

Reference – LR/LR299

Dear Lissa

Town and Country Planning (Schemes of Delegation and Local Review Procedure)

(Scotland) Regulations 2013 [‘the Regulations’]

Notice of Review: Planning Application 23/01371/APP – Retrospective consent to convert part of garage to hair salon at 22 Duffus Crescent, Elgin

With reference to the 2 objections that have been received in connection with our appeal, we would like the following to be considered:-

[REDACTED]

[REDACTED]

We have lived on the street for over 11 years, only 4 houses away. We have never experienced issues on parking [REDACTED]

[REDACTED]. Our personal trips in and out of our home are irrelevant to the planning.

[REDACTED]

[REDACTED] leaving visitors to park on the access road, this stops Emergency services from having complete access if they were ever required, which is a huge worry to us. By continuing to park here gives no turning for anyone not just us, but the 5 houses who share the access. [REDACTED]

[REDACTED]. There is ample space in the street for parking.

Large vans are parked throughout the estate and plenty other vehicles, this is normal life when living in a residential estate.

Our driveway and front of house has plans to make a safe and convenient parking area for our family and few clients when needed. This will be off street parking and is considerate to neighbours. We have chosen this option due to the wall taking up most of our driveway, is not as easy for children entering/exiting our family car and use of children’s play equipment, so having proper use of the driveway to make life easier. [REDACTED] ?

The many businesses locally have far larger numbers of clients, some having up to 65 per week. My business is small and discreet with minimal clients.

Objectors have pointed out they are happy for other businesses to continue and would like to continue to try prevent my business succeeding. The suggestion of becoming a mobile business is of no concern of my neighbours and in their opinion may be an option, but is in no way viable for me.

[REDACTED]
[REDACTED], to become mobile would outweigh the option of me working. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Further information in support of me working from my home reducing fuel, nursery/childcare bills and rents/rates have previously been provided.

[REDACTED]
[REDACTED]
[REDACTED] I have been in the hairdressing industry since the age of 12 and have been self employed for 6 years and have always kept up to date records and accounts. I have payment and appointment systems.

I have no intentions of increasing size or numbers or growing my business. This has been made clear previously.

The salon is a small room to accommodate a tiny business and certainly is not a 'shop'! The room accommodates one person at one time. There is no shop access from the main street and no signage. From the exterior you would be unaware what the room was being used for.

Consideration has always been given to neighbours and was discussed with two of the objectors on starting. I have always provided information to clients how to be accommodating to neighbours on entering and exiting by always using our side of the access and always using our driveway and path. None of my clients have any interest in bothering others. The neighbours on the opposite side to the objector have submitted a very supportive comment, so if parking or privacy was an issue, it would effect these neighbours also, however it is clear from their supportive statement that there are no issues at all.

[REDACTED]
[REDACTED]
[REDACTED] During the appeal process we have only received 2 objecting comments, whereas our original application received 4. This would lead us to believe that the other 2 original objectors have no further concerns with the salon. Given the salon has been in use for 6 months and caused no additional concerns to these 4 original objectors is proof in itself that the business is causing no harm, inconvenience or disruption to anyone, or surely they would have amended or raised any further concerns as this appeal stage. Every other business in Hamilton gardens have supported ours. We had 32 supporting comments to our original application and further to that this time we have 50. I have been working for 6 months from my home and proved this has not disturbed anyone. Quite simply want to get on with our lives bringing up our family with a small income. All we have wanted is to be able to work peaceably with no cause of disruption or disturbance to anyone.

In response to second objector's comments, again by the tone of their response it is clear that the objector has a personal dislike of us. The suggestion that we have fabricated issues to distract from the issue of planning is one we would dispute. We are simply trying to explain our situation.

The accusation that the salon is a 'class 1 shop' is completely untrue. It is very clear this is not a shop and only a very small salon room, for a minimal working base, for limited hours. The room only has space for one person on visit at one time. There is no room for expansion and we have absolutely no intentions of such accusations.

It is more than clear to the objector what this small space is used for. There is no shop access from the Main Street and no signage. From the exterior you would be unaware what the room was being used for.

As stated previously, there are numerous businesses running from Hamilton Gardens that no one has any issue with. It seems our application has been targeted by a minority within the community in a personal attack against us.

By the number of supporting comments from neighbours, customers and friends, it is clear we are not the characters that the objectors are attempting to portray us as. For everyone who really knows us as a family and has personal knowledge of our reasoning behind converting the garage to a salon we have had nothing but support and kindness.

We would hope our responses to the 2 objections are carefully considered and understood as part of our appeal.

Mr and Mrs Ferguson