

APPROVED COMMITTEE MINUTES

CAIRNGORMS NATIONAL PARK AUTHORITY

APPROVED MINUTES OF THE PLANNING COMMITTEE

held at The Community Hall, Boat of Garten

on 20th April 2018 at 11.00am

Members Present

Rebecca Badger

Geva Blackett

Carolyn Caddick

Angela Douglas

Dave Fallows

Pippa Hadley

Janet Hunter

Gregor Hutcheon

John Latham

Eleanor Mackintosh (Convener)

Xander McDade

Willie McKenna

Ian McLaren

Judith Webb

In Attendance:

Gavin Miles, Head of Planning & Communities

Murray Ferguson, Director of Planning & Rural Development

Colin Bradley, Planning Graduate, Development Management

Katherine Donnachie, Planning Officer, Development Management

Katie Crerar, Planning Officer, Development Management

Peter Ferguson, Legal Adviser Harper & MacLeod LLP

Alix Harkness, Clerk to the Board

Apologies:

Peter Argyle

Gordon Riddler

Walter Wilson

Brian Wood

Agenda Items 1 & 2:

Welcome

1. The Convener welcomed all present and apologies were noted.

Agenda Item 3:

Minutes & Matters Arising from the Previous Meeting

2. The minutes of the previous meeting, 23 March 2018, held at the Community Hall, Boat of Garten were approved with no amendments.

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3. There were no matters arising.
4. The Convener provided an update on the Action Points from the previous meetings:
 - a) **Action Point at Para. 20i) In Hand** - Informal discussion session on heating affordable housing will be scheduled as part of the Planning Committee training programme and session on Affordable Housing.
 - b) The Convener reported that she had still not received a response to her letter regarding the request for a site visit to the restoration of Dalwhinne tracks. She advised that she would keep the Committee updated in that regard.

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

5. There were no interests declared.

Agenda Item 5:

Application for Detailed Planning Permission (2017/0441/DET)

Additional reception building to be erected to serve the holiday site

At Site East of Estate Office, Main Street, Tomintoul, Moray

6. Colin Bradley, Graduate Planner presented the paper to the Committee. He highlighted that he had omitted the Design Statement from the list of drawings and documents available online on page 3 of the paper.
7. The Convener highlighted that the reason for having called-in the application was that the parent application had been considered by the Planning Committee and therefore it made sense to call-in this one too.
8. The Committee were invited to ask points of clarity the following were raised:
 - a) Clarity sought as to whether the electricity providing power to the development was intended to be overhead or underground. Colin Bradley advised that his understanding was that the power would be obtained from the existing power connections for the wigwams.
 - b) Clarity sought as to the type and location of any external lighting. Colin Bradley advised that he was unsure but assumed that there may be a light at the entrance. There was agreement that a condition for approval of external lighting should be added.
 - c) If the maximum roof height would be a maximum of 3.5meters, how did that height compare with the height of the wigwams? Colin Bradley confirmed that the wigwams measured 3.2 meters in height.
 - d) Comment made that it was a good application.

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- e) Clarity sought as to why the development had not formed part of the original application. Colin Bradley advised that the original proposal intended to use the existing Crown Estate office but that the applicant had now decided that it would be better to have a standalone development.
 - f) Concern raised around potential harm to rooting zones of the trees that are to be retained. Gavin Miles advised that the rooting zones of the trees that are to be retained were further from and downslope of the site and therefore unlikely to suffer damage.
9. **The Committee agreed to approve the application subject to conditions detailed in the report with the additional condition around external lighting.**
10. **Action Point arising:**
- i. **Condition around external lighting to be added.**

Agenda Item 6:

Application for Detailed Planning Permission (2018/0048/DET)

Installation of two free standing solar arrays of 24kw

At Croftcarnoch Farmhouse, Kingussie, Highland, PH21 1LU

11. The Convener explained that initially it had been unclear what was being applied for and that was the reasoning for having called-in the application.
12. Colin Bradley, Graduate Planner presented the paper to the Committee. He highlighted that he had omitted the Croftcarnoch Site Location Plan, Block Plan, Supporting Statement, Product sheet and the Product Information from the list of drawings and documents available online on page 3 of the paper.
13. The Committee were invited to ask points of clarity the following were raised:
- a) Was it normal practise with solar arrays to have them sitting so high? Gavin Miles confirmed that it was and where they were not placed on the roof of a building it was normal practise to situate them high enough to catch as much sun as possible.
 - b) Could it be confirmed that the proposed landscape scheme would not provide shading and then render the solar panels useless? Gavin Miles confirmed that the landscape scheme would consist of grassland to fit in with what was already approved.
 - c) Clarity sought as to why two bunds as opposed to three was being sought? Colin Bradley advised that he did not know why. Gavin Miles added that the proposal had been assessed as it was and did not raise any landscape concerns.
 - d) What was the perceived impact on the views from the surrounding hills? Gavin Miles advised that the development would not be easily visible from any

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prominent viewpoints; he added that at the distance they were visible from they would be smaller than a farm shed in the landscape.

- e) Clarity sought with regards to the 6 month period in condition 2 of the report, was that an onerous condition? Gavin Miles advised that this was a condition used before for this type of development.
- f) Support for the application, pleased to see native grassland to be used and support of the form of renewable energy.

14. The Committee agreed to approve the application subject to the conditions in the report.

15. Action Points arising: None.

Agenda Item 7:

Development Plan Scheme 2018/19

16. Gavin Miles, Head of Planning & Communities presented the paper to the Committee.

17. The Convener advised that she was pleased to see the informal and formal discussions being planned throughout the year and added that the Committee would be kept busy.

18. The Committee were invited to discuss the paper, the following points were raised:

- a) When would the Committee get sight of the Main Issues Report Consultation responses and confirmation sought that this would take place prior to any public discussions on it? Gavin Miles advised that the Committee would have the opportunity to consider the analysis of responses at an informal discussion session following the Planning Committee meeting on 25th May 2018. Following those discussions, Committee members will be sent discs containing all the responses should the Committee wish to read through them.
- b) In relation to the new Planning Act was the intention to retain the Main Issues Report? Gavin Miles advised that the proposal was to remove the requirement for it in future but that it was still required by the current legislation. Gavin Miles explained that transitional arrangements would be published in due course which would show how our Local Development Plan would fit into the new process.
- c) How would the Development Plan Scheme be used, could it be circulated? Gavin Miles advised that it would be available on the corporate website.
- d) How are people involved, how can members of the public see how their responses have been used to inform the Main Issues report? Gavin Miles explained that that would be the purpose of the discussion at the formal meeting.
- e) Suggestion made to change the wording to state that responses are analysed and taken into account. Gavin Miles advised that all respondents would receive a letter with the development brief attached. It was agreed that a sentence around

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responses having been taken into account would be added to the Development Plan Scheme.

- f) Question raised around the use of the word 'recommendations' with regards to the reporter, was this best choice of word when in reality there is no say in whether they are carried out or not. Gavin Miles explained that the terminology that comes with the process has to be used.
- g) Comment made that the Development Plan Scheme was easy to read, had been laid out visually and succinctly.
- h) Clarity sought as to who the audience for the Development Plan Scheme was. Gavin Miles confirmed that it was a statutory obligation to revise and publish this annually and it could always be found on the corporate website for anyone with an interest.

19. The Committee approved the publication of the Development Plan Scheme for 2018/19 subject to the following addition:

- **Add a sentence around responses being taken into account in the Development Plan Scheme**

20. Action Point arising:

- i. Sentence to be added to the Development Plan Scheme that responses would be taken into account.**

Agenda Item 8:

Aviemore Highland Resort Site – Consultation Update

21. Katie Crerar presented the paper to the Committee.

22. The Committee were invited to discuss the paper, the following points were raised:

- a) Recognition that Aviemore Highland Resort is a key driver for the economy across the Strath.
- b) Concern raised that the Cairngorms Business Partnership had not been consulted and that it did not look like people in Kingussie and Newtonmore had been consulted either. The Convener added that the Cairngorms Business Partnership could have submitted a response but they chose not to. It had been a public consultation open to anyone to respond. Gavin Miles added that there had been a lot of engagement with the public as part of the public consultation through social media, as well as face to face contact at the drop in events.
- c) Comment made that people would always comment in the negative. Katie Crerar confirmed that they had spoken to 30 people at events and had more conversations than written responses.
- d) Agreement that the level of consultation responses was disappointing.

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28. **The Committee approved the proposed planning service priorities for 2018/19.**
29. **Action Points arising:**
 - i. **Additional discussion session to be added to the Training Programme for 2018-19.**

Agenda Item 10:

Any Other Business

31. Murray Ferguson and Katherine Donnachie joined the meeting.
32. The Convener advised that she and Willie McKenna had attended an Aviemore Community Council meeting where they had been talking about the A9 dualling at Aviemore. She explained that the community were unhappy with how the proposed widening of the route skirts the community path, woodland and water track. She stated that the community had a good argument. It was reported that it had been left with Murray Ferguson to make informal enquiries with Scottish Natural Heritage on their assessment of impacts on the Natural Nature Reserve side of the A9. Murray Ferguson reported that despite discussions with Transport Scotland around the planned provision for paths and cycle tracks they had been disappointed that the feedback given at stage 2 had not been taken into account.
33. Gavin Miles reported that the Allt Mor housing S75 Agreement was in process of being signed.
34. Gavin Miles provided an update on the An Camas Mòr S75 agreement. He reported that the draft S75 had been returned by ACM LLP earlier this week. He added that staff would now review it and then discuss it with Highland Council.
35. Gavin Miles provided the Committee with an update on Project VISTA which is an OffGen project to reduce the landscape impacts of powerline infrastructure. He reported that SSE had used the Major pre-app advice service to ask about undergrounding of powerlines from Auchernack Farm near Nethybridge to past Boat of Garten. He added that this was likely to be done under S37 of the Electricity Act and could lead to a significant reduction in overhead powerline infrastructure in that area.
36. Murray Ferguson reported that he had received an email that morning from the Agent from the Cluny Track who advised that they have managed to secure a contractor and hoped to have him begin on site from next week.

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37. Katherine Donnachie reported that both Dorenell windfarm applications which had been the subject of a Local Inquiry which the CNPA and SNH had participated in had been withdrawn. However the consent for the original scheme was still valid.
38. Murray Ferguson reported that this week he had hosted a group of planners from Norway and they had been particularly interested in community engagement and community planning.
39. A Committee member notified the Committee that the A939 Gairnsheil bridge would be closed from 14th May for 3 weeks so those travelling to Ballater for the site visit prior to the Planning Committee meeting on 25th May 2018 would have to allow extra time and travel via Dinnet.
40. **Action Point arising:**
 - i. **Clerk to the Board to remind the Committee about the A939 Gairnsheil Bridge closure in advance of the next Planning Committee meeting.**

Agenda Item 11:

Date of Next Meeting

41. Friday 25 May 2018 at The Albert Hall, Ballater.
42. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Clerk to the Board, Alix Harkness.
43. The public business of the meeting concluded at 12.45 hrs.
44. **Action Point arising: None.**