

## Civic Licensing

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**From:** Jason Craig [REDACTED]  
**Sent:** 22 October 2023 22:14  
**To:** CDS STL  
**Subject:** FOA Licensing Department: Objection to Short Term Let License application - Tigh Na Beannaich, 5 Gartwhinzean Loan, Powmill, FK147LU (Licence Number PK12308P)  
**Attachments:** PK12308P Objection to short term let application number.docx; PK12308P Objection to short term let application number.pdf

**CAUTION:** This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

To whom it may be concerned,  
 Please find attached my objection to the application for a short-term letting licence for my neighbouring property at 5 Gartwhinzean Loan, Powmill, FK14 7LU.  
 I understand the council expects concerns from neighbours to be raised with the operators in the first instance, however, as you will see in my letter, there are historic and ongoing concerns raised with the running of this short term let of which the operators are aware, and to which there has been no satisfactory resolution.  
 Unfortunately, our last hope is to raise this objection with the Licensing Department.  
 I hope I have been able to cover the issues in accordance with the guidelines specified on the Perth and Kinross Council website, however, I would be happy to discuss these concerns in greater detail at any time convenient to the license committee.  
 On a final note, I would like to identify that no public notice has been displayed (contrary to the requirements of application process).  
 Kind Regards,  
 Jason Craig  
 Tel: [REDACTED]  
 Address: 7 Gartwhinzean Loan, Powmill, FK147LU

Jason Craig  
Bruthach Mhor, 7 Gartwhinzean Loan  
Powmill  
Perth and Kinross  
FK147LU

22<sup>nd</sup> October 2023

To whom it may concern,

I am writing to object to the application for a short-term letting license for the address 'Tigh Na Beannaich' at 5 Gartwhinzean Loan, Powmill, FK14 7LU (Licence Number PK12308P; ID – 478).

Please note that despite PKC guidance, the owner of the property has failed to engage with the neighbours about their intentions to apply for a licence, and there has been no public Site Notice displayed in the vicinity of the property. This is despite the application going to PKC almost one month ago.

This objection is made on the grounds of:

1. The location, character, or condition of the premises;
2. The nature and extent of the proposed activity;
3. The kind of persons likely to be in the premises;
4. The possibility of undue public nuisance; and
5. Public order/ safety

I will address these points below.

- 1. The location character, or condition of the premises; and**
- 2. The nature and extent of the proposed activity**

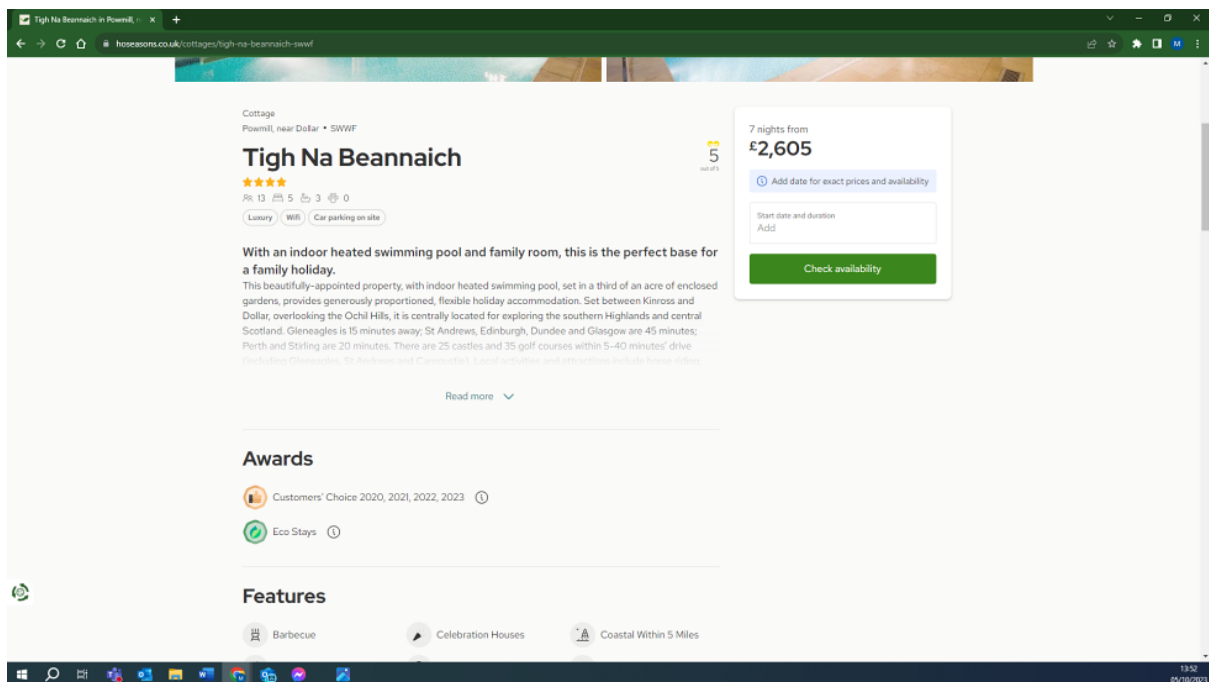
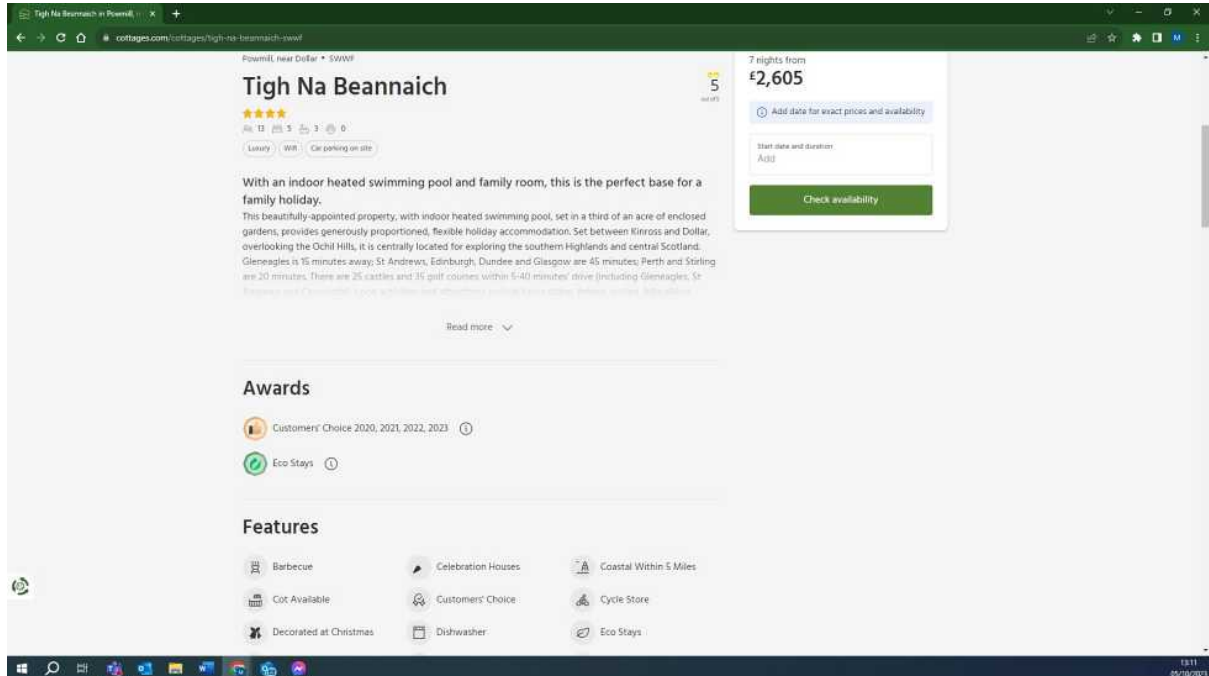
Gartwhinzean Loan is a quiet country-side settlement consisting of 16 houses. The residents composed of retirees and young families. Most of the neighbours get on very well and there is a strong sense of community between the long-term residents of this street. This is interrupted only by the presence of this short term let, which regularly sees large groups of people with no interest or investment in the community, stay for an average of 3-4 days and move on again. The turnover can be highly frequent, and it is not uncommon for one set of guests to depart in the morning with another set arriving in the afternoon. With capacity set at 13 people, this means that it is not unusual for there to be 26 strangers come and go in our street each week. For a street that has a long-term population of closer to 30 this is highly unsettling. The average number of people per household on Gartwhinzean Loan is two or three, and therefore a requested capacity of 13 in the short term let clearly puts the group sizes out of character with the residential nature of the immediate area.

In the immediate houses surrounding this property there is an elderly couple, two retired couples, and one young family with a small child aged 7. The representation of more vulnerable groups in the long-term residents who are reliant on neighbourly support and their local community for safety suggests that a property for large, transient groups is not suitable for, or in keeping with, the character of the location.

The continued operation of a short-term letting facility within the neighbourhood would continue to adversely impact the character and amenity of the local area, particularly the residential amenity of those living permanently in the residential street.

3. The kind of persons likely to be in the premises; and
4. The possibility of undue public nuisance

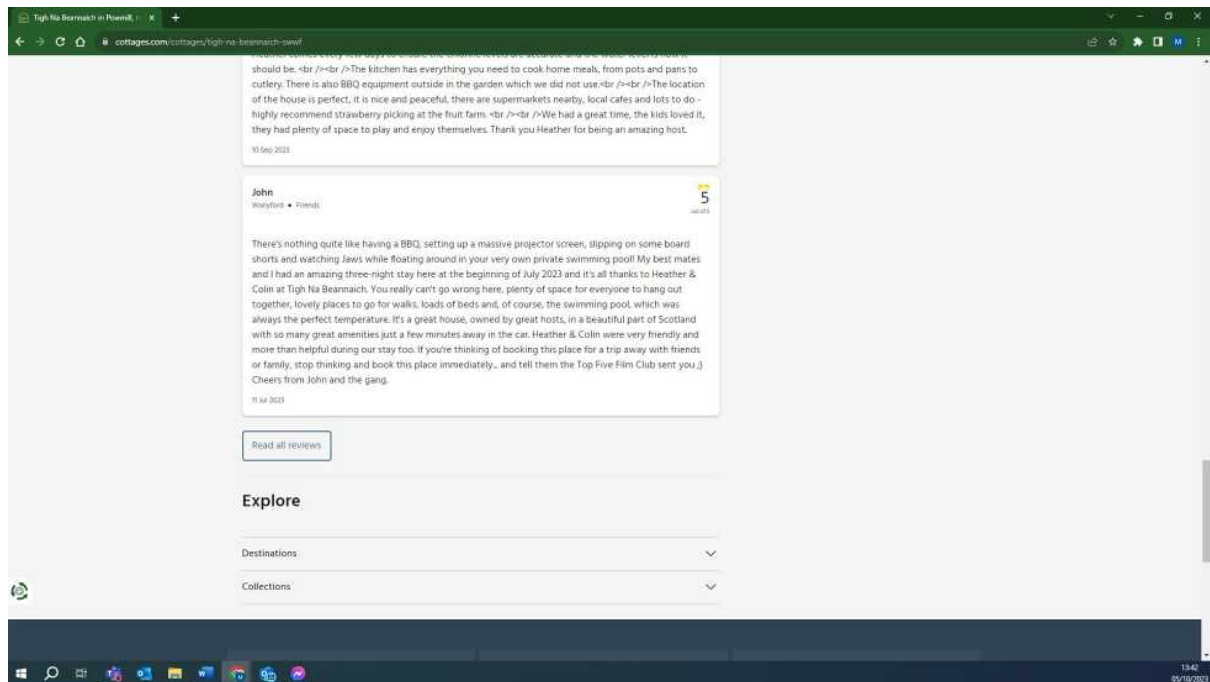
Given the size of the property, it's stated capacity, the cost associated with its use and the feature of the in-door swimming pool - the house is designed to appeal to large groups and regularly gets described as a 'party house'. On at least two of the listings the property is listed and promoted as a 'Celebration House' - see screenshots below taken on 5<sup>th</sup> October 2023:



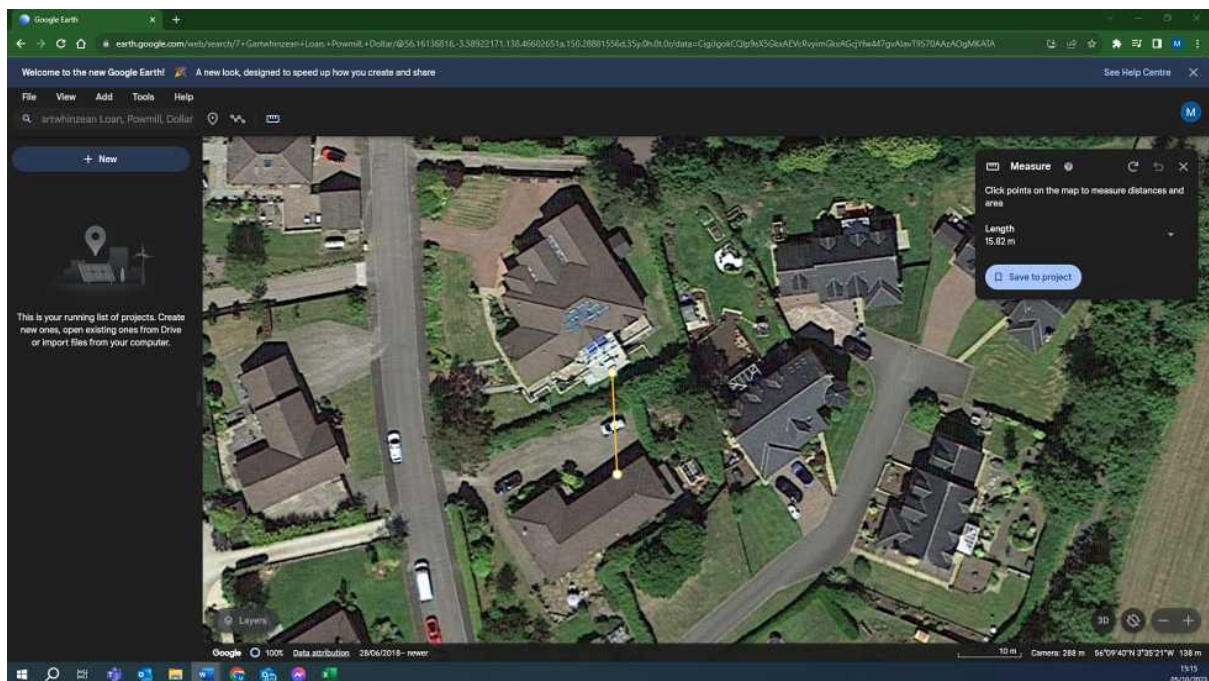
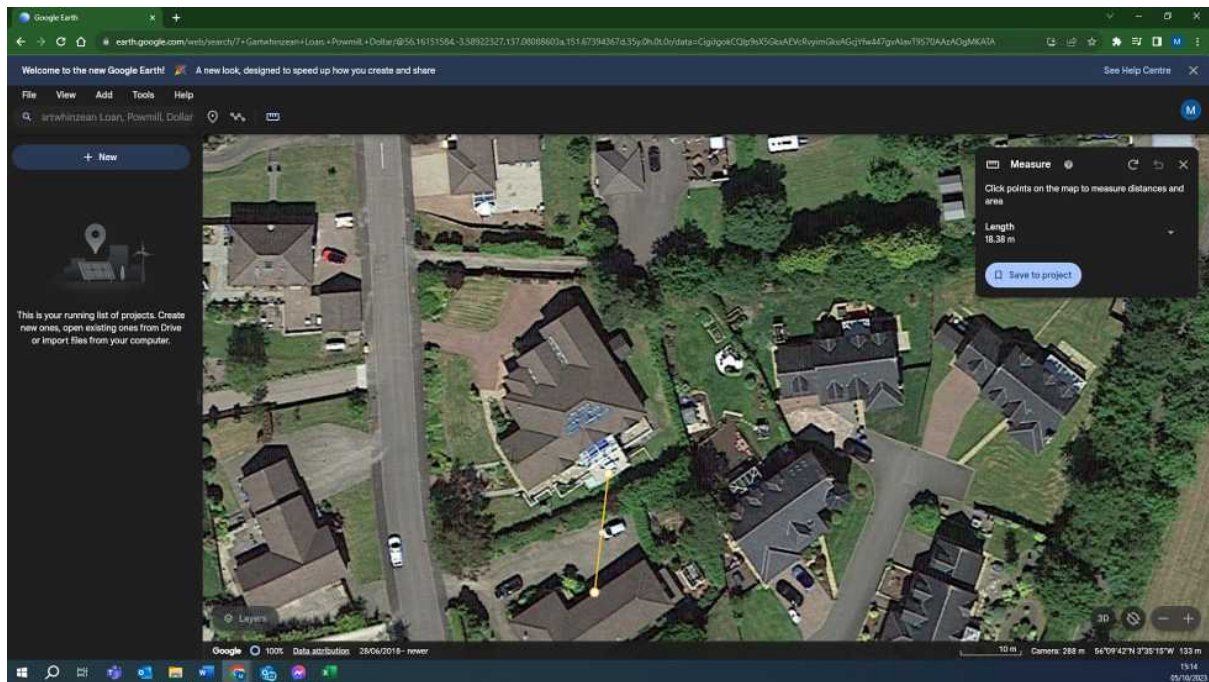
Historically the property has attracted large groups for parties; including hen and stag parties. After complaints made to the Perth and Kinross planning enforcement department, a Closing Report from PKC directed that the property is to be "occupied as a whole to one family or extended families, and this is not let to stag and hen parties" (report available for case reference number 22/00011/STL).

As recently as 19<sup>th</sup> May 2023 the property hosted a hen party (for which there is photographic evidence of a group of females, gathered and drinking alcohol in the back garden while sporting sashes that say 'Hen Party'). The owner seemed unaware or ambivalent that the guests were hosting a hen party, and further was unaware that this was expressly not permitted within the Closing Report from the Perth and Kinross Planning Enforcement Agency (case reference number 22/00011/STL).

Furthermore, despite the aforementioned Closing Report stating that the house is to be “occupied, as a whole to one family or extended families”, there is clear evidence that contrary to how the property continues to be used. From July 2023, there is publicly available evidence of the property being let to groups of friends rather than families (see screenshot of review from John, below, taken on 5<sup>th</sup> October 2023).



The property is designed to be let to large groups (up to 13 adults) which requires areas for gathering – this naturally results in groups often gathering at night to smoke, drink, and converse in outdoor areas (given that smoking is not permitted indoors). Unfortunately, this area is only 16 meters from my bedroom window and 18m from the bedroom window of my son (see screen shots below from Google Earth with distances).



As the rest of the street is so quiet, the noise carries. It has kept my family awake on many nights over the years that we have lived here. When guests regularly enter and leave the house, the outside light comes on and noise from inside the house (music and loud conversation – often with loud, coarse language – again for which there is video evidence) is carried outside. The pool has been fully equipped with a disco ball, multicoloured lights, and a sound system wired throughout the house (again for which there is video evidence). The fact that the pool is surrounded only by a single-glazed structure further amplifies the sound and light pollution out into the neighbourhood.

When guests arrive, there are often disturbances from late-night grocery deliveries. We have been woken by the sounds of glass, cans and general rubbish being disposed of late at night and early in the morning as unfortunately the bin storage is located next to our bedrooms. This has occurred as recently as Sunday 8<sup>th</sup> October 2023 where guests were loudly disposing of garbage at 10pm. Furthermore, we have regularly been disrupted by the arrival of buses late at night delivering large, loud, intoxicated groups back to the property.

The disruption, stress, insecurity, and anxiety this causes to my family and other neighbours negatively impacts our quality of life and my experience of living in this neighbourhood.

## **5. Public health and safety**

On occasions where the owners have been contacted regarding issues, there have regularly been several days delay to respond or responses indicating that the owners are unable to attend/ contact the guests. The owners manage the property themselves, and if they are away, there is no management whatsoever.

In these scenarios we have been left to put up with the disturbances ourselves which is very anxiety inducing. It is intimidating to approach a large group of intoxicated strangers and ask them to please keep the noise down or to move inside. My family have on occasion felt unsafe in doing so.

We have also sought advice from Citizens Advice, as well as Perth and Kinross safer communities' team, and Perth and Kinross planning council. None of which resulted in the owners taking sufficient actions to satisfactorily minimise the disruption to the neighbouring properties. We have been required to call the police on several occasions to help deal with anti-social behaviour. The behaviour has included, but is not limited to, noise nuisance and drunken behaviour such as screaming/ shouting, loud music, and loud swearing (which is particularly concerning as I have a young child who can hear these discussions). Fireworks have also been let off from the short-term let (during parties) that could easily land in surrounding properties. I understand that I am not the only resident who has felt no option but to complain to police. I am aware of at least four occasions of the police attending within the last two years to deal with anti-social complaints/ behaviour.

There seems to be a lack of awareness/willingness to comply with the minimal by the owners. For example, when a concern was raised regarding the hen party which took place in May, the owners informed us that they believed that it was their decision whether they accepted stag parties, and that it was not a decision which had been imposed by PKC (I can provide copies of the text exchange to corroborate this, if required). Their belief was obviously incorrect, and we had to direct them to the aforementioned Closing Report which they had been provided, and which expressly forbids use for these purposes. This non-compliance alludes to an ongoing sense of dismissiveness from the applicants about the negative impacts that the use of the house has on the neighbouring properties.

### **Non-compliance with application process for short-term license**

As mentioned at the start of this letter, regarding the process of applying for a license for short-term letting, despite publicly available and clear guidance detailing applicants responsibility (i.e. “you must notify neighbours of intent to apply” - [https://www.pkc.gov.uk/media/50146/Short-term-Lets-Information-and-Guidance/pdf/Short-term\\_Lets\\_-\\_Information\\_and\\_Guidance.pdf?m=637998779188800000](https://www.pkc.gov.uk/media/50146/Short-term-Lets-Information-and-Guidance/pdf/Short-term_Lets_-_Information_and_Guidance.pdf?m=637998779188800000)) - at time of writing, neither I, nor any of my neighbours have been engaged with by the applicants.

I believe this is because the applicants are fully aware of the difficulties their property has caused the neighbourhood and are not willing to take our neighbourhood's concerns into account. Furthermore, the guidance indicates that the applicants must clearly “display a site notice at or near the premises so it can be conveniently read by the public.” Despite the application being made on 28<sup>th</sup> September 2023 (according to the Perth and Kinross register), at the time of writing (22<sup>nd</sup> October 2023) there is still no visible notice. The applicants have not attempted to engage or provide reassurance despite being aware of the negative impact of the short term let on the community, and despite having been on the premises multiple times recently, having our phone numbers, and email addresses.

This could and should be a lovely family home in a nice community.

Thank you for providing the opportunity to raise our concerns. I hope that these are taken into consideration as we would dearly love to be able to live in peace and security in our own home.

Kindest regards,

Jason Craig