	<p>The previous Committee report presented the information that was available at the time of preparing the report</p>
<ul style="list-style-type: none"> • No guidance needed because NPF already has a policy on short term lets – guidance can only be non-statutory and therefore questionable what weight it can be given and if it is incompatible with the NPF then it cannot be given any weight at all • Guidance is disproportionate, over-reaching and over-laps with licensing – it is not fit for purpose and will be subject to legal challenge 	<p>The non-statutory guidance has been prepared to provide more information on the circumstances under which the Council may support an application for the change of use of an existing dwellinghouse to a STL within the policy framework set out in the NPF.</p>
<ul style="list-style-type: none"> • Need for clearer wording on what is excluded from needing planning permission • Unclear whether guidance applies only with control area or whole of PKC • Committee report refers to 5 criteria not 4 • Irrelevant to ask public opinion on something which is established in planning law (CLUD) 	<p>Clarified in guidance</p>
<ul style="list-style-type: none"> • Questions unclear • Some of the questionnaire is badly written – it is unclear what agree or disagree refers to • Consultation was not communicated in a timely manner – should be extended / redone over the winter months as many people may have missed it over the summer • Unreasonable to expect the public to comment on the basis of inadequate and confusing data, and confusing policy wording • Consultation hub does not allow documents to be attached which limits the ability to provide an effective response • No formal correspondence from PKC despite being identified as a stakeholder group 	<p>Feedback is welcomed and will help improve future consultations</p>

Respondent comments	PKC Officer comments
<ul style="list-style-type: none"><li data-bbox="206 269 1299 331">• Unclear whether those granted a STL licence will then have to apply for planning permission before they can operate	Information on the licencing and planning permission processes is on the Council website www.pkc.gov.uk/shorttermlets www.pkc.gov.uk/shorttermletsandplanning