
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Albert Memorial Hall, Ballater, on 2nd December 2005 at 10.30am

PRESENT

Eric Baird	Anne McLean
Stuart Black	Sandy Park
Duncan Bryden	Gregor Rimell
Sally Dowden	David Selfridge
Basil Dunlop	Joyce Simpson
Douglas Glass	Sheena Slimon
David Green	Richard Stroud
Marcus Humphrey	Andrew Thin
Bruce Luffman	Susan Walker
Willie McKenna	Bob Wilson
Eleanor Mackintosh	

IN ATTENDANCE:

Don McKee	Andrew Tait
Mary Grier	Wendy Rogerson
Neil Stewart	

APOLOGIES:

Angus Gordon	Alistair MacLennan
Lucy Grant	Andrew Rafferty

WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from Angus Gordon, Lucy Grant, Alistair MacLennan and Andrew Rafferty.

MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 18th November 2005, held at The Ben Mhor Hotel, Grantown-On-Spey, were approved.
4. There were no matters arising.

DECLARATION OF INTEREST BY MEMBERS ON ANY ITEMS APPEARING ON THE AGENDA

5. Marcus Humphrey declared an interest in Planning Application Nos. 05/487/CP, 05/488/CP and 05/489/CP and in Item No. 8 on the Agenda and in Item No. 12 on the Agenda.
6. Eleanor Mackintosh declared an interest in Planning Application No. 05/492/CP
7. Susan Walker declared an interest in Item No.10 on the Agenda.

PLANNING APPLICATION CALL-IN DECISIONS (Oral Presentation, Mary Grier)

8. 05/480/CP - No Call-in
9. 05/481/CP - No Call-in
- 10.05/482/CP - No Call-in
- 11.05/483/CP - No Call-in
- 12.05/484/CP - No Call-in

- 13.05/485/CP - The decision was to call-in the application for the following reason :
 - This application is for outline planning consent for a single dwelling which may not be justified for land management purposes in an area allocated as restricted countryside by the Badenoch and Strathspey Local Plan. This may have the potential to establish a precedent for similar developments in the Park, which cumulatively could raise issues regarding landscape, cultural and natural heritage. Therefore, the proposal raises issues of general significance for the collective aims of the Cairngorms National Park.

- 14.05/486/CP - No Call-in

- 15.05/487/CP - No Call-in
Marcus Humphrey declared an interest and left the room.

- 16.05/488/CP - No Call-in

- 17.05/489/CP - The decision was to call-in the application for the following reason :
 - The provision of a footbridge in this location adjacent to the Muir of Dinnet SAC and SPA, and within the Muir of Dinnet SSSI, may have implications in relation to access, recreation, landscape impact and natural heritage. It may also act as a precedent for other similar developments in sensitive locations of the National Park. As such, it represents a proposal that raises issues of general significance to the collective aims of the National Park.

Marcus Humphrey returned

18.05/490/CP -

No Call-in

19.05/491/CP -

The decision was to call-in the application for the following reason :

- Having regard to the nature of the development proposed in this rural location and the proximity of the site to the River Spey SAC and SSSI, and adjacent to a National Cycle Route, it is considered that the development may be of significance to the conservation and promotion of the natural heritage of the area and also the enjoyment of the special qualities of the area by the general public. It could also set a precedent for further proposals of this nature in other countryside areas within the National Park. It is considered to raise issues of general significance to the aims of the National Park.

20.05/492/CP -

Eleanor Mackintosh declared an interest and left the room.

No Call-in

Eleanor Mackintosh returned.

21.05/493/CP -

No Call-in

22.05/494/CP -

No Call-in

23.05/495/CP -

The decision was to call-in the application for the following reason :

- While recognising that the site has outline planning permission, the scale of the proposal, together with the prominence of the site on open pasture and woodland raises issues in relation to natural heritage, sustainable use of natural resources as well as issues regarding the provision of affordable housing and the overall social and economic development of the area. Consequently, the proposal is considered to raise issues of general significance 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 05/492/CP and 05/494/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.

REPORT ON CALLED-IN PLANNING APPLICATION FOR THE FORMATION OF 4,000 METRES OF FOREST TRAILS SUITABLE FOR ACCESS BY HORSE, THE INSTALLATION OF TEN INFORMATION BOARDS AND THE CREATION OF TWO PICNIC AREAS AT STRATHMASHIE FOREST, LAGGAN. (FULL PERMISSION (PAPER 1))

25. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
26. The Committee discussed the application and the following points were raised:
 - a) Whether or not there were toilet facilities planned for within the application.
 - b) Whether there were plans in place for the long term maintenance of the proposed site including appropriate refuse facilities.
 - c) Car park design to accommodate turning horseboxes etc.
 - d) Whether the second access point to the site was suitable for use as a vehicular access point.
 - e) The possibility of amending Condition 3 in the report to include that no 'New' advertising signs shall be placed on the truck road verge, and also to state that liaison with CNPA VSR Group should take place regarding signage interpretation strategy.
27. The Committee agreed to approve the application subject to the conditions stated in the report with the addition of amendment to Condition 3 as above, and with the addition of a condition regarding the provision of refuse bins and details of a programme of maintenance for the proposed trails.

REPORT ON CALLED-IN PLANNING APPLICATION FOR OUTLINE PLANNING PERMISSION FOR A NEW DWELLING HOUSE AND GARAGE AT GALTON, ORDIE, ABOYNE (PAPER 2)

28. Marcus Humphrey declared an interest and left the room.
29. Andrew Thin informed the committee that a request to address the committee had been received by Matthew Merchant, the agent, acting on behalf of the applicants. The committee granted the request to address the committee.
30. Mary Grier presented a paper recommending that the Committee refuse the application for reasons stated in the report.
31. Mr Merchant addressed the committee.
32. Board Members had an opportunity to ask Mr Merchant questions.
33. Board Members asked Matthew Merchant questions.
34. Andrew Thin thanked Matthew Merchant.
35. The Committee discussed the application and the following points were raised:
 - a) The issue of Section 75 Agreements and mortgages.
 - b) Clarification of Section 75 issues were sought by the Committee of the agent; this was granted by Andrew Thin.
36. Bob Wilson proposed a Motion to refuse the application as recommended; this was seconded by Bruce Luffman.

37. Douglas Glass proposed an Amendment to defer determining the application to give the applicants additional time to reconsider the Section 75 Agreement and ascertain what implications this would have over a mortgage. This was seconded by Richard Stroud.

The vote was as follows:

NAME	MOTION	AMENDMENT	ABSTAIN
Eric Baird		√	
Stuart Black		√	
Duncan Bryden		√	
Sally Dowden		√	
Basil Dunlop		√	
Douglas Glass		√	
David Green		√	
Bruce Luffman	√		
Willie McKenna		√	
Eleanor Mackintosh		√	
Anne MacLean	√		
Sandy Park		√	
Gregor Rimell		√	
David Selfridge	√		
Joyce Simpson		√	
Sheena Slimon		√	
Richard Stroud		√	
Andrew Thin	√		
Susan Walker		√	
Bob Wilson	√		
TOTAL	5	15	0

38. The Committee agreed to defer the application to give the applicants additional time to reconsider the Section 75 Agreement and ascertain what implications this would have over a mortgage

39. Marcus Humphrey returned.

REPORT ON CALLED-IN PLANNING APPLICATION FOR OUTLINE PLANNING PERMISSION FOR ERECTION OF RETAIL UNIT AND 8 No. FLATS, VACANT LAND (FORMER FILLING STATION) GRAMPIAN ROAD, AVIEMORE (PAPER 3)

40. Neil Stewart advised the committee of the applicants request to defer the application.

41. The Committee agreed to defer the application.

REPORT ON CALLED-IN PLANNING APPLICATION FOR FULL PLANNING PERMISSION AND CONSERVATION AREA CONSENT FOR DEMOLITION OF EXISTING SHOP & ERECTION OF DWELLINGHOUSE, 2 CHAPEL BRAE BRAEMAR (PAPER 4)

42. Susan Walker declared an interest and left the room.
 43. Andrew Thin advised that a late letter had been submitted.
 44. The committee paused to read the late letter.
 45. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
 46. The Committee discussed the application and the following points were raised:
 a) Concern over the safety issue of on-street parking and the possibility of creating a car parking space within the property area.
 b) Concern that the applicants had admitted that the property would be used as a second home.
 47. Bruce Luffman proposed a Motion to approve the application with an additional condition to include that the property should be occupied for no more than 6 weeks at a time. This was seconded by Richard Stroud.
 48. David Selfridge proposed an Amendment to approve the application as recommended; this was seconded by Duncan Bryden.
 The vote was as follows:

NAME	MOTION	AMENDMENT	ABSTAIN
Eric Baird		√	
Stuart Black		√	
Duncan Bryden		√	
Sally Dowden		√	
Basil Dunlop		√	
Douglas Glass		√	
David Green		√	
Marcus Humphrey		√	
Bruce Luffman	√		
Willie McKenna	√		
Eleanor Mackintosh		√	
Anne MacLean		√	
Sandy Park		√	
Gregor Rimell		√	
David Selfridge		√	
Joyce Simpson		√	
Sheena Slimon		√	
Richard Stroud	√		
Andrew Thin		√	
Bob Wilson		√	
TOTAL	3	17	0

- 49.. The Committee agreed to approve the application subject to the conditions stated in the report.

50. Susan Walker returned.

REPORT ON CALLED-IN PLANNING APPLICATION FOR OUTLINE PLANNING PERMISSION FOR THE ERECTION OF 13 HOUSES ON LAND SOUTH OF GREENHILLS AND LAND TO REAR OF MEADOW VIEW INSH, KINGUSSIE (PAPER 5)

51. Andrew Tait presented a paper recommending that the Committee refuse the application for reasons stated in the report.
52. The Committee discussed the application and the following points were raised:
- a) That a letter should be written to the applicant to advise that there are actually 16 separate applications and not 13 and therefore any affordable housing agreement should be for 4 plots.
53. The Committee agreed to refuse the application for the reasons stated in the report, with the addition that a letter should be written to the applicant advising that there are actually 16 separate applications and not 13.

REPORT ON CALLED-IN PLANNING APPLICATION FOR FULL PLANNING PERMISSION FOR 3 TEMPORARY ACCOMMODATION UNITS FOR FOOTPATH RESTORATION WORK, GLASS ALLT, LOCHNAGAR (PAPER 6)

54. Marcus Humphrey declared an interest and left the room.
55. Andrew Tait presented a paper recommending that the Committee approve the application subject to conditions stated in the report.
56. The Committee discussed the application and the following points were raised:
- a) Concern that condition 1 was not specific enough.
 - b) The possibility of erecting appropriate signage to explain to walkers what was going on.
57. The Committee agreed to approve the application subject to conditions stated in the report, with the addition of a letter to be written to the applicant to suggest appropriate signage to explain to walkers what was going on.
58. Marcus Humphrey returned.

ANY OTHER BUSINESS

59. Joyce Simpson raised a point regarding costing differences between locating an undersea cable and an overland cable from a particular wind farm on Lewis. And how this may have similarities to the Beaully to Denny Powerline.

DATE OF NEXT MEETING

69. Friday 16th December, Grantown-On-Spey.
70. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
71. The meeting concluded at 12.35hrs.