
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at Mar Lodge, Braemar
on 1st October 2010 at 10.30am

PRESENT

Peter Argyle
Stuart Black
Geva Blackett
Duncan Bryden
Jaci Douglas
Dave Fallows
David Green
Drew Hendry
Marcus Humphrey

Bob Kinnaird
Willie McKenna
Eleanor Mackintosh
Ian Mackintosh
Fiona Murdoch
Andrew Rafferty
Gregor Rimell
Richard Stroud

IN ATTENDANCE:

Don McKee
Andrew Tait
Pip Mackie

APOLOGIES:

Mary McCafferty

AGENDA ITEMS 1 & 2: WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from the above Members.

**AGENDA ITEM 3:
MINUTES & MATTERS ARISING FROM THE PREVIOUS MEETING**

3. The minutes of the previous meeting, 17th September 2010, held at The Cairngorm Hotel, Aviemore were approved.
4. Members requested that Don McKee, Head of Development Management, write to the Applicant for the application at Land 285m NW of Ailanbeg Lodge, Nethy Bridge clarifying the Committee's decision to approve the application subject to a Section 75 Agreement which required the tying of the house to the farm and the occupancy to persons who are engaged in work on the farm. It was agreed that if any further issues arose they would be reported back to the Committee.

**AGENDA ITEM 4:
DECLARATION OF INTEREST BY MEMBERS ON ANY ITEMS APPEARING
ON THE AGENDA**

5. Bob Kinnaird declared an indirect interest in Planning Application No. 10/316/CP, due to the Applicant being a fellow employee of Glenmore Lodge.
6. Dave Fallows and Marcus Humphrey declared a direct interest in Item No.'s 10/325/CP & 10/326/CP on the Agenda, due to both being Directors of COAT (the Applicant).

**AGENDA ITEM 5:
PLANNING APPLICATION CALL-IN DECISIONS
(Oral Presentation, Andrew Tait)**

7. 10/315/CP - No Call-in
8. 10/316/CP - No Call-in
Bob Kinnaird declared an interest and left the room.
Bob Kinnaird returned.
9. 10/317/CP - No Call-in
10. 10/318/CP - No Call-in
11. 10/319/CP - No Call-in
12. 10/320/CP - No Call-in
13. 10/321/CP - No Call-in

14. 10/322/CP - The decision was to call-in the application for the following reason :
- The proposal is for a wind turbine at the Lecht Ski Centre and raises a range of issues with regard to landscape, sustainable use of the areas resources, promoting the understanding and enjoyment of the area and issues with regard to the economic development of the existing business at the Lecht. Consequently, the proposal raises issues of general significance with regard to the collective aims of the National Park.
15. 10/323/CP - No Call-in
16. 10/324/CP - The decision was to call-in the application for the following reason :
- This proposal is for a range of recreational uses including low ropes course, campsite and children’s play area. The site is set in woodland and raises a number of issues with regard to landscape, trees, promoting the enjoyment of the area and issues with regard to the economic development of the site. Consequently, the proposal raises issues of general significance with regard to the collective aims of the National Park.
- Dave Fallows and Marcus Humphrey declared an interest and left the room.
17. 10/325/CP - No Call-in
18. 10/326/CP - No Call-in
- Dave Fallows and Marcus Humphrey returned.
19. 10/327/CP - No Call-in
20. 10/328/CP - No Call-in
21. 10/329/CP - No Call-in
22. 10/330/CP - No Call-in
23. 10/331/CP - The decision was to call-in the application for the following reason :
- This proposal is for a change of house type to a planning consent granted by the CNPA. The proposal is of linked significance to the original proposal raising issues with regard to landscape, built heritage, house design and the social and economic development of the village. Consequently, the proposal is considered to raise a range of issues of general significance with regard to the collective aims of the National Park.

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

24. The Members wished to make comments to the Local Authorities on the following Planning Application No's 10/318/CP, 10/320/CP, 10/325/CP, 10/326/CP & 10/328/CP. The planning officers noted these comments and were delegated with the responsibility of whether or not to submit the comments to the Local Authorities.

AGENDA ITEM 6: ANY OTHER BUSINESS

25. Duncan Bryden informed Members that the Scottish Government Reporters Unit had taken the decision to uphold the planning appeal for 25 houses at Milton, Aviemore, with a reduction in the requirement for Affordable Housing to 15%.
26. Don McKee advised members that the CNPA were disappointed with the Reporters decision, particularly the reduction in the level of Affordable Housing associated with the development and the apparent neglect of the National Park status and what this involved. He also said that the Reporter's decision was not consistent with the views of his Reporter colleagues at the Local Plan Inquiry who supported 25 – 40%. He advised that advice had been sought from the CNPA's Solicitors, and there did not appear to be anything contained in the decision which would warrant a legal challenge. Don McKee informed members that the Reporter had also awarded the Applicant 25% of their expenses incurred during the appeal process, these costs were to be met by the CNPA. He stated that the Reporter had awarded costs due to, what they considered to be, unreasonable requirements regarding drainage issues at the site.
27. Geva Blackett raised concern about the Reporters decision, regarding the reduced level of Affordable Housing, and if it would set a precedent for future applications. Don McKee responded that it should not set a precedent as each application was assessed on its merits. Also the decision was taken prior to the CNPA Board's decision to adopt the CNP Local Plan, therefore there would be the CNP Local Plan and Supplementary Planning Guidance to support the Affordable Housing policy.
28. Members raised concern that the Reporters Unit appeared to be inconsistent with decisions they had taken regarding the need for Affordable Housing in the CNP Local Plan and then the reduction of it in this decision. Concern was also stated regarding the Reporters lack of recognition of the CNP as a designated National Park and the issues this raised when determining planning applications.
29. Members stated that they wished Duncan Bryden, Planning Convener, and that Don McKee, Head of Development Management, to liaise and write to Scottish Ministers, Jim McKinnon, Chief Planner, and the Reporters Unit regarding these issues.

30. Members also felt that a meeting between the National Parks (CNPA & LLTNPA) and the Reporters Unit to discuss the issues would be a positive move forward. Don McKee advised that a meeting with the Reporters Unit had previously taken place, but that a follow up visit could be arranged.
31. Members requested that the Planning Convener and Don McKee report back to the Committee on how this matter was to be taken forward.

**AGENDA ITEM 7:
DATE OF NEXT MEETING**

32. Friday 15th October 2010 at The Albert Hall, Ballater.
33. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
34. The meeting concluded at 11:15am.