

Non-statutory Short-Term Secondary Letting Planning Policy

THE USE OF A DWELLINGHOUSE FOR SHORT-TERM SECONDARY LETTING

Within a **Short-term Let Control Area**, planning permission will not be granted if the development results in the loss of a **dwellinghouse** to the **short-term secondary let** sector, except in one of the following circumstances:

1. Where extensive refurbishment of a **long-term empty dwellinghouse** is proposed to bring the building back into active use.
2. The proposal is for the upper floor(s) above a commercial unit within a defined Town Centre.
3. The proposal relates to a **dwellinghouse** with no fewer than four **bedrooms**, as the dwellinghouse existed at the date of the establishment of a short-term let Control Area or as originally built.
4. It is an **established short-term secondary let property** in a **long-established dwellinghouse**.

All proposals for short-term secondary letting should comply with the following criteria:

- a) The site is within 800m of public transport connections or active travel link, linking to services and facilities. If the property is beyond the 800m distance, a Developer Contribution may be sought to improve active travel and/or tourist vehicular facilities, in agreement with the Council Transport & Active Travel Teams;
- b) The proposal avoids creating an unacceptable detrimental impact on the privacy, amenity and character of the location and established uses. The Council will generally not support the change of use of flatted properties to the **short-term secondary let** sector due to the potential adverse impact on residential amenity.
- c) Sufficient commercial waste storage space is provided within the curtilage of the short-term secondary let property and consideration is given to the location of the collection point for this waste, to the satisfaction of the Council Waste Management Team;
- d) Parking provision is in accordance with the 'Residential Parking Standards' as set out in the Council 'Road & Transport Guidelines for New Developments'.

Where a new **short-term secondary let** property is supported, the Council might, apply conditions which restricts the life of the approval and prevent alterations to, and restrict the use of external areas.

In areas outside of a Short-term Let Control Area, the Council will generally support planning applications for new **short-term secondary letting** which are in accordance with adopted Local Development Plan and where the above criteria are complied with.

The Council will generally be supportive of proposals to revert **short-term secondary let** properties back into full-time residential use, providing the property has acceptable privacy and amenity.

Definitions:

'**dwellinghouse**' is defined as in Planning Circular 10/2009: Planning Enforcement:

An independent dwelling (with its own front door, kitchen and bathroom) being accommodation which ordinarily affords the facilities required for day-to-day private domestic existence such as a house, flat, cottage

'**short-term let**' is as defined in the 1997 Act and regulation 2 of the Control Area Regulations.

'**secondary let**' is defined as the letting of a property where the host or operator does not normally live for example a second home.

'**control area**' means a short-term let control area designated under section 26B of the 1997 Act, as amended by the Planning (Scotland) Act 2019.

'**long-term empty**' means a dwellinghouse that has been empty for 2 years or more.

'**bedroom**' excludes rooms which are considered as living or dining rooms. All bedrooms must be no smaller than 6.51 square metres (70 square feet) and must include one glazed opening that is equal to at least 1/15th of the floor area of the room.

'**Established short-term secondary let property**' means:

A **dwellinghouse** that has been trading as a short-term secondary let property before the first date of the first approval at a Council Committee meeting proposing the establishment of a short-term let Control Area for that location.

Supporting evidence will be required to be submitted as part of the application to demonstrate that the dwellinghouse was trading as a short-term let before the committee date, this evidence might include the following:

- receipts for guests staying at the property;
- extracts from business accounts;
- Reports from the accommodation provider channel manger/platform; or
- Evidence of payment of non-domestic rates as a self-catering unit.

'**Long-Established dwellinghouse**' means:

A dwellinghouse that was completed (as per the Building Warrant Completion Certificate) prior to the adoption of the [Highland Council Local Housing Strategy: 2017/22 on 6 December 2017](#).