

**REGULATORY PANEL (SPECIAL).**

Minutes of meeting in County Buildings, Wellington Square, Ayr, on  
28th June 2010 at 2.00 p.m.

Present: Councillors Ian Fitzsimmons (Chair), John Allan, Andy Campbell, Ian Douglas, Ann Galbraith, Bill Grant, Sandra Goldie and Alec Oattes.

Attending: C. Cox, Planning Manager, W. Carlaw, Acting Legal Manager; A. Browne, Senior Planning Development Case Officer; and A. Gibson, Committee Administrative Officer.

**1. Applications for Planning Permission.**

There were submitted reports (issued) of June 2010 by the Depute Chief Executive and Executive Director - Development and Environment on current applications for determination.

The Panel decided as follows:-

- (1) 10/00436/APPM – AYR – University of West of Scotland –** Erection of student residential accommodation.

**Decided:** to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plans as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (c) that before any works start on site, a tree protection plan shall be submitted to, and approved by the Planning Authority which demonstrates that trees shall be protected and fenced off during construction in accordance with BS 5837: "Trees in relation to Construction 2005", to the satisfaction of the Planning Authority. Thereafter, agreement shall be reached with the Planning Authority on specific methods and standards of reduced protection to be afforded to trees where BS 5837 may not be possible. The protective measures shall be retained in a sound and upright condition throughout the operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery;
- (d) that prior to the commencement of development, that a protocol for working in relation to Bats and Otters shall be submitted to and approved by the Planning Authority in consultation with Scottish Natural Heritage;

- (e) that Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007. Full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, shall be submitted for approval in writing by this Planning Authority prior to the commencement of any works on site;
- (f) that details of external lighting and electronic surveillance shall be submitted to and approved by the Planning Authority prior to the occupation of the student residences;
- (g) that notwithstanding the approved drawings, prior to the commencement of development, details and plans shall be submitted to and approved by the Planning Authority to provide for a public access route through the site during the construction phase of the development to ensure that public access shall be maintained to the remainder of the estate during construction works;
- (h) that no tree felling shall take place during the bird breeding season from March to July (inclusive) in any year to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage;
- (i) that details of shrub planting indicated on drawing PL 200 01 REVA shall be submitted to, and approved by the Planning Authority and that the approved replanting and landscaping scheme shall be implemented within six months of the occupation of the student residences and maintained in accordance with the maintenance schedule agreed in terms of condition 10 of this planning permission;
- (j) that a maintenance schedule for all the landscaping areas for the site shall be submitted to and approved by the Planning Authority prior to the occupation of the student residences;
- (k) that a detailed landscaping plan shall be submitted to, and approved by the Planning Authority to establish temporary landscaping of the footprint of phase two of the student residential development. The approved landscaping shall be implemented within six months of the occupation of the student residences and maintained in accordance with the maintenance schedule agreed in terms of condition 10 of this planning permission until phase two of the development commences;
- (l) that materials to be used on external surfaces of the student residences are not hereby approved and that prior to the commencement of the construction of the new student residences, samples of all materials to be used on external surfaces in respect of type, colour and texture shall be submitted to and approved by the Planning Authority; and
- (m) that the "UWS" Stair tower on elevation shall be finished in a smooth render and painted in a colour submitted to and approved by the Planning Authority.

Reasons:

- (a) to be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by section 20 of the Planning Etc. (Scotland) Act 2006;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;

- (c) in order to retain mature trees wherever possible and in the interest of visual amenity;
- (d) to ensure compliance with the EU Habitats Directive Annex ii, the Conservation (Natural Habitats &c) Regulations 1994, Amendment (Scotland) Regulations 2007, the Wildlife & Countryside Act 1981, amendment 2007, schedule 6; and the Nature Conservation (Scotland) Act 2004, amendment 2007;
- (e) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (f) in the interests of visual amenity and to minimise impact on wildlife;
- (g) to ensure that the public continues to have access to the estate during construction phase;
- (h) to ensure compliance with the Conservation (Natural Habitats) Regulations 1994, and the Wildlife and Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004; and
- (i) to (m) in the interests of visual amenity and to ensure that the proposals are in keeping with the character and amenity of the estate.

**List of determined plans:**

- Drawing - Reference No (or Description): E4748\_00 TOPOGRAPHICAL PLAN 1 OF 4;
- Drawing - Reference No (or Description): E4748\_001 TOPOGRAPHICAL PLAN 1 OF 4;
- Drawing - Reference No (or Description): E4748\_01 EXISTING SITE PLAN;
- Drawing - Reference No (or Description): E4748\_03 TOPOGRAPHICAL PLAN 2 OF 4;
- Drawing - Reference No (or Description): E4748\_04 TOPOGRAPHICAL PLAN 3 OF 4;
- Drawing - Reference No (or Description): E4748\_05 TOPOGRAPHICAL PLAN 4 OF 4;
- Drawing - Reference No (or Description): E4748\_06 EXISTING SITE CROSS SECTION;
- Drawing - Reference No (or Description): PL\_01 PROPOSED SITE PLAN;
- Drawing - Reference No (or Description): PL\_02 PROPOSED GROUND FLOOR PLAN;
- Drawing - Reference No (or Description): PL\_03 PROPOSED FIRST FLOOR PLAN;
- Drawing - Reference No (or Description): PL\_04 PROPOSED SECOND FLOOR PLAN;
- Drawing - Reference No (or Description): PL\_05 PROPOSED ROOF PLAN;
- Drawing - Reference No (or Description): PL\_06 PROPOSED SECTIONS 1 OF 2;
- Drawing - Reference No (or Description): PL\_07 PROPOSED SECTIONS 2 OF 2;
- Drawing - Reference No (or Description): PL\_09 PROPOSED ELEVATIONS 1 OF 3;
- Drawing - Reference No (or Description): PL\_10 PROPOSED ELEVATIONS 2 OF 3;
- Drawing - Reference No (or Description): PL\_11 PROPOSED ELEVATIONS 3 OF 3;
- Drawing - Reference No (or Description): LOCATION PLAN;
- Drawing - Reference No (or Description): SOFTWORKS DETAILS - TREE PLANTING;
- Drawing - Reference No (or Description): TREE CONSTRAINTS PLAN;
- Drawing - Reference No (or Description): TREE SURVEY DETAIL;
- Drawing - Reference No (or Description): (PL) 200 - 01 Revision A - Landscape Planting Proposals;
- Drawing - Reference No (or Description): (PL) 200 - 03 Revision A - Cycle Route Diversion Proposals;
- Drawing - Reference No (or Description): (PL) 200 - 04 Revision A - Proposed Pedestrian Route Diversion;
- Drawing - Reference No (or Description): PL 000 - 01 Revision A - Landscape General Arrangement;
- Drawing - Reference No (or Description): Z (PL) 700 - 1 Revision A - Hard Surface Details - Concrete Paving to Pedestrian Areas;

Drawing - Reference No (or Description): Z (PL) 700 - 10 Revision A - Softwear Details - Hedge Planting;

Drawing - Reference No (or Description): Z (PL) 700 - 2 Revision A - Hard Surface Details - Permeable Paving to shared surface and parking bays;

Drawing - Reference No (or Description): Z (PL) 700 - 3 Revision A - Hard Surface Details - Informal Stepped ramp pathway;

Drawing - Reference No (or Description): Z (PL) 700 - 4 Revision A - Hard Surface Details - Timber Deck to common room areas;

Drawing - Reference No (or Description): Z (PL) 700 - 5 Revision A - Furniture Details - Cycle Stands; and

Drawing - Reference No (or Description): Z (PL) 700 - 9 Revision A - Softwear Details - Shrub Planting.

**Reason for decision:**

The siting and design of the development hereby approved is considered to accord with the provisions of the Development Plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (2) **10/00597/APP – AYR – University of West of Scotland, Beech Grove** – Installation of below ground foul water drainage.

**Decided:** to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plans as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (c) that before any works start on site, a tree protection plan shall be submitted to, and approved by the Planning Authority which demonstrates that trees shall be protected and fenced off during construction in accordance with BS 5837: "Trees in relation to Construction 2005", to the satisfaction of the Planning Authority. Thereafter, agreement shall be reached with the Planning Authority on specific methods and standards of reduced protection to be afforded to trees where BS 5837 may not be possible. The protective measures shall be retained in a sound and upright condition throughout the operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery;
- (d) that before any works start on site, details of compensatory tree planting shall be submitted to and approved by the Planning Authority, and that further details of additional compensatory planting shall be submitted should additional trees be removed consequential of the operations, all to the satisfaction of the Planning Authority. The approved compensatory planting shall be implemented at the first planting season following completion of the development;
- (e) that no tree felling shall take place during the bird breeding season from March to July (inclusive) in any year to the satisfaction of the Planning Authority;

- (f) that the River Ayr Walk and cycleway shall remain open and un-obstructed until October 2010 and agreement reached with the Planning Authority on the time and duration of its closure and reinstatement;
- (g) that the River Ayr Walk, cycleway and landscaping shall be re-instated to the satisfaction of the Planning Authority within one month after the completion of the development. Details of the method and specification of re-instatement shall be submitted to the Planning Authority for written approval prior to the commencement of the development;
- (h) that the removal and safe storage of memorial benches within the application site, and their subsequent re-instatement shall be undertaken to the satisfaction of the Planning Authority; and
- (i) that prior to the commencement of development, that a protocol for working in relation to Bats and Otters shall be submitted to and approved by the Planning Authority in consultation with Scottish Natural Heritage.

**Reasons:**

- (a) to be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by section 20 of the Planning Etc. (Scotland) Act 2006.
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (c) and (d) in order to retain mature trees wherever possible and in the interests of visual amenity;
- (e) and (i) to ensure compliance with the EU Habitats Directive Annex ii, the Conservation (Natural Habitats &c) Regulations 1994, Amendment (Scotland) Regulations 2007, the Wildlife & countryside Act 1981, amendment 2007, schedule 6; and the Nature Conservation (Scotland) Act 2004, amendment 2007;
- (f) and (g) in the interest of ensuring minimum disruption to footpath and cycleway use; and
- (h) in the interest of visual amenity and in respect of dedication.

**List of determined plans:**

Drawing - Reference No (or Description): E4748\_07 Rev C LOCATION PLAN;  
 Drawing - Reference No (or Description): 920 SCHEMATIC DRAINAGE; and  
 Drawing - Reference No (or Description): (PL) 200-02 TREE SURVEY.

**Reason for decision:**

The siting and design of the development hereby approved is considered to accord with the provisions of the Development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

The meeting ended at 3.00 p.m.