

**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:** 10/01892/PP

**Planning Hierarchy:** Local Application

**Applicant:** J D Wetherspoon PLC

**Proposal:** Change of use of retail premises (Class1) to public house (sui generis), formation of beer garden and external alterations in connection with the proposed use and formation of two retail units

**Site Address:** 19-29 James Street Helensburgh

**SUPPLEMENTARY REPORT NO. 1**

**1.0 ADDITIONAL INFORMATION**

- 1.1 The purpose of this report is to advise Members that a further representation has been received in association with the above proposal, from Gordon and Diane White, 3 Scott Court, James Street (email dated 14/03/2010). This application has been recommended for approval and is under consideration at this Committee.
- 1.2 This letter of representation questioned why one of the vacant shop units is currently being refurbished internally and has a notice in the window advertising that a new shop is opening soon. It is asked if this is a breach of planning.
- 1.3 The application under consideration is for change of use to a public house (sui generis), but also includes two shop units which will remain as retail (Class 1). Since the existing unit benefits from Class 1, no planning permission is required to re-open one of these units and internal alterations are not classified as development. Therefore no breach of planning has taken place and the status of these units does not affect the determination of the current application.

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**2.0 RECOMMENDATION:**

- 2.1 It is recommended that, subject to a discretionary local hearing, Members grant planning permission is subject to the conditions and reasons set out in the original report

**Author of Report:**  
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