

ERYRI NATIONAL PARK AUTHORITY



DRAFT OF SUPPLEMENTARY PLANNING GUIDANCE: MANAGING THE USE OF DWELLINGS AS HOLIDAY HOMES (SECOND HOMES AND SHORT-TERM HOLIDAY LETS)

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1 Introduction

- 1.1 This guidance is one of a series of Supplementary Planning Guidance (SPG) documents, which provide detailed information on how policies contained in the revised Eryri Local Development Plan (ELDP) (2016-2031) will be applied in practice by the National Park Authority. The guidance is for the use of planning officers, planning specialists, members of the public and all other users of the planning system.
- 1.2 The purpose of this SPG is to:
- Set the context for the Article 4 Direction;
 - Provide guidance on the relevant Use Classes and the effect of the Article 4 Direction upon permitted development rights;
 - Provide guidance to users of the planning system on which current planning policies are relevant, and how they will be applied;
 - Provide guidance on how planning applications for changes of use required by the Article 4 Direction will be assessed;
 - Clarify interaction with other policies.
- 1.3 Pre-application engagement offers the potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications. The Authority is committed to working with applicants at the pre-application stage and actively encourage pre-application discussions for all types of development. Further information can be found on the Authority's website; <http://www.snowdonia.gov.wales/planning/planning-permission/pre-application-enquiry>

Status

- 1.4 This Supplementary Planning Guidance is subject to public consultation, and if necessary, will be amended before being formally adopted by the Authority. It will then be a material planning consideration when determining planning applications and appeals regarding changes of uses that are required as a result of the Article 4 Direction.

2 Setting the Context

- 2.1 The issue of second homes and short-term holiday lets has evolved significantly over recent years along with their associated economic, environmental and cultural impacts. Recent growth in the holiday home sector is largely attributed to the accessibility of online marketing websites, rise in holiday rental as a financial investment, improvements in information technology infrastructure that enables people to work remotely and the growth of the Welsh tourism industry.
- 2.2 The supply and choice of housing available is a critical issue for local communities. The planning system has a direct role to play in ensuring that sufficient land is available to meet the housing needs of local communities. However, there are communities across Wales that face significant pressures due to the use of residential dwellings as second homes and short-term holiday rentals which has resulted in a housing stock which does not currently fully meet the requirements of local communities. This increased pressure on housing stock, has resulted in calls for regulatory mechanisms to be implemented. Implementing effective control mechanisms would possibly alleviate the associated cultural, social, environmental and economic impacts of holiday homes.
- 2.3 It is recognised by Welsh Government and at a local authority level that an over concentration of second homes and short-term holiday lets can have negative impacts on a community. Communities throughout Eryri face significant pressure due to the use of dwelling houses as second and holiday homes. Eryri has high levels of second homes and short-term holiday lets, with 17% of housing stock being used for these purposes, which is high in comparison with most other areas nationally. The current housing situation in Eryri is critical with it being increasingly difficult for members of local communities to gain access to housing locally.
- 2.4 Following changes in planning legalisation (see paragraphs 2.7 – 2.10) , the Authority has implemented measures to control the use of second homes and short-term holiday rentals. Requiring the need for planning permission for certain changes of use from dwelling used as a main residence to second homes and short-term holiday rentals, allows consideration to be given to their impacts. This Supplementary Planning Guidance sets out the implications of the Article 4 Direction on dwellings within Eryri National Park and provides guidance on how planning decisions will be made.

National Planning legislation

- 2.5 The Welsh Government introduced changes to planning legislation on the 20th of October 2022, which has given Local Planning Authorities the opportunity to formally control proposals for changes of use of residential properties within their communities.
- 2.6 Changes to planning legislation is one of a series of measures introduced by the Welsh Government. Other measures include changes to the taxation procedure, the provision of affordable housing that meets the needs of communities and the proposed compulsory licensing of holiday accommodation.

Changes to the Planning System: New Use Classes

- 2.7 Prior to the changes announced by the Welsh Government on the 20th of October 2022, use of dwellings as a main home, second home or short-term let accommodation all fell under the Use Class C3. However, as a result of the changes to planning legislation, residential dwellings are now defined depending on the use made of them in accordance with the relevant Use Class category. For example, a dwelling-house that is the primary residence for an individual is defined as C3 use (Main Home), a property used as a second home is defined as C5 use (Second Home) and a property used as short-term holiday let is defined as C6 use (Short-term Let Accommodation).
- 2.8 Owners have the right to change the use of a residential dwelling from one of the new Use Classes (C3, C5 and C6) to another new Use Class, without the need to obtain planning permission, as the amendment to planning legislation allows this (permitted development right).
- 2.9 The changes to planning legislation that have come into force include: -
- The amendment of the Town and Country Planning (Use Classes) Order 1987¹ to create new Use Classes for Main Homes, Secondary Homes and Short-Term Let Accommodation (see table below)
 - The amendment of the Town and Country Planning (General Permitted Development) Order 1995² to allow permitted changes between the new Use Classes for Main Homes, Secondary Homes, and Short Term Let Accommodation. This means that it is not necessary to apply for planning permission for change between the new Use Classes of C3, C5 and C6.

¹ [Town and Country Planning \(Use Classes\) Order 1987 as amended](#)

² [Town and Country Planning \(General Permitted Development\) Order 1995 as amended](#)

2.10 The amendment to the Town and Country Planning (Use Classes) Order 1987 and the definition of the new Use Classes are as follows:-

Use Class	Explanation
Class C3. Dwelling House; Main Homes	<p>Use of a dwelling house as a sole residence or main residence, which is occupied for more than 183 days in a calendar year by - (a) a single person or by people who are considered to form one household; (b) no more than six residents who live together as one household, where care is provided for the residents; or (c) no more than six residents who live together as one household, where care is not provided for the residents (except for use which is in class C4).</p> <p>Interpreting Class C3:</p> <ul style="list-style-type: none"> • When calculating the 183 days, any time spent by one household in accommodation provided for occupational purposes, such as oil rigs or barracks, contributes to the 183 days
Class C5. Dwelling House; Secondary homes	<p>Use as a dwelling house, other than as a sole or main residence, occupied for 183 days or less by – (a) one person or by people who are considered to form one household; (b) no more than six residents who live together as one household, where care is provided for the residents; or (c) no more than six residents who live together as one household, where care is not provided for the residents (except for use within class C4).</p> <p>Interpreting Class C5:</p> <ul style="list-style-type: none"> • For the purposes of Class C5(a), "one household" is interpreted in accordance with section 258 of the Housing Act 2004
Class C6. Short term let accommodation	<p>Use of a dwelling house as commercial short-term letting accommodation for a period not exceeding 31 days (for each occupation period).</p>

Article 4 Direction

Context

- 2.11 An Article 4 Direction is part of planning legislation that allows a Local Planning Authority to remove permitted development rights including changes in situations where it is necessary to protect local amenity or the wellbeing of an area.
- 2.12 Permitted development rights are a national grant of planning permission which allow certain works and changes of use to be carried out without having to make a planning application under the Town and Country Planning (General Permitted Development) Order 1995 (as amended). These rights can be withdrawn under Article 4(1) of the order if there is a justification for both its purpose and extent.

Article 4 Direction in Eryri

- 2.13 The amendment to the Town and Country Planning (General Permitted Development) Order 1995 meant that it was possible to change between the Use Classes of C3, C5 and C6 without restriction, that is without having to receive planning permission. For example, it would not be necessary to receive planning permission to change from a main home to being a short term let accommodation. However, as mentioned above these rights can be withdrawn where there is an Article 4 Direction in place. The process relating to serving a Notice of Article 4 Direction is set out in the Town and Country Planning (General Permitted Development) Order 1995 (as amended).
- 2.14 An Article 4 Direction needs to be supported by robust local evidence highlighting the impact of second homes and short-term lets on communities as part of a co-ordinated response which applies all available interventions to an area and will need to evidence effective community consultation. The Authority has provided evidence relating to the Article 4 Direction in the form 'Paper justifying the introduction of the Article 4 Direction Eryri National Park Local Planning Authority Area'. This was published in April 2024 alongside the Notice of Article 4 Direction and formed part of the documents subject to public engagement.

- 2.15 Members of Eryri National Park Authority approved engagement on the proposed introduction of an Article 4 Direction for the Eryri National Park Planning Authority Area to remove the permitted development rights for the following uses:
- a) Change of use from C3 (main home) to C5 (second home) or C6 (short-term holiday accommodation) and certain Mixed Uses (see paragraph 2.25);
 - (b) Change of use from C5 (second home) to C6 (short-term let accommodation) and certain Mixed Uses;
 - (c) Change of use from C6 (short-term let accommodation) to C5 (second home) and certain Mixed Uses.
- 2.16 Planning permission is required for the changes between the Use Classes that are specified in Schedule 1 on the Direction (Appendix A).
- 2.17 A notice regarding the Article 4 Direction was served on April 12th, 2024. The statutory requirement was to maintain an engagement period of at least 21 days. To ensure plenty of opportunity for those affected to respond to the Notice and to facilitate the submission of comments, the Authority held a 6 week public engagement period from April 12th, 2024, until May 24th, 2024.
- 2.18 The process that Eryri NPA followed had four key stages:-
- Stage 1: Serving the Article 4 Direction Notice on the 12th of April 2024
 - Stage 2: Public engagement period (12th of April – 24th of May 2024)
 - Stage 3: Planning and Access Committee on 22nd of January 2025 considered the representations received from public engagement period and confirmed decision to implement the Article 4 Direction.
 - Stage 4: Article 4 Direction operational - 1 June 2025
- 2.19 On the 1st of June 2025, the Article 4 Direction became operational for the Eryri National Park area.

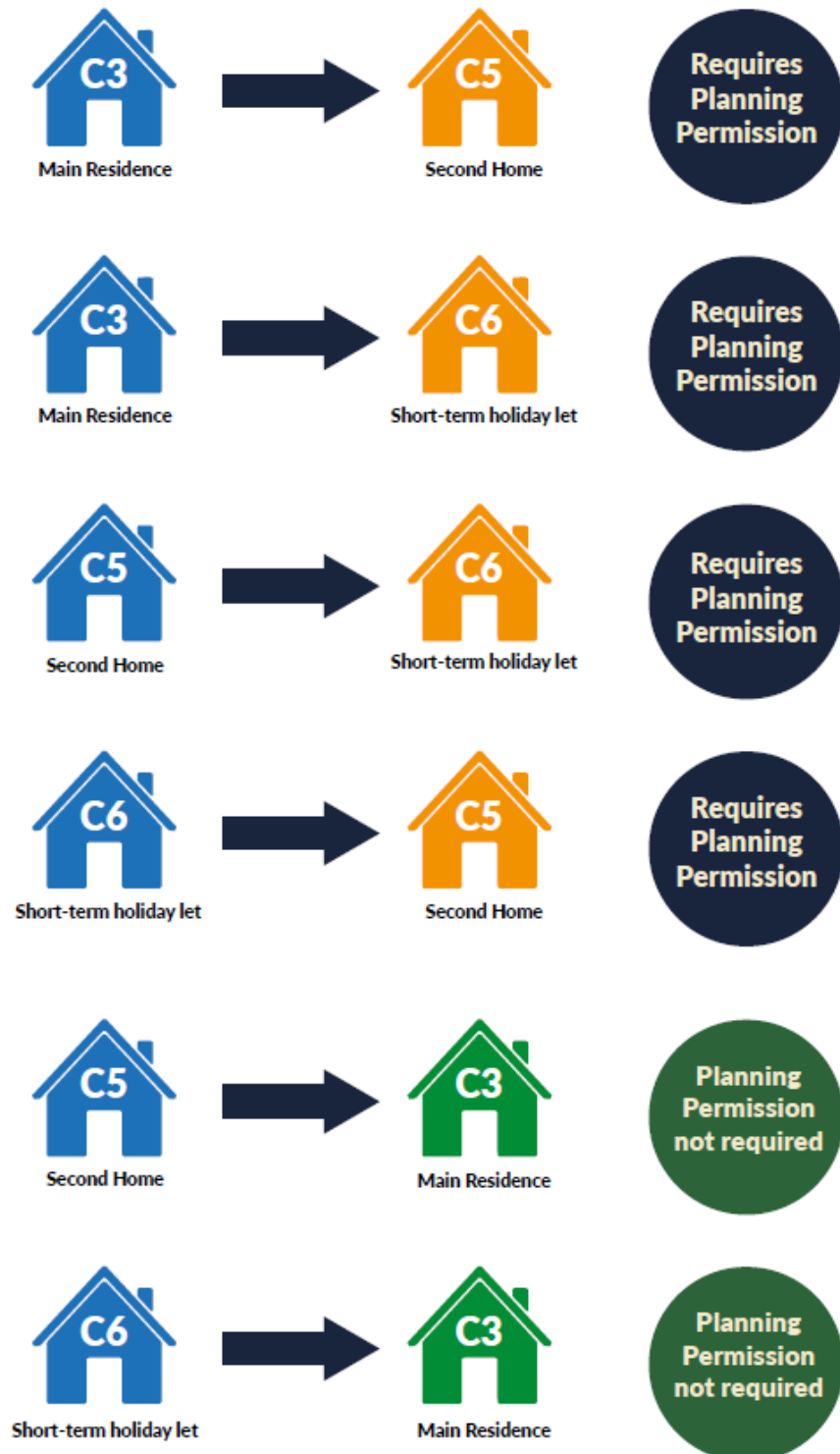
It is emphasised that the introduction of Article 4 Direction does not necessarily prevent development but rather, it means that planning permission must be obtained from the Local Planning Authority for the proposal. By enforcing the need to receive planning permission it means that the effects of the development must be considered, in accordance with the local and national planning policy context.

- 2.20 Further information, links and relevant documents on the Article 4 Direction can be found on the following page on the Authority's website:
<https://planning.snowdonia.gov.wales/policy/article4/>

Article 4 Direction – what changes of use require planning permission?

- 2.21 The Article 4 Direction applies to the entire area of Eryri National Park Authority.
- 2.22 The Article 4 Direction and permitted development rights only applies to properties whose lawful use is as a C3, C5 and C6 with no restrictions. If a planning condition has been imposed restricting the use, the requirements of the condition will override any permitted development rights to change the use. For instance, a conversion to a short-term holiday let that was granted planning permission with a planning condition restricting it to short term holiday use, will not be able to move to a main home (C3) use without gaining planning permission. Where there are no planning conditions that restrict the use, permitted development rights for changes from C5 to C3, and C6 to C3, have not been removed, therefore planning permission is not required. However, planning permission would be required to change the use back from C3 to C5 or C6.
- 2.23 The Use Classes of C3, C5 and C6 are applicable to buildings only. Therefore, the permitted development rights to move between the Use Classes, (some of which are removed by the Article 4 Direction), are only relevant to uses made of buildings. This means that the Use Classes and Article 4 Direction do not apply to caravans and chalets that fall within the definition of a caravan in planning terms (as defined by Section 29(1) of the Caravan Sites and Control of Development Act 1960, and modified by Section 13 (1) of the Caravans Sites Act 1968), as they are not buildings in planning terms. For confirmation of whether a caravan or chalet is classed as a caravan or building in planning terms, it is advised that the use of the Authority's pre-application advice service is made (see paragraph 1.3).

2.24 The diagrams below summarises which changes between the Use Classes require planning permission, and which remain a permitted development that does not require planning permission. For Mixed Uses of C3, C5 and C6, the changes that require planning permission are listed in Schedule 1 of the Direction (Appendix A).



Mixed Uses

- 2.25 Mixed use is a use that combines two of the Use Classes C3, C5 and C6. Whilst it is not possible to have a mixed use of C3 and C5 due to the use being dependant on the 183-day threshold, there are combinations of C3, C5 and C6 that are considered as mixed uses.
- 2.26 A mixed use can be the use of a whole dwelling used as different Use Classes at different times of the year, e.g. a main home C3 that is also used as a whole short term let for periods of the year. Or it can be a combination of uses at the same time, e.g. a dwelling used as a main home C3, with some of its rooms also used as short term let accommodation C6.
- 2.27 Renting out rooms for short term holiday use within an existing household used as a main home doesn't always require planning permission if the use doesn't result in a material change of use. For example, a 4-bedroom house used as a main house C3, that lets one bedroom as a short term holiday let, where the bedroom is not self-contained and the occupants use facilities of the main house. The point where a material change of use occurs for such a mixed use is dependent on the facts and degree of each case, and it is advised that the use of the Authority's pre-application advice service is made (see paragraph 1.3).
- 2.28 The Article 4 Direction removes the permitted development rights (meaning that planning permission is required) to change use to, and from the mixed uses that are detailed in Schedule 1 of the Direction (Appendix A).

3 National and Local Planning Policies and Strategies

- 3.1 All planning applications for changes of use required by the Article 4 Direction will be considered in accordance with national and local planning policies and strategies.

Wellbeing of Future Generations Act.

- 3.2 An important consideration is the Well-being of Future Generations (Wales) Act 2015. The following table highlights these wellbeing aims and explains concisely how the Article 4 Direction proposal and the Supplementary Planning Guidance achieves the aims in question:

Aim	Explanation of how the proposal of introducing the Article 4 Direction delivers the aim
A prosperous Wales	It will offer opportunities for people to live and work in Eryri and will therefore mean there will be a stable, skilled and educated population to support the local economy.
A resilient Wales	It will lead to a fairer society and thus social resilience will be maintained.
A healthier Wales	It will create a fairer society and thus would create circumstances for people to be able to live and work in Eryri, which in turn has a positive impact on health.
A more equal Wales	It will create a society that is more equal and will enable better opportunities for all.
A Wales of cohesive communities	It will be a means of creating attractive, viable and safe communities.
A Wales of Vibrant Culture and Thriving Welsh Language	It will offer better opportunities for people to be able to live in their communities and will be an indirect means of protecting culture, heritage and the Welsh language.
A Globally Responsible Wales	Although implementing the Article 4 Direction would be done on a local level, the principle of creating a fairer society and offering better opportunities for people to live and work in their local communities thus creating viable and sustainable communities is an example of good practice.

National Planning Policies

Planning Policy Wales Edition 12

- 3.3 Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. Edition 12 was published in February 2024. It contained complementary revisions to reflect the changes the Welsh Government introduced to planning legislation on the 20th of October 2022 to address second homes and short term lets.
- 3.4 Paragraph 4.2.10 states that where robust local evidence has identified impacts on the community arising from the prevalence of second homes and short-term lets, planning authorities may consider co-ordinated local planning approaches, which includes the introduction of area specific Article 4 directions which may require a planning application for a change of use of a sole or main residence to a second home or short-term let. It also states that for the areas to which such an Article 4 direction applies, restrictions by condition or obligation should be placed on all new homes limiting their use to sole or main residences.
- 3.5 Paragraph 4.2.5 sets out the requirements for Local Planning Authorities to set out a housing requirement in development plans. The requirements should plan for a mix of housing types meet the requirement and specifically consider the differing needs of their communities. Localised issues, such as the prevalence of second homes and short-term lets, must also be considered when developing the requirement for market and affordable homes within a particular area and whether the evidence justifies a local policy approach to support the viability of communities. This could, for example, include introducing a cap or ceiling on the number of second homes or short-term lets.

Future Wales – the National Plan

- 3.6 Future Wales – the National Plan 2040³ is the national development framework that sets the direction of development in Wales up to 2040 and forms part of the development plan for an area alongside the Local Development Plan and the Strategic Development Plan (when adopted). Policy 4 - Supporting Rural Communities notes the need to create sustainable and vibrant rural communities. The need to consider how age balanced communities can be achieved is emphasized, where depopulation should be reversed and the role of new affordable and market housing and employment opportunities, local services and greater mobility should be considered in meeting these challenges.

³ [Future Wales - the National Plan 2040](#)

Local Housing strategies

Cyngor Gwynedd's Housing Strategy

3.7 Gwynedd Council's Housing Strategy was adopted in July 2019. The vision of the Housing Strategy is:

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

3.8 In 2020, the Gwynedd Council Housing Action Plan 2020/21-2026/27 was prepared and approved. The purpose of this plan was to establish specific projects, giving the residents of Gwynedd a fair chance to secure suitable homes.

3.9 In order to achieve this goal, there are 5 objectives that have been included in the Plan, namely:-

- Objective 1 – To ensure that no one is homeless in Gwynedd
- Objective 2 – To increase the opportunities for Gwynedd residents to obtain a tenancy in a social house
- Objective 3 – To help Gwynedd residents to own a home in their community
- Objective 4 – Gwynedd housing is environmentally friendly
- Objective 5 - Gwynedd housing has a positive influence on the health and well-being of the county's residents

Conwy Council's Housing Strategy

3.10 Conwy County Borough Council's Housing Strategy 2018-2023 sets out the vision and plans for housing in Conwy County for the next five years. The vision of the Housing Strategy is:

"for people in Conwy to have access to affordable, appropriate and good quality accommodation that improves their quality of life. We want to build more than just houses, we want to create sustainable communities where people are proud to call home."

3.11 The Strategy outlines four objectives that would need to be addressed if the Council is to achieve this vision:

1. Increase the supply of affordable housing options for those on lower incomes.
2. Work towards meeting the various accommodation and support needs of everyone in our county now and in the future.
3. Improve the condition and energy efficiency standards of our houses.
4. Ensure that people understand their housing options to enable them to make an informed decision.

Cynllun Eryri

- 3.12 Cynllun Eryri is the statutory Management Plan for Eryri National Park Authority, adopted in 2020. One of the key outcomes is Eryri's communities and economy; to ensure that Eryri is a great place to live, develop and work. The aims are:
- Ensure the language, culture and heritage of Eryri is celebrated, supported and strengthened.
 - Jobs and opportunities encourage people to remain in the area.
 - Innovative solutions relating to affordable housing to buy and rent in the area are being implemented.
 - Local communities are supported to thrive in all aspects of well-being.
- 3.13 One of the actions identified in Cynllun Eryri, is to work with partners to address underlying issues and develop innovative solutions to delivering affordable housing that meets local needs. This includes work to influence changes to legislation so that change of use of a dwelling into a holiday home requires planning permission. Introducing and Article 4 Direction in Eryri and this Supplementary Planning Guidance has a direct link to this action.

Local Planning Policy

Eryri Local Development Plan 2016-2031 Policy Relevant to changes of use under Article 4 Direction –

- 3.14 The statutory development plan for the Eryri National Park local planning authority area is the Eryri Local Development Plan (2016 – 2031) which was adopted on the 6th of February 2019. The adopted Eryri Local Development Plan sets out the Authority's planning policies for the development and use of land in the National Park up to 2031. As a result, compliance with any prospective planning application for a change of use to a second home, short term let accommodation or the specific mixed uses will need to be considered in accordance with national planning policy, the Eryri Local Development Plan, and this supplementary planning guidance.
- 3.15 The Eryri Local Development Plan objectives have been developed taking into account the issues and challenges facing Eryri. Objectives in the Local Development Plan include:
- *Support appropriate developments that meet the housing needs of the local community, giving special consideration to affordable housing for local people.*
 - *Promote measures to encourage developments that support the vitality of the Welsh language and to protect communities from developments that ignore the impact on the Welsh language.*

Strategic Policy A: National Park Purposes and Sustainable Development

3.16 The Local Development Plan seeks to ensure that new development promotes the principles of sustainable development in ways which further National Park purposes and duty whilst conserving and enhancing the National Park's 'Special Qualities'. Proposals which compromise National Park purposes will be refused. The following criteria in Strategic Policy A should be taken into consideration in the implementation of the Article 4 Direction to help deliver sustainable development in Eryri:

- *ii. Promote opportunities for the understanding and enjoyment of the 'Special Qualities' of the area by the public.*
- *iii. Safeguarding and improvement of the health, safety, economic and social well-being of local communities.*
- *xi: Promotion of development which meets the housing needs of local communities through a mix of dwelling types, and tenures predominantly through affordable housing to meet local need*

Special Qualities

3.17 As referred to above the importance of conserving the National Park's Special Qualities is an important focus of the Eryri Local Development Plan. Linked to Strategic Policy A, paragraph 1.31 of the Eryri Local Development Plan states that the future of the National Park should be founded on its national significance, on what makes the National Park special and unique – its local distinctiveness, its 'Special Qualities'. The following are relevant 'Special Qualities' outlined in Cynllun Eryri Plan that were drawn up following extensive engagement and consultation

- *The robust sense of community cohesion, belonging and vibrancy which combine to give a strong 'sense of place'.*
- *Continuing vibrancy of the Welsh language as the primary language in social and professional environments. This aspect is evident in local place names that reflect the area's cultural heritage.*

3.18 Introducing an Article 4 Direction and implementing the Supplementary Planning Guidance to manage the number of second homes and short term let accommodation will contribute towards conserving and enhancing the Special Qualities in line with Strategic Policy A

Strategic Policy G: Housing

- 3.19 Strategic Policy G states that new housing within the National Park will be required to meet the need of local communities. Proposals must take appropriate account of local housing needs in terms of size, type and tenure of dwellings.
- 3.20 One of the existing problems identified in the Eryri LDP in terms of meeting local housing needs is the proportion of second homes and holiday homes. Explanatory text in para 5.2 states the current housing situation creates difficulties for local people to access the housing market. The accessibility and affordability of housing is an essential factor in securing long term sustainability of our rural communities. These problems are exacerbated by the significant percentage of second and short term lets within the National Park which can have a considerable effect on the sustainability of local communities.
- 3.21 Strategic Policy G states that new housing within the National Park will be required to meet the need of local communities and that proposals must take account of, amongst other things, the type of housing for which there is a need. The intention of Strategic Policy G is to supply permanent homes for local communities. The provision of second home and short term lets does not contribute to this aim. When a main home changes use to a second home or short term let, it results in the reduction and erosion of the housing stock that is available for permanent residents to buy or rent. In areas with a high proportion of second homes and short term let accommodation, opportunities for members of Eryri's communities to own or rent a permanent home are reduced. The use of a ceiling for the number of second homes and short term let is considered necessary to halt the erosion of the existing permanent housing stock.
- 3.22 As referred to above, national legislation and policy, local strategies and planning policies are all aligned to the aims of the Article 4 Direction. The current housing stock position in Eryri highlighted in the Article 4 Direction justification report highlights the need to act urgently in order to meet the needs of Eryri's local communities and realise the vision of national policy and legislation, as well as local plans and policies. This Supplementary Planning Guidance sets out how national and local policies can be applied and provide guidance on when and where applications for second homes and short term lets would likely to be considered acceptable

4 Managing Second and Holiday Homes

- 4.1 The purpose of the Article 4 Direction is to better manage Eryri's housing stock, prevent any further reduction in housing available to local communities and to ensure that the amenities of the residents are protected, to protect communities that offer opportunities for people to live and work in them. Planning Policy Wales (paragraph 4.2.5) supports the use of a cap or ceiling on numbers where there is evidence of localised issues such as the prevalence of second homes and short term lets. Strategic Policy G states that new housing within the National Park will be required to meet the need of local communities and that proposals must take account of, amongst other things, the type of housing for which there is a need.
- 4.2 In areas that have a high percentage of second homes and short term let accommodation, the aim is to prevent further increases and to stabilise the numbers by not permitting further changes of use from main residencies. A percentage of 15% is the point where the control of numbers is considered necessary.

There is a presumption against applications for a change of use from a main home (C3) to a second home (C5), short-term let accommodation (C6) and the specific mixed uses; when the existing combination of second home (C5) and short-term let accommodation (C6) within the Community/Town Council area is 15% or higher of the total housing stock.

5 Other Considerations

- 5.1 Applications for a change of use from a main home to a second home, short-term let accommodation and mixed uses will be assessed and determined against the relevant policies of the Eryri Local Development Plan and all other material considerations. Eryri Local Development Plan DP1: General Development Principles is one of the relevant policies of the development plan. It states that proposals must be acceptable in terms of their impact on the landscape, natural environment and cultural heritage, opportunities for understanding and enjoyment, quality and design, sustainable use of resources, amenity.
- 5.2 Under policy DP 1, of relevance to proposals for change of use to second homes and short-term let accommodation will be impacts upon residential amenities.
- Location – If the location is rural and there are no other residential properties nearby, adverse impacts on amenity are less likely. Proposals for short term lets in residential areas will have more potential for harm to residential amenity, for example, from increased noise and traffic movements.
 - If there is a high proportion of existing, short term lets in the immediate locality, for example on a street, further short term holiday lets could result in increased negative impacts upon residential amenity.
 - Size of property: larger properties can have a greater capacity for guests. Where there are greater numbers of guests, there is increased potential for noise and disturbance. Both the number and size of rooms will be taken into account when considering this.
 - Large holiday lettings can result in the need for additional car parking. The adequate provision of car parking on the site or on the street will be a consideration.
- 5.3 Consideration will be given to any adopted Place Plan. Strategic Policy A: National Park Purposes and Sustainable Development, criteria xv) supports enabling the production of Place Plans and adopting as Supplementary Planning Guidance where appropriate. Place plans must be in accordance with the Local Development Plan policies.
- 5.4 Proposals that are in connection with a genuine community led venture or project may be looked on favourably. A proposal that would be part of a wider scheme by a formal community led group, that would benefit other community facilities or services, may be considered favourable, in areas that are above the threshold.
- 5.5 Application to change from Use Classes C5 to C6, or C6 to C5, will be considered on a case-by-case basis, against the relevant policies of the local development plan and all other material considerations.
- 5.6 The purpose of this Supplementary Planning Guidance is not to cover every eventuality. Each case will be assessed on its own individual merits, alongside the relevant Local Development Plan policies and all other material considerations.

6 Relevance of other Eryri Local Development Plan to the Article 4 Direction and C3, C5 and C6 Use Classes

- 6.1 **Development Policy 9 (DP 9)** is a policy in the Eryri Local Development Plan that permits the conversion and change of use of rural buildings to short term self-catering holiday accommodation providing it is part of a rural enterprise scheme. The Article 4 Direction does not change how this policy is implemented. Proposals assessed under DP 9 will be subject to the criteria of the policy. The threshold and guidance on the changes of use that are required by the Article 4 Direction and contained in this Supplementary Planning Guidance are not relevant to conversion proposals under policy DP 9. The Permitted Development Rights and those removed by the Article 4 Direction is of relevance to properties that have an existing Use Class of C3, C5 or C6, and changes of use between them. However, proposals considered under DP 9 will be for changes from other uses outside these Use Classes, therefore, the Article 4 Direction policy guidance will not be applicable. DP 9 is a policy that applies to conversions of redundant rural buildings outside any housing development boundary to self-catering holiday accommodation providing it is part of a rural enterprise scheme. **In such instances the threshold will not apply, in order to support local, existing rural businesses.**
- 6.2 For conversions within housing development boundaries, the relevant policy is **Development Policy 30: Affordable Housing (DP 30)**. Criteria vi) requires conversions to provide an affordable housing contribution of *50% or a commuted sum contribution for one dwelling. Alternatively, the conversion can be a 100% affordable with local occupancy conditions.*
- 6.3 Permitted Development Rights and those removed by the Article 4 Direction is of relevance to properties that have an existing Use Class of C3, C5 or C6, and changes between them. Proposals considered under DP 30 will be for changes from other uses outside these Use Classes, therefore, the Article 4 Direction threshold and policy guidance will not be applicable to conversion proposals under policy DP 30.

7 Planning Conditions for new build housing and conversions

- 7.1 Planning Policy Wales states that for the areas to which such an Article 4 direction applies, restrictions by condition or obligation should be placed on all new homes limiting their use to sole or main residences.
- 7.2 Strategic Policy G states that new housing within the National Park will be required to meet the need of local communities and that proposals must take account of, amongst other things, the type of housing for which there is a need. Strategic Policy G is the overarching housing policy for DP 9 and DP 30. The intention of Strategic Policy G is to supply permanent homes for local communities. New dwellings and residential conversions make a contribution to the permanent housing stock. The provision of new second homes and short-term lets do not contribute to this aim, and therefore will not be supported.
- 7.3 All new housing granted planning permission will include a condition restricting the use to a main home (C3). Proposals for a new second homes (C5) and short term let accommodation (C6) will not be supported as they do not make a contribution to the permanent housing stock.
- 7.4 Proposals for conversion to short term let accommodation will only be supported under policy DP 9 where the proposal forms part of a rural enterprise scheme. Open market dwellings approved under DP 9 (where there is a commuted sum contribution) will be restricted to a main home (C3), therefore, proposals for second homes (C5) will not be supported as they do not make a contribution to the permanent housing stock.
- 7.5 Within development boundaries, under policy DP 30, proposals for conversions to second homes and short term lets will not be supported, as they do not make a contribution to the permanent housing stock.
- 7.6 For conversions under DP9 and DP30; where affordable housing units are provided on site alongside open market dwellings as per the requirements of the policies, a condition will restrict the use of the open market dwellings to main home (C3).
- 7.7 Proposals that clearly demonstrate that the affordable housing policy requirements cannot be met due to site viability, as stated by policy DP 30, will be restricted to a main home (C3).

8 Keeping records of the use

- 8.1 It is advisable that owners of second homes and short-term let accommodation collect evidence and keep a record that shows the type of use of the property, and the periods of occupation (e.g., tax records or letting transfers/invoices/marketing). This evidence can be used to support your case should the use be questioned in the future.
- 8.2 To obtain formal confirmation of the existing legal use of a property, an application can be submitted for a Lawful Development Certificate application to the Local Planning Authority. A Lawful Development Certificate provides assurance that the current use of the building is legal, and that planning permission is not required for that use. It is not compulsory to obtain a Lawful Development Certificate, however, there may be circumstances where it may be useful to confirm that the use of the property is legal. Further details can be found at <https://planning.snowdonia.gov.wales/planning-permission/apply-for-planning-permission/>

9 Compliance

- 9.1 The Article 4 Direction removes permitted development for certain changes between Use Classes, as specified in paragraph 1.27, meaning that planning permission is required. Any changes of use that occur without the necessary planning permission will be unauthorised and could result in the Authority taking enforcement action.

10 How second homes and short term lets data will be collated and published:

- 10.1 The data used to calculate the percentage of second homes and short term holiday lets within each area is provided by Gwynedd and Conwy Local Authorities. Second homes are those properties paying a second home premium on Council Tax. Short term lets are those that are on the non-domestic rates, business rates register. It is acknowledged that this data is not conclusive, and research suggests it underestimates the actual numbers, however it is the most reliable source available and allows each area to be treated consistently.
- 10.2 The percentage is based on the combined numbers of properties paying council tax premium rates for second homes and non-domestic business rates for short term lets within the community council area of the proposal. The percentage is that of the whole housing stock, including short term holiday lets paying non-domestic rates. For Community Councils that are only partly within the National Park, the data for the whole Community Council area is used.
- 10.3 The percentage of each community council area for 2024 is included in Appendix B. This table will be updated annually and published on the Authority's website. The percentage used for assessing planning applications will be that of the most recently published table in Appendix B.

Appendix A: Copy of the Article 4 Direction

**AWDURDOD PARC CENEDLAETHOL ERYRI / SNOWDONIA NATIONAL PARK AUTHORITY
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995
(AS AMENDED BY THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT ETC) (AMENDMENT) (WALES) ORDER 2022)
NON-IMMEDIATE DIRECTION MADE UNDER ARTICLE 4(1) RESTRICTING PERMITTED
DEVELOPMENT IN THE ERYRI/SNOWDONIA NATIONAL PARK LOCAL PLANNING
AUTHORITY AREA**

WHEREAS

1. Awdurdod Parc Cenedlaethol Eryri/Snowdonia National Park Authority ("the Authority") is the local planning authority in respect of the area of land specified in this Direction.
2. The Authority is satisfied that it is expedient that a development of the description(s) set out in Schedule 1 below should not be carried out on the land in the Eryri/Snowdonia National Park shown edged red on the attached plan at Schedule 2 ("the Land") unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 (as amended).

NOW THEREFORE the said Authority in pursuance of the power conferred on them by Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) hereby direct that the permission granted by Article 3 of the said Order shall not apply to development on the said Land of the description(s) set out in Schedule 1 below.

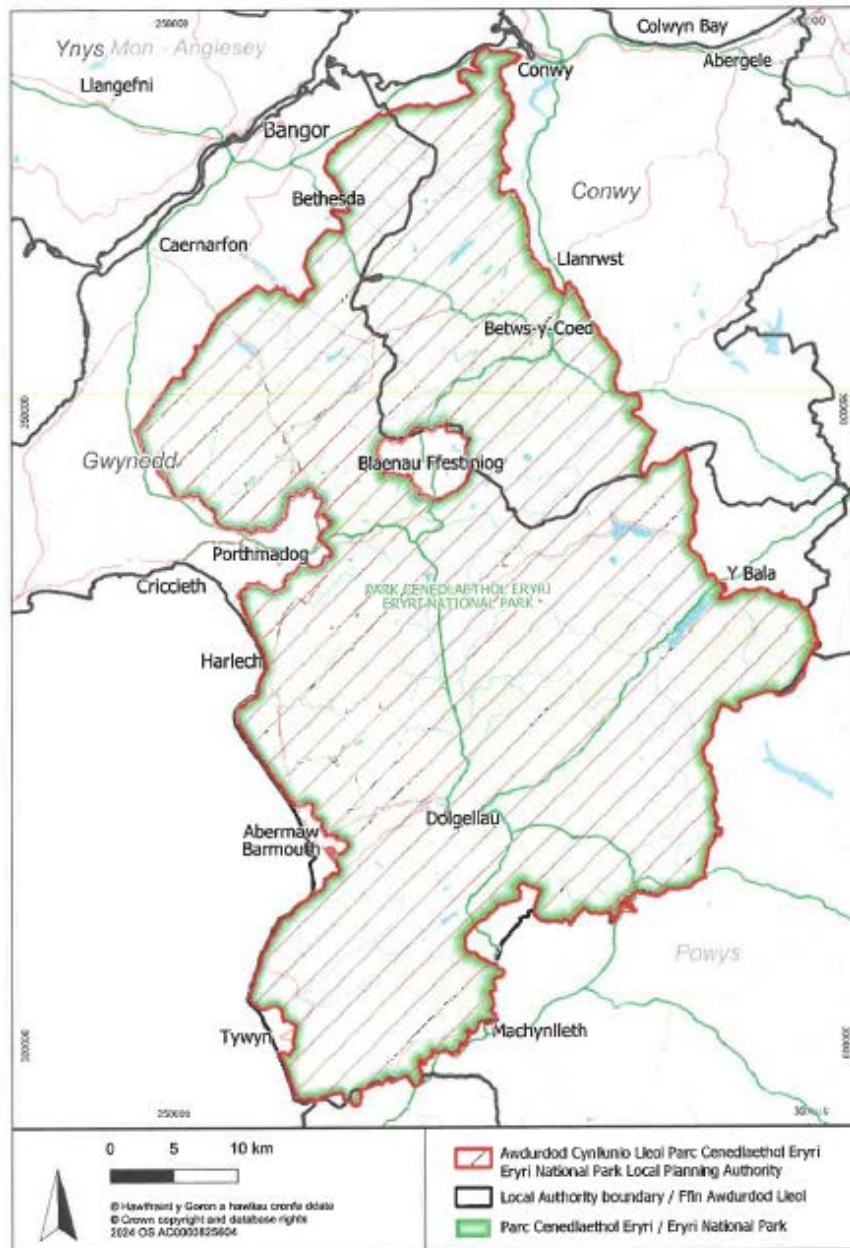
This Direction is made under Article 4(1) of the said Order and in accordance with the Order is confirmed and shall take effect on 1st of June 2025.

Schedule 1 – Permitted Development Rights Restricted

The following descriptions of development referred to in Class 1 of Part 3 of Schedule 2 of the said Order:

- (1) Development consisting of a change of use of a building
 - (a) from a use falling within Class C3 (dwellinghouses, used as sole or main residences) of the Schedule to the Use Classes Order —
 - (i) to a use falling within Class C5 (dwellinghouses, used otherwise than as sole or main residences) of that Schedule;
 - (ii) to a use falling within Class C6 (short-term lets) of that Schedule;
 - (iii) to a mixed use combining use as a dwellinghouse within Class C3 (dwellinghouses, used as sole or main residences) with a use falling within Class C6 (short-term lets) of that Schedule;
 - (iv) to a mixed use combining use as a dwellinghouse within Class C5 (dwellinghouses, used otherwise than as sole or main residences) with a use falling within Class C6 (short-term lets) of that Schedule;
 - (b) from a use falling within Class C5 (dwellinghouses, used otherwise than as sole or main residences) of the Schedule to the Use Classes Order —
 - (i) to a use falling within Class C6 (short-term lets) of that Schedule;
 - (ii) to a mixed use combining use as a dwellinghouse within Class C5 (dwellinghouses, used otherwise than as sole or main residences) with a use falling within Class C6 (short-term lets) of that Schedule;
 - (iii) to a mixed use combining use as a dwellinghouse within Class C3 (dwellinghouses, used as sole or main residences) with a use falling within Class C6 (short-term lets) of that Schedule;
 - (c) from a use falling within Class C6 (short-term lets) of the Schedule to the Use Classes Order—
 - (i) to a use falling within Class C5 (dwellinghouses, used otherwise than as sole or main residences) of that Schedule;
 - (ii) to a mixed use combining use as a dwellinghouse within Class C5 (dwellinghouses, used otherwise than as sole or main residences) with a use falling within Class C6 (short-term lets) of that Schedule;
 - (d) from a mixed use combining uses falling within Class C3 (dwellinghouses, used as sole or main residences) and Class C6 (short-term lets) of the Schedule to the Use Classes Order—
 - (i) to a use falling within Class C5 (dwellinghouses, used otherwise than as sole or main residences) of that Schedule;
 - (ii) to a use falling within Class C6 (short-term lets) of that Schedule;
 - (iii) to a mixed use combining use as a dwellinghouse within Class C5 (dwellinghouses, used otherwise than as sole or main residences) with a use falling within Class C6 (short-term lets) of that Schedule;
 - (e) from a mixed use combining uses falling within Class C5 (dwellinghouses, used otherwise than as sole or main residences) and Class C6 (short-term lets) of the Schedule to the Use Classes Order—
 - (i) to a use falling within Class C5 (dwellinghouses, used otherwise than as sole or main residences) of that Schedule;
 - (ii) to a use falling within Class C6 (short-term lets) of that Schedule.

Schedule 2 – Plan of National Park



00 2894

h2 Jones

THE COMMON SEAL OF AWDURDOD PARC
CENEDLAETHOL ERYRI was hereunto affixed
in the presence of:-

Authorised Signatory

h. Jones



00 2895

On the *22nd* day of *March* 2024

Appendix B: List percentages of second homes and holiday lets per Community Council Area

Cyngor Cymuned/Tref - Community/Town Council	Combined percentage of second homes and short-term holiday let units as a percentage of all housing stock
ABER	5.00%
ABERDYFI	45.58%
ABERMAW	17.51%
ARTHOG	20.00%
BALA	3.89%
BEDDGELERT	33.95%
BETWS GARMON	21.48%
BRITHDIR & LLANFRACHETH	17.38%
BRYNCRUG	11.01%
CORRIS	10.57%
DOLBENMAEN	13.81%
DOLGELLAU	10.12%
DYFFRYN ARDUDWY	13.28%
FFESTINIOG	8.24%
HARLECH	16.98%
LLANBEDR	20.66%
LLANBERIS	8.52%
LLANDDEINIOLEN	2.92%
LLANDDERFEL	9.76%
LLANDWROG	4.96%
LLANDYGAI	3.63%
LLANEGRYN	13.14%
LLANELLTYD	17.39%
LLANFAIR	28.13%
LLANFIHANGEL Y PENNANT	24.19%
LLANFROTHEN	9.56%
LLANGELYNIN	17.66%
LLANGYWAIR	13.97%
LLANLLECHID	5.05%
LLANLLYFNI	3.89%
LLANUWCHLYN	10.91%
LLANYCIL	10.53%
MAENTWROG	15.47%
MAWDDWY	15.21%
PENNAL	20.49%
PENRHYNDEUDRAETH	5.55%
TALSARNAU	18.84%
TRAWSFYNYDD	14.08%
TYWYN	12.53%

WAUNFAWR	6.04%
Y GANLLWYD	16.49%
BETWS Y COED	20.00%
BRO GARMON	19.51%
BRO MACHNO	25.62%
CAERHUN	11.08%
CAPEL CURIG	24.81%
DOLGARROG	2.35%
DOLWYDDELAN	14.58%
HENRYD	8.74%
LLANFAIRFECHAN	3.72%
LLANRWST	2.65%
PENMAENMAWR	4.86%
TREFRIW	9.30%
YSBYTY IFAN	16.19%