

New regulatory scheme for short term lets “is working”

The City of Edinburgh Council has said Airbnb listings in the capital suggest that the council’s measures to regulate short-term lets is working.

Officers have noted that there were around 3,350 fewer ‘secondary lets’ – the term used to describe an entire property being used for short-term letting – listed on the booking site at the end of last year compared to 2019.

The local authority has introduced new licensing and planning rules in a bid to “manage the number and location of STLs across the city”. The new regime also includes safety measures such as gas and electricity safety certificates which are standard for long term landlords.

Planning convener Cllr James Dalgleish said the “end result” of these is a “better sustained short-term let industry in the city” and “more homes are being made available to the public to rent or to buy”.

But according to the trade body the Association of Scotland’s Self Caterers (ASSC), the policies amount to a “de-facto ban” on short-term lets in Edinburgh and the body says that a “large degree of uncertainty” remains for existing operators around the need for planning permission. There are potentially two parts to the [council’s scheme](#) – one involving obtaining planning permission and one involving obtaining an STL licence.

A new report on the council's approach to STL regulations states: "There were 14,000 Airbnb lets listed in 2019 in Edinburgh. Of these, just over 8,000 were whole house lets.

"Using the same data, that figure has dropped to 7,000 overall listings in December 2023. Of those 7,000 properties, 4,648 were for entire homes/apartments.

"1,544 of them were available for 90 or more days per year.

"The 1,544 figure is similar to the number of applications that have been granted planning permission or certificates of lawful use combined with the number of planning or certificate of lawful use applications that are yet to be determined. On 1 April 2024 this figure was 1,605.

"Overall, given that during the period between 2019 and December 2023, there has not been a post Covid rebound in numbers of STLs operating, this suggests that legislation and policy are having an effect in controlling overall numbers of STLs in Edinburgh."

Cllr Dalgleish said: "I think it shows our policies are working and they are making a difference.

"The end outcome of those policies is that we're going to have a better managed and better sustained short-term let industry in the city and again one of the end results is more homes are being made available to the public to rent or to buy.

"I know that will only have a relatively small effect on the housing crisis we have in the city. But for me it's a clear signal that our policies are working and moving in the right direction."

Planning officers said further analysis of data was required to fully assess the impact and this would be reported at a later date.

The report, going to the planning committee next week,

responds to a proposal put to the council by the ASSC to deem all changes of use of homes to STLs prior to the introduction of the city's control area in September 2022 lawful, which would exempt many owners from the need to obtain planning permission. This blanket approach has been rejected by the council.

Council officers say that such an approach could spark "accusations of unfairness" from those who have already been refused permission to keep operating and recommends that councillors do not adopt the policy of blanket approvals.

Confusion arose for STL landlords last year after a judge ruled that the council could no longer demand change of use applications for all secondary lets', but only those where the change occurred after the control area's implementation.

For those in existence prior to it coming into effect the council says planning permission is still required where the change of use was 'material'. This is determined through a 'fact and degree' assessment of the extent to which activity in a property differs from its use as a permanent home, by looking at factors such as turnover of guests and the impact the letting has on neighbours.

Cllr Dalglish said: "It's important to strike the right balance between promoting our visitor economy while looking after our residents who live here all year round.

"We declared a housing emergency late last year due to our chronic shortage of affordable homes and the STL control area in Edinburgh is already returning unauthorised short term lets back to their residential use."

by Donald Turvill Local Democracy Reporter.



02/10/2023 PHOTO Alan Simpson Applications for short term let licenses advertised in doorways on the Royal Mile Edinburgh.