

**Argyll and Bute Council  
Development & Infrastructure**

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**Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 09/00939/PP

**Planning Hierarchy:** Local

**Applicant:** Helena Jane Craggs-Fryer

**Proposal:** Change of use from hairdresser (Class 1) to tearoom (Class 3)

**Site Address:** Trinity's Hair Salon, The Clachan, Rosneath

**SUPPLEMENTARY REPORT NO. 1**

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**INTRODUCTION**

Members' attention is drawn to the report dated 24<sup>th</sup> April 2013 that is currently before them for consideration.

Since the composition of the report, it has been noted that the above premises have now opened as a tearoom in advance of planning permission being granted.

I can advise that the applicant has contacted the Planning Department to state that she had not intended to open the premises without first receiving planning permission. On completion of the Section 75 Agreement, which ensures the provision of two car parking spaces for the use of customers of the tearoom, she thought that this meant that all the requisite permissions were in place. As such, and as she has been made redundant, she went ahead and opened in early May 2013.

There was some confusion as to whether a further application was required for the two parking spaces. This has now been clarified and it has been confirmed that a separate application will be required. To this end a condition (Condition 3) was included within the main report requiring the two spaces to be provided prior to the premises opening. Given the above, this can be amended to require the submission of an application within one month of this permission should Members be minded to approve this application. The applicant is now aware of this and has indicated that a further application will be submitted.

Members are asked to note the information provided and the amendment to Condition 3.

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**RECOMMENDATION:**

Members are asked to note the information above which does not affect the recommendation contained within the report dated 24<sup>th</sup> April 2013, subject to an amendment to Condition 3 listed overleaf.

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**Author of Report:** Howard Young                   **Date:** 17<sup>th</sup> May 2013

**Reviewing Officer:** Ross McLaughlin               **Date:** 17<sup>th</sup> May 2013

**Angus Gilmour**  
**Head of Planning and Regulatory Services**

## **CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 09/00939/PP**

1. The development shall be implemented in accordance with the details specified on the application form dated 26 June 2011 and the approved drawings reference number 1 of 2, location plan, and 2 of 2, existing and proposed layout unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

2. The use of the premises hereby approved shall be limited to the sale and consumption of cold food, hot and cold drinks and food re-heated on the premises.

Reason: In order to ensure that there is no cooking on the premises as this will require an external flue which will be both visually intrusive and would, through cooking smells and other odours, detrimentally impact on the amenity of adjoining residential properties and the character of the Conservation Area.

3. Within one month of the date of this consent, a planning application for the two car parking spaces required to service the proposed development shall be submitted. Thereafter, the two parking spaces shall be provided to the satisfaction of the Council as Planning Authority within one month of permission being approved.

Reason: In the interests of road safety.

## **NOTES TO APPLICANT**

1. **The length of the permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
2. In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
3. In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.