

## **Joint Committee on Housing, Local Government and Heritage**

### **Written submission relating to Draft Planning and Development Bill 2022**

from Máire Ní Mhurchú, Chair Irish Self-Catering Federation (ISCF)

Thank you for the opportunity to make this short-written submission in relation to the Draft Planning and Development Bill 2022. The ISCF represents over 7000 self-catering units mostly in rural areas and we appeared in front of the Tourism Committee on 01/03, with Irish Tourism Industry Confederation (ITIC) to discuss the General Scheme of the Short-Term Tourist Letting (STTL) Bill 2022. As committee members will know tourism and hospitality is the country's largest indigenous industry and biggest regional employer. There are 20,000 businesses in the sector, the vast majority SMEs, and latest CSO figures show that 246,500 people work in the industry, 70% of which are in regional Ireland.

The self-catering STTL sector is a particularly important one for Irish tourism and for decades has been a key part of the visitor experience. ISCF and we have been in discussion with the Department of Housing for over a year about the lack of clear Guidelines for Planners and Owners in RPZ areas. This lack of clarity will undermine the Registration for STTL Bill if not resolved, and the sector will remain unregulated or managed from overseas. We need to enact some positive planning legislation to protect current genuine small accommodation tourist providers.

Self-catering properties are at the center of a complex eco-system in many rural and small-town areas with accommodation being provided for holiday makers and people attending festivals and other events. I enclose the Self-Catering Eco-System as developed by the ISCF for Ireland (attached). The Register for STTL is needed to quantify the number of STR units throughout Ireland and the ISCF has called for this register for many years and will be the statutory agency Failte Ireland manage the Register.

The proposed Registration for STTL Bill requires all STRs to have planning permission - property owners have to declare that they have planning permission. This is a material change of use, due to lack of clarity many owners have been in business for many years. Would the committee be willing to consider the following points in the review of the Draft Planning and Development Bill 2022.

\* **Change of Use** - The Registration for STTL Bill has brought up the difficulty with the change of use of a building or unit to STR from long-term rental or occupation.

This has caused a lot of STR in rural areas not to have the relevant present planning. In many cases there were no requirements for such planning when the business started, and if using present planning guidelines then these buildings would not meet guidelines. In order to protect our sector, we need the following: -

- 1.) Allow property owners to register as a STR if they can provide evidence that it is not suited for long term use e.g. Too costly to get improved BER Rating, house too large for one family unit or in an area where there is no long-term demand for such properties.
  - 2.) Allow property owners to apply for dual planning (combined long-term or short-term rental).
  - 3.) Allow STR outside urban areas an exemption to have planning permission in order to register on the STTL if can show they have been in business for 7 years plus - Grandfather rule.
  - 4.) In urban areas owners who have Failte Ireland or ISCF listing should be considered to have planning for 2 years, and in that time regularize their planning as STR, if they can show the business has been in place for a number of years - Grandfather rule.
  - 5.) All owners to apply for STR permission for a defined length of time after which it will automatically revert to a normal residential unit e.g., 10 years.
- \* **The RPZ areas**, as referred to on page 30 were brought in to deal with a housing crisis and an unregulated STR Sector in 2019, but no supporting guidelines were provided. ISCF is of the view that Dublin, Cork, Limerick, and Galway cities should require planning to operate an STTL, but the rest of the country should be exempt from planning but must subscribe to the register to be allowed trade.

Urban and non-urban areas must be treated differently, the ISCF is firmly of the opinion that the legislation and planning guidelines need to be workable or otherwise there will be material harm to the Irish tourism economy. These areas are too large, should be restricted to cities and do not give Planners Discretion in permitting any STR structures to be approved. While the ISCF accepts the need as proposed in 'Housing for All' and a registration for STR a balance, proportionate approach should be adopted, and we have a list of recommendations for those in long-term business in RPZ areas. Rural areas in the RPZ area should be allowed to continue in business, farm diversification and other reasons (list attached and presented to Departments on 16/02/23).

We have repeatedly asked for clear Guidelines for Planners and Owners of STR in RPZ areas, as the planners in Kerry are presently working on 2016 guidelines. This has caused a serious disconnect in the planning process.

\* **Number of Days** - The regulation on Short Term Rental (STR) refers to 14 days, where the Short-Term Tourist Letting (STTL) Bill 2022 referent to 21 days as a description of STR. There needs to be consistency in the two bills.

\* **Tourism Development Plan** - Were does the Tourism Development plan interact with the Local Area Plan to allow development of new STR to take place in an area, where there is a proven lack of units? For businesses who wish to set up an STR business or Glamping/Other unit the pre-planning costs are very expensive on SME business, especially in rural and coastal areas. We have proposed a list of Guidelines for Glamping, and any other variation on STR accommodation, and attach this list. At present due to a lack of clarity such developments have extreme difficulty in getting planning. This is particularly true in the midlands where Just Transition funding is available.

The ISCF is aware that a Register for STR is coming from the EU, and that the Irish Registration for STTL will feed into this legislator's framework. We do not want the lack of clarity on planning for existing business to delay the legislation. We want legitimate, professional STR's to be protected and allowed to form the basis for the next generation of rural tourism.

Many thanks for the opportunity to make this submission on this important subject and I am happy to discuss further.

Máire ní Mhurchú

Chair Irish Self-Catering Federation

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