

Julie James AS/MS  
Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref: ER  
Ein cyf/Our ref: JJ/02946/20

Y Cynghorydd Edgar Owen  
Cadeirydd Cyngor Gwynedd

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27 November 2020

Dear Councillor Owen,

Thank you for your letter dated 12 November regarding using the planning system to control the number of second homes in Wales.

One of the key factors in terms of enabling communities in Wales to thrive and be more prosperous is to ensure that affordable housing are available. A shortage of affordable housing is the basis of the difficulties local people face, which is a matter you raise in your letter. This is why Welsh Government housing policies focus on increasing the provision of affordable housing. This is also a matter that local planning authorities could address by implementing and reviewing their development plans.

In terms of second homes / holiday homes specifically, we have recently considered whether the land use planning system has a role in terms of controlling the number of such homes as part of a comprehensive review of the Town and Country Planning Order (Use Classes) 1987. The review identified fundamental practical and legal challenges when defining second homes in planning terms. Planning permission is needed for 'developing', which is either a physical action or a 'substantial change of use'. In terms of land use planning, using the property as a main residence rather than as a second home does not constitute a substantial change of use. Without a clear definition, enforcement would be very difficult and would cause uncertainty, making planning legislation on this matter ineffective. Changes to the Use Classes Order would not address the matter and for this reason, we are not of the opinion that changes to planning legislation is a practical option. In addition, any land use planning response would have a limited impact as no legislative change can be used retrospectively to control the use of the current second homes / holiday homes.

In the case of Houses in Multiple Occupation (HMOs), which you refer to in your correspondence, converting a family dwelling into a HMO could constitute a substantial change of use and this can be defined clearly, enabling the effective use of the Use Classes order to control the number of such houses in an area.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I would welcome any suggestions you may have in order to address the practical and legal difficulties associated with the changes to planning legislation that you propose for controlling the number of second homes and I look forward to hearing from you in due course.

Yours sincerely,

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive style with a large initial 'J'.

**Julie James AS/MS**

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