

APPROVED COMMITTEE MINUTES

CAIRNGORMS NATIONAL PARK AUTHORITY

APPROVED MINUTES OF THE PLANNING COMMITTEE

held at The Cairngorm Hotel, Aviemore

on 30th June 2017 at 11.00am

Members Present

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

Janet Hunter
Fiona Murdoch
Eleanor Mackintosh (Convener)
Willie McKenna
Gordon Riddler (Deputy Convener)
Gregor Rimell
Judith Webb
Brian Wood

In Attendance:

Gavin Miles, Head of Communities & Planning
David Berry, Planning Manager, Forward Planning & Service Improvement
David Allan, Planning Officer, Development Management
Katie Crerar, Planning Officer, Forward Planning & Service Improvement
Alix Harkness, Clerk to the Board
Kirsty Mackenzie, Planning Support Officer

Apologies:

Gregor Hutcheon

John Latham

Bill Lobban

Agenda Items 1 & 2:

Welcome

1. The Convener welcomed all present and apologies were noted. The Convener gave special welcome to former board member Katrina Farquhar.

APPROVED COMMITTEE MINUTES

Agenda Item 3:

Minutes & Matters Arising from the Previous Meeting

2. The minutes of the previous meeting, 26 May 2017, held at the Community Hall, Boat of Garten were approved with the following amendments:
 - a) At Para. 8c) – This paragraph to be carried forward as an action and listed in paragraph 9.
 - b) At Para. 21) – Reference to A9 dualling to be added to explain what the paragraph was being referred to.

3. The Convener provided an update on the Action Points from the previous meetings:
 - a) **Action point at Para 10i) –In Progress** – Amendments and additions made to HI Carr-bridge Development Brief.
 - b) **Action point at Para 16i) – In Progress** – Amendments and additions made to the Aviemore Development Brief.
 - c) **Action point at Para 16ii) – Ongoing** –Aviemore Business Association and Aviemore Community Company to be consulted as part of the consultation.
 - d) **Action point at Para 20i) – Ongoing** – In future, indication of number to accompany the narrative in the Planning Service Performance Update.

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

4. Brian Wood declared an interest in:
 - a) Item No. 5 – Indirect interest – is associated with the Braemar Royal Highland Charity (applicant),

5. Peter Argyle declared an interest in:
 - a) Item No. 5 –Indirect interest – Has a close relationship with Katrina Farquhar who is associated with the applicant.

6. The Convener noted that all Board Members had a close relationship with Katrina Farquhar given that she had been a CNPA Board member until very recently.

APPROVED COMMITTEE MINUTES

Agenda Item 5:

Application for Detailed Planning Permission (2017/0131/ DET)

Election of heritage centre including office, café and retail space and installation of air source heat pumps

At Princess Royal and Duke of Fife Memorial Park, Braemar

RECOMMENDATION: Approve Subject to Conditions

7. The Convener advised the Committee that Mr Michael Harris, the Agent was present to address the Committee.
8. David Allan, Planning Officer presented the paper to the Committee.
9. Mr Michael Harris (Agent) was invited to address the Committee. He gave a presentation.
10. The Committee were invited to ask the speaker questions, the following points were raised:
 - a) Clarity on the type of external lighting. Mr Harris indicated that there would be discrete wall lights to mark doorways. He added that they were conscious of not over lighting the site.
 - b) Clarity on how the service connections were intended. Mr Harris advised that underground service connections were intended.
 - c) Was the car parking provision sufficient? Mr Harris confirmed that they thought it was adequate given that the venue would not be able to accommodate more than one coach full of people at a time. Mr David Geddes (Applicant) confirmed that they have another car park that could be used for any overspill. David confirmed that Aberdeenshire Council had been consulted on the car parking element and they had not reported any concerns.
 - d) Given the cold winter temperatures in Braemar, would the air source heating system work? Mr Harris advised that there will be an LPG back up system which can be used in colder months, with the LPG tank buried under ground. He added that it was their intention to bury the tank underground.
 - e) How would the section of the building named the Gallery be used? Mr Harris explained that it was intended to be able to take a coach load of visitors to serve them all at the same time or could be used as a multifunction space for other events.
 - f) Had low level lighting along the footpath in winter been considered? Mr Harris confirmed that they intended to look into getting low impact lighting that would be safe. It was agreed to add this as an additional condition.

APPROVED COMMITTEE MINUTES

11. The Convener thanked the speaker and the Committee were invited to discuss the report, the following comments and observations were made:
- a) Agreement that it was an excellent proposal of appropriate size and scope and its design would be a credit to Braemar.
 - b) Praise for the presentation which showed the 3D clustering and its impact and suggestion made that future applications should follow suite.
 - c) At Informative 4 of the report it looked as if part of the sentence was missing. David agreed to look into it and amend.
 - d) At Para 34 suggestion made to correct the reference to 'down birch' to 'downy birch'. David agreed to amend.
 - e) Agreement to add an additional condition to say that the details of servicing connections to the site are to be provided and agreed in advance.
 - f) At Para 3g) suggestion made to increase the ongoing maintenance of tree arrangement from five years to ten years. Gavin advised that the norm for a Planning condition was five years but agreed that it could be looked at for the future a new Local Development Plan is prepared.
12. **The Committee agreed to approve the application subject to conditions detailed in the report subject to the following additions and amendment:**
- a) **Condition to be added around the use of low impact external lighting**
 - b) **Condition to be added around the servicing connections.**
 - c) **Informative 4 to be reviewed and amended as appropriate.**
13. **Action Points arising:**
- i. **Two new conditions to be added to the decision notice around servicing connections and external lighting.**
 - ii. **Informative 4 to be reviewed and amended.**
 - iii. **Reference to 'down birch' to be changed to 'downy birch'.**
 - iv. **Planning and heritage teams will look at time periods for maintenance of tree planting details as the new Local Development Plan is prepared.**

Agenda Item 6:

Local Development Plan Action Programme Review

RECOMMENDATION: Approve

14. Katie Crerar presented the paper to the Committee.

APPROVED COMMITTEE MINUTES

15. The Committee were invited to discuss the paper, the following points were raised:
- a) Clarification as to what the colour coding meant? Katie explained that green indicated a site had few or no constraints to development, orange indicated some constraints that would require to be overcome / mitigated while those coloured red held a more significant constraint(s) that would make them likely to be undevelopable.
 - b) Was it the intention to remove those coded red from the next Local Development Plan? Katie confirmed that this was likely.
 - c) At Section 2 suggestion made to change term 'land owner' to 'land owners'. This was agreed.
 - d) At Table 6.1 on page 31 it was highlighted that the development at Banellan Road in Braemar was complete, with some drainage issues to be addressed. Katie agreed to correct this.
 - e) At C1: Old School Site on page 51 information given that it had been sold to developers for residential units not community facilities. Katie agreed to amend the information relating to this site.
 - f) Was this work required annually? Gavin reminded the Committee that when they adopted it, it was agreed to bring annual updates to the Committee.
 - g) Why were the projects not colour coded? Gavin advised that the Authority has an obligation to report on national projects in our area and that they were not colour coded because the Authority cannot control the project. He added that for projects such as the Beauly to Denny tracks restoration project, regular updates are brought to the Committee.
 - h) Concern raised that in relation to the improvements to the Highland Main Railway line on page 9 provides a positive slant on the works and does not take into consideration that the trains will not stop at Newtonmore, Dalwhinnie, Kingussie and that they will have less capacity for passengers travelling with bicycles.
 - i) Concern raised that the grass seed being used to replant the grass on the verges as a result of the A9 dualling works is attracting deer to the side of the road. Gavin advised that the contractors were supposed to be using a specific type of seed mix. He confirmed he would follow that up.
 - j) With reference to Kingussie community car park on page 51 suggestion made to add a note that there is an issue of surface water in the carpark. Katie agreed.
16. **The Committee agreed to approve the Local Development Plan Action Programme Review 2017 subject to the following amendments**
- a) **At Table 2 on page 13 change the term 'land owner' to 'land owners'.**

APPROVED COMMITTEE MINUTES

- b) **At Table 6.1 on page 31 the drainage issues at Balnellan Road in Braemar to be corrected.**
- c) **At CI: Old School Site on page 51 note to be added that the site had been sold to developers for residential units and not community facilities.**
- d) **At page 51 the requirement of remedial maintenance to address the issue of surface water in the carpark in Kingussie to be added.**

17. **Action Points arising:**

- i. **Amendments to be made as detailed in paragraph 16.**
- ii. **Gavin to clarify seed mix specification in relation to A9 works.**

Agenda Item 7:

Any Other Business

- 18. Gavin advised that the applicant of the Am Camas Mor application had requested more time to address an issue so this was the reasoning behind the application having been withdrawn from the Agenda for today's meeting. The Convener reminded the Committee that this application would be going to the August Committee meeting and encouraged a full Committee attendance.
- 19. Gavin reported that a Planning Enforcement Notice had been served on Cluny Estate asking them to remove a section of track that passed through an SSI and SAC habitat. He added that there would have been no prospect of that track having been granted permission. He advised that the notice would take effect from 19 July and if it was not appealed within the 28 days it would require Cluny Estate to remove that section. He noted that although the CNPA considered that the works could be completed within the timescales of the notice, the estate (who had been cooperating with CNPA and SNH staff) were concerned that they might not be able to fully comply in time. He asked the Committee to agree that if the estate could demonstrate they were making significant and steady progress towards compliance with the notice, then the CNPA would not pursue with the Procurator Fiscal. However, further action would be an option at any point should the CNPA consider that the outcome sought in the notice was not going to be achieved. This was agreed.
- 20. Gavin advised that other tracks in the Angus Glens were currently being investigated and more information on these would be brought back to the Committee in due course.

APPROVED COMMITTEE MINUTES

21. Gavin reported that Greenburn windfarm application, refused by Perth and Kinross Council, which the CNPA had objected to, had been appealed by the applicant. He asked the Planning Committee to agree that the any participation in the appeal should be through written representation. This was agreed.
22. Gavin reported that Ministers had in the past day published their statement on the Planning Review Consultation. He explained that he had not has time to review it all yet but did mention that they were determined to move the Local Development Plan period to a 10 year timescale. It was agreed that Board Members could highlight any comments directly to Gavin that if needed, Gavin would prepare and agree a response with Planning Committee Convener and Deputy Convener and Board Convener and Deputy Convener before submitting any comments.
23. **Action Points arising:**
 - i. **If needed, Gavin to prepare and agree a response to the Ministers Statement on the Planning Review Consultation with the Planning Committee Convener and Deputy Convener and Board Convener and Deputy Convener.**

Agenda Item 8:

Date of Next Meeting

24. Friday 18 August 2017 at The Community Hall, Nethy Bridge.
25. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Clerk to the Board, Alix Harkness.
26. The public business of the meeting concluded at 12.15 hrs.