

**EAST AYRSHIRE COUNCIL****DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE****MINUTES OF MEETING HELD ON WEDNESDAY 10 MARCH 2004 AT 1400 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Eric Ross, Maureen McKay, Jim O'Neill, Stephanie Young, Daniel Coffey, Isabella Macrae, Iain Linton, John Campbell, Stuart Finlayson, Robert McDill, George Smith, Jimmy Kelly, Tommy Farrell, Elaine Dinwoodie and Jimmy Carmichael.

**ATTENDING:** David Mitchell, Head of Administrative and Legal Services; Alan Neish, Head of Planning and Building Control; Karen McLeod, Solicitor; Robert Beaton, Administrative Officer; and Lynn Chapman, Trainee Administrative Officer.

**APOLOGIES:** Councillors John McGhee, Brian Reeves, Douglas Reid, Drew McIntyre, Ray Murray and Eric Jackson.

**CHAIR:** Councillor Eric Ross, Chair.

**CONSIDERATION OF APPLICATIONS****1. HEARING PROCEDURE**

The Administrative Officer established that the Hearing Procedure was understood by all participants (circulated).

**2. APPLICATION NO 03/0946/RM: DEVELOPMENT OF HOTEL, LEISURE AND GOLF COURSE AT ROWALLAN CASTLE, KILMAURS BY DUFFIELD MORGAN LIMITED****2.1 Declaration of Interest**

Councillor O'Neill declared an indirect non-pecuniary interest in this item and left the meeting.

**2.2 Consideration of Item**

There was submitted an executive summary sheet and report dated 1 March 2004 (circulated) by the Head of Planning and Building Control on a reserved matters application for development of hotel, leisure and golf course at Rowallan Castle and Estate, Kilmaurs.

It was noted that Members had had the opportunity to visit the application site prior to the meeting.

The Head of Planning and Building Control reported that two objections had been received, details of which were contained within the report, the objection from the Garden History Society having been withdrawn; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control viz:- Approval, (i) subject to the conditions, and for the reasons detailed in the report; and (ii) subject to notification of the application to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997.

### **2.3 Planning Hearing**

The Committee then heard Mr Bryce, on behalf of the objections from Mr and Mrs Wilson and Members asked questions of the Agent for the objector who responded, all in accordance with the Hearing procedure.

The Committee then heard Mr Neil Campbell, applicant, in support of the application and Members asked questions of the applicant who responded, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

### **2.4 Determination of Application**

It was agreed to approve the application (i) subject to the conditions and for the reasons detailed in the report, with Condition 8 revised as follows: notwithstanding the details of the plans hereby approved, further details shall be submitted for the approval of the Planning Authority in respect of the 10<sup>th</sup> and 11<sup>th</sup> holes as they relate to design, landscaping, amenity and safety, particularly in respect of the adjoining Rowallan Mill property; Reason: in the interest of public safety and visual and residential amenity; and (ii) subject to notification of the application to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997.

Councillor O'Neill rejoined the meeting at this point.

### **3. APPLICATION NO 02/0757/OL: PROPOSED DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AND REFURBISHMENT OF MANSION HOUSE TO FORM FLATS AT BALLOCHMYLE HOUSE, MAUCHLINE BY NORTHKIRK LIMITED**

There was submitted an executive summary sheet and report dated 1 March 2004 (circulated) by the Head of Planning and Building Control on a proposed development of land for residential purposes and refurbishment of mansion house to form flats at Ballochmyle House, Mauchline.

The Head of Planning and Building Control reported that four letters of objection had been received (two letters being received from the same objector), details of which were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control, viz:- Approval, subject to the conditions, and for the reasons detailed in the report and that the issue of the Decision Notice be held in abeyance until the Solicitor to the Council had concluded an agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 addressing the points listed in Section 7.1 of the report.

No Hearing took place as the objectors were not present or represented.

It was agreed to approve the application subject to the conditions, and for the reasons detailed in the report and that the issue of the Decision Notice be held in abeyance until the Solicitor to the Council had concluded an agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 addressing the points listed in Section 7.1 of the report.

The meeting terminated at 1445 hours.