

# **SUPPLEMENTARY PLANNING GUIDANCE**

## **MANAGING THE USE OF DWELLINGS AS HOLIDAY HOMES (SECOND HOMES AND SHORT-TERM HOLIDAY LETS)**



**JUNE 2025**

**ANGLESEY AND GWYNEDD JOINT LOCAL DEVELOPMENT PLAN**

**\*Relevant to the Gwynedd Local Planning Authority Area only**

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## **1.0 Introduction to the Supplementary Planning Guidance and its purpose**

### **1.1 Purpose**

#### **1.1.1 The purpose of this Guidance is to:**

- assist the public and their agents to prepare planning applications and guide them in discussions with officers before submitting planning applications,
- assist officers to assess planning applications, and officers and councillors to make decisions about planning applications, and
- assist Planning Inspectors to make decisions on appeals.

#### **1.1.2 The overall aim is to improve the quality of new developments and facilitate a consistent and transparent way of making decisions.**

### **The Policy Context**

#### The Local Development Plan

#### **1.1.3 Under planning legislation, the planning policies for every area are included in the 'development plan'. The Anglesey and Gwynedd Joint Local Development Plan was adopted on 31 July 2017. It covers the area of Gwynedd and Anglesey Local Planning Authorities.**

#### **1.1.4 The Plan provides wide-ranging policies along with land use designations, such as housing and employment; it helps to shape the future of the Plan area physically and environmentally, and also influences it economically, socially and culturally. The Plan seeks to:**

- guide the Local Planning Authorities to make rational and consistent decisions on planning applications by providing a policy framework that is consistent with national policy; and
- guide developments to suitable areas during the period up to 2026.

#### The need for Supplementary Planning Guidance

#### **1.1.5 Although the Plan contains policies that enable the Local Planning Authority to make consistent and transparent decisions on development proposals, it cannot provide all the detailed advice required by officers and prospective applicants to steer proposals locally. In order to provide this detailed advice, the Councils are preparing a range of Supplementary Planning Guidance (SPG) to support the Plan. SPG provides more detailed guidance on a variety of topics and matters to help interpret and implement the policies and proposals.**

### **The Status of the Supplementary Planning Guidance**

#### **1.1.6 Supplementary Planning Guidance (SPG) are material planning considerations during the process of assessing and determining planning applications. Welsh Government and PEDW (Planning and Environment Decisions Wales) will place considerable weight on**

Supplementary Planning Guidance that derive from, and are consistent with, a development plan. SPGs do not introduce any new planning policies.

- 1.1.7 In accordance with Welsh Government advice, the SPG has been the subject of a public consultation and a decision to be adopted by the Cyngor Gwynedd Cabinet. A draft version of the Guidance was approved for public consultation on *[to be completed]* by the Cyngor Gwynedd Cabinet. The Supplementary Planning Guidance was the subject of a public consultation exercise between *[to be completed]* and *[to be completed]*. Following this consultation period and as a result of amending the Guidance as appropriate in response to the observations received, the Supplementary Planning Guidance was adopted by the Cyngor Gwynedd Cabinet on *[to be completed]* to be used as a material consideration when assessing and determining planning applications and appeals.

- 1.1.8 **As a result, substantial weight should be placed on this document as a relevant planning consideration.**

#### Area

- 1.1.9 Despite the fact that the Joint Local Development Plan is relevant to the Gwynedd and Anglesey Local Planning Authority Area, the co-working agreement on Planning Policy matters came to an end on 31 March 2023. Therefore, it is emphasised that this Supplementary Planning Guidance is specifically relevant to **the Gwynedd Local Planning Authority Area only.**

## 1.2 Context

- 1.2.1 This SPG provides Planning Policy guidance that specifically relates to the planning considerations following the introduction of amendments to the Town and Country Planning (Use Classes) Order<sup>1</sup> and the implementation of the Article 4 Direction to manage the use of dwellings as holiday homes (short-term holiday accommodation and second homes) in the Gwynedd Local Planning Authority Area.
- 1.2.2 In October 2022, the Town and Country Planning (Use Classes) Order 1987 was amended by introducing three new use classes, those use classes are defined as follows:

Use Classes Table:

C3:	<b>Dwelling houses used as a sole residence or main residence</b>	Dwelling houses used as a sole residence or main residence and occupied for more than 183 days in a calendar year - this class is split into three parts: <ul style="list-style-type: none"> <li>C3(a) - a class that provides for an individual person or family (a couple, whether married or not, persons that are related to each other with family members of either member of the couple to be treated as family members of the other), an employer and certain domestic</li> </ul>
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<sup>1</sup>[Town and Country Planning \(Use Classes\) Order 1987 \(as amended\)](#)

		<p>workers (such as an au pair, nanny, nurse, home teacher, servant, chauffeur, gardener, secretary or personal assistant), carer and the person being cared for and a foster parent and foster child.</p> <ul style="list-style-type: none"> <li>• C3(b) - up to six people living together as one household and being looked after e.g. supported housing schemes, such as those provided for people with learning disabilities or mental health problems.</li> <li>• C3(c) – this class provides for groups of people (up to 6) who live together as one household and do not fall under the definition of Houses in Multiple Occupation (HMO) in C4, e.g. a small religious community and a home-owner living with a lodger could fall into this category.</li> </ul>
C5:	<b>Dwelling houses used apart from sole or main residence</b>	Dwelling houses used apart from a sole residence or main residence and occupied for 183 days or less.
C6:	<b>Short-term Holiday Let</b>	Dwelling houses used for commercial short-term lettings no longer than 31 days for each period of occupancy.

1.2.3 Along with the amendment to the Town and Country Planning (Use Classes) Order 1987<sup>2</sup> the Town and Country Planning (Permitted General Development) Order 1995<sup>3</sup> was amended to allow unrestricted changes between the three new use classes (Main residence (C3), Second Homes (C5) and Short-term Holiday Let (C6)). Therefore, no planning permission is required to change from one of the use classes to another.

1.2.4 If considered appropriate, and when there is evidence proving that exceptional circumstances exist, in order to prevent and gain control of the unrestricted change of use between the new use classes, Local Planning Authorities have the power to introduce an Article 4 Direction for a particular area. The Article 4 Direction is a planning tool which enables a response to an area's specific needs by removing the permitted development rights that have been applied through the Town and Country Planning (General Permitted Development) Order. This means that planning permission must be obtained to undertake some specific types of developments that would have been 'Permitted Development Rights' unless the Article 4 Direction was implemented. The requirement to obtain planning permission means that it is appropriate to provide guidance on how to consider compliance with the current local and national planning policy framework.

#### Article 4 Direction

1.2.5 On 13 June 2023, the Cyngor Gwynedd Cabinet resolved to serve an Article 4 Direction 'Notice'. The 'Notice' was served on 2 August 2023 and a public engagement period was held for six-weeks (until 13 September 2023). This engagement period was reported upon to a meeting of the Cyngor Gwynedd Cabinet on 16 July 2024. During this meeting,

<sup>2</sup>[Town and Country Planning \(Use Classes\) Order 1987 \(as amended\)](#)

<sup>3</sup>[Town and Country Planning \(General Permitted Development\) Order 1995 \(as amended\)](#)

the Article 4 Direction was confirmed<sup>4</sup>. The Article 4 Direction came into effect on 1 September 2024.

### Defining the use classes

- 1.2.6 When considering prospective planning applications that relate to changing use between the use classes named in the above table (paragraph 1.2.2), initially there will be a need to ensure that the established use corresponds with the alleged use. In some cases, the applicant may be required to provide details proving the established use and confirm this by submitting a Lawful Use Certificate. The use should correspond with the definition of the use as described in the Town and Country Planning (Use Classes) Order, i.e., its use in the context of the Planning system.
- 1.2.7 It is recognised that there is a close relationship between the Planning system and Taxation. However, the eligibility of a residential dwelling to pay a specific tax category does not necessarily mean that it falls within the same category in the context of the Planning system as the definitions of the uses are different to one another.

### Permitted Development Rights

- 1.2.8 This Guidance is specifically relevant to developments that relate to changing use between the C3, C5 and C6 use classes, along with the new C5 use. Details of the revoked permitted development rights can be seen in the [Article 4 Direction](#). It is emphasised that there are some circumstances where change of use between these use classes are permitted development rights. The changes between the use classes that continue to be permitted development rights (unless this is prohibited through a planning condition) are as follows:

Current Class Use	Permitted Development Rights change to
C5	C3
C6	C3
C6	Mixed C3 and C6 use
Mixed C3 and C6 use	C3
Mixed C5 and C6 use	C3
Mixed C5 and C6 use	Mixed C3/C6 use

- 1.2.9 If there is any doubt regarding the need to obtain planning permission to undertake the change of use in question, the Planning Service can provide advice through the [Council's pre-application advice system \(wales.gov\)](#). Contact details of the Planning Service can be seen in Section 10.

### Other relevant Supplementary Planning Guidance

- 1.2.10 It is essential that the SPG is read in conjunction with other relevant adopted SPGs, specific attention is drawn to [SPG: Tourist Facilities and Accommodation](#), [SPG: Maintaining and Creating Distinctive and Sustainable Communities](#) and [SPG: Housing](#)

<sup>4</sup>[Article 4 Direction](#)

[Mix](#). This SPG will not repeat the guidance that has already been included within other Supplementary Planning Guidance.

### **Proposal locations**

- 1.2.11 In accordance with Policy PCYFF1 (Development Boundaries) of the Joint Local Development Plan, development boundaries have been drawn around Sub-regional Centres, Urban Service Centres, Local Service Centres, Service Villages and Local/Rural/Coastal Villages that are identified in the Plan. The policy approach towards a range of different types of land uses often depends on the location of the proposal, i.e., within or outside a development boundary, with developments located outside the development boundary (defined as open countryside) and in settlements defined as clusters protected from inappropriate developments in accordance with local and national planning policy.
- 1.2.12 Furthermore, some settlements are defined as Local Market Housing settlements in the Joint LDP. Subject to the requirements to providing affordable housing as noted in Policy TAI 15, the explanation to Policy TAI 5 states that local housing market status is relevant to all types of development that create a new residential unit or units and it applies to any scale of development.
- 1.2.13 When appropriate, the SPG highlights the different policy considerations that should be used depending on the location of the application.

### **Mixed Uses**

- 1.2.14 The amendment to the Town and Country Planning (Permitted Development Rights) Order allows for mixed use of some specific types of C3, C5 and C6 use classes.
- 1.2.15 When considering if a use is eligible to be defined as 'mixed use', there will be a need to ensure that the dual use is tantamount to a material change of use. For example, it is not considered that one-off use of a residential dwelling (C3) as holiday accommodation (C6) would be tantamount to a material change of use. A material change of use is based on fact and degree. Frequency and density of use will be among the relevant consideration.

### **Terminology**

- 1.2.14 For the purpose of the SPG, the following terminology is used when referring to the following use classes:

<b>Use Class</b>	<b>Terminology</b>
C3	Main residence
C5	Second home
C6	Short-term holiday let

## **2.0 Setting the context - Maintaining a sustainable visitor economy**

### **2.1 Background**

2.1 As the content of the SPG relates to providing guidance in terms of managing the use of dwellings as holiday homes, whether they are second homes or short-term holiday lets, it is appropriate to provide a general overview in terms of the objectives/vision of relevant local and national planning policy strategies and guidance in the context of ensuring a sustainable visitor economy in Gwynedd together with creating sustainable and balanced communities (see Section 3).

2.1.1 The visitor economy provides jobs, services and facilities that maintain and offer opportunities for communities across Gwynedd. It is possible to maintain a sustainable visitor economy in Gwynedd that contributes in an economically positive manner, and also offers social, cultural and environmental benefits.

2.1.2 Contextual guidance in relation to maintaining a sustainable visitor economy is provided below.

### **2.2 Relevant Local and National Planning Policy Guidance**

#### **Future Wales: The National Plan 2040**

2.2.1 'Future Wales: The National Plan 2040'<sup>5</sup> recognises the importance of the tourism sector for the rural economy. A sustainable tourism sector is endorsed stating the need to promote opportunities for active, green and cultural tourism. Policy 21 which specifically relates to the North Wales Coastal Settlements Regional Growth Area sets out the need for Local Development Plans together with Strategic Development Plans to recognise the importance of the tourism sector to the area.

#### **National Planning Policy**

2.2.2 National planning policy guidance on tourism has been noted in Planning Policy Wales (PPW, Edition 12, February 2024)<sup>6</sup> and recognises that it includes all types of activities, facilities and development types, and that it is crucial for economic prosperity to create jobs in several parts of Wales. In addition, it is noted that tourism can be a catalyst for regeneration, to improve the built environment and protect the environment (5.5.1).

2.2.3 In rural areas, it is recognised that tourism-related developments are an essential element in providing for a healthy and diverse economy. New tourism developments should be sympathetic in terms of nature and scale to the local environment (5.5.3). It also notes that new developments may need to be limited to avoid damage to the environment or the amenities of local residents and visitors (5.5.2).

<sup>5</sup>[Future Wales: The National Plan 2040](#)

<sup>6</sup>[Planning Policy Wales \(Edition 12\) 2024](#)



- 2.2.4 Following the publication of Edition 12 of Planning Policy Wales (February 2024) guidance was included in national planning policy which made it clear, when relevant, that the number of second homes and short-term holiday lets in an area must be taken into consideration when considering the housing requirements and policy approaches in a Local Development Plan.

#### **Joint Local Development Plan**

- 2.2.5 The Anglesey and Gwynedd Joint Local Development Plan (Joint LDP) was adopted<sup>7</sup> on 31 July 2017. The Plan provides a planning policy framework for this SPG. When the Joint LDP was adopted, the new use classes (as a result of the amendment to the Town and Country Planning (Use Classes) Order 1987) and the associated Article 4 Direction did not exist.
- 2.2.6 Despite the fact that the Plan was prepared and adopted before the changes relating to use classes became operational, the Plan provides the policy framework to deal with applications that derive from these changes. It is important to read the Plan in its entirety to obtain holistic guidance on some of the matters, ensuring that the Plan's vision and objectives are met in the policy approach for prospective planning applications that will be submitted to the Local Planning Authority (Cyngor Gwynedd) after the implementation of the Article 4 Direction.

#### **Strategic Plan: Gwynedd and Eryri Sustainable Visitor Economy**

- 2.2.7 The Strategic Plan: Gwynedd and Eryri Sustainable Visitor Economy<sup>8</sup> includes a series of principles and objectives to form the area's sustainable visitor economy.
- 2.2.8 The aim of the plan is to establish a sustainable visitor economy in Gwynedd and Eryri. It means that factors such as the well-being of people and communities, the state of the natural environment and the strength of the Welsh language and culture were considered alongside the financial factors of the visitor industry. Simply, a sustainable visitor economy would benefit people, the environment and culture of Gwynedd and Eryri.

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<sup>7</sup>[Anglesey and Gwynedd Joint Local Development Plan](#)

<sup>8</sup>[Strategic Plan: Gwynedd and Eryri Sustainable Visitor Economy](#)

### **3.0 Setting the context - Creating distinctive, sustainable and balanced communities**

#### **3.1 Background**

- 3.1.1 Protecting and maintaining Welsh and Welsh-speaking communities that provide opportunities for people to live and work in is a core objective of national and local strategies/legislation. Contextual guidance in relation to creating distinctive, sustainable and balanced communities is provided below.

#### **3.2 National Guidance**

- 3.2.1 Nationally, the Well-being of Future Generations (Wales) Act<sup>9</sup> provides the commitment, tools and legal ambition to improve our social, cultural, environmental and economic well-being. The Well-being of Future Generations Act makes it a requirement for public bodies in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent continued problems such as poverty, health inequalities and climate change.
- 3.2.2 The principles of the Well-being Act are reiterated in Future Wales: the National Plan 2040<sup>10</sup> specifically in Policy 4 - Supporting Rural Communities where the need to create sustainable and vibrant rural communities is identified. The need to consider how age-balanced communities can be achieved, where depopulation should be reversed and consider the role of new affordable and market housing, employment opportunities, local services and greater mobility in meeting these challenges, is emphasised.

#### **3.3 Local Guidance**

- 3.3.1 The Cyngor Gwynedd Plan 2023 - 2028<sup>11</sup> sets out the Council's vision and a series of projects for the next five years under seven priority areas, including the 'Homely Gwynedd' priority area.
- 3.3.2 The main aim of Homely Gwynedd's priority area is to ensure that every person in Gwynedd has access to a suitable home, which is affordable and improves their quality of life. This will try to be achieved by prioritising:
- Increasing the supply of housing for local people;
  - Dealing with the energy cost crisis and fuel poverty;
  - Ensuring that no one is homeless in Gwynedd;
  - Managing second homes and short-term holiday accommodation.

<sup>9</sup>[Well-being of Future Generations \(Wales\) Act 2015](#)

<sup>10</sup>[Future Wales: The National Plan 2040, Welsh Government](#)

<sup>11</sup>[Cyngor Gwynedd Plan 2023 - 2028](#)

- 3.3.3 In 2020, the Cyngor Gwynedd Housing Action Plan 2020/21 - 2026/27<sup>12</sup> was prepared and approved. The purpose of this plan is to establish specific projects to give the residents of Gwynedd a fair opportunity to secure suitable homes. The general aim of the Action Plan is:

*"Ensuring that the people of Gwynedd have access to a suitable home of a high standard, that is affordable and improves their quality of life".*

In order to achieve this aim, there are 5 objectives included in the Plan, namely:

- Objective 1 - Ensure that no-one is homeless in Gwynedd
- Objective 2 - Increase the opportunities for Gwynedd residents to secure a tenancy in a social house
- Objective 3 - Help the residents of Gwynedd to own an affordable home in their community
- Objective 4 - Gwynedd Housing are environmentally friendly
- Objective 5 - Ensure that houses in Gwynedd have a positive influence on the health and well-being of the county's residents

- 3.3.4 The general vision included in the Anglesey and Gwynedd Joint Local Development Plan<sup>13</sup> notes:

*"By 2026, Anglesey and Gwynedd will be acknowledged for their prosperous and lively communities which celebrate their unique culture, heritage and environment and will be a place where people choose to live, work and visit."*

- 3.3.5 To meet this vision, the Plan area will need to better meet the housing needs of communities in terms of supply, type, quality, energy efficiency, location and affordability along with ensuring that the Welsh language is an integral part of the community.
- 3.3.6 The Plan will realise this vision through a series of strategic objectives. These strategic objectives set the context for Strategic Policies and detailed Policies contained within the Plan.

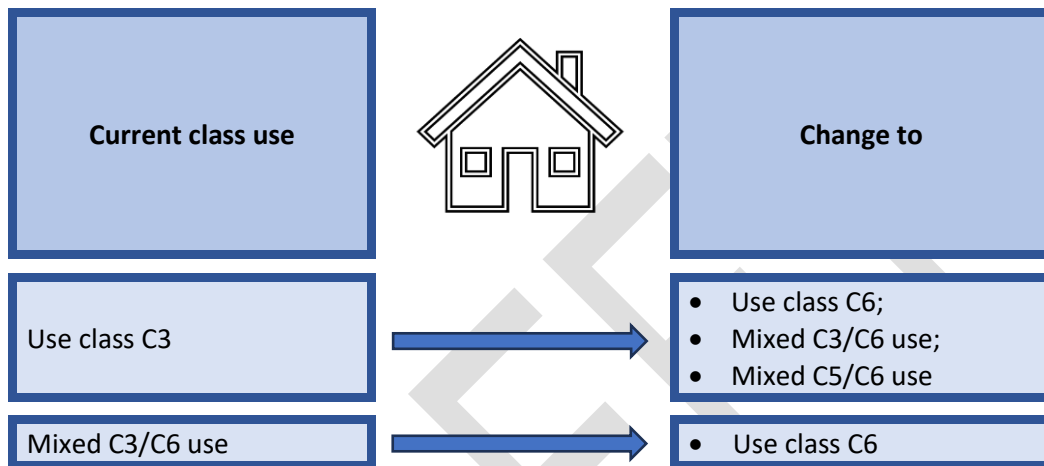
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<sup>12</sup>[Cyngor Gwynedd Housing Action Plan 2020/21 - 2026/27](#)

<sup>13</sup>[Gwynedd and Anglesey Joint Local Development Plan](#)

#### 4.0 Change of use of a main residence (use class C3) into a short-term holiday let (use class C6)

- 4.1 This section relates to providing guidance on considerations that are relevant to proposals relating to changing the use of a dwelling house which is a main residence (use class C3), whether used for this purpose only or a mix use of the C3 and C6 use classes, to a short-term holiday let (use class C6) (only) or a mixed use of C3, C5, C6 (but including an element of C6 use) use classes.



#### Guidance

- 4.2 Policy TWR 2: Holiday Accommodation of the Joint LDP specifically relates to the local Planning Policy considerations that apply to applications for holiday accommodation. It is therefore considered that Policy TWR 2 is the appropriate policy to deal with applications for uses that fall within the C6 use class or contains an element of C6 use.
- 4.3 Policy TWR 2 states as follows:

## **POLICY TWR 2: HOLIDAY ACCOMMODATION**

### **Proposals for:**

- 1. The development of new permanent serviced, or self-serviced holiday accommodation, or**
- 2. The conversion of existing buildings into such accommodation, or**
- 3. Extending existing holiday accommodation establishments,**

**will be permitted, provided they are of a high quality in terms of design, layout and appearance, and that all the following criteria can be met:**

- i. In the case of accommodation, which is a new build, that the development is located within a development boundary, or makes use of a suitable previously developed site;**
- ii. That the proposed development is of appropriate scale considering the site, location and/or settlement in question;**
- iii. That the proposal will not result in a loss of permanent housing stock;**
- iv. That the development is not sited within a primarily residential area or does not significantly harm the residential character of an area;**
- v. That the development does not lead to an over-concentration of such accommodation within the area.**

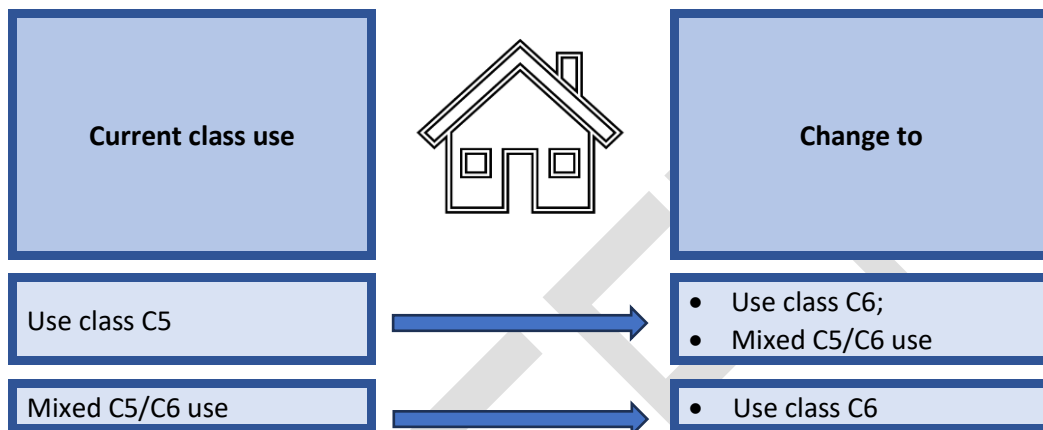
- 4.4. It is emphasised that criterion iii clearly states that any proposal for holiday accommodation should not result in the loss of permanent housing stock. Therefore, it is noted that any proposal which would result in the loss of use of permanent housing stock (namely, use class C3) would be contrary to criterion iii of Policy TWR 2.

### **Defining Permanent Housing Stock**

- 4.5 It is noted that criterion iii of Policy TWR 2 of the Joint LDP relates to ensuring that the 'permanent housing stock' is not lost. To this end, the use of permanent housing stock is defined as a residential unit that falls within use class C3 (main residence) or mixed use that contains an element of C3 use.
- 4.6 Guidance is provided on the other criteria included in Policy TWR 2 in section 4 of the [SPG: Tourist Facilities and Accommodation](#).

## 5. Change of use of a second home (use class C5) to a short-term holiday let (use class C6)

- 5.1 This section relates to providing guidance on considerations that are relevant to proposals relating to changing the use of a residential house which is a second home (use class C5), whether used for this purpose only or mixed use of the C5 and C6 use classes, to a use of short-term holiday let (use class C6) (only) or a mixed use of C5 and C6 use classes.

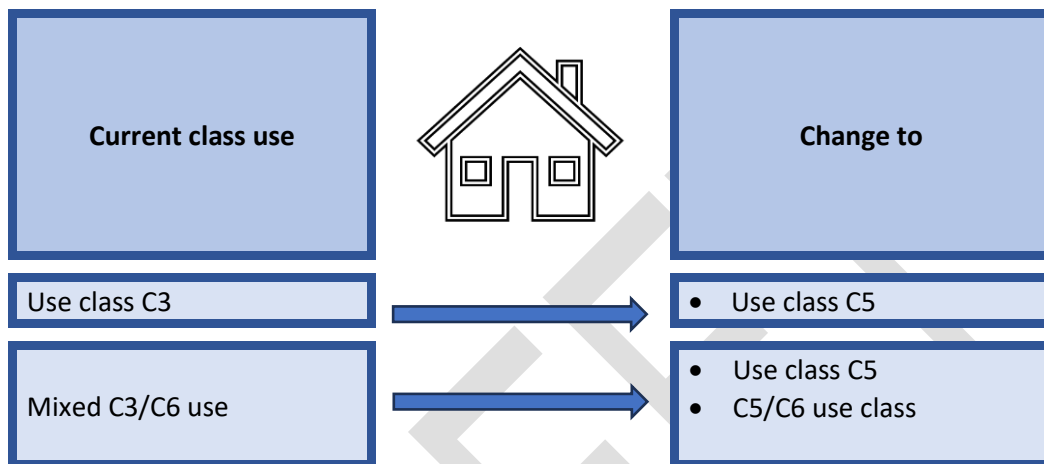


### Guidance

- 5.2 In accordance with the guidance noted in Section 4 (paragraph 4.2), Policy TWR 2: 'Holiday Accommodation of the Joint LDP is the relevant policy when dealing with applications to provide an element of holiday accommodation (use class C6), along with the relevant SPG ([SPG: Tourist Facilities and Accommodation](#)).
- 5.3 As well as ensuring that the proposal complies with the criteria included in Policy TWR 2 and the accompanying [SPG](#), careful attention will need to be given to the impact of the proposal on the amenities of neighbouring land users in accordance with Policy PCYFF2: Development Criteria of the Joint Local Development Plan.

## 6.0 Change of use of a main residence (use class C3) to second home use (use class C5)

- 6.1 This section relates to providing guidance on considerations that are relevant to proposals relating to either changing the use of a dwelling house that is a main residence (use class C3, namely the permanent housing stock) or a mixed use of C3/C6 to second home use (use class C5)



### Guidance

- 6.2 The Joint Local Development Plan (Gwynedd and Anglesey) does not include a policy that specifically relates to the principle of changing the use of a main residence (use class C3) to second home use (use class C5). Despite the lack of policy that is specifically relevant, the propriety of the principle in accordance with the relevant local and national planning policy guidance needs to be considered.
- 6.3 When considering applications for this type of use, the vision and main objectives of the Joint Local Development Plan should be considered in the first instance.
- 6.4 There is a series of strategic objectives that form the basis of the Joint Local Development Plan. As noted in Section 3, these Strategic Objectives have been drawn up in an attempt to realise the Plan's vision.
- 6.5 The following strategic objectives are highlighted in relation to the principle of changing the use of a main residence (use class C3) to second home use (C5).

*SO5: Ensuring that development in the Plan area supports the principles of sustainable development and creates sustainable communities whilst respecting the varied role and character of the centres, villages and countryside.*

*SO15: Ensuring that a sufficient and appropriate range of housing sites are available in sustainable locations in accordance with the settlement hierarchy to support economic growth.*

*SO16: Provide a mixture of houses of good quality, that are affordable, of different types and different tenancies to meet every faction of the population's housing needs.*

- 6.6 These Strategic Objectives are supported by a series of policies. Strategic Policy 5: Sustainable Development (criterion 3 and 9) notes that every proposal should:

3. *Promote Centres and Villages that are more self-sufficient by contributing to balanced communities that are supported by sufficient services, cultural, arts, sporting and entertainment activities; a varied range of employment opportunities; physical and social infrastructure; and a choice of modes of travel;*
9. *Meet the needs of the local population throughout their lifetime in terms of their quality, types of tenure and affordability of housing units in accordance with Strategic Policy PS16.*

- 6.7 Policy TAI 5: Local Market Housing provides policy guidance for considering the appropriateness of residential units in specific settlements identified within the policy. These inequalities are recognised by the fact that a number of factors affect the inequality of the housing market within these settlements and in an attempt to reverse this inequality and providing to meet the needs of the local population.

- 6.8 Furthermore, Policy TAI 8: Housing Mix states the need to promote sustainable mixed communities by ensuring that all new residential developments contribute to improving the balance of housing and meet the identified needs of the whole community. The criteria that contribute toward this aim include:

2. *Contributing to redress an identified imbalance in local housing markets.*
4. *Ensuring the correct mix of housing unit types and tenures to meet the needs of the Plan area's current and future communities;*

- 6.9 It is noted that the principle of creating balanced communities and meeting the housing needs of the local population is a core element of the Joint Local Development Plan. Furthermore, balanced communities should provide essential facilities to support day-to-day activities.

- 6.10 Therefore, when considering applications for the loss of residential main residence use (use class C3) to second home use (use class C5) (including mixed use), it should be considered whether the proposal makes up for the lack of balance in local housing markets (criterion 2, Policy TAI 8).

#### **Applications located within the development boundary**



- 6.11 To ensure compliance with the Plan's vision and the aim of creating distinctive, sustainable and balanced communities (see the guidance in Section 3), consideration will need to be given to the following:

- **Location of proposal**

Proposals for second homes within a Local Market Housing settlement (Policy TAI 5 of the Joint LDP) should not be given favourable consideration as the proposal would be contrary to the principle of Policy TAI 5.

- **Linguistic impact**

In determining individual planning applications, considerations relating to the use of the Welsh language may be taken into account so far as they are material. In accordance with Policy PS1 (Welsh Language and Culture) proposals that would cause a significant harm to the character and language balance of a community that cannot be avoided or mitigated by appropriate planning mechanisms should be refused.

- **High concentration of second homes in a specific area**

A high concentration of second homes could have a negative impact on social fabric and on the local facilities provided to meet the needs of the local population. A provision of second homes that has been distributed consistently across an area is a way of ensuring that it does not lead to pockets of empty properties during the winter and ensures that a permanent population exists to support local facilities and services.

- **The demand for housing**

Adequate provision of housing should be ensured within the community to provide and meet local needs. To ensure this, it should be considered whether the housing growth figure for the settlement (as noted in the Joint Local Development Plan) has been met. It is not considered appropriate to lose a main residence use (use class C3) to second home use (use class C5) if the anticipated housing need for the settlement has not been met. In terms of meeting the anticipated need, the units should have been developed (the anticipated growth through the land bank should not be taken into account).

Furthermore, consideration will need to be given to the local needs for housing, as highlighted in the Local Housing Market Assessment (LHMA) as well as the Council's waiting list/Tai Teg Register.

- **Number of second homes**

In accordance with para. 4.2.5 of Planning Policy Wales (Edition 12), there is a need to *"consider local matters, such as the number of second homes and short-term holiday lets in a specific area when developing the requirement for affordable homes*

*and open market housing and whether the evidence justifies a specific local policy to support the viability of communities. For example, this may include introducing a cap or limit on the number of second homes or short-term holiday lets."*

In light of this guidance, should it be deemed appropriate, it is possible for Local Planning Authorities to decide to place a cap (threshold) on the number of second homes in communities. To this end, and to support the creation of balanced, viable and sustainable communities, where local needs are met, it is deemed appropriate to set a threshold for the number of second homes in a community.

The SPG: Tourist Facilities and Accommodation already includes a threshold for the provision of self-catering holiday accommodation in an area when assessing new self-catering holiday accommodation applications. For consistency and bearing in mind that the SPG considers the provision of second homes and self-catering holiday accommodation when calculating provision, it is reasonable to have a consistency between the provision in both SPG's.

As a result, favourable consideration should not be given to applications to change the use of a main residence (use class C3) to second home use (use class C5 or mixed use) when the current combined provision of second homes and short-term holiday lets within the Community/Town/City Council area exceeds 15% of the housing stock. Council Tax (second home premium and self-catering non-domestic business rates) information should be used as the source to obtain this information, as this is the most accurate and complete information source that is available.

#### **Applications located directly outside the development boundary and in clusters**

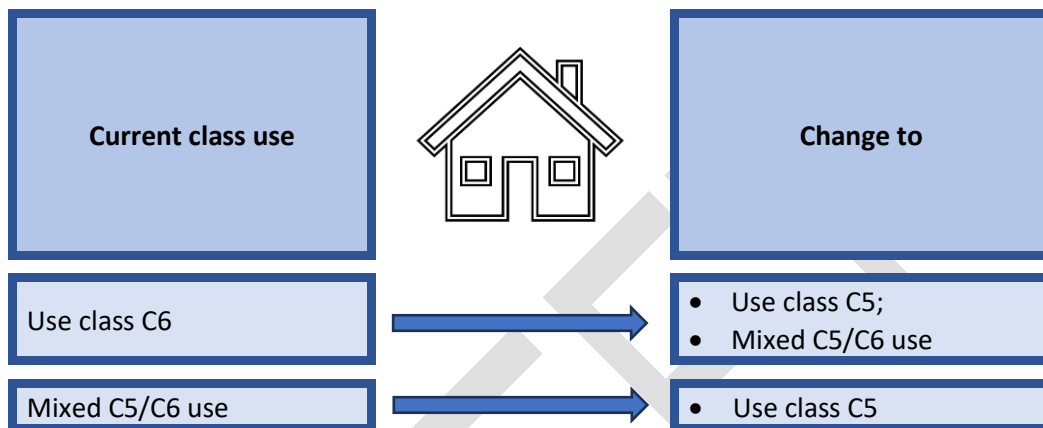
- 6.12 In accordance with Policy TAI 6 (Housing in clusters) along with Policy TAI 16 (Exception Sites) of the Joint LDP, the ability to provide new housing is limited to affordable housing that meets a local need. Due to this clear guidance regarding the provision of new housing in the locations concerned, the principle of changing dwelling houses to second home use would not comply with Policy TAI 6 and TAI 16. Accordingly, unless a local need affordable housing is provided, preferential consideration may not be given to applications to change main residence (use class C3) to second homes (use class C5) in locations immediately outside the development boundary or in a settlement defined as a cluster.

#### **Applications located in areas defined as open countryside**

- 6.13 In accordance with national policy guidance, the ability to develop new housing in open countryside is prohibited, unless the use is associated with a rural enterprise dwelling or is a 'One Planet' development as defined by National Planning Policy. Furthermore, Policy TAI 7 prioritises economic use of traditional buildings in the countryside. Subject to the ability to prove that an economic use is not viable, then consideration can be given to its appropriateness for residential use (local need affordable dwelling only).
- 6.14 Accordingly, it is not considered that changing the use of a main residence (use class C3) in an area defined as open countryside to second home (use class C5) would comply with the principles included in local and national planning policy.

## 7.0 Change of use from short-term holiday let (use class C6) to second home use (use class C5)

- 7.1 This section relates to providing guidance on considerations that are relevant to proposals relating to changing the use of a residential house used as a short-term holiday let (use class C6 or mixed C5 and C6 use) to second home use (use class C5) or mixed C5 and C6 use.



### Guidance

- 7.2 As highlighted in Section 6, the Joint LDP does not include a policy that specifically relates to second homes (Use Class C5). In the context of the Joint LDP, consideration will need to be given to the policy guidance highlighted in Section 6 (para. 6.3 to 6.11) along with all of the other relevant policies within the Plan.
- 7.3 The planning policy guidance in relation to this change of use is partly dependent on the location of the proposal, i.e., whether it is located within the development boundary or within an area defined as open countryside/cluster. In addition, it will be necessary to be mindful of the status of the settlement, i.e., whether or not it is located within a Local Market Housing settlement (Policy TAI 5). Furthermore, the process of establishing the use in the first instance may influence the relevant policy considerations, i.e., if the use has obtained planning permission for the use in question (see para. 1.2.11).
- 7.4 It is emphasised that the following guidance is specifically relevant to changing use from one to another, i.e., the change of use of one short-term holiday let unit (Use Class C6) to a single second home (Use Class C5). If the proposal leads to an increase in the number of units (for example, the subdivision of a residential house), the principle of the proposal should be considered in accordance with the housing policies of the Joint Local Development Plan, including Policy TAI15: Affordable Housing Threshold and their Distribution and the need to contribute to affordable housing in line with the threshold figures set out in the policy.

### Applications located within the development boundary (not granted planning permission for the C6 use class)

#### Consider impact on local amenities

- 7.5 The use of a residential dwelling as holiday accommodation (use class C6) can often have a vastly different impact compared to the use of a dwelling as a second home (use class C5). The turnover (duration and frequency) of use combined with noise and disruption caused can have a negative impact on the amenities of the local community. On the other hand, the use of a house as a second home is more like the use of a house as a main residence and, as such, the amenity effect is probably (in most cases) more acceptable. It is therefore considered appropriate to consider the location and any benefits that may derive to the amenities of local residents in accordance with criterion 7 of Policy PCYFF 2 of the Joint LDP.

#### Viability of holiday let use

- 7.6 Short-term holiday lets provide an essential service to support the area's visitor economy. **Criteria 5 of Strategic Policy 14: The Visitor Economy (Anglesey and Gwynedd Joint Local Development Plan) stipulates that development which have an adverse impact on tourist facilities, including accommodation should be prevented.** Therefore, it should be considered whether the holiday lets are viable and contribute towards meeting the demand.
- 7.7 The eligibility of short-term holiday lets (use class C6) to pay the non-domestic business rate as self-catering holiday accommodation is an indication that it meets the demand. By qualifying to pay the non-domestic business rate, it means that the unit is occupied for a combined period of 6 months per year (or more). Favourable consideration should not be given to applications to change the use of short-term holiday lets (use class C6) to second home use (use class C5) if there is a demand for the use (unless there are other planning considerations (such as an impact on amenities) indicating otherwise).
- 7.8 If it is deemed that the need and demand continue for the holiday use, then it will be necessary to receive financial evidence that the current business is not viable. A Financial Report should be submitted which proves that the business is no longer financially viable and its ability to be viable is not anticipated in the future.
- 7.9 In addition, it should be proven that an unsuccessful attempt was made to market the unit for a minimum 12-month period for the holiday let use. The evidence should include copies of marketing/selling advertisements along with written confirmation from the estate agent in relation to the interest/offers received. It should be ensured that the marketing strategy to sell the business has targeted the most suitable market.

#### **Applications located within the development boundary (granted planning permission for C6 use)**

- 7.10 In addition to complying with the guidance included in paragraph 7.5 to 7.11, if the proposed site is located within a Local Market Housing settlement (Policy TAI 5 of the Joint LDP), consideration should be given to the principle of the Policy, i.e., the need for housing within a recognised settlement to be providing a local market house or local need affordable housing. It is accordingly stated that the principle of changing the use of a short-term holiday let (where use is restricted by condition) to second home use (use class C5) within such a recognised settlement would not comply with Policy TAI 5.

#### **Applications located in areas defined as open countryside or settlement defined as a cluster**

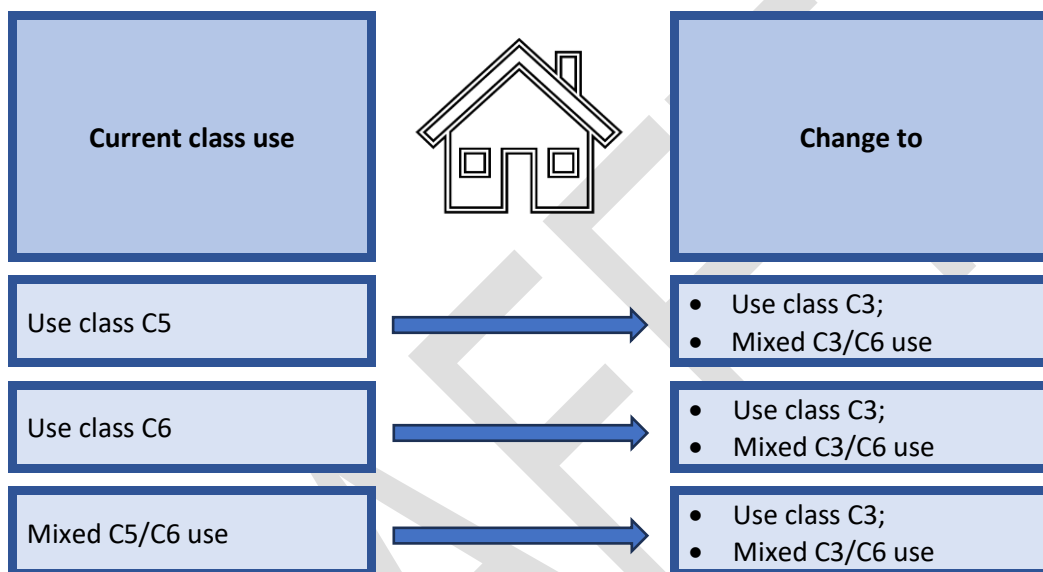
- 7.11 In accordance with Policy TAI 6 (Housing in clusters) along with Policy TAI 16 (Exception Sites) of the Joint LDP, the ability to provide new housing is limited to affordable housing that meets a local need. Due to this clear guidance regarding the provision of new housing in the locations concerned, the principle of changing dwelling houses to second home use would not comply with Policy TAI 6 and TAI 16. Accordingly, unless a local need affordable housing is provided, preferential consideration may not be given to applications to change short term holiday lets (use class C6) to second homes (use class C5) in locations immediately outside the development boundary or in a settlement defined as a cluster.

**Applications located in areas defined as open countryside**

- 7.12 In accordance with national policy guidance, the ability to develop new housing in open countryside is prohibited, unless the use is associated with a rural enterprise dwelling or is a 'One Planet' development as defined by National Planning Policy. Furthermore, Policy TAI 7 prioritises economic use of traditional buildings in areas of open countryside. Subject to the ability to prove that an economic use is not viable, then consideration can be given to its appropriateness for residential use (local need affordable dwelling only). In relation to residential developments located in clusters, it is limited to the use of local need affordable housing (Policy TAI 6: Housing Clusters).
- 7.13 Therefore, changing the use of a short-term holiday let (use class C6) in an area defined as open countryside to second home use (use class C5) would not be considered to comply with local and national planning policy principles.

## 8.0 Change of use of a second home (use class C5) or short-term holiday let (use class C6) which is restricted by planning condition to main residence use (use class C3)

- 8.1 This section relates to providing guidance on considerations that are relevant to proposals relating to either changing the use of a residential house used as a second home (use class C5) or short-term holiday let (use class C6) (including mixed C5 and C6 use) to main residence use (use class C3) or mixed C3 and C5 or C3 and C6 use and is **restricted to this use by means of a planning condition.**



### Guidance

#### Applications located within the development boundary

- 8.2 Applications located within the development boundary should be assessed in accordance with the relevant policies contained within the Joint Local Development Plan.

#### Applications located outside development boundaries and in clusters

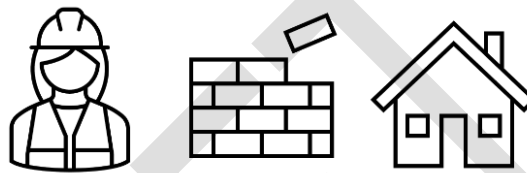
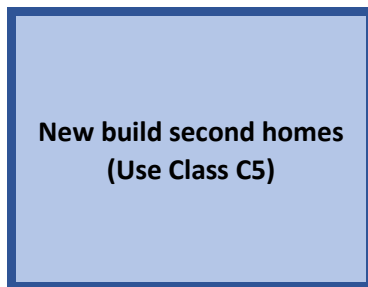
- 8.3 A number of short-term holiday lets (use class C6) located in open countryside have received planning permission for the specific use and have therefore the use has been restricted via a planning condition. In most cases, the use will have received permission due to its compliance with local and national planning policy guidance when the decision was made.
- 8.4 In accordance with Policy TAI 6 (Housing in clusters) along with Policy TAI 16 (Exception Sites) of the Joint LDP, the ability to provide new housing is limited to affordable housing that meets a local need. Accordingly, unless local need affordable housing is provided, preferential consideration may not be given to applications to change second homes (C5 use) and short term holiday lets (use class C6) (where the use has been restricted via a planning condition) to main residence (use class C3) in locations immediately outside the development boundary or in a settlement defined as a cluster.

### **Applications located in areas defined as open countryside**

- 8.5 In accordance with national policy guidance, the ability to develop new housing in open countryside is prohibited, unless the use is associated with a rural enterprise dwelling or is a 'One Planet' development as defined by National Planning Policy. Furthermore, Policy TAI 7 prioritises economic use of traditional buildings in the countryside. Subject to the ability to prove that an economic use is not viable, then consideration can be given to its appropriateness for settlement use (local need affordable dwelling only).
- 8.6 Therefore, any application for the change of use of a second homes (C5 use class) or short-term holiday let (C6 use class) in an area defined as open countryside to main residence (C3 use class) would need to conform with Policy TAI 7 of the Joint Local Development Plan. If it is possible to conform with the requirements of the policy, the C3 use would have to be restricted to an affordable housing local need.

## 9.0 New build second homes (use class C5)

- 9.1 This section relates to providing guidance on considerations that are relevant to proposals relating to constructing new second homes (use class C5). If mixed use is intended which includes an element of C5 use, then the proposal should be dealt with in accordance with the relevant policies as contained within the Joint LDP, e.g., short-term holiday let (C6) use in accordance with Policy TWR 2 and Main Residence use in accordance with the relevant housing policy of the Joint LDP.



### Guidance

#### Applications located within the development boundary

- 9.2 Applications located within the development boundary should be assessed in accordance with the relevant housing policies contained within the Joint Local Development Plan. Specific attention is drawn to the need to consider the requirements of policy TAI 8 and the guidance provided in this SPG (Sections 3 and 6). It is emphasised that the requirements and considerations highlighted in paragraph 6.11 are relevant when considering applications for new second homes (Use Class C5).
- 9.3 If the proposal leads to 1 or more second homes on the site, the principle of the proposal should be considered in accordance with the housing policies of the Joint Local Development Plan, including Policy TAI15: Affordable Housing Threshold and their Distribution and the need to contribute to affordable housing in line with the threshold figures set out in the policy.
- 9.4 Furthermore, when assessing applications located within a Local Market Housing settlement (Policy TAI 5 of the Joint LDP), consideration should be given to the principle of the Policy, i.e., the need for housing within a recognised settlement to be providing a local market house or local need affordable housing. It is accordingly stated that the principle of permitting a second home (use class C5) within such a recognised settlement would not comply with Policy TAI 5.

#### Applications located in areas defined as open countryside or settlements defined as a cluster

- 9.5 In accordance with national policy guidance, the ability to develop new housing in open countryside is prohibited, unless the use is associated with a rural enterprise dwelling or is a 'One Planet' development as defined by National Planning Policy.



In relation to settlement developments located in clusters, it is limited to the use of local need affordable housing (Policy TAI 6: Housing Clusters). Therefore, it is noted that developing a new second home in an area defined as open countryside/cluster would not comply with national planning policy guidance.

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## 10.0

## Further Information and Contacts

For more information please contact:

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