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**CAIRNGORMS NATIONAL PARK AUTHORITY**

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**APPROVED MINUTES OF THE PLANNING COMMITTEE**

held at The Albert Hall, Ballater

on 28<sup>th</sup> April 2017 at 11.00am

**Members Present**

Peter Argyle  
Rebecca Badger  
Geva Blackett  
Angela Douglas  
Paul Easto  
Dave Fallows  
Jeanette Gaul  
Kate Howie  
Janet Hunter

Gregor Hutcheon  
John Latham  
Bill Lobban  
Fiona Murdoch  
Eleanor Mackintosh (Convener)  
Willie McKenna  
Gregor Rimell  
Brian Wood

**In Attendance:**

Gavin Miles, Head of Planning  
Jane Shepherd, Planning Manager, Development Management  
Katherine Donnachie, Planning Officer, Development Management  
David Allan, Planning Technician  
Peter Ferguson, Legal Adviser Harper & MacLeod LLP  
Alix Harkness, Clerk to the Board

**Apologies:**            Gordon Riddler            Judith Webb

**Agenda Items 1 & 2:**

**Welcome**

1. The Convener welcomed all present and apologies were noted.
2. The Convener gave special welcome to Geva Blackett who recently won her directly elected seat on the Cairngorms National Park Authority Board.

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## Agenda Item 3:

### Minutes & Matters Arising from the Previous Meeting

3. The minutes of the previous meeting, 24 March 2017, held at the Community Hall, Boat of Garten were approved subject to the following amendment:
  - At Para 17d): In the middle line towards the end of the sentence 'wor' to be amended to read 'work'
4. There were no matters arising.
5. The Convener provided an update on the Action Points from the previous meetings:
  - a) **Action at Para 10i): Complete** - Which phase of the application the affordable housing will be built was checked.
  - b) **Action at Para 10ii): Complete** - The location of bus stops and bus shelters with Highland Council Transport team proposed was checked.
  - c) **Action at Para 19i): Closed** - Amendments made to the draft CNPA Response to Consultation on 'People Places and Planning' circulated to the Planning Committee Convener and Board Convener in the first instance and subsequently submitted to Scottish Government. Committee Members requested the final consultation report be circulated around all members. This was agreed.
  - d) **Action at Para 23i & ii): Complete** - Typo on page 3 of the Development Plan Scheme amended and hyperlinks shortened before being published.
  - e) **Action at Para 31i): Programmed for meeting in October 2017** - Update Report on Beaully-Denny Restoration.
  - f) **Action at Para 34i): Complete** - Aviemore & Vicinity Community Council consultation response circulated to the Committee.
6. **Action Points arising:**
  - i. **Final CNPA Response to Consultation on 'People Places and Planning' to be circulated around members for information.**

## Agenda Item 4:

### Declaration of Interest by Members on Items Appearing on the Agenda

7. There were no interests declared.

## Agenda Item 5:

### Application for Detailed Planning Permission (2016/0394/DET)

Erection of 60 bedroom hotel with associated landscaping, service area and car parking. At Cairngorm Service Station, Grampian Road, Aviemore

**RECOMMENDATION: Approve subject to Conditions**

8. Katherine Donnachie, Planning Officer presented the paper to the Committee. She highlighted that RSPB should have been identified as a making a representation, not as a consultee. Further it was proposed that comments made by the RSPB regarding education on environmental matters could be addressed by an informative
9. The Committee were invited to discuss the report, the following points were raised:
  - a) Query around land contamination and had petrol tanks been found or not? Katherine advised that it was understood that previous materials associated with the previous use had already been removed from the site but informative 5 had been added to remind the applicant to remain vigilant for the presence of contaminated land and how to address this, should it be found.
  - b) Query raised around Network Rail advising that it would be the responsibility of the developer to maintain the boundary fence? Katherine confirmed that this was the case.
  - c) Query surrounding the relevance of capercaillie on a brownfield site in a commercial area of Aviemore? Katherine clarified that she had meant that those staying in the hotel could be given information on responsible recreation as part of their welcome pack.
10. Mr Nick Johnson (Applicant), Mhairi Shaw (Agent) and Peter Fraser (Engineer) gave a presentation to the Committee. The Committee were invited to ask questions, the following were raised:
  - a) How confident were they in the proposed structure and stability of the corners on the North East of the building on the South side? Mr Fraser confirmed that they were confident that they would be suitably founded in that area.
  - b) Were they comfortable with the conditions and the extent of these? Ms Shaw confirmed that they had all been previously negotiated during the -application process and therefore they were comfortable with them.
11. The Convener thanked the speakers and the Committee were invited to discuss the report, the following points were raised:
  - a) Pleased that Inclusive Cairngorms comments concerning the need for all abilities accommodation be provided have been addressed.
  - b) Agreement that it would be a good addition to Aviemore and a significant visual improvement from the current brownfield site.

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- c) Comment that the current proposal was a measurable improvement on the last proposal on the site.
- d) Praise to the developer, applicant and staff for working constructively together during the pre-application stage to get to this point.

12. **The Committee agreed to approve the application subject to conditions detailed in the report.**

### **Agenda Item 6:**

#### **Application for Planning Permission in Principle (2016/0271/PPP)**

#### **Proposal for 8 Houses and Access Road**

#### **At Land 45M NW of 3 Ridewood Grove, Newtonmore**

- 13. David Allan, Planning Technician presented the paper to the Committee.
- 14. The Committee were invited to discuss the report, the following points were raised:
  - a) What implications would Strone road remaining un-adopted by the Highland Council have on the proposal? David confirmed that the Highland Council had confirmed that they had no interest in maintaining Strone Road and therefore it would fall to the developer to establish an agreeable approach to the maintenance or upgrading of Strone Road with those who currently share this responsibility.
  - b) How many buildings were being proposed? David confirmed the application was for 8 units but that there was no number of building specified.
  - c) Request made to add the reference to lighting in Condition 9. This was agreed.
  - d) Concern raised around the unconfirmed status of Strone Road particularly around the Highland Council providing services to the properties such as refuse lorries etc. David confirmed that there was understood to be an informal agreement in place with the Highland Council for the collection of bins from other residential streets at this section of Strone Road. It would need to be established if this agreement could be extended to this development. It was highlighted that conditions made provision for alternative waste collection arrangements.
  - e) Question raised around the long term maintenance of Strone road, given that refuse vehicles would be using the road regularly. David advised that it would need to be included when the applicant returned for full planning permission.
  - f) Could the applicant be encouraged in the form of an informative to provide more than 25% affordable housing? Gavin advised that the application already complied with planning policy on affordable housing so it wouldn't be an appropriate use of an informative.
  - g) Suggestion made to add an informative restricting construction working hours to cover demolition of existing buildings. This was agreed.

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15. **The Committee agreed to approve the application subject to conditions detailed in the report subject to the following additions:**
  - a) **Addition of informative in construction working hours**
  - b) **At Condition 9: Reference to lighting to be added.**
  
16. **Action Points arising:**
  - i. **Additions to condition 9 to be made to the decision notice as detailed in paragraph 15.**

### **Agenda Item 7:**

#### **Any Other Business**

17. Suggestion made for CNPA to have representation on the NHS Highland transport group. Gavin agreed to consider who from the staff would be best placed to join the group. Meanwhile Dave Fallows agreed to feedback relevant information arising from the group as it was forthcoming.
  
18. Suggestion made to explore the possibility of identifying sites that could be used as tied housing to house NHS staff.
  
19. Dorenell closing submissions have been submitted. Inquiry went as well as CNPA and SNH could have hoped for – now up to the Department of Planning and Environmental Appeals (DPEA) Reporters.
  
20. CNPA have been consulted on three more EIA scoping requests for windfarm proposals in Moray by Scottish Government Energy Consents Unit - Clashindarroch phase 2; Repowering of original Dorenell consent and Clashgour close to Pauls Hill and Berry Burn. CNPA staff will be liaising with SNH colleagues on responses which will reflect any lessons learnt from the recent Dorenell Public Inquiry.
  
21. The Convener reminded the Committee that Matthew Taylor was leaving the CNPA and thanked him for his work. Gavin advised that recruitment for a replacement was underway and that they were also recruiting for an additional part time (3 days per week) development management planning officer as Katherine would be moving to working 3 days per week.
  
22. **Action Points arising:**
  - i. **Suitable staff representative to sit on NHS Highland Transport group to be identified.**

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- ii. **Dave Fallows/ Gregor Rimell to relay any important information arising from the NHS Highland Transport group.**

### **Agenda Item 8:**

#### **Date of Next Meeting**

- 23. Friday 26 May 2017 at The Community Hall, Boat of Garten.
- 24. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Clerk to the Board, Alix Harkness.
- 25. The public business of the meeting concluded at 12.15 hrs.