

Cllr Duncan Hounsell

We all believe in fairness. I want to bring your attention to what I regard as unfairness regarding visitor accommodation policies and practice locally and nationally. Visitor Accommodation is covered in policy RE7 of the B&NES place-making plan. It states that a change of use from a dwelling to visitor accommodation will be permitted provided that for large residential properties a substantial private residential unit is retained. The reason for that policy is obvious. The owner living in the property will have a personal interest in maintaining good order and good relationships with neighbours. If a good citizen applies for planning permission in advance for such change of use of a property they own but do not live in they will be refused because of our policy RE7.

However, if an owner of a large property ignores the planning process and goes ahead to change the use from residential to visitor accommodation, the onus then falls on neighbours to demonstrate that a fundamental change of use has taken place. Neighbours have to maintain logs of incidents such as increased noise and nuisance, traffic generation, impact on the character of an area etc. The minimum period for maintaining such logs is said to be 6 months. Neighbours can be advised to take photos, video recordings, use noise monitoring equipment all dated and timed and so on. A key consideration is whether the visitors are family groups treating the house as one would expect a normal house to be treated or groups enjoying "hen" and "stag" parties and the like. There will be neighbours who may feel intimidated and neighbours who lack the capacity or strength to undertake the required surveillance.

There are cases where neighbours have had to complete and submit monitoring forms to the Council for years before enforcement action is considered and taken. This enforcement action usually entails forcing the owner to make a formal planning application which can then take months to conclude, and, if the application is refused, the owner can appeal adding yet more months of anguish to neighbours while the owner is making sizeable sums of money.

Owners may buy a chain of residential properties and form a commercial enterprise from visitor accommodation. Because notice is given of any visit to a property by an enforcement officer, owners have enough time to pretend that it is their principal residence.

Our local policies need re-drafting in the next Local Plan. A simple test for a private residential unit could be where the owner is registered for Council Tax for example. Change of use to visitor accommodation for large properties should require a planning application at the outset in every case giving the local community and local councils a chance to have their say. Our planning enforcement team does very good work. They need the right tools - more officers, more resources, and stronger, unambiguous policies.

National law needs to be enacted that requires all AirBnB type accommodation to be registered with the local authority. A levy on every booking should be paid to the local authority to give the funds necessary for effective monitoring and control.

These changes will be welcomed by those who good owners who offer visitor accommodation, who want to do the right thing but are tainted by the publicity from the bad cases.

At its worst, these “party houses” blight people’s lives for months and years, affecting health and well-being. Neighbours and communities feel powerless. This has to stop. It is simply not fair. END