

T: [REDACTED]
E: planning.decisions@gov.scot

[REDACTED]
RPS Planning & Development
[REDACTED]

Our ref: CIN-EAY-001
1 February 2019

Dear [REDACTED]

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
LEISURE AND TOURISM DEVELOPMENT INCLUDING: 450 HOLIDAY LODGES; 12
GLAMPING PITCHES; RESTORATION OF CASTLE TO SHELL CONVERSION TO
HOTEL; NEW LEISURE FACILITIES INCLUDING LAKE, INDOOR WATER PARK AND
RETAIL PLAZA AND RESTAURANTS (6,500SQM), WATER SPORTS BUILDING
(600SQM), INDOOR SPORTS (5,000SQM), SPA (2000SQM) AND CYCLE STORE.
ERECTION OF DISTILLERY (1,552SQM) AND COMMUNITY HEAT PLANT (476SQM).
ERECTION OF PHASED ENABLING DEVELOPMENT, WITH FIRST PHASE OF 300
RESIDENTIAL DWELLINGS AND ADDITIONAL PHASES OF RESIDENTIAL
DWELLINGS THAT WILL ENABLE THE COMPLETE RESTORATION OF THE CASTLE
TO A HOTEL; COMMUNITY FACILITIES AND INFRASTRUCTURE AT LOUDOUN
CASTLE, GALSTON.**

1. This letter contains Scottish Ministers' decision on the above application submitted to East Ayrshire Council by [REDACTED] of RPS Group on behalf of Loudoun Woods Homes Ltd. The application was called in for Scottish Ministers' determination on 17 December 2015.

2. The application was considered by [REDACTED] [REDACTED] BA (Hons) MRTPI and [REDACTED] BA (Hons) MRTPI, reporters appointed for that purpose. A copy of their report is enclosed.

Consideration by the Reporters'

3. The reporters' overall conclusions and recommendations are set out in Chapter 13.

Scottish Ministers' Decision

4. Scottish Ministers have carefully considered the report. They agree with the reporters' overall conclusions and recommendation and adopt them for the purpose of their own decision. They, therefore, accept the reporters' recommendation that planning permission in principle should be refused.

5. Accordingly, Scottish Ministers hereby refuse planning permission. The reasons for refusing this application are that *the proposed development is contrary to the provisions of adopted planning policies RES 13: Enabling Development, Rural Area 4 and Overarching Policy OP1 of the East Ayrshire Local Development Plan 2017, NPF3 and SPP, in that:*

- *There is no certainty that the scale of proposed housing development is the minimum level required as enabling development.*
- *The scale of the proposed enabling housing development, would have an adverse impact on the Loudoun Castle Historic Garden and Designed Landscape.*
- *The separation of the proposed tourism leisure proposals from the proposed housing for enabling funding purposes is not acceptable.*
- *Furthermore, the scale of the proposed enabling housing development, and lack of suitable masterplanning mean in their present form the proposals would not result in a well planned sustainable community.*

6. The foregoing decision of Scottish Ministers is final, subject to the right conferred by Sections 237 and 239 of the Town and Country Planning (Scotland) Act 1997 of any person aggrieved by the decision to apply to the Court of Session within 6 weeks of the date hereof. On any such application the Court may quash the decision if satisfied that it is not within the powers of the Act, or that the appellant's interests have been substantially prejudiced by a failure to comply with any requirements of the Act, or of the Tribunals and Inquiries Act 1992, or any orders, regulations or rules made under these Acts.

7. A copy of this letter and the report has been sent to East Ayrshire Council and the agent representing Historic Environment Scotland. Those parties who lodged representations will receive a copy of this letter.

Yours sincerely

[Redacted signature]