

## CAIRNGORMS NATIONAL PARK AUTHORITY

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### FOR DECISION

**Title: BADENOCH AND STRATHSPEY SHORT-TERM LET CONTROL AREA POLICY CONSULTATION**

**Prepared by: Dan Harris, Planning Manager (Forward Planning and Service Improvement)**

#### **Purpose**

1. To inform the Planning Committee of Highland Council's consultation on a Draft Non-statutory Short-Term Secondary Letting Planning Policy to accompany Short-Term Let Control Areas in Highland and to agree the CNPA's response to the consultation.

#### **Recommendation**

2. That the Planning Committee agree to officers submitting response to the consultation that welcomes the proposed planning policy.

#### **Background**

3. Section 26B of the Town and Country Planning (Scotland) Act 1997, as amended by The Planning (Scotland) Act 2019, allows planning authorities to designate Short-term Let Control Areas within their area.
4. In August 2022, following a detailed consideration of the issues and public consultation, The Highland Council submitted a request to Scottish Minister to establish a Short-term Let Control Area covering Ward 20: Badenoch and Strathspey. This request was approved by Scottish Ministers in December 2022 and therefore, following the publishing of a designation notice, the Council may designate a Short-term Let Control Area covering Ward 20. Highland Council's Statement of Reasons for the proposed Short-term Let Control Area is available here: [Short-term Let Control Area | Badenoch and Strathspey Short-term Let Control Area - Statement of Reasons \(highland.gov.uk\)](#).
5. Following the designation of the Control Area, short-term lets within Ward 20 will be classified as a separate use to a dwellinghouse and therefore any proposed changes of use to short-term lets will require planning permission.

#### **Draft Non-statutory Short-Term Secondary Letting Planning Policy**

6. Highland Council has developed and is consulting (to 3 February 2023) on a planning policy to deal with changes of use to short-term lets within the Control Area. CNPA

officers have been involved and supported the policy development. The proposed planning policy is shown in the box below.

### **Draft Non-statutory Short-Term Secondary Letting Planning Policy**

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'.

7. The full draft policy and supporting text are available to view here: [Short-term Let Control Area | Draft STL CA Planning Policy Consultation Version \(highland.gov.uk\)](#).
8. The policy is intended to protect the use of smaller dwellings and properties that are in high demand by those who want to live in the Short-term Let Control Area (currently only Badenoch and Strathspey). The policy also contains criteria intended to ensure any short-term let properties are adequately serviced and avoid significant impacts on privacy, amenity and character.

### **Proposed CNPA Consultation Response**

9. CNPA officers are satisfied that the proposed policy covers matters that are relevant and would support the implementation of the Short-term Let Control Area for

Badenoch and Strathspey. The policy includes definitions to provide clarity and is considered appropriate for the establishment of the control area. We recommend a simple response from the CNPA that supports the proposed planning policy.

### **Next Steps**

10. Highland Council will consider responses to the consultation and then finalise a non-statutory planning policy that would be approved and adopted through Highland Council's committee structure as the planning authority covering Badenoch and Strathspey. At that stage, CNPA officers would bring a paper to the CNPA Planning Committee proposing adoption of the same non-statutory policy within the Badenoch and Strathspey part of the National Park.
11. The non-statutory policy or any revised versions would be applied to planning applications for short term let uses of dwelling houses until the CNPA has prepared the next Local Development Plan (LDP) for the National Park. That LDP will incorporate planning policy on short-term letting and follow the statutory processes of the LDP to replace the non-statutory policy. It is possible that the form of the policy will change in future following experience of implementation and of monitoring the impact of the control area.

**Dan Harris**

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