

## EAST AYRSHIRE COUNCIL

### NORTHERN AREA LOCAL PLANNING COMMITTEE: 03 MAY 2002

#### 01/0240/FL : CHANGE OF USE AND REFURBISHMENT OF VACANT CASTLE TO FORM OVERNIGHT ACCOMMODATION FOR USE IN CONJUNCTION WITH HOTEL

#### SECURING AGREEMENT TO REVISED CONDITION

#### ROWALLAN CASTLE, ROWALLAN ESTATE, KILMAURS

#### Report by Head of Planning and Building Control

### 1. PURPOSE OF REPORT

1.1 On the 26 October 2001, the Northern Area Local Planning Committee agreed to approve planning application no 01/0240/FL subject to conditions and subject to notification to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997. Subsequently, the application has been called in for determination by the Scottish Ministers in conjunction with a separate application for Scheduled Monument Consent already before them. The purpose of this report is only to seek the approval of the Committee to revise Condition no.1, which they had agreed in October 2001 should be attached to any planning consent granted.

### 2. APPLICATION DETAILS

2.1 **Site Description:** The site involved in the application considered by the Committee in October 2001 is the 'Old' Rowallan Castle situated in the Rowallan Estate between Kilmaurs and Fenwick. The Castle, recorded as a Superior Scottish Mansion, is situated in its own grounds elements of which predate the newer castle and is accessed from the Kilmaurs to Fenwick Road from the estate's main entrance. The approach to the castle proper is via a packhorse bridge over the Carmel Water, which is one of several watercourses that run through the estate.

2.2 The Castle has a courtyard plan with the buildings forming a U shaped grouping around the courtyard, which is retained on the west elevation by a stone wall. Currently the south and east section of the building are intact having been rebuilt internally. The castle is a Category A Listed Building and a Scheduled Monument. Currently the building is supplied with the amenities of water and electricity, and toilet facilities are in situ. These are a part of works in progress managed by Historic Scotland under the Ancient Monuments and Archaeological Areas Act 1979 and the Deed of Guardianship entered into in 1950.

2.3 **Proposed Development:** The application considered by the Committee in October 2001 was a proposal to utilise the old castle as accommodation to

complement the hotel complex based at the newer Rowallan House. The principal of that proposal was approved earlier this year under EAC Ref. 98/0365/OL. A parallel Scheduled Monument Consent application (SMC) for the same proposal is with Historic Scotland for their consideration.

2.4 Information submitted by the applicant confirmed that the Old Castle would be used for sleeping and lounge accommodation for guests either on the basis of separate individual parties or groups. The applicant confirmed that there would be no cooking or food preparation facilities in the castle. Staff would be available on site or through contact with the main hotel complex.

### **3 ISSUE BEFORE THE COMMITTEE**

3.1 The application agreed by Committee in October 2001 had the description "Change of Use and Refurbishment of Vacant Castle to Form Overnight Accommodation for Use in Conjunction with Hotel." Within the body of the report it was clearly and on several occasions noted that the sole purpose of the application was to address the change of use issue. In paragraph 6.3 of the October 2001 report it was stated that "a condition would be attached to secure that any planning consent was only for the change of use of the building."

3.2 As a result of the application being called in for determination by the Scottish Ministers by means of a Public Local Inquiry, no decision has yet been taken on the application. To assist the Council in the presentation of its case at the Inquiry, there is an opportunity to revise the wording of Condition No. 1, which sought to give effect to the "change of use only" approach underpinning the October 2001 Committee report. A more robust wording of the Condition deleting reference to any refurbishment works would clarify the Council's agreement only to a "change of use" of the castle and not to any works affecting the fabric of the scheduled monument.

3.3 This report does not offer an opportunity to reconsider the merits of the application as a whole. It simply seeks to add clarity to Condition no 1.

3.4 A more robust wording of Condition no. 1 should read as follows:-

***"Notwithstanding the description of the development as submitted, the consent hereby granted relates solely to the change of use of the buildings outlined in blue on the approved A3 block plan drawing no BP and not to the details of any refurbishment of those buildings."***

***REASON: In the interests of visual amenity, preserving the setting of the Scheduled Ancient Monument and Category "A" Listed Building and to define the scope of the consent hereby granted."***

#### **4. RECOMMENDATION**

**4.1 It is recommended that the wording of Condition No. 1 to be attached to any Consent in respect of Planning Application 01/0240/FL should be revised to read as per paragraph 3.4 above.**

**Alan Neish  
Head of Planning & Building Control**

DVM/IMB

FV/DVM

23 April 2002

#### **LIST OF BACKGROUND PAPERS**

1. Planning Application Form and Plans
2. Report to 26 October 2001 Northern Area Local Planning Committee.

Any person wishing to inspect the background papers listed above should contact Mr Dave Morris on 01563 576753

**Implementation Officer: Dave Morris**

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**AGENDA**