

Conversions to Short Term Holiday Lets

Supplementary Planning Document

Draft for Consultation

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What is a short term holiday let?

1. Generally, a short term holiday let is a property that is let out for several days or weeks; they are often referred to as holiday lets and are aimed at offering temporary accommodation for tourists and holidaymakers and occasionally people visiting an area on business. Unlike hotels, they are not purpose built as visitor accommodation, but are converted from other uses (often residential or commercial properties).
2. Sometimes, properties are advertised as serviced apartments. How we treat these will depend on the length of stay someone can book for (see below).

How long can occupants stay in a short term let holiday before it becomes a main or second residence?

3. As short term holiday lets are intended to provide holiday and visitor accommodation on a temporary basis, they are not intended to provide the main home of an occupant, even for a temporary period. Therefore, the Council would consider that a property that is let for more than 28 days at a time will no longer be considered a short term holiday let and instead be considered either a single dwellinghouse (Use Class C3) or a Home in Multiple Occupation (Use Class C4 or Sui Generis, depending on size). In these cases, proposals will be assessed against the relevant Local Plan and Supplementary Planning Document policies. The 28 day period is proposed as, beyond this period, the accommodation starts to become more akin to temporary main accommodation for residents and should be assessed as such, in terms of facilities and amenity.

Why is planning guidance needed?

4. Whilst short term holiday lets can provide good quality, flexible accommodation for visitors that complement purpose-built hotels and support local tourism, they can have some negative impacts if not managed correctly. They can cause noise and disturbance in a residential area, cause increased demand on local services, change the character of an area, and result in a loss of housing stock.

What is a Supplementary Planning Document (SPD)?

5. SPDs give more detailed guidance to policies in the Adopted Local Plan and 'made' (i.e. adopted) Neighbourhood Plans in Sefton. The public must be consulted on draft SPDs under The Town and Country Planning (Local Planning) (England) Regulations. Once approved, SPDs help guide the Council when making decisions on applications for development.

What does this SPD seek to do?

6. It is not always the case that the use of a residential property for a short term holiday let requires planning permission, as this may not always constitute development.

7. Therefore, this guidance sets out those circumstances where planning permission is required, and also sets out the issues that will be considered when deciding to grant permission or not.

When is planning permission required to convert an existing property to a short term holiday let?

8. Planning permission is required to convert commercial and other non-residential properties (including public houses, offices, retail uses, business premises, former schools, churches, community centres etc) to short term holiday let accommodation. However, the need for planning permission to change from a residential property to a short term holiday let is less clear and a question of fact and degree.

9. The key test is whether a change of use from residential to letting out the property for short term periods would be a 'material' change of use when compared with the current way in which the property is being used or occupied. The term 'material' in planning is not clearly defined but in general terms means a factor that is relevant to making the planning decision in question. If the change of use is not considered 'material', then it would not constitute development and planning permission is not necessary.

10. In considering what is a 'material' change (in terms of the planning process), the scale, intensity, number of occupants, whether the occupants are single letting group, and how many vehicles they bring, period and frequency of rent are relevant, and there may be other factors. A material change is one where the planning circumstances are so different that the character and use of the residential property has changed to a degree where the property is no longer used in the way a family house would be used.

11. So, if a dwelling is let out as holiday accommodation to a single family group, and that family is limited to a similar mix and number of occupants that may have been expected to have lived in the property when it was a dwelling, it is unlikely that a material change of use would occur.

12. However, if a dwelling is sub-divided into a number of rooms for let to unconnected groups or individuals (who also might all bring their own car, for example); or the dwelling is to be let to a single group larger than would normally be expected to live in the property as a dwelling; or the dwelling is let to a large group of entirely adults (who don't form a family unit); then we consider that the change of use would be 'material'.

Examples

Example 1

A four bedroom home is being let to visitors on a short term basis. The home is being let as a single holiday unit for families with a cap of 6 occupants. The home maintains facilities required for day-to-day living, as expected in a private home.

This is unlikely to be a material change of use. The original dwelling would have comfortably accommodated 6 occupants as part of a family group and the proposed holiday let would not be used any more intensively than that.

Example 2

A 3 bedroom home is being let to visitors on a short term basis. The home is being let as a single unit with a cap of a group of 8 occupants. The front lounge has been converted to an additional bedroom and each of the bedrooms is let a double.

This is likely to be a material change of use as the dwelling is being used a lot more intensively than it would have been expected to as a residential dwelling. When used as a 3 bedroom, the dwelling would unlikely have been used for 8 occupants, particularly 8 adults.

Example 3

A four bedroom home is being let to visitors on a short term basis. The bedrooms are being let separately (to different groups) on a basis of two double and two single rooms with a maximum of 6 occupants at any one time.

This is likely to be a material change of use as the dwelling is being used more intensively than it would have been expected to as a residential dwelling. The property is to be let to four separate groups and this is likely to lead to more comings and goings, and more noise and disturbance than if let to a single group.

What issues will we look at in a planning proposal for conversion to a short term holiday let?

13. If planning permission is required (see above) then firstly the Council will take the location of the proposal into account. Most short term holiday lets will either be in residential areas or town centres.

Proposals in Primary Residential Areas

14. Local Plan Policy HC3 Residential Development and Primarily Residential Areas says the following:

Non-residential development will be permitted in Primarily Residential Areas provided that it can be demonstrated that the proposal:

- a. will not have an unacceptable impact on the living conditions of neighbouring properties, and***
- b. will otherwise not harm the character of the residential area***

15. There is the potential that a conversion of a dwelling or other building in a residential area for use as a short term holiday let can cause harm to the living conditions of neighbouring residential properties through increased noise and disturbance. For example, this can be through:

- an increase in coming and goings,
- 'daytime' living accommodation (lounge, kitchen etc) in the holiday let sharing a party wall with a bedroom in an existing neighbouring dwelling,
- the occupants of the holiday let keeping unsocial hours and playing loud music etc.
- increase in the amount of and need for storage of refuse/recycling where there is not sufficient space or disposal arrangements for this.

16. Also, the use of dwellings and other buildings in residential areas as short term holiday lets can change the character of the area, particular in areas where there are already many conversions, including to flats and houses in multiple occupation. This can impact on the amount of car parking onsite or on the street, general comings and goings and when they occur, sense of community and how residents interact with other, and how local services and facilities are supported.

17. Therefore, in assessing proposals for the conversion of a dwellings and other buildings in residential areas to a short-term holiday let in a primary residential area the following will apply:

- The number of prospective occupants should be proportionate to the size, layout and location of the property. The Council would expect details of how the property can be let including: the number of occupants; mix of occupants (e.g. single family groups, party groups, etc); length of stay available.
- Rooms should not accommodate more than two occupants (except for the addition of a cot or children's sized bed (where appropriate). This is to avoid an over intensification of rooms.
- Sub-dividing existing bedrooms or other rooms in a house to create additional bedrooms must be avoided. This is to avoid an over-intensification of the use of the property.
- Extensions to an existing dwelling for additional holiday accommodation will be assessed against the [House Extensions Supplementary Planning Document](#), even if the dwelling has already been converted to a short term holiday let.
- Communal rooms in a short term holiday let property should be restricted to the ground floor unless they can be located without sharing a party wall of a bedroom in a neighbouring residential property. Conditions may be applied to any permission to mitigate any noise issues.

- The Council will not permit the conversion of a dwelling or other property in a primary residential area to a short term holiday let if 5% of properties within 100 metres of the application site have already been converted to short term holiday lets, flats or Homes in Multiple Occupations (further information is provided at section 5 of the [Conversion to Flats and HMOs Supplementary Planning Document](#)).
- Off-street parking should be provided commensurate to the size of the property, the number of occupants and whether those occupants can be separate or single groups. The Council's [Sustainable Travel SPD](#) provides more guidance.
- Sufficient bin storage space should be provided to manage waste from the prospective occupants. This should be well-designed, unobtrusive and allow for ease of use/maintenance.
- Facilities in outdoor space that could encourage disturbance to neighbours if used at unsociable hours (outdoor bars, jacuzzies etc) should be avoided or well-located/screened.

18. As holiday accommodation units are considered 'main town centre' uses they should be directed to our defined Town, District or Local centres, in accordance with Local Plan policy ED2 (see below). Proposals outside these centres should be approved only in accordance with a sequential approach. Furthermore, depending on the size of the proposal, and Impact Assessment many also be required.

Proposals in Town, District and Local Centres

19. In general terms, the Council's Town, District and Local centres provide the best location for holiday let accommodation. This is due to the availability of services and facilities, shops and restaurants, public transport and (particularly in Southport) tourist attractions. Also, as visitor accommodation units are classed as town centre uses, they would accord with the sequential approach to development in these locations.

20. Therefore, the Council are likely to be more supportive of proposals to convert premises to short term holiday let accommodation in these areas.

21. However, there are still some key considerations to be had when considering conversion to short term holiday let accommodation in centres.

22. A key consideration is to protect the shopping area within each of our centres. Many of our centres have a separately defined Primary Shopping Area within the wider centre designation. These are the areas that accommodate most of the shops and have the highest footfall (number of visitors / shoppers / passers-by). Whilst the use of upper floors for hotel and visitor accommodation is generally fine, the loss of ground floor units in these areas from being shops could have a detrimental impact on the vibrancy of the shopping area. Therefore, in accordance with Policy ED2 of the Local Plan, proposals for visitor accommodation on the ground floor in Primary Shopping Areas will only be acceptable where:

- the overall retail function of the Centre would not be undermined;

- the use would make a positive contribution to the overall vitality and viability of the Centre; and
- it would not result in an unacceptable cluster of non-retail uses.

23. In some of Town District and Local Centres there are residential areas. In these areas, we will apply same criteria as we would to proposals in Primary Residential Areas, with the exception of the restriction of the number of conversions within 100m of the property.

24. In line with the 2023 NPPF (paragraph 187) where the operation of an existing business or community facility could have a significant adverse effect on a new visitor accommodation in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Proposals elsewhere

25. Proposals to convert a property in areas outside a defined centre or a Primary Residential Area will be assessed against the relevant criteria in the Local Plan for the site. This may include:

- Employment areas
- Mixed used areas
- Green Belt.

26. In addition, as with in other areas, where the operation of an existing business or community facility could have a significant adverse effect on a new visitor accommodation in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed. This would be particularly relevant in an Employment Area.

27. Similarly, there is need to show that a sequential approach to the location of the visitor accommodation has been undertaken and, if appropriate, an Impact Assessment.

How can you get advice on whether a proposal needs permission and if so, what issues will be considered?

28. For all proposals for short term holiday lets, we encourage you to use the Council's pre-application service to obtain early advice from planning officers on your proposed application. By discussing your project with us before you apply for planning permission, we can help you to put together a successful application that meets our requirements and avoid delays. There is a charge for this service. Details of our preapplication service can be found at [Pre-application advice on development proposals \(sefton.gov.uk\)](https://sefton.gov.uk/pre-application-advice-on-development-proposals).

29. There are significant benefits in using our pre-application service. We will tell you:

- Whether your proposal is likely to be given permission or not

- Whether you need specialist input (e.g. if your proposal is likely to have an impact on listed buildings, conservation areas, trees, ecology, etc) before you submit your application
- About potential issues and so reduce the chances of you putting in a proposal which is not going to be acceptable
- If you if your proposal is completely unacceptable, and so will be able to save you the cost of putting in a formal application.
- What information you need to include with your application, reducing the chances of you making an invalid application, and improving how quickly we can deal with your application.

Planning Policy Context

30. Government planning policy and how it is to be applied is set out in the National Planning Policy Framework (NPPF) (www.gov.uk/government/publications/national-planning-policy-framework--2). The NPPF requires each council to have robust and comprehensive policies that support the delivery of high-quality sustainable and inclusive development.

31. Sefton's Local Plan was adopted in April 2017. The Local Plan includes a range of policies to shape the future of Sefton. It sets out how development will be managed in the period from 2015 to 2030, encouraging sustainable development and economic growth and giving current and future generations more opportunities to live and work in Sefton's outstanding environment.

32. Specifically, this SPD will support the following Local Plan policies:

- HC3 Residential Development and Primarily Residential Areas
- ED2 Retail, Leisure and other town centre uses
- EQ2 Design
- ED5 Tourism