

Short Term Let Control Area - August 2023 Consultation Responses

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

List of tables/charts

Chart 1 – Breakdown of responses by respondent sector
 Chart 2– Breakdown of responses originating from postcode areas within the proposed control area
 Chart 3 – All responses to principle of a STL Control Area
 Chart 4 – Breakdown of responses to principle of a STL Control Area by respondent sector
 Chart 5 – Breakdown of responses to the principle of a STL Control Area by respondent sector from postcode areas within proposal
 Chart 6 – All Responses on location of the proposed control area
 Chart 7 - Breakdown of Responses to location of proposed control area by respondent sector
 Chart 8 – Breakdown of responses from postcode areas within proposed control area on location
 Chart 9 – Breakdown of responses from specific postcode areas on location of proposal
 Table 1 – Breakdown of responses by respondent sector
 Table 2 – List of organisation / group respondents
 Table 3 – All responses to the principle of a control area
 Table 4 – Comments summary on principle
 Table 5 – All responses to the location of a proposed control area
 Table 6 – Comments summary on location of proposed control area

Chart 1

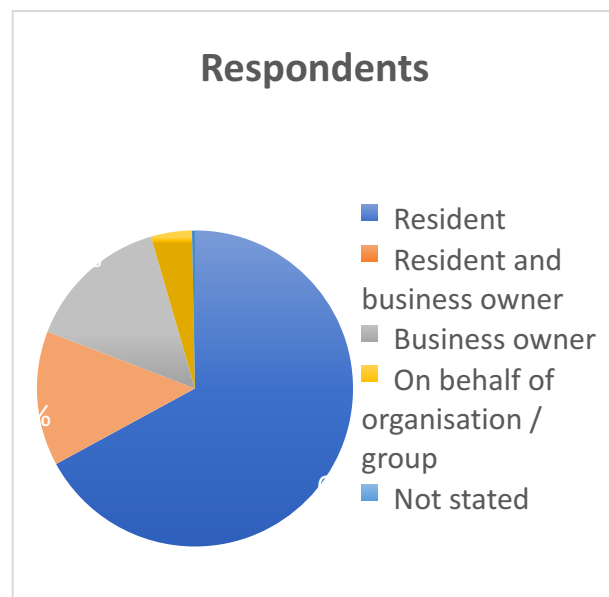


Table 1

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

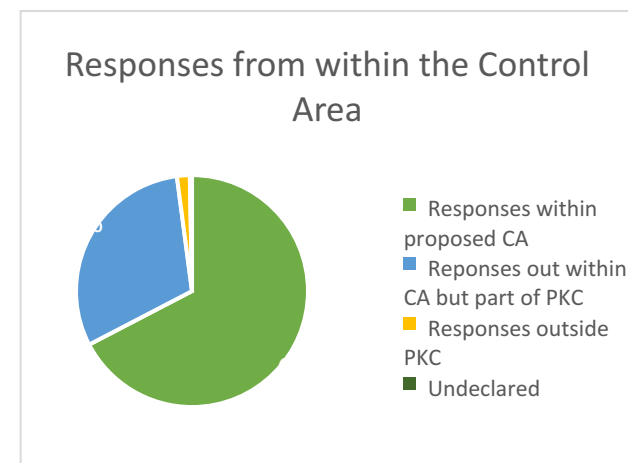
Table 2

- Aberfeldy Community Council
- Aberfeldy Development Trust
- Airbnb
- Association of Scotland's Self-Caterers
- Conservative Group on PKC
- Federation of Small Businesses
- Glenlyon and Loch Tay Community Council
- Glenshee & Strathardle Tourist Association
- Rannoch Community Trust
- Ristol Consulting Ltd representing estates providing STL accommodation in Highland Perthshire
- Scottish Conservative Group on PKC
- West Carse Community Council
- Response on behalf of 12 residents
- Response on behalf of 30 residents

Table 3 Responses originating from postcode areas within the control area
(includes/ representative of that area)

Relation to Control Area	Residents		Business/ Resident		Orgs/ Groups		Total	%
Postcode area within proposal (25 Eastern HMA)	156	69%	63	28%	7	3%	225	67%
Postcode area out-with proposal but in PKC	68	67%	30	29%	4	4%	102	31%
Postcode area Out-with PKC	0	0%	2	33%	4	67%	6	2%
Undeclared	0	0%	0	0%	0	0%	1	0%
Total							334	

Chart 2



Q. Principle - To what extent do you agree with the principle of a control area?

Response	All	
Agree / strongly agree	178	53%
Disagree / strongly disagree	138	41%
Neither agree nor disagree / don't know / no comment	18	5%
Total	334	100%

Chart 3 : All Responses

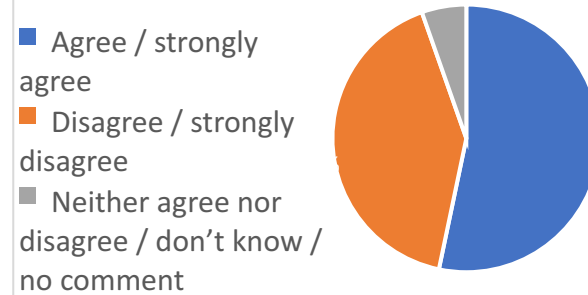
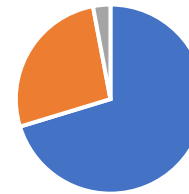
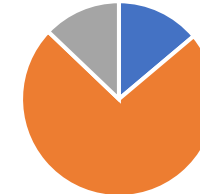


Chart 4: Results by respondents

Residents



Business owners



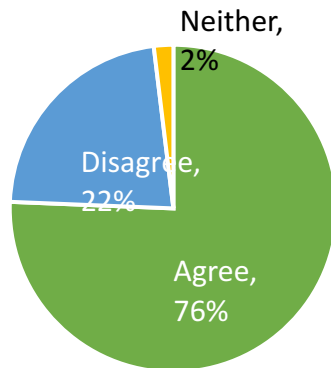
Organisations / groups



Table 3

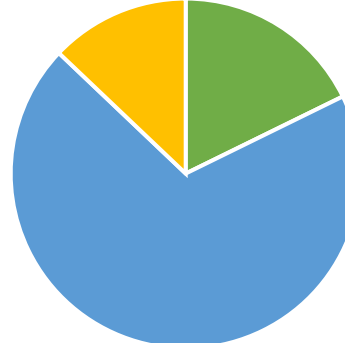
Chart 5 : Results by respondents from postcode areas within proposal

From the Control Area **Residents**



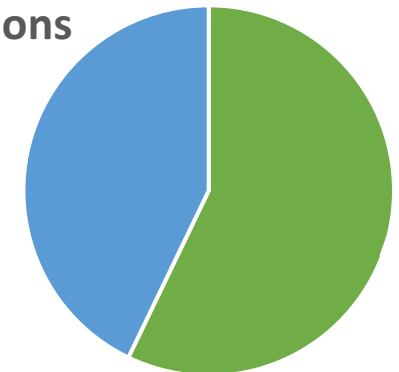
From Control Area

Resident business



From the Control Area

Organisations



The responses set out in the tables below are grouped by respondent sector i.e. resident, business owner (including those who are also residents), or organisation / group.

Table 4 - Q. Principle - To what extent do you agree with the principle of a control area?			
Response	Respondent		
	Residents	Business Owners (including those resident)	Organisations / group
Agree / strongly agree	<ul style="list-style-type: none"> • housing costs increasing beyond local wages • property taken off the market for use as a business asset, deprives local residents of a home • now attractive to absentee investors of portfolios of property • government rent controls make long term letting less profitable and so less desirable • people unable to live here and businesses unable to recruit staff as no where to live • wealthy, retired people are the only ones able to afford even the basic house • desirable holiday locations becoming hollowed out; my hamlet 2/10 full time occupied-impacts on school roll, bin collections and bus service etc. • Housing problems for young people eg: couple with own 	<ul style="list-style-type: none"> • too many holiday houses and second homes, we counted at least 100 in Strathardle and Glenshee. Lack of homes for families and workers • impossible for locals to buy housing, the village of Dunkeld is suffering • not good for the community not enough for young people • empty properties for significant parts of the year - leading issues for year-round financial stability of businesses in the area • Local school roll is decreasing due to lack of affordable family homes • Holiday houses do not pay council tax therefore contributing nothing to the local facilities • I do believe that secondary letting needs to be regulated and requires a registration scheme. Currently this is an 	<ul style="list-style-type: none"> • Glenlyon and Loch Tay Community Council area has an abundance of short-term let tourist accommodation including second homes and a lack of affordable to buy or rent accommodation • Aberfeldy Community Council believe that the housing crisis is very acute locally, and addressing this should involve a mixture of increasing supply, and control measures to regulate current and future use of suitable properties. We see this as one of a package of measures that could usefully be undertaken to help • Aberfeldy Development Trust support any mechanisms to enable Councils to manage the number of second houses/holiday lets, to protect the local housing supply for long-term residents; help safeguard our rural communities for the future. We understand the importance of providing accommodation for visitors. This should be balanced with the housing needs of local communities. We believe that change is needed, robust and effective legislation will help safeguard our rural communities for the future. Surveyed demand for social housing was almost 4 times the level of supply. 45% stated that they

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Response	Respondent		
	Residents	Business Owners (including those resident)	Organisations / group
Agree / strongly agree	<p>business and reserve fire fighter having to house share.</p> <ul style="list-style-type: none"> • can't afford to downsize locally • Enough good neighbours is invaluable support for many people, particularly elderly and disabled people • availability of housing is a barrier employment including in the hospitality industry • impoverishes localities and reduces spending in the peripheral areas of P&K • workforce who wish to live locally have to commute many miles daily. • Simply building more affordable housing is environmentally unsustainable • Not moving fast enough or going far enough to reduce the housing shortage crisis • this proposal doesn't impact existing economic activity, in fact could enhance current holiday letting activities as the number of such properties will grow more slowly. 	<p>unregulated market that takes away from affordable housing and renting in areas and is also competition for serviced accommodation providers,</p> <ul style="list-style-type: none"> • but they don't have the costs and regulatory burden that this market faces. • As a local employer, I often have difficulties finding accommodation for my staff moving to the area. • Action needs to be taken and this is a good first step, however should be expanded to the whole of PKC/Scotland. 	<p>would like to set up a business in the area if they were able to move into it. Average house price in Aberfeldy (2021/22) was £344,326</p> <ul style="list-style-type: none"> • Rannoch Community Trust - there are not enough houses available for locals, many houses being used as holiday house, taking houses out of housing supply; increasing local house prices has led to a shortage of key workers in the area, young families, numbers at the school and a decrease in services • one of a package of measures that could usefully be undertaken to help housing supply • ideally short-term lets should not be allowed to operate in towns where there are flats and houses are built close together. There is plenty of provision of hotels in towns. some local hotels in Perth are struggling to survive • enough holiday homes/more permanent homes • Glenshee & Strathardle Tourist Association self-catering units in our area have moderate to high occupancy all year round (50-80%); providing employment for local residents – housekeepers, laundry, gardeners, maintenance and trades. Properties are generally maintained to a higher standard using the services of local plumbers, electricians, joiners and builders etc. Guests are much more likely to use village/farm retail and

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Response	Respondent		
	Residents	Business Owners (including those resident)	Organisations / group
	need to have workers needs to be balanced against the need to have tourists or we kill our own golden goose.		eateries, year round local attractions/sports facilities etc.
Strongly disagree/ disagree	<ul style="list-style-type: none"> • current legislation requiring planning for flats for STL can safeguard suitable housing as residential if used correctly and policed • a control area will increase the number of second homes • council and developers need to build more affordable housing • the proposal won't resolve the issue • Lack of housing needs a multi-faceted approach • there are laws to protect tenants, but nothing to protect landlords, so landlords are giving up and so there are fewer rental properties • the area relies of the tourism economy – has the potential to remove hundreds of jobs-disproportionate impact on women and poorer paid 	<ul style="list-style-type: none"> • the area has a large dependency on tourist economics. • House availability is driven by other demands, including the shift from conventional hotel to self catering as witnessed by the explosion of the AirBnB business model; the area is attractive to retiring professionals with relatively high city house prices; home-working was accelerated post covid, leading to professionals moving into more rural areas and pushing prices up; the population is growing fast across the UK. Given that these demand changes are UK government policy issues the thing the Council needs to focus on is building sufficient capacity to meet demand • STL control is not the answer to lack of affordable housing. It is another stealth tax and admin burden 	<ul style="list-style-type: none"> • all will be prevented from holiday letting their property when they're not there – the property will make an average 6 x less economic contribution to the local community (see below), some owners won't sell as don't want to and don't financially have to and so will become/remain empty second homes, some of those sold may be suitable for long term living but many won't be due to their rustic appeal, remoteness, market price or size, and so will be bought as a second home again. Insufficient data. Demand is for STLs. The STL sector was worth £3.8bn to Scottish GDP and 65,500 Scottish jobs in 2021, so we need to protect the ability of local economies to capitalise on the staycation boom by meeting that demand, of UK residents to holiday here and increasingly to do so in short term lets as opposed to other types of accommodation. We do not believe that planning approaches to limit the short term let (STL) sector is the best approach. Better use of un-used and under-used buildings If the visitor demand is for STL accommodation we wonder about incentivising the development of less wanted accommodation and other under-used

Table 4 - Q. Principle - To what extent do you agree with the principle of a control area?

Response	Respondent		
	Residents	Business Owners (including those resident)	Organisations / group
Strongly disagree/ disagree	<ul style="list-style-type: none"> • short-term lets will revert to second homes; empty for part of the year • This proposal will limit ability to local residents to raise additional income, • a total infringement of an individuals rights • tourism brings business in to our dying town, where everything seems to be closing due to lack of footfall. • It should not be up to the residents of Perth and Kinross to provide suitable and affordable homes • controls will incur increases in both workload and expenses both for the local authorities and landlords, greater expenses will also be passed down to tenants both long and short term • the council should gather data from its short term lets licencing exercise to inform policy • monitor progress of the licensing scheme first 	<ul style="list-style-type: none"> • not enough consultation with local business owners • think trend in house purchases just for short letting needs moderation, but control area would damage existing businesses • tourism is vital for the area • most of the local businesses would not survive on resident expenditure only • the council has existing powers via the licensing scheme and planning to control let property supply • I don't trust the data. Second homes/STLs are being lumped together and Air BNB is a marketing platform and doesn't give an indication of suitable properties available for housing needs • many let a spare room to increase income, often due to lack of work 	<ul style="list-style-type: none"> or un-used buildings such as empty second homes and empty retail units into homes. • This is an attack on small tourist businesses with no benefit • I strongly believe that a Planning Control Area should not be introduced at this time. The impact of the new Short-term Let Licencing regulations within northern Perthshire (and Perth & Kinross as a whole) should firstly be assessed over a number of years, and if they are not having the desired impact, then a Planning Control Area could be reconsidered amongst other solutions • Fundamentally disagree with this level of state control over the use of private property. It is up to the individual to do what they want with their properties. Rather than state imposing restrictions and a layer of bureaucracy would rather see state providing affordable rental housing • The ASSC - disagrees with the principle of establishing a short-term let Planning Control Area, as well as its proposed location, as there is an insufficient evidence-base to proceed;

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Response	Respondent		
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Strongly disagree/ disagree	<ul style="list-style-type: none"> tourism is an important industry and we have seen in Edinburgh that hotels have massively increased their rates when a short term zone was introduced; this has reduced UK based tourism which has built strongly post pandemic the Glenshee area which is heavily orientated to tourism which is needed for the local economy this will cause a drop in affordable accommodation for tourists during the short peak season, so damaging the local tourist industry as a whole individuals should not be penalised further for either owning a business or having a second home do something about second homes second homes should pay double council tax 	<ul style="list-style-type: none"> opportunities nearby (living more remote area). employers need to be addressing their staffing needs too, not just flinging the issue back at hard working individuals I do not trust PKC to implement it fairly or reasonably the problem is nuanced and needs a nuanced solution not a blanket control program which would need to be based on an arbitrarily decided set of criteria to determine which areas would be covered and which would not a control area should only be established where there is accurate, evidence based data to support the need 	<ul style="list-style-type: none"> believes that the Council should instead undertake a comprehensive exercise in gathering precise and verifiable data, providing stakeholders with the necessary evidence to make an informed decision and take forward this consultation Argues that the draft planning guidance is not fit for purpose and will be subject to legal challenge.

Table 4 - Q. Principle - To what extent do you agree with the principle of a control area?

Response	Respondent		
	Residents	Business Owners (including those resident)	Organisations / group
Neither agree nor disagree/ Don't know	<ul style="list-style-type: none"> • there are some good points to it and some not so good effects of it • tourism matters very much in Scotland • controls now on rents, many properties are for sale/ been sold so less available for STLs • the data is not sufficient to make any meaningful conclusions • homes which will become available for sale will go to the highest bidder. • potential that a control area could have an adverse effect on tourism. 	<ul style="list-style-type: none"> • engage in real dialogue with self-caterers and not just those lacking objectivity on the benefits of year-round local operators • unconvinced by the evidence that STL has a significant detrimental impact on affordable housing stock. I believe empty & second homes owned by non-locals is more relevant to this issue • while I agree in principle with the aims, I cannot agree overall as it is unclear as it affects our small holiday let business. • planning permission should be sufficient to determine if property can be used as a holiday let or not • some areas planning control would be beneficial, however I do not believe it will result in more availability of rented or affordable housing. • any designation should be subjective to the specific area, not a blanket 	<ul style="list-style-type: none"> • No comments made

Table 4 - Q. Principle - To what extent do you agree with the principle of a control area?

Response	Respondent		
	Residents	Business Owners (including those resident)	Organisations / group
		<p>approach over an entire local authority area.</p> <ul style="list-style-type: none"> • tourism is a significant income generator and there is a significant shortage of quality tourist accommodation • stopping short term lets is not the silver bullet to improving housing stock availability tackle by providing affordable housing/community housing • the idea is reasonable, but depends how the proposed powers are used • the self-catering sector supports jobs and livelihoods in the area • if it is housing that Council wants to create/ preserve, then I believe the aim should be to regulate all areas • STLs in residential areas seem to have largely escaped planning requirements? So far, the focus seems to be on targeting existing STL properties for planning in largely commercial or a mix of commercial/ residential areas only. A good few property owners who have created and established lawful business endeavours in areas where there is little chance of disturbing residential 	

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Response	Respondent		
	Residents	Business Owners (including those resident)	Organisations / group
		<p>neighbours are being refused Planning Permission.</p> <ul style="list-style-type: none"> Each application, no matter the location, should be decided on its individual merit. 	

PKC Officer Comments

The principle of introducing a STL Control Area drew support mainly from residents and some residents business owners who were concerned about housing supply and affordability issues and in turn the sustainability of their communities. The main reasons businesses gave were that they were not in favour of restrictions on businesses that brings employment to communities, and that the evidence provided did not justify the proposal and could harm tourism growth and therefore employment opportunities. Organisations/ groups gave the same reasons as above depending on whether they were a community group or trade representative.

The evidence has now been updated using the STL Licence register data and more thorough research into the housing market to bring about the most informed decision possible. The proposal seeks to provide the planning authority with the opportunity to assess all future Change of Use applications to STLs rather than for flatted dwellings which is currently the situation. This would allow the council to balance the needs of the development of tourism accommodation and housing needs in a more sustainable way within the context of each application using the non-statutory planning guidance, in place since Nov 2023. The proposal is only to introduce a STL Control Area where housing pressure is greatest and STLs are a significantly larger contributor to pressure than the majority of Perth and Kinross. That has been evidenced to be in Highland Housing Market Area and the north parts of Eastern Housing Market Area (north of Bridge of Cally).

Q. Location - To what extent do you agree with the location of the proposed control area?

Table 5 Q2. Location of control area		
Strongly Agree/ Agree	153	46%
Disagree/ Strongly Disagree	144	43%
Don't know/ Not stated / Neither agree nor disagree	37	11%
Totals	334	100%

Chart 6 - All Responses on location of the proposed control area



Q. Location - To what extent do you agree with the location of the proposed control area?

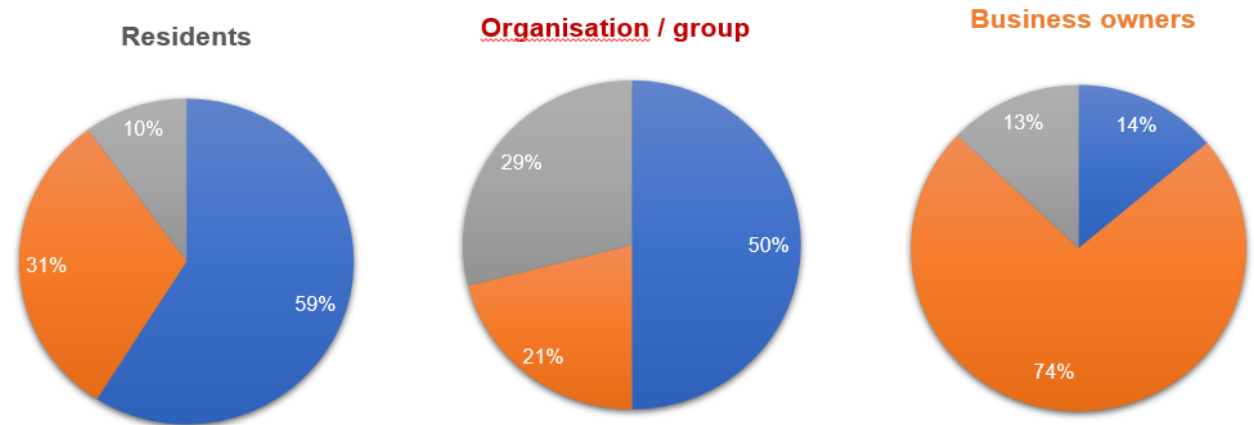
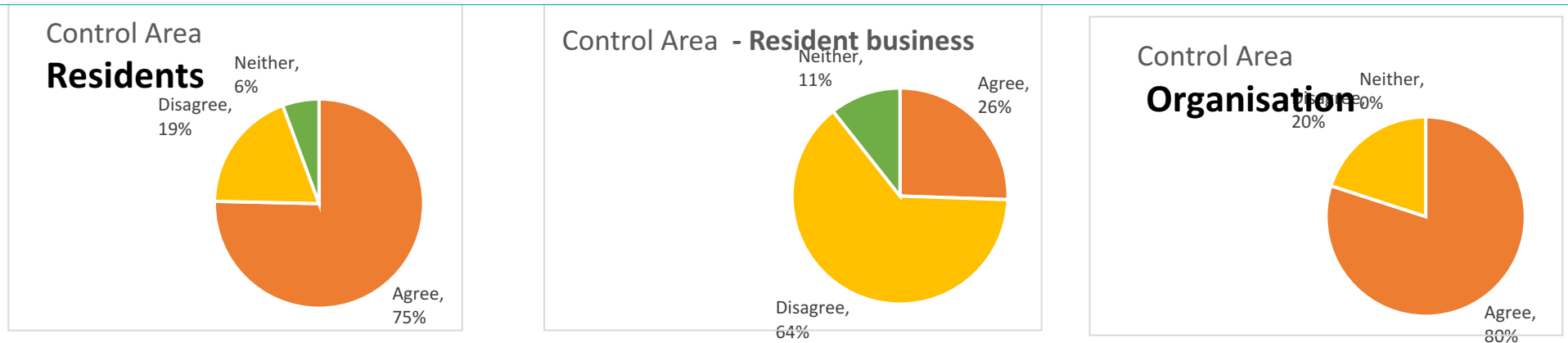


Chart 7 – Responses to location of proposed control area

Responses originating from postcode areas within the proposed Control Area

Chart 8 : Results by respondents from postcode areas within proposal on location



Responses originating from Crieff and Comrie areas and Blairgowrie and the Glens. The distribution of responses when broken down further, is similar to the overall distributions.

Chart 9 : Results by respondents from specific postcode areas on location

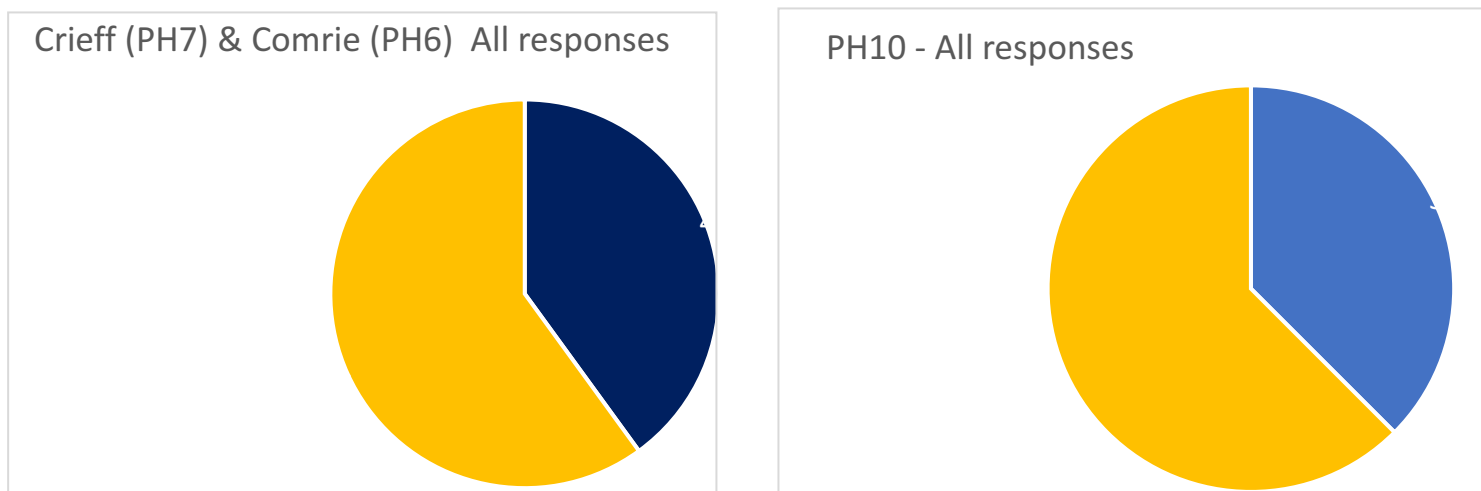


Table 6 - Q. Location - To what extent do you agree with the location of the proposed control area?

Response	Respondent		
	Residents	Business Owners (including those resident)	Organisations / group
Strongly agree/ agree	<ul style="list-style-type: none"> I think this map covers the areas under the greatest pressure The data provided shows very well where control is needed 	<ul style="list-style-type: none"> Covers the areas i would expect and that are most effected Pitlochry and Mount Blair areas have a shortage of affordable housing 	<ul style="list-style-type: none"> The proposed control area has been carefully aligned with the parts of the Council area where there are the higher numbers of short-term lets/second homes and which are suffering from the negative impacts.

Q. Location - To what extent do you agree with the location of the proposed control area?

Response	Respondent		
	Residents	Business Owners (including those resident)	Organisations / group
	<ul style="list-style-type: none"> • There will always be someone who wants the area extended, so hard to ever put an area boundary in the right place. • All of Highland Perthshire should be included • Should it not be even wider to include Blairgowrie? • Should also include logiealmond 	<ul style="list-style-type: none"> • I think the Blairgowrie area should be included. 	<ul style="list-style-type: none"> • We live in Perth and strongly believe that it too should be a control area -there are plenty of hotels and guesthouses for people wishing to visit the city centre.

<p>Strongly disagree/ disagree</p>	<ul style="list-style-type: none"> • PH6 Comrie, Perthshire has no available housing. School roll is rapidly declining • Should extend to whole of Perth & Kinross. • Don't think it goes far enough. Blairgowrie/ Alyth should be included. I do not believe any areas should be included. • I think all short term lets which are not in the same residence as the landlord, should require planning permission to allow adjacent residents the chance to raise concerns • We should not be attempting to disrupt the operations of the free market • Perth city centre to be included • extra layer of cost and bureaucracy which will damage tourism to the area and cost jobs in what is our largest industry! target the landowners who own huge swathes of our countryside and manage it for the purposes of a few wealthy folk who want to shoot our wildlife? • Leave all of it out. • Again, there appears to be only hearsay evidence of an issue. The accurate data will come at the end of the registration 	<ul style="list-style-type: none"> • Any location that is not a reasonable commuting distance to centres of employment should be excluded, as these locations would not contribute affordable homes to key workers anyway, and the restrictions would only serve to damage the tourism potential • Too big an area. No public transport or good wi-fi for people, everyone would need a car. • I would be more interested in a map that is more selective in the targeting of areas that have no long-term rental property available, rather than a northern PKC boundary map that appears to have been drawn for cartography convenience • It is too early to determine the areas as short term let numbers are not yet known • Private property owners are not responsible for shortage of long term rented accommodation • This should not be a planning issue, if the STL Order is not suitable / robust / enforced across the entire area then it should be amended. • With the reduction in hotel accommodation and STL where do tourist go to stay in Perthshire? Where will P & K make up the short fall. Adding another restriction will not increase housing stock. it will deplete tourism and only increase prices. 	<ul style="list-style-type: none"> • We don't believe in the principal regardless of where it is • At this stage there is no proper justification for the location of the Control Area. • Until accurate data from licensing scheme is available we don't think it's possible to fairly apply the control let to a specific geographic area. • It has been brought to our attention that the statistics for the PH8 area published by PKC are incorrect. Can PKC comment on this?
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	process and the decision on which areas are most impacted by short term lets should have waited until that evidence was available		
neither agree or disagree / Don't know	<ul style="list-style-type: none"> • The whole of the council area should be included to avoid pressure on areas immediately outside a controlled zone. • Only hamlets should be included. • Perth city centre to be included • Looks OK to me. 	<ul style="list-style-type: none"> • I am unconvinced of its significance in Pitlochry. Each area's challenges are different. • The short term rental properties appear to be in very touristy locations which is a massive positive to adding additional accommodation to allow more visitors into these areas and to increase tourism to Perth and Kinross. • When not running our short term let, we also manage a small charitable project helping vulnerable households. This area does have a major problem with access to affordable, fit for purpose long term lets. • Pitlochry, Aberfeldy and similar quaint/ historic/ scenic towns. I would request caution to over-regulate the very popular Tourism Destinations (towns) 	<ul style="list-style-type: none"> • Until accurate data from licensing scheme is available, we don't think it's possible to fairly apply the control let to a specific geographic area. • Inconsistency of fees being charged and requirements being put in place within areas of a single Local Authority is a major concern to FSB members. • Wherever a boundary is put in place, there will be issues of one business being more tightly controlled than another, creating unfair trading conditions that are detrimental to the economy as a whole. From the perspective of FSB members, this is the use of a sledgehammer to crack a nut. • could lead to a complex and uncertain regulatory environment in which to do business.
PKC Officer Comments Many of the comments went back to the principle of a control area being established in any location. Many who disagreed with the area, agreed with the principle of a Control Area and believed that the area included should be larger, and include the locations Strathearn, the area between Dunkeld and Perth city, Blairgowrie. Others suggested the control area should be far more targeted.			

The comment regarding the specific instance of data, was locally incorrectly publish figure that was corrected and correction notice published at the time. at the time.

The evidence has been updated and the impact of a control area evaluated on the basis of housing pressure and of Short-term Lets. The proposal is only to introduce a STL Control Area where housing pressure is greatest and STLs concentrations are greater than the majority of Perth and Kinross. In these areas a Control Area can be justified by having an impact on the balance of housing stock and tourism accommodation. The refreshed evidence indicates that this area is Highland Housing Market Area and the north parts of Eastern Housing Market Area (north of Bridge of Cally) which coincides with the previously proposed area.