

## **London Forum response to short-term lets consultation**

### **Q.1 Do you agree that the planning system could be used to help to manage the increase in short term lets?**

Yes, The planning system should be able to manage short-term lets, but it needs to be simpler and easily enforced.

The Greater London (General Powers) Act 1973 – 50 years ago - effectively made change of use to short-lets a separate use from housing. Since then there have been London-wide planning policies in the London Plan and in many local plans – all seeking to prevent the loss of housing.

This aim is still a key policy objective, as change of use from housing is one source of losses – which includes demolition and conversions – in measuring whether boroughs are meeting their London Plan housing targets. Before the 2016 Deregulation Act it was, perhaps wrongly, assumed that losses to short-let visitor accommodation was minimal. This is no longer the case as recent statistics show, with the growth of short-lets in London from 42,646 short-rental premises, of which half were whole homes, in June 2016, rising to a peak of 86,740 of which two-thirds were whole homes in summer 2016. There was a major dip due to Covid, with the total number falling to 49,000 in summer 2021, and now rising to 63,000 in winter 2023.

These numbers, however, strongly concentrated in three Central London boroughs – Westminster, Kensington and Chelsea and Camden – which make up at least a third of the number of short-lets. Coincidentally these three boroughs experienced the highest decline in population between 2011 and 2021, which would in part be due to displacement of residents by tourists.

### **Q.2 Do you agree with the introduction of a new use class for short term lets?**

**No:** This would have the effect legalising the change of use from housing (C3) and effectively, increase the loss of housing that will need to be deducted from a borough's housing performance. This would demonstrate the scale of losses.

### **Q.3 Do you agree with the description and definition of a short term let for the purpose of the new use class?**

**No:** This definition would exclude residents who let out their home at short-lets for less than the threshold – this would be the same as now. The only properties that would be affected by the change would be those let for more than the threshold or even “full time”.

### **Q.4 Do you have any comments about how the new C5 short term let use class will operate?**

**Yes:** If this new Use Class were to come into effect, it would be rewarding the loss of permanent housing, which must be contrary to policy and, in particular, against Government policy to increase housing targets. It would make London's housing crisis worse, especially in those boroughs most affected. The question is premature.

**Q.5 Do you consider there should be specific arrangements for certain accommodation as a result of the short-term let use class?**

**No** – This is a flawed attempt to tackle a problem caused by the Deregulation Act. For those London boroughs most affected this would be a disaster for their housing stock, housing targets, but more particularly their communities.

**Q. 6 Do you agree that there should be a new permitted development right for the change of use from a C3 dwellinghouse to a C5 short term lets?**

**No** – This would crystallise the large-scale housing losses by by-passing the need for permission for change of use. There would be no means of stemming the losses or even counting the losses.

**Q.7 Do you agree that there should be a new permitted development right for the change of use from a C5 short term let to a C3 dwellinghouse?**

**No** – Since we do not support a C5 Use Class, this is academic.

**Q.8 Do you agree that the permitted development rights should not be subject to any limitations or conditions?**

**Yes** – However, since we do not agree with this proposed change of use, we would be against this too.

**Q.9 Do you agree that the local planning authority should be notified when either of the two permitted development rights for change of use to a short term let (a) or from a short term let (b) are used?**

As we don't agree with the creation of the C5 Use Class this question does not arise.

**Q.10 Do you have any comments about other potential planning approaches?**

**Yes** - We do not think that any of the approaches above would work and that anything that reclassified permanent housing as short-let essentially tourist accommodation would be damaging to the far more important objective of seeking to increase the supply of housing.

**Q.11 Do you agree that we should expressly provide a flexibility for homeowners to let out their homes (C3 dwellinghouses)?**

The 2015 Act already provides this, but there is no way of monitoring and enforcing against abuse, when that use is no longer ancillary but increasingly the main activity.

**Q.12 If so, should this flexibility be for: i. 30 nights in a calendar year; or ii. 60 nights in a calendar year; or iii. 90 nights in a calendar year?**

We support some flexibility, perhaps 90 days.

**Q.13 Should this flexibility be provided through:**

**i) A permitted development right for use of a C3 dwellinghouse as temporary sleeping accommodation for up to a defined number of nights in a calendar year**

**ii) An amendment to the C3 dwellinghouse use class to allow them to be let for up to a defined number of nights in a calendar year.**

**Option (i)** would be preferable as it would avoid creating a new short-let Use Class

**Q.14 Do you agree that a planning application fee equivalent to each new dwellinghouse should apply to applications for each new build short term let?**

**Yes** - If there were a proposal to develop a building for a short-term letting, the additional work required to make it work should be reflected in the fee.

**Q.15 Do you agree with the proposed approach to the permitted development rights for dwellinghouses (Part 1) and minor operations (Part 2)?**

**No**

**Q.17 Do you think that the proposed introduction of the planning changes in respect of a short term let use class and permitted development rights could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)?**

**Yes** - The loss of permanent housing, particularly HMOs, student housing or housing designed for people with disabilities, should be resisted. Indeed any loss of permanent housing should be resisted, especially as it would be expanding tourist accommodation whilst reducing housing. The short-let accommodation industry targets "weaker" areas of the housing market, especially more affordable housing for groups least able to compete in the housing market.

**Q.18 Do you think that the proposed introduction of the planning changes in respect of a short term let use class and permitted development rights could impact on: a) businesses b) local planning authorities c) communities?**

**Yes.**

For businesses, it squeezes out low-paid workers in the rental sector.

For local planning authorities, it will be the difficulties of administering and enforcing the new system, including the costs.

For local communities, the loss of housing, displacement of people and its impact on social cohesion and the support for local services would be critical. This is evident already in areas which are already impacted by short-term lets.