

Civic Licensing

From: Laura Witchalls [REDACTED]
Sent: 10 October 2023 13:58
To: CDS STL
Subject: Objection to license application PH2 8NJ flat G

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.

Good afternoon

New notice displayed flat G window on Monday 2nd October (please note this was dated 14/09/23)
 No other notices displayed in common areas.

Please accept below as objection to allocation of license:

Application Address : Flat G, Fiscals House, 3 South Street, Perth, PH2 8NJ
 Applicant : Ms Deirdre Brown

Objectors' Names : Donald & Wilma Graham
 Objectors' Address : The Garret, Flat E, Fiscals House, 3 South Street, Perth, PH2 8NJ

No notice received to date (10/10/23)
 Notice displayed at height in Flat G window (noted by neighbours) Monday 2/10/23.

Please note that neither us nor our neighbours are aware that any Public Notices have been displayed in the common areas inside the Fiscals House flats.

Also please note there have been unknown people seen leaving the flat (Sunday 8/10/23) unsure if still being rented out.

Reasons for Objection:

1. The above change of use would be in breach of the legally binding Deed of Conditions for the property relating to short term lets. The Deed (relevant page attached) applies to all of the flats in Fiscals House, 3 South Street, and all owners MUST comply with this Deed.
2. The Deed clearly states (Para 7.2) that the flats can only be occupied as a dwellinghouse for a single family. Renting the flat out as an AirBnB on a regular short term basis to numerous individuals is a clear breach.
3. The Deed also states (Para 7.3) that the dwellinghouse cannot be used to carry out any business (without consent of the Owners' Association). When this matter was raised at the Owners' Association meeting by Ms Deirdre Brown, objection to the use of Flat G as an AirBnB as is proposed was made by more than one flat owner in Fiscals House. Ms Brown ignored this objection and has been operating the flat as an AirBnB for some time with several separate bookings already made.
4. The Deed goes on to state separately (Para 7.3) that the flats cannot be used in any manner unreasonably to the annoyance of any other Proprietor. The noise and disturbance nuisance and regular changeover of Air BnB customers over the past 12 months has already caused such annoyance.
5. Security and Safety. The flats are accessed by a front door directly from South Street with a common key. This leads into a communal hallway, stair core and lift from which each flat is accessed with individual keys. The provision of the common keys to AirBnB customers poses a significant security risk to all of the other flats in the property.

6. The South Street front door has a secure electronic system with a separate doorbell for each flat. This ensures nobody can enter the premises unless known to us and invited in. That will not be the case if AirBnB customers have the main door keys and will be able to allow anybody else to enter via the South Street front door.
7. We are personally very concerned about the presence of numerous unknown individuals being given free access to the lift and stair core at any time of day or night, thereby being able to readily get access to our flat's door.

We hope you will consider these objections, and we respectfully request that you refuse this application for a change of use.

Please contact us by replying to this email or calling 07429 385409 should you require any further information or clarification of the above points.

Many Thanks

Laura Witchalls on behalf of
Donald & Wilma Graham

Attachment:

1. Extract from Deed of Conditions
<image1.jpeg>

Laura