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| Delayed Office Opening for Employee Training  *This Office will be closed from 8.45 am – 11.00 am on the 1st Thursday of each month.* |

## Planning and Development

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Our ref: Planning Reference

Your ref:

Date: 30th September 2021

To whom it may concern,

**Use and Occupation of Outdoor Space**

I am writing to you from Development Management at Perth & Kinross Council. I am pleased that the Council has been able to support the above temporary measure during the COVID pandemic. As you are aware, the measure has been granted by the Council on a temporary basis until the 31st March 2022.

If you feel that the measure is something that would benefit your business in the long term and you wish to keep it after the 31st March 2022, then you will have to apply for planning permission to keep it.

I am writing to you now as it takes approximately 2 months from validation for a planning application to be determined. If you apply for planning permission now, this will then mean that if the application is granted then you can keep it in situ after the 31st March 2022. If planning permission is not in place by the 31st March 2022, then the measure will have to be removed in full. If the measures are not removed by this date and no planning permission has been granted, then the matter will be passed to the Planning Enforcement Team.

If you wish to apply for planning permission, the following link will take you to the relevant pages of the Council’s website which tell you what you will require and explains the process in more detail:

<https://www.pkc.gov.uk/submittingaplanningapplication>

For a proposal such as this, there will be a planning fee of £401.

You are entitled to apply for planning permission on a temporary basis rather than permanent if you so wish. You may wish to do this if you would like to keep this for a further period but not permanently. The planning fee would remain the same regardless if it is temporary or permanent.

Please note that if you have been given temporary planters from the Council and wish to keep them, then you will have to apply for this. You can apply to keep these planters by emailing [placedevelopment@pkc.gov.uk](mailto:placedevelopment@pkc.gov.uk) . If you do not apply to keep these, they will be required to be returned and should not be included in your planning application submission. You will then have to make your own provision for any planters / boundary treatments.

I should also point out that planning permission is a separate process from licensing. If a licensee is now looking to add an outdoor area permanently to their licence (other than by way of occasional licence), a licensee should ensure that the necessary adjustments are made to allow this to continue and apply for a variation of the premises licence.  The licensee should also ensure that what they want to do is covered in the activities section or 5(f) of their operating plan.  It may just be a minor variation if there is no change to the existing operating plan. A licensee should seek further guidance from the licensing team regarding this process and the approximate timescales involved.

Finally, you should be aware that in terms of Section 59 of the Roads (Scotland) Act 1984 you must obtain from the Council as Roads Authority consent to occupy the footway/ road prior to the use of the outdoor seating area after the 31st March 2022. This will be required to be obtained upon any planning approval being granted.

I trust the above confirms what is required if you wish to keep the measure in place. If you do not wish to keep the measure in place, we hope that it has helped as much as possible during this difficult period.

If you have any questions regarding this letter then please do not hesitate to contact me on the provided details.

Thanks in advance.

Kind Regards,



Sean Panton MA (Hons) MRTPI,

Development Management.