

London Borough of Barnet  
2 Bristol Avenue,  
Colindale,  
London, NW9 4EW  
21 March 2023  
Our ref: 9279560

Thank you for your request received on 27 February 2023, for the following information:

**Please could you advise me as to any planning requirements for permission to operate a short term holiday let in your area. For example properties and rooms that may appear on online portals such as Airbnb, Booking dot com etc.**

**This is also often known as Serviced Accommodation. It is generally full furnished rooms or properties with cooking facilities etc.**

**It may be let out for a single night, or it could be let for a much longer period of time.**

**This question excludes apart-hotels, hotels, hostels, bed and breakfast and similar properties clearly defined in the Use Class Order.**

--

**1) Which planning use class should the property be operating in?**

**Should it be C1, C3 or Sui Generis for example? Or can it operate in more than one?**

--

**2) Is planning permission required? if the property is not operating in that Use Class?**

--

**3) Does that Use Class change if a certain number of nights are occupied during the year? Or is planning permission required if a certain number of nights is exceeded per annum even if operating in the correct Use Class?**

--

**4) Does your answer vary if it is a full unit such as a house or flat, as opposed to an annexe or a room or two within a C3 dwelling? If yes, how would the**

**partial or full holiday let differ?**

--

**5) Are there any other rules that serviced accommodation or short stay holiday let providers advertising on Airbnb etc., adhere to in addition to any number of nights per annum (question 3) within your area?**

We have processed this request under the Environmental Information Regulations 2004.

## **Response**

The council holds the information requested and the answers to your questions are below

***1) Which planning use class should the property be operating in?***

***Should it be C1, C3 or Sui Generis for example? Or can it operate in more than one?***

Dwellinghouses fall within use class C3. Regulations allow a dwellinghouse to be rented as short term lets for no more than 90 days per year. The use of a dwellinghouse for short term lets for more than 90 days per year results in a change of use which planning permission would be required for.

***2) Is planning permission required? if the property is not operating in that Use Class?***

Planning permission is required to use a dwellinghouse for short term lets for more than 90 days per year.

***3) Does that Use Class change if a certain number of nights are occupied during the year? Or is planning permission required if a certain number of nights is exceeded per annum even if operating in the correct Use Class?***

If a dwellinghouse is used for short term lets for more than 90 days the use has changed from C3 and planning permission is required.

***4) Does your answer vary if it is a full unit such as a house or flat, as opposed to an annexe or a room or two within a C3 dwelling? If yes, how would the partial or full holiday let differ?***

The use of part of or the whole of a dwellinghouse for short term lets for more than 90 days per year would require planning permission. The use of an annexe, outbuilding or any other structure within the curtilage of the dwellinghouse that is independent to the main dwellinghouse for short term lets would need planning permission no matter how many days it would be used for as short term lets.

***5) Are there any other rules that serviced accommodation or short stay holiday***

***let providers advertising on Airbnb etc., adhere to in addition to any number of nights per annum (question 3) within your area?***

Local fire services are responsible for fire safety enforcement in the UK

All Hosts in England and Wales must make sure that their fire safety risk assessment covers the structure and external walls of the building (e.g. cladding and balconies). In buildings containing more than one home, the assessment must also cover the common areas and entrances to individual flats. Full information on meeting this standard is available on the [Gov.UK website](#).

From 23 January 2023, Hosts in England whose properties are in buildings containing more than one home will have additional responsibilities, depending on the height of the building. Details on these responsibilities can be found on the [National Fire Chiefs Council](#) and [Gov.UK](#) websites.

### **Further information**

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

### **Advice and Assistance : Direct Marketing**

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link [www.ico.org.uk](http://www.ico.org.uk)

**For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.**

### **Your rights**

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk). Or by post to Records & Information Management Service, Assurance Group, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water

Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website [www.ico.org.uk](http://www.ico.org.uk)). There is no charge for making an appeal.