

**EAST AYRSHIRE COUNCIL****SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 27 FEBRUARY 2009 AT 1003 HOURS  
IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

**PRESENT:** Councillors Drew Filson, Jimmy Kelly, Neil McGhee, Jim Roberts, David Shaw and Kathy Morrice.

**ATTENDING:** Hugh Melvin, Principal Planning Officer; Craig Young, Litigation Team Leader; and Stuart Nelson, Administrative Officer.

**APOLOGIES:** Councillors William Crawford, Barney Menzies, Eric Ross and Elaine Dinwoodie.

**CHAIR:** Councillor Drew Filson, Chair.

**CHAIR'S REMARKS**

1. The Chair welcomed Councillor David Shaw to this his first meeting of the Local Planning Committee.

**ASSESSMENT OF COMPLIANCE WITH OBLIGATIONS ON SECTION 75 LEGAL  
AGREEMENTS ASSOCIATED WITH ERECTION OF 94 DETACHED  
DWELLINGHOUSES AND FORMATION OF ASSOCIATED ROADS AT  
BALLOCHMYLE HOUSE, MAUCHLINE AND AGREEMENT TO VARY COUNCIL  
DECISION ON PROPOSED HOUSE TYPE SUBSTITUTION AT PLOT 56,  
BALLOCHMYLE ESTATE, MAUCHLINE BY ARDGOWAN HOMES LIMITED (Item  
2, Page 304, 07/12)**

2. There was submitted a report dated 17 February 2009 (circulated) by the Head of Planning and Economic Development which presented for determination proposals that would negate the requirement for the further variance of the legal agreements associated with the planning permissions for the erection of 94 detached dwellinghouses and formation of associated roads at Ballochmyle House, Mauchline, and allow for the Committee decision on the proposed house type substitution at Plot 56, Ballochmyle Estate, Mauchline, to be varied.

**2.1 Declaration of Interest**

Councillor David Shaw declared a non financial interest which he did not consider significant in terms of Paragraphs 5.17 and 5.18 of the Code of Conduct and indicated his intention to remain and participate in consideration of this item.

**2.2 Consideration of Application**

It was noted that Members of the Committee had had the opportunity to attend a site visit in respect of this item prior to the meeting.

It was agreed:-

- (i) for the reasons detailed in Paragraph 5.3 of the report, that no further amendments required to be made to the Minute of Agreement associated with outline planning consent 02/0757/OL, and the Minute of Variation of

Agreement associated with Reserved Matters Consent 05/0706/RM under Section 75 of the Town and Country Planning (Scotland) Act 1997; and

- (ii) as Ballochmyle House had been made “wind and watertight”, to vary the decision of the Development Services Committee on 11 October 2006, in terms of Paragraph 5.3 of the report, and to issue planning consent 06/0635/FL.

The meeting terminated at 1008 hours.