



Neuadd y Sir / County Hall, Llandrindod, Powys, LD1 5LG

QUESTIONS AT ANY TIME TO CABINET PORTFOLIO HOLDERS

Response by the Portfolio Holders:

The building regulation that relates to a change of use affecting holiday lets is regulation 5h of the Building Regulations 2010 (as amended). Regulation 37A relates to the installation of sprinklers and is not the principal regulation that imposes the requirement to apply for building regulations.

Where a change of use is deemed to have occurred then building regulations places a requirement upon owners to comply with building regulations. However, section 35A of the Building Act 1984 allows for the requirement to be enforced up to a period of 2 years after the change of use has occurred, after which time building control are statute barred. The building regulations make provision for owners of unauthorised works to regularise those works after the 2 years but this requirement cannot be enforced.

- Income and Awards can't track every property in that way due to system constraints. We have asked staff to manually record this recently and have found that approx. 125 properties in one year moved across from Council Tax to Business Rates and were classed as a holiday lettings.
- So far in 2020 Building Control have received 45 applications for holiday lets.
- Building Control can only require the holiday lets that have been created within the last 2 years to comply with building regulations. Letters have been sent to those that are known to building control as being within the 2 year period requesting them to make contact.
- This will be dependent upon building controls discussions with the owners of holiday lets that fall within the 2 year period. However, building regulations do not impose timescales on how long building works can take to complete. When considering the context of the situation and the number of holiday lets that this is affecting, building control are mindful that the availability of contractors to undertake the work will influence times scales for completion.