



To: Directors of Planning Services, City and County Councils

CC: Chief Executives, City and County Councils
Senior Planners, City and County Councils
An Bord Pleanála
Directors of Regional Assemblies
Office of the Planning Regulator

Circular Letter: PL 06/2019

2 August 2019

Guidance Note for Planning Authorities on the Regulation of Short-Term Letting

I refer to Circular Letter PL 04/2019, which issued on 4 June 2019, outlining the new short-term letting provisions under the planning code which came into effect on 1 July 2019 and which apply in designated rent pressure zones. Furthermore, Circular Letter PL 05/2019, which issued on 2 July 2019, notified planning authorities of additional designated rent pressure zones where the new short-term letting provisions now also apply.

Further to the previous Circular Letters, planning authorities in whose functional areas rent pressure zones are located are reminded that in order for the new provisions to have the desired affect and achieve their objective, it will be essential that the relevant planning authorities actively implement and enforce the new provisions utilising the powers available to them – including the pre-existing enforcement powers under Part VIII of the Planning and Development Act 2000, as amended - in tackling individuals engaged in unauthorised short term letting activity. The adoption of a proactive approach in investigating and interrogating activity, including the inspection of premises, will be particularly required if the measure is to have its intended effect. In essence, the effectiveness of the new legislative provisions is dependent on planning authority enforcement at local level.

In this regard, planning authorities can avail of a range of measures to enforce against unauthorised short term letting activity such as reviewing available information from relevant online platforms, following up on complaints received from members of the public, targeted enforcement of particular areas, physical inspections of properties, collating and cross-checking information from a range of data sources, checking if properties already have relevant permissions etc.

Guidance Note on implementation and enforcement of short-term

A Guidance Note (in both English and Irish language versions) to assist planning authorities in implementing and enforcing the new short-term letting provisions is attached. The Guidance Note

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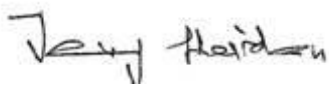
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provides a brief background to the introduction of the measure; an explanation of the legislative provisions relating to short-term letting, in particular the distinction between homesharing and short-term letting; examples of the scenarios where the notification of homesharing activity to the local planning authority is required and where the need to apply for planning permission arises; a suggested step-by-step guide to enforcement based on the experience of local authorities which have already been adopting a proactive approach in this area; as well as the penalties applicable to non-compliance with the new provisions.

In addition, section 7 of the attached document provides guidance to assist planning authorities in determining applications for planning permission in respect of short-term letting activity and the general considerations and factors to be taken into account in making decisions on such planning applications.

As previously indicated, it is proposed to convene a Workshop/ Information Seminar to provide a detailed overview of the new provisions and practical guidance on their effective implementation once planning authorities have the necessary dedicated staffing resources in place to enforce the new provisions. It is intended to respond to the additional resources funding requests submitted by planning authorities for this purpose as soon as possible following completion of our internal procedures relating to the approval of additional funding.



Terry Sheridan
Principal
Planning Policy