

**LRB-2023-23****Review of Condition 2 on planning permission****23/00070/FLL – Change of use of road to form extension to outdoor seating area (for temporary period) at 145-151****South Street, Perth, PH2 8NY****INDEX**

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**LRB-2023-23**

**Review of Condition 2 on planning permission**

**23/00070/FLL – Change of use of road to form extension to outdoor seating area (for temporary period) at 145-151 South Street, Perth, PH2 8NY**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

Use **BLOCK CAPITALS** if completing in manuscript

**Applicant(s)**

**Agent (if any)**

Name

Name

Address

Address

Postcode

Postcode

Contact Telephone 1

Contact Telephone 1

Contact Telephone 2

Contact Telephone 2

Fax No

Fax No

E-mail\*

E-mail\*

Mark this box to confirm all contact should be through this representative:

Yes  No

\* Do you agree to correspondence regarding your review being sent by e-mail?

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

**Nature of application**

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

**Reasons for seeking review**

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

**Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

**Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- |  | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

**Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

PLEASE REFER TO ATTACHED STATEMENT.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes  No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

WE HAVE SUBMITTED A SUGGESTED MAINTENANCE PLAN IN RESPONSE TO CONDITION NO. 2 AND A REVIEW BY A SPECIALIST ROADS AND INFRASTRUCTURE ENGINEER.

**List of documents and evidence**

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

DOC 1 - SUPPORTING STATEMENT.

DOC 2. - REPORT BY ROADS AND INFRASTRUCTURE SPECIALIST.

DOC 3 - SUPPORTING BUSINESS STATEMENT.

DOC 4 - PROPOSED SITE PLAN WITH ADDITIONAL MARKS NOTED

DOC 5 - EXTERNAL SEATING AREA - MAINTENANCE PLAN.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

**Checklist**

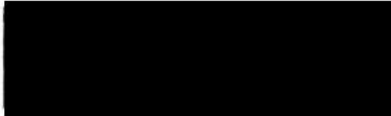
Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

**Declaration**

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed 

Date



## Notice of Review

Application Number 23/00070/FLL

Change of use of road to form extension to outdoor seating area (for temporary period) at 145 - 151 South Street, Perth, PH2 8NY

### Introduction

This Notice of Review is submitted following the approval of planning permission under delegated powers on the 22nd March 2023 for Change of use of road to form extension to outdoor seating area (for temporary period) at 145 - 151 South Street, Perth, PH2 8NY. The Review site is within the city centre of Perth and is part of a long-established local business.

The reason for our appeal to the local review body is to make a case for rewording of the the following condition appended to the planning approval to permit an annual renewal:

#### *Condition No 2.*

*Permission is hereby granted for a limited temporary period. The use of the seating area must cease by Monday 2nd October 2023 and the entirety of the temporary structure removed by Friday 6th October 2023.*

*Reason - In view of the nature of the development and location of the proposed development on a main arterial route into Perth city centre and due to the requirement to ensure ongoing maintenance of the gullies and road network in this location.*

#### Background to the request to reword Condition No. 2

The applicants have owned and ran That Bar and the Loft for a considerable number of years and have provided a supporting statement expressing the positive impact the external seating has had on the sustainability of the business, especially in the challenging post covid

times and with the cost of living increases experienced currently, where the hospitality industry has been yet again effected.

The seating has been institute since 2021 on a rolling 12 month consent, as a result the business has been able to establish the benefits the seating has brought to the business. The seating is located on South Street, strategically situated in the City Centre to the immediate south of That bar and the Loft owned by the applicants.

The proposed outdoor seating lies in a mixed use area; with the surrounding area comprising business, shops and services, food and beverage outlets, hotels, and education institution and residential properties. Although the decline in recent years of business within the city centre is ever evident and South Street is no exception.

The outdoor seating area, the parklet, was kindly offered to the applicants by Perth and Kinross Council. The area is situated adjacent to That Bar lounge 145-153 South Street, Perth, the area as identified in the supporting application drawings has been an essential addition to the applicants operational floorspace throughout the exceptionally difficult times of the pandemic.

The identified area has allowed the applicant to increase their potential customer covers by 24 (6 tables of 4) for table service of both food and drink.

They have received many positive comments from customers, council officials and the public in general, including many tourists visiting from out with Perth, on how good the parklet looks and enhances the area giving a very continental look and feel. They have also had positive feedback from wheelchair users who can access the seating area as a result of the level access.

The applicants have invested heavily in the streetscape feature, with the installation of high quality gazebos, lighting and decking to level-off the potential trip hazard of the kerb and allow disabled/wheelchair access to the area.

Given the ongoing success of the seating area the applicants were disappointed to understand earlier this year that the timeframe of the consent was being reduced. Especially when considering a similar business on The High Street, Application Reference : 22/00035/FLL Formation of outdoor seating area for a temporary period (in retrospect) at

235 High Street Perth PH1 5PB, was granted Permission for a limited period until 31st March 2025.

In this Review we have consulted a Roads and Infrastructure Specialist to advise on the points picked up by the Roads Department as highlighted within the Internal Consultee Response From the Roads Department to the planning application – Dated 22<sup>nd</sup> March 2023, extract below. Upon a review with the roads engineers and the applicants we strongly feel the introduction of a maintenance management plan would address and alleviate the roads departments concerns permitting the external seating to remain on a rolling consent basis.

Point 1:

*The Roads Maintenance Partnership have raised concerns with the proposal with respect to being able to access, maintain and inspect the carriageway. At the location of the seating area, there has been issues with access for the gully motor to be able to gain access and clean the drainage system in this location, this has led to ponding of water.*

Point 2:

*During the winter period when treatment of the road is being undertaken, debris materials will collect under the outdoor seating area, which has resulted in materials restricting the flow of water. With the outdoor seating area in place, it makes it difficult for maintenance to be undertaken.*

Point 3:

*Concerns have also been raised by the Streetlighting Partnership in terms of being able to maintain street lighting, Christmas Lights and access to the control pillar.*

Point 4:

*It is therefore recommended that the seating area must cease operation before Monday 2 October 2023 and removed from its location by Friday 6 October 2023. A condition is recommended for the outdoor seating to be removed.*

*Insofar as the Roads matters are concerned, I have no objections to this proposal with a condition recommending removal by Friday 6 October 2023.*

Our engineer has appended a detailed report highlighting each point and outlined in detail an assessment of the aspects noted which have formed the basis of the suggested maintenance plan also appended to this document. We have also updated the site plan to demonstrate an addition two access hatches for ongoing cleaning and maintenance as highlighted in the appended maintenance plan.

## Conclusion

Given the appended technical documents supporting the introduction of a management plan, demonstrating that there is technically no issues with the seating area and the required access, we make representation to have the Condition number 2 reworded to either provide consent until 2025, in line with other consents granted within the city centre area or to be granted on an annual rolling basis.

For the reasons outlined above, we feel the application in supporting the rewording of Condition number 2 is a fair and reasonable request.

**Centreglobal Ltd**  
153 South Street  
Perth  
PH2 8NY



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**THAT BAR LOUNGE & LOFT NIGHTCLUB  
ROAD DRAINAGE REVIEW & STREET LIGHTING ACCESS  
SITE INSPECTION SUMMARY REPORT**

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**Allen Gordon LLP**  
Saltire House  
Whitefriars Business Park  
Perth  
PH2 0PA  
t. 01738 639881  
e. perth@allengordon.co.uk

**Report Ref.** 603959-REP-0001-01  
**Date** 21 June 2023

### Issue and Revision Record

Rev	Date	Originated	Checked	Approved	Description
AGC	21/06/2023	AGC	GJD	GJD	First issue

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**CONTENTS**

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2. Inspection Summary.....1

## 1. Introduction

- 1.1 Allen Gordon LLP were appointed by Centreglobal Ltd to inspect the external seating area at That Bar lounge and Loft nightclub and to prepare a summary inspection report in relation to road drainage and street lighting access requirements.
- 1.2 The arrangement of the external seating area appears to offer some protection to guests by directing them away from the road and guiding them to use the footway. The following comments are general observations in relation to road drainage and street lighting access requirements and are not intended as a safety audit of the external seating area.

Our inspection was made on the 16<sup>th</sup> June 2023 @ 14:00, accompanied by Craig Fraser (Centreglobal Ltd) and Jane Brewster (Urban Rural Design).

## 2. Inspection Summary

- 2.1 Free and unobstructed access to the lighting control pillar appears to be achievable.





- 2.2 Existing street lights fixed to the building at high level, access for maintenance appears to be achievable with the removal of non-fixed chairs, tables and café barriers.



- 2.3 Decking end cap could impose a restriction on flow in the road channel. It is suggested that the opening should be increased to a minimum of 600mm. Consideration should be given to using a brushed door seal (Stormguard or similar) to avoid restricting the channel flow while preventing debris from being washed under the decking.



- 2.4 The gully access hatch appears to give adequate access for routine gully maintenance (i.e. by suction vacator).



- 2.5 Conspicuous signage alerts road users to the presence of the external seating area. Consider routine inspection of planting to ensure that vegetation does not obscure the signage.



- 2.6 Planters placed on the footway will require mechanical plant to move them if access to the lighting head is required. Centreglobal Ltd have advised that they have access to appropriate plant.



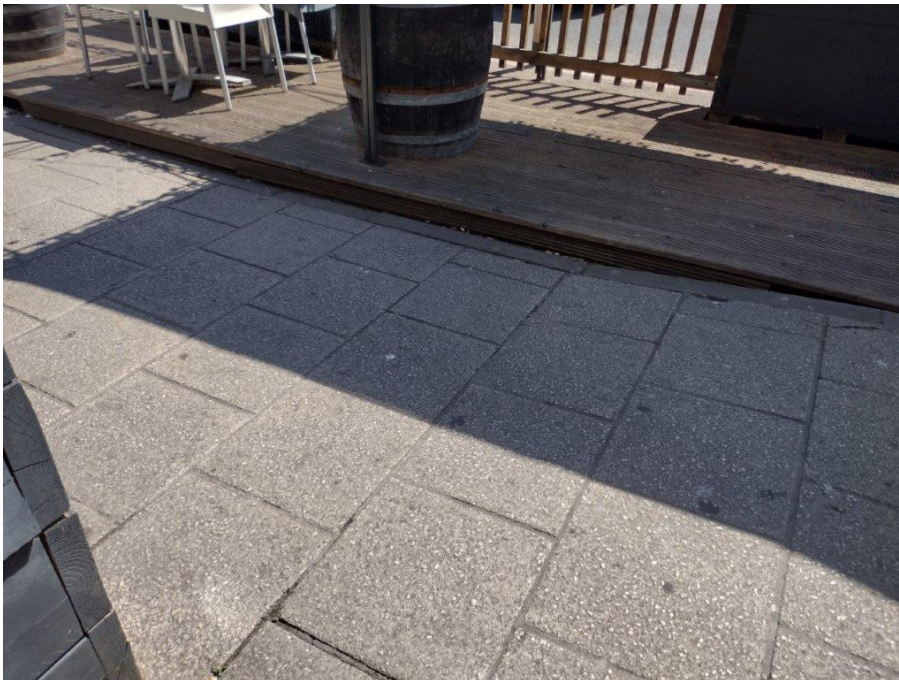
- 2.7 The Council will require to give prior notice to the pub operator to allow the removal of non-fixed seating, tables and café barriers to facilitate maintenance. The operator should maintain dialogue with the Council's lighting department.



- 2.8 There do not appear to be any hangers for festive lighting along the frontage of the external seating area. Clarification should be obtained from the Council to confirm the locations of lighting hangers as identified in the planning conditions.



- 2.9 A removable front capping and a few extra access hatches would allow easier routine maintenance e.g. clearance of any debris collected beneath the decking.



- 2.10 The operator is advised to seek guidance on the design of the light pedestrian barriers located on the road edge (in between the heavy-duty planters). A minimum height of 1.2m is generally considered to be required as fall protection. The individual components and the whole arrangement of the barrier should be reviewed for compliance with current fall protection requirements given the proximity to traffic. The operator should try to prevent patrons from sitting on the planters thus reducing the risk of falling outwards into traffic.



## **Supporting Business Statement \_ Prepared by Central Global Ltd**

Craig Fraser

June 2023

### **Overview**

We at Centreglobal Ltd t/a That Bar lounge & Loft nightclub have operated from this location for a period of 25 years now and have experienced many peaks and troughs in the level of trade over the years, but nothing like the substantial decline due to the pandemic of 2020/22, as felt by many other businesses alike.

It was greatly appreciated, and of massive assistance, when Emily Queen (Perth and Kinross Council) got in touch to offer the facility of the 'parklet' to help our business attempt to ride out the negative impact of the pandemic and try and recover on the other side with the help of the additional outside seating space.

We feel we have maintained & enhanced the initial structure provided by Perth and Kinross Council to keep the area safe and visually more continental with substantial investment in quality gazebo structures, lighting, decking, exterior furniture, paint, decorative gravel & additional planting in the hope that we may be able to retain the facility for many years to come.

The current cost of living crisis, along with the substantial increased energy costs, mean that we have to offer our customers as good an experience as possible, the exterior parklet seating area has contributed to this over the last two years.

To close this space will have a detrimental effect to the business which we have tried to maintain since Covid restrictions were relaxed.

### **Benefits**

Based on the additional number of covers this outside area allows us, we are able to justify employing an additional 4 or 5 staff between kitchen, bar & waiting staff.

Disabled customers have commented on how good the 'parklet' is for wheelchair access as they don't have to think about getting up or down kerb areas unlike other parklets within the city. We have also found that the parklet has had a great safety aspect as it becomes a physical barrier to our customers leaving our premises, stepping off the pavement out onto a potentially busy road of traffic as it diverts them either left or right along the pavement.

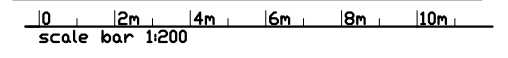
As noted in the rest of this appeal/report there are potentially a few minor issues that may require to be addressed, but we feel nothing that cannot be remedied and we, as a long standing company within the community, are more than happy to play our part. We are already looking after the structure, and have learned annually about any minor issues that may arise, but are happy to put in place a planned maintenance schedule to help prevent any future occurrence and be guided by Perth and Kinross Council.

During the two and a half years that the 'parklet' has been in situ we are not aware of a single incident caused by the structure to pedestrians or traffic vehicles alike, we have a very good relationship with all emergency services and Perth and Kinross Council licensing department and have has no issues or negative comment from any party either.

Scott Street

South Street

Copyright, Urban Rural Design Studio ©  
Figured dimensions only are to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand. IF IN DOUBT PLEASE ASK



Proposed new  
Access  
Hatch - For  
Cleaning

Proposed new  
Access  
Hatch - For  
Cleaning

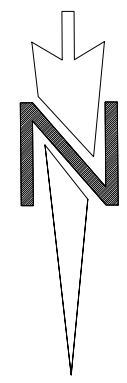
Existing Access  
Hatch - Manhole

That Bar

Shop Unit



jbrewster@urds.co.uk  
07827 947 143  
www.urds.co.uk



Project:  
Outside Seating Area  
That Bar  
South Street  
Perth

Client:  
Centre Global

Title:  
Site Plan \_ Proposed  
Access Hatches

Status:  
For Planning

Ref: PL(20)004      Revision: A

Scale: 1:200 @A3      Date: 19/06/2023

Scott Street

Proposed Layout Plan - Access Hatches

1:200 @ A3

# External Seating Area \_ Maintenance Plan

That Bar \_ 145 - 151 South Street, Perth. PH2 8NY

Revision: Rev A

Date:19/06/2023

Ref:	Maintenance Item:	Actions Required For Maintenance			Frequency
		Action Required	Party to Carry Out Maintenance	Responsible Party	

1.0 General Maintenance Items					
1.1	Service access to the existing Streetlighting fixed to the building at high level for maintenance.	Maintenance access appears to be achievable with the removal of non-fixed chairs, tables and café barriers.	Perth and Kinross Council to advise when maintenance is required	That Bar + PKC	TBC
1.2	To avoid ponding of water at Decking area. Drainage channel to be maintained and cleaned.	<p>End cap notched to provide a drainage channel but flow may need to increase. Ponding to be monitored and channel cleaned out weekly to avoid any debris blocking the channel.</p> <p>If channel capacity not large enough suggested increase opening to a min 0.6m. Consider using a brushed door draft threshold Stormguard or similar arrangement to avoid impeding the channels flow while restricting debris being washed under decking.</p>	That Bar	That Bar	Weekly

1. Maintenance plan to be reviewed annually.
2. To be read in conjunction with Engineers Report.



# External Seating Area \_ Maintenance Plan

That Bar \_ 145 - 151 South Street, Perth. PH2 8NY

Revision: Rev A

Date:19/06/2023

Ref:	Maintenance Item:	Actions Required For Maintenance			Frequency
		Action Required	Party to Carry Out Maintenance	Responsible Party	
1.3	Existing Gully to be cleaned and serviced.	<p>Gully Access hatch to be maintained and appears to adequately service the routine gully maintenance operation by suction vacator.</p> <p>Arterial and city centre routes generally should be cleaned once per year.</p> <p>However, stretched road maintenance budgets would most likely increase the period between visits from 3 to 5 years unless it's on a flood susceptible road.</p>	Perth and Kinross Council to advise when maintenance is required	That Bar + PKC	Annually
1.4	Cleaning of potential debris under the decked area, additional access locations noted.	Cleaning of decked sections to be carried out by sucking debris from under decked area.	That Bar	That Bar	Bi- Monthly
1.5	Christmas Lighting	Support and power for Christmas lighting is out with the of external seating and therefore not effected. Should special access be required That Bar are entirely happy to assist as required.	Streetlighting Partnership + That Bar	Streetlighting Partnership + That Bar	As required

1. Maintenance plan to be reviewed annually.
2. To be read in conjunction with Engineers Report.



**LRB-2023-23**

**Review of Condition 2 on planning permission**

**23/00070/FLL – Change of use of road to form extension to outdoor seating area (for temporary period) at 145-151 South Street, Perth, PH2 8NY**

**PLANNING DECISION NOTICE**

**REPORT OF HANDLING**

**REFERENCE DOCUMENTS**





Centre Global Ltd  
c/o Urban Rural Design Studio  
Jane Brewster  
Rotmell Farm  
Ballinluig  
Pitlochry  
Perthshire  
PH9 0NU

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **22nd March 2023**

Town and Country Planning (Scotland) Acts.

Application Number **23/00070/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 22nd January 2023 for planning permission for Change of use of road to form extension to outdoor seating area (for temporary period)  
at 145 - 151 South Street Perth PH2 8NY subject to the undernoted conditions.

**David Littlejohn**  
**Head of Planning and Development**

Conditions referred to above

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

- 2 Permission is hereby granted for a limited temporary period. The use of the seating area must cease by Monday 2nd October 2023 and the entirety of the temporary structure removed by Friday 6th October 2023.

Reason - In view of the nature of the development and location of the proposed development on a main arterial route into Perth city centre and due to the requirement to ensure ongoing maintenance of the gullies and road network in this location.

- 3 The hours of operation of the outdoor seating area shall be restricted to between 1130 to 2200 hours Monday to Sunday.

Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

- 4 No music, amplified or otherwise, shall be permitted in the outdoor seating area at any time.

Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

- 5 The development shall maintain access at all times to all publicly maintained areas, including street lighting and statutory undertakers' apparatus. All structures occupying the carriageway must be moveable and non-permanent and removed by the applicant upon request by Perth & Kinross Council as Planning Authority.

Reason - In order to allow for suitable maintenance to be undertaken.

- 6 In the event that the use is discontinued, the development authorised by this permission shall be removed and the site reinstated to a condition agreed in writing by the Council as Planning Authority, prior to reinstatement works commencing.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

#### Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

#### Informatives

- 1 The applicant should be advised that in terms of Section 59 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to place obstructions in existing public road or footway areas.
- 2 This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:

Displayed in a prominent place at or in the vicinity of the site of the development  
Readily visible to the public  
Printed on durable material.

**The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page**

#### Plan and Document Reference

01

02

03

04

05

## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	23/00070/FLL	
Ward No	P12- Perth City Centre	
Due Determination Date	21st March 2023 Extended to 7th April 2023	
Draft Report Date	22nd March 2023	
Report Issued by	JW	Date 22 March 2023

**PROPOSAL:** Change of use of road to form extension to outdoor seating area (for temporary period)

**LOCATION:** 145 - 151 South Street Perth PH2 8NY

#### **SUMMARY:**

This report recommends **approval** of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

#### **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Full planning permission is sought for the further temporary retention of a covered outdoor seating area and associated works at 154-151 South Street within the centre of Perth. This outdoor seating area is located within car parking bays on the public highway outside "That Bar" and "The Loft" and was erected during the covid 19 pandemic to cater for social distancing requirements at the bar. The seating area is already in place as it was permitted under the Council's 'Spaces for People, Shops and Businesses' guidance. This guidance was prepared to assist businesses and allow them to better function during the COVID-19 pandemic. The guidance allowed for some temporary measures, such as outdoor seating areas, until 31st March 2022. Planning permission (22/00057/FLL) was then granted to retain the structure for a period of 12 months until 31st March 2023 and this follow up application seeks to retain the structure for a further temporary period of 12 months.

The seating area increases the number of covers for the bar by 24 - 6 tables of 4.

#### **SITE HISTORY**

00/01059/FUL Re-sheeting of roof over first floor to rear of premises at 22 August 2000 Application Approved

01/00578/FUL Formation of glazed enclosure to rear access stair at 1st floor Loft Restaurant at 1 August 2001 Application Approved

01/00934/ADV Display of box signs on fascia at 20 November 2001 Application Approved



01/01833/MOD Modification of existing consent to change the roof finish to enclosure of rear access stair at first floor at 14 February 2002 Application Approved

02/01134/FUL Change of use to public house, restaurant and entertainment facility at 19 November 2002 Application Approved

93/01008/FUL CHANGE OF USE FROM RETAIL TO HEALTH CLUB AT 16 September 1993 Application Refused

97/00095/FUL Change of use of retail unit to public house and restaurant at 14 April 1997 Application Approved

97/01163/FUL Modification of alterations for change of use at 20 November 1997 Application Approved

03/02069/FUL Change of use of shop to form extension to existing bar 1 March 2004 Application Withdrawn

04/01551/FUL Formation of raised outdoor seating area for bar (11a.m. to 11 p.m.) 27 October 2004 Application Refused

06/00249/FUL Erection of a temporary smoking shelter (for 5 years) within courtyard to rear 24 May 2006 Application Refused

11/00366/FLL Change of use from retail unit to form new bar and seating area 13 May 2011 Application Approved

13/01799/FLL Alterations to frontage 6 December 2013 Application Approved

14/00183/FLL Part change of use of pavement to form outdoor seating area 8 May 2014 Application Approved

15/00202/FLL Permanent retention of outdoor seating area 28 April 2015 Application Approved

22/00057/FLL Change of use of road to form extension to outdoor seating area and associated works (in retrospect)  
2 March 2022 Application Approved

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: None

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

## **National Planning Framework 4**

The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4:

Policy 7: Historic Assets and Places

Policy 14: Design, Quality and Place

Policy 23: Health and Safety

Policy 26: Business and Industry

Policy 27: City, Town, Local And Commercial Centres

## **Perth and Kinross Local Development Plan 2 – Adopted November 2019**

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 11: Perth City Centre Secondary Uses Area

Policy 18: Pubs and Clubs in Residential Areas

Policy 27A: Listed Buildings

Policy 28A: Conservation Areas: New Development

Policy 56: Noise Pollution

Policy 60A: Transport Standards and Accessibility Requirements: Existing Infrastructure

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

## **Statutory Supplementary Guidance**

- [Supplementary Guidance - Developer Contributions & Affordable Housing](#) (adopted in 2020)
- [Supplementary Guidance - Flood Risk and Flood Risk Assessments](#) (adopted in 2021)
- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

## **OTHER POLICIES**

### **Non Statutory Guidance**

- [Conservation areas](#)

## **NATIONAL GUIDANCE**

The Scottish Government expresses its planning policies through The National Planning Framework, Planning Advice Notes, Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

### **Planning Advice Notes**

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 68 Design Statements
- PAN 75 Planning for Transport

### **Creating Places 2013**

Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

### **Designing Streets 2010**

Designing Streets is the policy statement in Scotland for street design and changes the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It was created to support the Scottish Government's place-making agenda, alongside Creating Places.

### **National Roads Development Guide 2014**

This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

## CONSULTATION RESPONSES

### Internal

Transportation And Development – concerns expressed regarding ability of public assets and gulleys to be maintained due to limited access. Some concerns expressed regarding implications on strategic use of South Street

Development Contributions Officer – no contribution required

Environmental Health (Noise Odour) – no objection subject to conditions

Conservation Team – no objection to temporary retention

Structures And Flooding – no objection

### External

None

## REPRESENTATIONS

3 representations were received and the comments may be summarised as follows:

- Impact on residential amenity/noise generation
- Loss of car parking bays
- Impact on road and pedestrian safety

The above issues are addressed within the appraisal section below.

### Additional Statements Received:

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment under Habitats Regulations	Habitats Regulations AA Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

## APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises NPF4 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more

detail below. In terms of other material considerations, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

In this instance, section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities in determining such an application as this to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is relevant and requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

### **Policy Appraisal**

The formation of an outdoor seating area adjacent an existing public house within a city centre location is acceptable in principle, providing it is compatible with the surrounding environs and is not of detriment to the character and amenity of the area.

In this instance, it is considered that an outdoor seating area in this location would be compatible with the surrounding environs. The site is located in the on South Street in the city centre where there are a number of different uses present. This part of Perth is allocated in the Local Development Plan for City Centre Secondary Uses which allows use for businesses and leisure. The use of the land as an outdoor seating area would therefore not be out of place in this location. It is also considered that suitable planning conditions can be applied to ensure that the amenity of the area is not compromised. This will be discussed further within the 'residential amenity' section of this report. Overall, it is considered that the principle of the development is acceptable and therefore complies with the requirements of Policies 11 and 18 of the LDP2 and 26 and 27 of NPF4. Attention now turns towards the detailing of the proposed scheme.

### **Design, Layout and Conservation Considerations**

The proposal involves a timber deck area which extends to a length of 24.5 metres. The decking area is surrounded by timber fencing and a bamboo facade on three sides with the north paving side open to the public footpath. The seating area is covered by a black hipped roof style fabric which extends along its entire length. Internally there are planters and seating areas.

In terms of the impact on the character and appearance of the conservation area the Conservation Officer has no concerns regarding the retention of the bamboo screening and associated works for a temporary period. With regards to design and layout the proposal is not considered to conflict with the Placemaking aims of the

Local Development Plan or adversely affect the setting of Listed Buildings given the temporary nature of the development.

Taking the above into account there is no conflict with Policy 1A, Policy 1B: Placemaking, Policy 27A: Listed Buildings or Policy 28A: Conservation Areas: New Development. The proposal is also considered to comply with Policy 7 and 14 of NPF4.

### **Residential Amenity**

Consultation with Environmental Health confirms that there are residential properties in the surrounding area and there is the potential for noise from the proposed development to affect residential amenity. However, this area has been utilised as an outdoor seating area during the coronavirus pandemic and the Environment Service is not aware of any complaints having been received. An objection has, however, been received regarding disturbance from the use of the facility particularly after closing times of the bar.

The consultation response from Environmental Health notes that consideration should be given to operational noise to ensure that activities such as patron noise, music etc be controlled and not affect neighbouring properties. Conditional control is recommended to limit the time when the area can be utilised from 1130 to 2200 hrs Monday to Sunday which is considered to be appropriate to limit the impact on residential neighbours and to ensure that patrons do not congregate in this area after 2200hrs.

With conditional control applied there is no conflict Policy 11: Perth City Centre Secondary Uses Area, Policy 18: Pubs and Clubs in Residential Areas or Policy 56: Noise Pollution. The proposal also complies with Policy 23 and 27 of NPF4.

### **Roads and Access**

The Council's Transportation and Development Team were consulted as part of this application and have raised some concerns regarding the use of the public road for this seating area given that South Street forms a principal arterial route into the centre of Perth and has the potential for strategic improvements in the future to the road network in Perth. They have also raised concerns regarding the ability to maintain gullies underneath the structure which will be referenced in more detail in the paragraphs below.

They have, however, not raised any concerns about how the structure impacts on general road safety in terms of use of the public road and public footway. There have been no concerns expressed regarding the loss of car parking which results from the temporary structure. There have, however, been some concerns expressed regarding the loss of a taxi rank which once operated from this location and helped to disperse patrons from nearby night life establishments.

Transportation and Development have indicated that South Street could potentially form part of strategic upgrades and changes to the road network within central Perth within the short to medium term and therefore have indicated that it is important to

ensure the Council retains future control of this part of the road should any works be required. Policy 60B of the LDP2 requires that new development should fit into the strategic aims and objectives of the Council. Therefore, in order to secure this it is considered to be appropriate to limit planning permission again on this site for a temporary period. Therefore, the use is considered to be appropriate in terms of road and traffic safety but it has to be recognised that the Council may seek to utilise the road for future works at some point and therefore this requires to be taken into account in this determination.

Subject to a condition to limit the permission to a temporary period, there is no conflict with Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

### **Temporary Consent and Maintenance of Road and Gullies**

The works which have been carried out are by nature, temporary and therefore do have some visual impact on the surrounding area given the temporary appearance. It is the policy of the Council not to approve structures of this nature permanently but rather to ensure that any permission is restricted to a temporary period only as is the case for other similar seating areas of this nature.

At the location of the structure, there have been issues with access for the Roads Maintenance Partnership's gully motor vehicle to be able to gain access and clean the drainage system in this location, this has led to ponding of water. This is a vehicle which extracts silt and debris from the drainage system and then jets water through to ensure it is operational. This is despite condition 5 of the existing permission which requires that access should be available at all times to carry out maintenance of public areas. This has, unfortunately, proven difficult, during the last temporary period, principally due to the nature and scale of the temporary structure, its location and the difficulty in moving it.

During the winter period when treatment of the road is being undertaken, debris materials will collect under the outdoor seating area, which has resulted in materials restricting the flow of water. With the outdoor seating area in place, it makes it difficult for maintenance to be undertaken.

Concerns have also been raised by the Streetlighting Partnership in terms of being able to maintain street lighting, Christmas Lights and access to the control pillar.

Due to the difficulty in maintaining the road/drainage system in this location and the difficulty in having a structure of this size moved in order to carry out maintenance, following discussion with Transportation and Development the intention is to recommend the application for approval but to restrict the temporary timescale. The condition will require the use of the temporary seating to cease by Monday 2nd October 2023 and for it to be removed from its location by Friday 6th October.

This timescale will allow the outdoor seating to be utilised during the busier summer months including the Glorious Finale of Perth Races when it is assumed the premises may be busier and the proposed date has been chosen in order to limit the extent of impact as much as possible on the operation of the business whilst

providing a reasonable timescale for arrangements to be made for the structure's removal.

The length of temporary permission is being limited until October 2023 and it is recognised that this is a lesser timescale than other recent permissions in the city centre but this is due to the strategic importance of South Street to the road network and the difficulty in maintaining the gullies and road network in this location.

Given the issues outlined above regarding the impact on the strategic road network, the associated temporary nature of the works and the maintenance requirements it is considered appropriate to limit the consent period for the seating area until October 2023. This will allow the applicant to continue with this successful business operation in the short term whilst providing the Council with some flexibility in considering the potential future need for this area of road way for strategic improvements to the road network and to enable the Council to carry out the required ongoing maintenance to gullies and the road network once the structure has been removed from the site in October 2023.

### **Drainage and Flooding**

As mentioned above there are concerns with the ability for the Roads Maintenance Partnership to maintain gullies which is referenced above and therefore the permission is limited to a temporary period.

### **Economic Impact**

The economic impact of the proposal is likely to be of benefit to the existing public house by providing enhanced facilities. There may also be an increase in footfall to the area which may be of benefit to surrounding businesses. The economic benefit is considered to have some weight in the assessment of this application but is not considered to be of such merit to outweigh the concerns regarding ongoing maintenance and the reasons for limiting the timescale of the temporary permission.

### **Developer Contributions**

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

## **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **CONCLUSION AND REASONS FOR DECISION**

To conclude, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect,



the proposal is considered to comply with NPF4, and the adopted Local Development Plan 2 (2019). Account has been taken of the relevant material considerations and none has been found that would justify overriding the Development Plan.

Accordingly the proposal is approved subject to the following conditions.

### **Conditions and Reasons**

1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

2 Permission is hereby granted for a limited temporary period. The use of the seating area must cease by Monday 2nd October 2023 and the entirety of the temporary structure removed by Friday 6th October 2023.

Reason - In view of the nature of the development and location of the proposed development on a main arterial route into Perth city centre and due to the requirement to ensure ongoing maintenance of the gullies and road network in this location.

3 The hours of operation of the outdoor seating area shall be restricted to between 1130 to 2200 hours Monday to Sunday.

Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

4 No music, amplified or otherwise, shall be permitted in the outdoor seating area at any time.

Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

5 The development shall maintain access at all times to all publicly maintained areas, including street lighting and statutory undertakers' apparatus. All structures occupying the carriageway must be moveable and non-permanent and removed by the applicant upon request by Perth & Kinross Council as Planning Authority.

Reason - In order to allow for suitable maintenance to be undertaken.

6 In the event that the use is discontinued, the development authorised by this permission shall be removed and the site reinstated to a condition agreed in writing by the Council as Planning Authority, prior to reinstatement works commencing.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

## **Justification**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

## **Informatives**

1 The applicant should be advised that in terms of Section 59 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to place obstructions in existing public road or footway areas.

2 This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:

Displayed in a prominent place at or in the vicinity of the site of the development  
Readily visible to the public  
Printed on durable material.

## **Procedural Notes**

Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

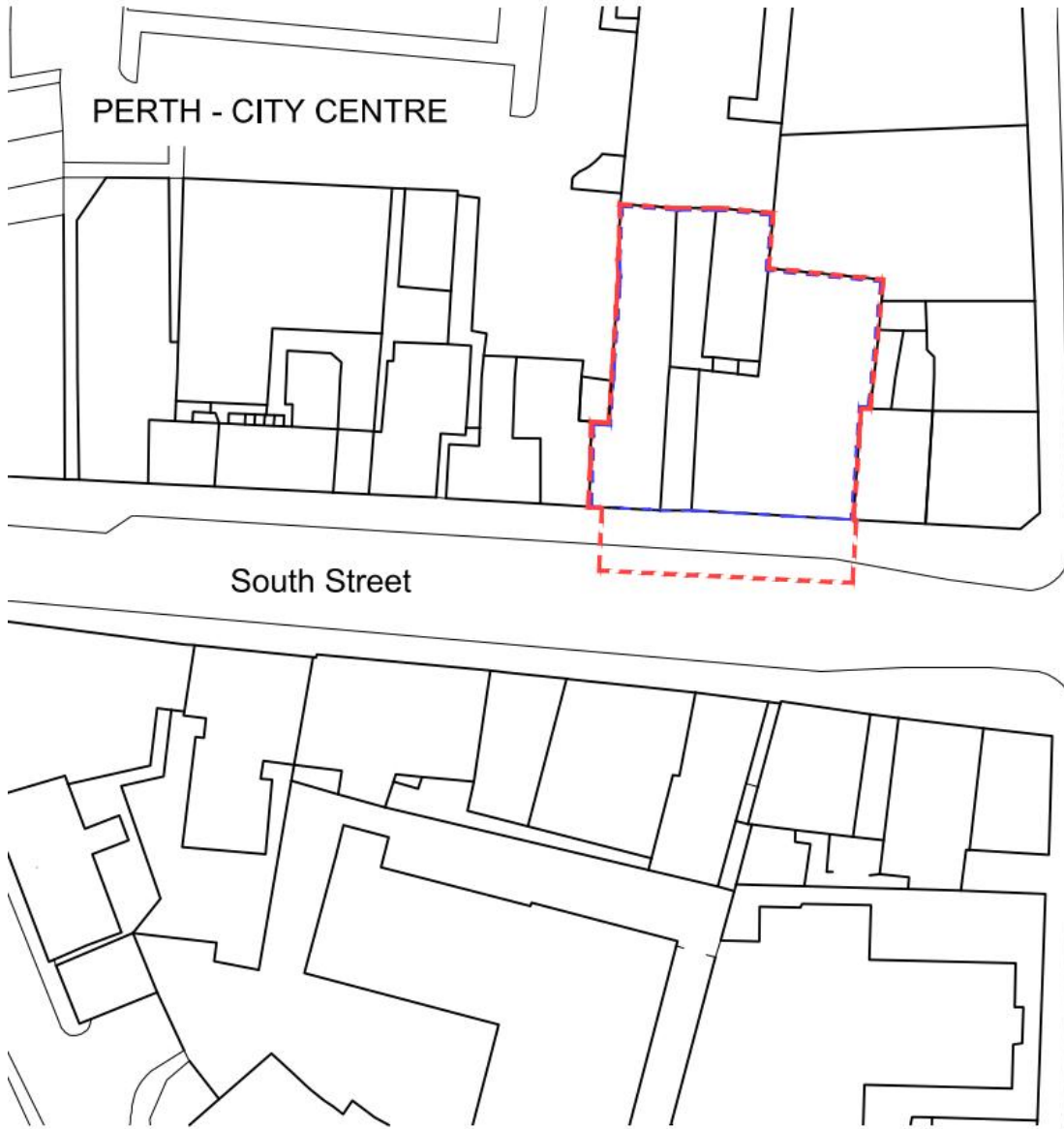
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02

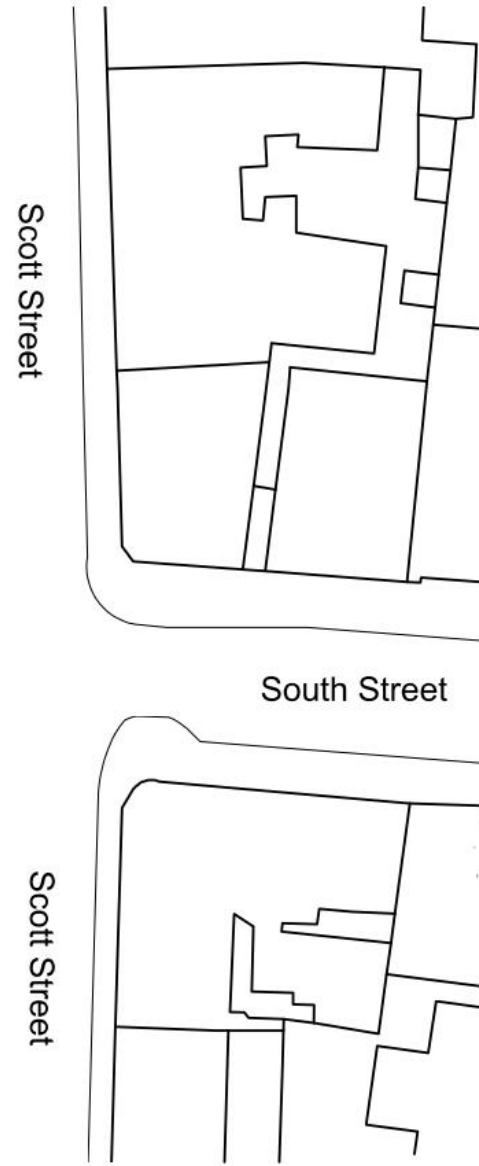
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04

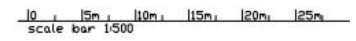
05



Existing & Proposed Site Location Plan  
1:500 @ A3



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Figured dimensions only are to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand. IF IN DOUBT PLEASE ASK



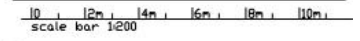
jbrewster@urds.co.uk  
07827 947 143  
www.urds.co.uk

Project:	
Outside Seating Area That Bar South Street Perth	
Client:	
Centre Global	
Title:	
Existing / Proposed Site Location Plan	
Status:	
For Planning	
Ref:	Revision:
PL(90)001	A
Scale:	Date:
1:500@A3	10/01/2022

Scott Street

South Street

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IF IN DOUBT PLEASE ASK



Existing External Seating Area

That Bar

Manifesto

**UR**  
**URBAN RURAL**  
DESIGN

jbrewster@urds.co.uk  
07827 947 143  
www.urds.co.uk

Project:

Outside Seating Area  
That Bar  
South Street  
Perth

Client:

Centre Global

Title:

Existing  
Context Plan

Status:

For Planning

Ref: Revision:

PL(20)003

A

Scale: Date:

1:200 @A3

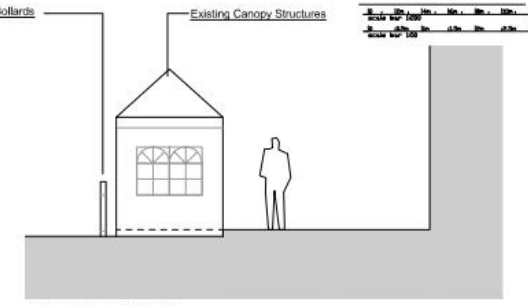
20/01/2022

Scott Street

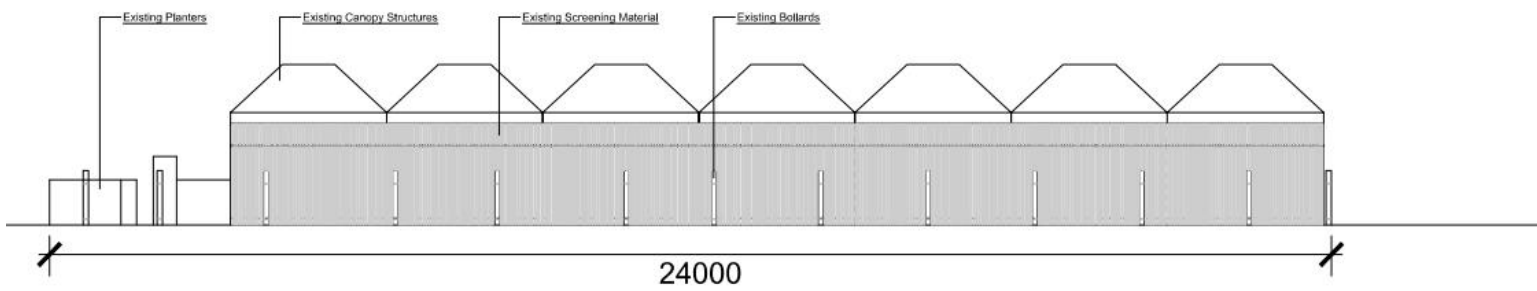
Existing - Context Plan  
1:200 @ A3



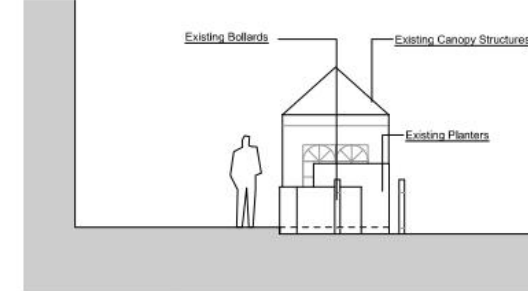
Proposed North Elevation  
 1:50 @ A1



Proposed East Elevation  
 1:50 @ A1



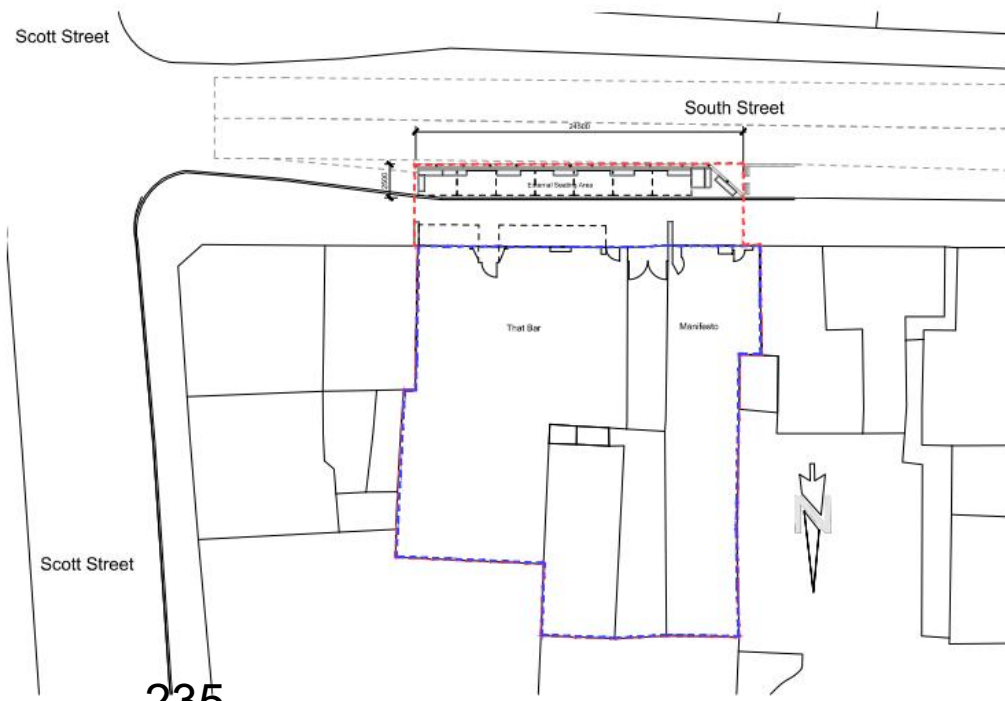
Proposed South Elevation  
 1:50 @ A1



Proposed West Elevation  
 1:50 @ A1

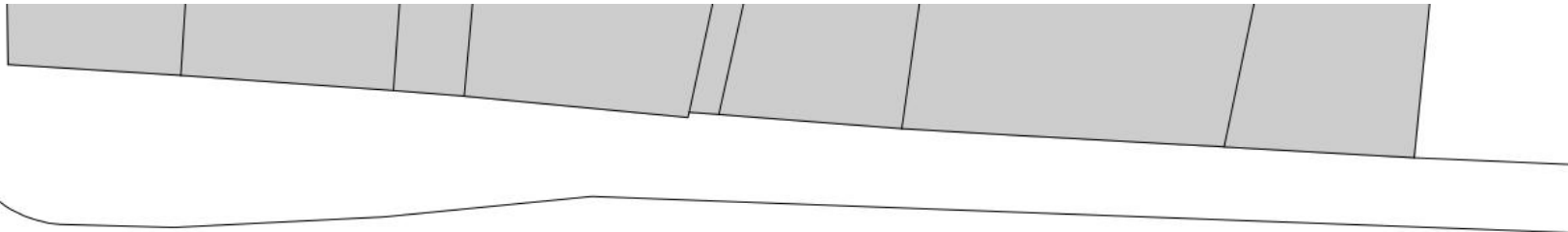


Existing Photos Of External Seating NTS

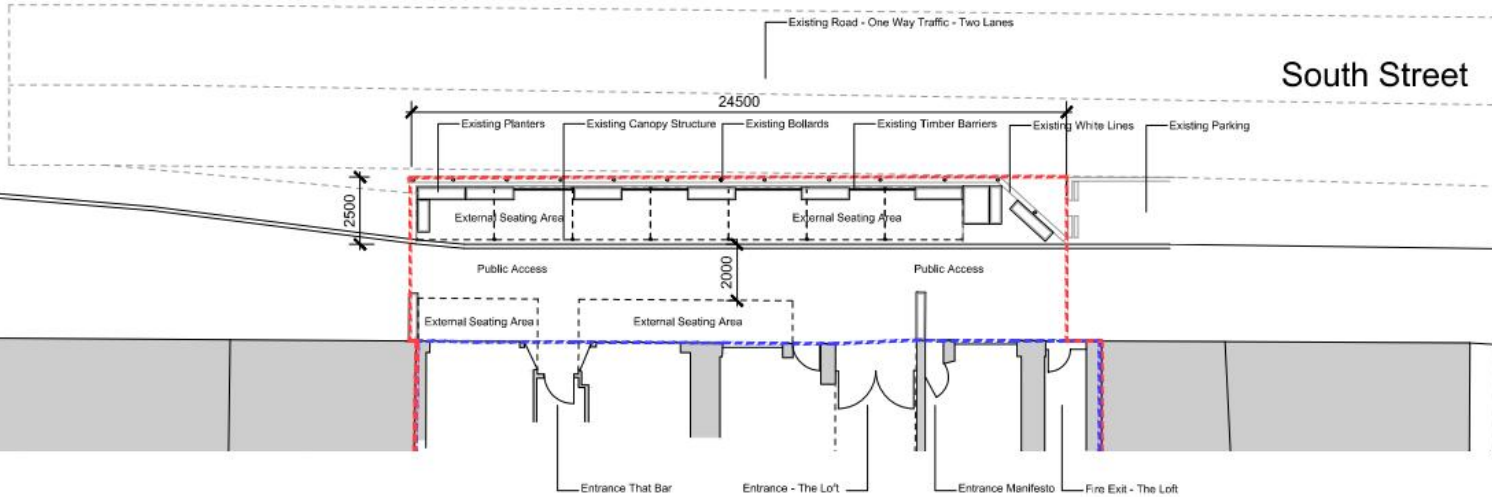


Existing + Proposed Layout Plan - Context Plan  
 1:200 @ A1

Scott Street



South Street



Scott Street

Existing + Proposed Layout Plan - Streetscape  
1:100 @ A1

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Extent of Frontage Under Ownership

Extent of Frontage Under Ownership



236

Existing Context South Elevation - Streetscape (without outside seating area)  
1:100 @ A1

Proposed Context South Elevation - Streetscape  
1:100 @ A1



Project	Outside Seating Area That Bar South Street Perth
Client	Centre Global
Phase	Proposed Layout Plan and Frontage
Stage	For Planning
No.	PL20/001
Revision	A
Scale	1:100@A1
Date	10/01/2022

**Proposed Retention and Extension to Outdoor Seating Area**

**145 - 151 South Street Perth PH2 8NY**

**Design and Access Statement**

**For**

**Centre Global**



Document Ref No: D(20)001

First Drafted: 10/01/2021

By: JB

Revision: A

## Introduction

Proposed Planning application submission for the retention and Extension to Outdoor Seating Area , 145 - 151 South Street Perth PH2 8NY.

Please find enclosed an application for planning permission as described above. In order to support this application are as outlined below.

## Location and Description of the proposed seating

The seating is located on South Street, strategically situated in the City Centre to the immediate south of That bar and the Loft owned by the applicants.

The proposed outdoor seating lies in a mixed use area; with the surrounding area comprising business, shops and services, food and beverage outlets, hotels, and education institution and residential properties.

The outdoor seating area, the parklet, was kindly offered to the applicants by Perth and Kinross Council. The area is situated adjacent to That Bar lounge 145-153 South Street, Perth, the area as identified in the supporting application drawings has been an essential addition to the applicants operational floorspace throughout the exceptionally difficult times of the ongoing pandemic.

The identified area has allowed the applicant to increase their potential customer covers by 24 (6 tables of 4) for table service of both food & drink.

They have received many positive comments from customers, council officials and the public in general, including many tourists visiting from out with Perth, on how good the parklet looks and enhances the area giving a very continental look and feel.

The applicants have invested heavily in the streetscape feature, with the installation of high quality gazebos, lighting, bamboo screening and decking to level-off the potential trip hazard of the kerb and allow disabled/wheelchair access to the area.

The applicants have also included new aesthetically pleasing furniture to match and complement our bi-fold doors opening onto our existing pavement license opposite.



In addition, the applicants will look to invest further with certain upgrades including the permanent installation of outdoor heating etc should we be able to retain this feature permanently.

The applicants staff operate the area with an efficient table service operation, management and security staff (on duty at peak times) monitor and control the quality and behaviour of clientele using the area.

The proposals reflected within the current application have been operating successfully throughout the pandemic and have been a positive addition to south street.

The seating area is located within Perth City Centre and within the Conservation Area. Planning permission is sought for the retention and Extension to the Outdoor Seating.

#### **NATIONAL POLICY AND GUIDANCE**

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

#### ***DEVELOPMENT PLAN***

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

#### **TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017**

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

#### **Perth and Kinross Local Development Plan 2 (2019) – Adopted November 2019**

The Local Development Plan 2 is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy 1A: Placemaking

Policy 28A: Conservation Areas: New Development

### **Policy Appraisal**

The placemaking policies state that development must contribute positively to the quality of the surrounding built and natural environment. The design, density and siting of development should respect the character and amenity of the place.

The conservation area policy states that development within a conservation area must preserve or enhance its character or appearance.

The design, materials, scale and siting of a new development within a conservation area, and development out with an area that will impact upon its special qualities should be appropriate to its appearance, character and setting.

It is considered that the proposal complies with the above policies in that the works are appropriate to the character and appearance of the existing streetscape and supports the ongoing viability of the business.

The Council will encourage the retention and development provided that they would be compatible with the existing city or town centre uses. As seen from policy 10, the proposed leisure, community facility and employment uses are suitable for the city centre location as they are in keeping with the character of the area and its existing uses. They support the vitality and viability of the centre through being footfall generating uses, whilst also creating employment opportunities.

The site lies within the City Centre it is well served by transport connections and is easily accessible by foot ensuring it can be easily accessed by its users.

## **Conclusion**

As highlighted through the points noted above, and given the seating area has been in operation successfully for a number of months, we believe the proposals to be in accordance with the Council's relevant Policy Guidance.



**LRB-2023-23**

**Review of Condition 2 on planning permission**

**23/00070/FLL – Change of use of road to form extension to outdoor seating area (for temporary period) at 145-151 South Street, Perth, PH2 8NY**

## **REPRESENTATIONS**



Mr Jamie Fitchie (Objects)

**Comment submitted date: Tue 28 Feb 2023**

I am writing to express my objection to the planning application submitted by the applicant to retain the outdoor seating area at their bar on my street. While I understand that the measures were granted during Covid-19 when they were necessary for the function of the business, I feel that they are no longer appropriate in light of the lifting of Covid restrictions.

The main concern that I and other local residents have with the outdoor seating area is the additional noise that it causes. The noise levels are very high, and they have a significant impact on the quality of life of local residents. Even after the bar has closed for the night, the noise from patrons and staff can continue well into the early hours of the morning, making it extremely difficult to get a good night's sleep.

While the applicant notes positive gains for the area, I do not believe that these gains benefit the local residents. The additional profit made by the business surely cannot outweigh the quality of life for people who choose to live in Perth city centre. Furthermore, the premises already seem to be one of the largest in Perth, and the outdoor seating area adds to the burden of noise pollution for local residents.

During Covid-19, residents, including myself, extended goodwill and understood that operations were extremely difficult for hospitality venues. However, now that Covid restrictions have been lifted, I feel that the outdoor seating area is an excessive burden for noise pollution for local residents. I urge the planning authority to consider the impact that this decision will have on the local community and to refuse the application.

**From:** [REDACTED]  
**Sent:** 28 February 2023 19:40  
**To:** [REDACTED]  
**Subject:** Re: That Bar 145-151 South Street, Perth, PH2 8NY

**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.**

i am contacting you via e-mail because the link below has refused to work since i received it. My objections to the granting of the planning permit[s] is as follows. This company has no conscience regarding public or pedestrian safety as demonstrated by the "structures" that they now seek to make permanent.

The seating area occupies the only flat, thus safe part of the pavement, witch forced me onto the sloped part of the pavement, [REDACTED] The other structure on the road is dangerous to pedestrians as it also forces the disabled on to an unsafe pavement and has caused near misses with cyclists and buses



Mr Tayab Shakoor (Objects)

**Comment submitted date: Thu 02 Mar 2023**

I don't think its a great idea its taking a chunk of parking bays and its only helping a business instead of several. I think that area should be turned into a few extra parking spaces which will help every business out on the street

