



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE

Telephone: Ely (01353) 665555

www.eastcambs.gov.uk

Further to your information request FOI/EIR 22/23-398 please find your question and our response below.

Request:

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?

Response:

We do not hold the requested information as recorded information, as the use class would be dependant on whether the character of the property is affected by the use.

The Freedom of Information Act gives you a legal right of access to any recorded information held by a public authority. We do not have to provide opinions or explanations, generate answers to questions, or create or obtain information we do not hold.

In respect of those requests that are answered in full, partially or the total refused, please take this as notice under FOIA, that we:

- a) Consider the information as exempt from disclosure under the Act;
- b) Claim exempt under sections of the Act:

Section 12(4)(a) – Information Not Held

- c) State why the exemption applies:

Regulation 12 (4) a public authority may refuse to disclose information to the extent that (a) it does not hold that information when an applicant's request is received.

This concludes your request FOI/EIR 22/23-398

If information has been refused please treat this as a Refusal Notice for the purposes of the Act.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request in the first instance you may approach foi@eastcambs.gov.uk and request a review. A request for review must be made in no more than 40 working days from the date of this email.

Should you remain dissatisfied with the outcome you have a right under s50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.