

Callum Nicol  
188 High Street  
Kinross  
KY13 8DE

Monday 13<sup>th</sup> May 2024

Head of Legal Services  
Chief Executive's - Legal  
Perth & Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD

Dear Sir/Madam,

**Re: Objection to the Variation of Condition 7 of Street Trader Licence at 207 High Street**

I am writing to strongly oppose the application made by Gemma Grant to vary Condition 7 of a Street Trader Licence in respect of the site at 207 High Street, Kinross.

As a resident of 188 High Street, Kinross, I am deeply concerned about the potential impact of this licence variation on our community, particularly on the following grounds:

**Residential Area Unsuitability:** 207 High Street is situated within a residential area. Granting this variation would lead to increased noise, litter, and traffic congestion, significantly disrupting the peace and quiet of our neighbourhood. We all have a right to peacefully enjoy our homes without unnecessary noise, particularly during unsociable hours.

**Completely Unacceptable Trading Times and Practices:** The proposed trading times (which have been posted on social media), along with every other part of the applicant's proposal, are completely unacceptable for this residential area. The operation of a generator at unreasonable hours, increased queuing on the road (which can already happen due to the car wash), increased traffic noise & pollution and foot fall, and the potential for increased litter and vermin pose a significant disturbance to the residents' peace and quiet enjoyment of their homes and the immediate area. The opening hours for this proposed food truck, which is already on site along with several recently decorated picnic benches, have been posted on social media under the names 'Kitchen Creations and Dirty Dog', along with menus. The food truck is already in situ placed directly next to the closest residential boundary. The benches on site are very concerning and further increase the potential of noise coming from the premises as they clearly show that there is a planned dining area. I do not want to be woken by a food truck preparing to start serving at 6:30am 6 days a week and 8am on a Sunday – the fact that I even have to oppose this is farcical. I can't imagine anyone would ever be happy about a food truck and its customers being their alarm clock. I

don't imagine our infant child will appreciate being kept awake by them in the evening either.

**Precedent:** From researching the topic of food truck licence applications in residential areas throughout Scotland, articles found via search and archive tools show numerous licence requests rejected (too many to list) in residential areas due to concerns from residents about increased noise, traffic, litter and general negative impact to residential living standards in the residential areas.

The most relevant of these to this application was a licence rejected by Perth and Kinross Council in 2021. I have copied an article by Jamie Buchan which was printed in The Courier on February 10<sup>th</sup> 2021 and it includes a quote from the council that I have highlighted.

*"By Jamie Buchan*

*Perth and Kinross Council has rejected plans for a new food truck in a residential area over fears it could cause noise pollution.*

*The local authority has refused the application to locate the mobile food unit on Rannoch Road in Scone.*

***A council planning officer said: "The proposal involves the siting of a mobile food unit within a residential area which raises concerns with noise and disturbance associated with the use.***

***"The site is located within close proximity to residential properties and it is considered that the operation of a food unit on the site has the potential to cause undue harm to the amenity of neighbouring residents."***

*Several residents of Rannoch Road raised objections to the proposals, citing concerns over increased noise and traffic.*

*A letter of representation from one resident said: "Rannoch Road is a residential area and this proposal is simply not compatible with the nature of the street or its amenity.*

*"It would result in increased noise, disturbance and pollution for those living on Rannoch Road."*

**Property Devaluation:** Quite simply, if there had been a food truck on a site directly across the road when we arrived to view this property nearly 10 years ago we would not even have attended the property viewing, never mind going through with the purchase. We would have found a constant flow of traffic, cooking smell and noise completely off putting and not something we wanted to live next to. I can't imagine many home buyers being thrilled at the thought of living directly next to a food truck and all of the disruption that comes with it.

**Litter and Vermin Concerns:** As a frequent walker of the nature reserve, I have observed an abundance of litter along the path at the loch, much of it originating from local takeaways.



Allowing street trading in this area risks attracting vermin to the high street and exacerbating the litter problem, further impacting the nearby nature reserve.

**Traffic and Parking Issues:** Granting this variation would inevitably lead to increased traffic congestion in an already highly congested area, so congested that we have to plan any outings around returning at a time where we may get a parking space. This area of the High Street is already plagued by issues such as speeding, loud music, car horns and queuing on the main road which is mainly caused by the existing car wash, there is also often loud music from the site and trucks unloading vehicles late into the night or during the early hours. Introducing a food truck to the site would exacerbate these problems, making the area intolerable for residents.

**Hidden Notice of Application:** It has come to my attention that the notice of the application is not on public display as required but is in fact on the site in between two vehicles and not publicly facing. We would not have been aware of this application if it had not been brought to our attention after the opening date and times were posted on social media at which time a neighbour went to look for the notice. I have attached an image of their placement of the notice.



**Alternative Sites within the Area:** There are several purely industrial sites within the local area where food trucks & burger vans could trade from that wouldn't disturb local residents and affect the quality of their lives, this should be the primary concern when addressing this application – that resident's quality of life will be affected by this in a wide range of ways if it



goes ahead. If this licence is granted then peoples enjoyment of their homes will be affected all for the sake of some fast food which can be obtained in abundance from businesses that are already established in premises further up the high street with adequate parking and waiting areas for their customers. There is not a community need for a food truck in a residential area, but there is a community need for the right to peaceful enjoyment within your own home.

For these reasons, I strongly urge the Council to reject the proposed variation of Condition 7.

Please acknowledge receipt of this objection and inform me of any further steps in this process.

Yours faithfully,

Callum Nicol