

CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at The Community Hall, Boat of Garten
on 3 February 2012 at 10.30am

Members Present

Peter Argyle
Duncan Bryden
Jaci Douglas
Dave Fallows
Katrina Farquhar
David Green
Kate Howie
Marcus Humphrey

Gregor Hutcheon
Eleanor Mackintosh
Ian Mackintosh
Willie McKenna
Martin Price
Gordon Riddler
Gregor Rimell
Brian Wood

In Attendance:

Don McKee, Head Planner
Robert Grant, Development Management Officer
Mary Grier, Development Management Officer
Pip Mackie, Planning Systems Officer

Apologies:

Angela Douglas
Mary McCafferty
Allan Wright

Agenda Items 1 & 2:

Welcome & Apologies

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

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Agenda Item 3:

Minutes & Matters Arising from the Previous Meeting

1. The minutes of the previous meeting, 6 January 2012, held at The Albert Memorial Hall, Ballater were approved.
2. There were no matters arising.
3. The Convener provided an update on the Action Points from the previous meeting:
 - Action Point at Para. 5: Don McKee was still investigating options for the screening of sites during construction works and an update would be provided in due course.
 - Action Point at Para. 31: Completed.
 - Action Point at Para. 41: A letter had been produced, agreed and sent.
 - Action Point at Para.48: Alison Lax had been working with Duncan Bryden & Peter Argyle regarding the new Design Awards protocol, due to be launched in March.

Agenda Item 4:

Outcome of Electronic Call-In

4. The content of the Outcome of the Electronic Call-in held on 20 January 2012 was noted.

Agenda Item 5:

Declaration of Interest by Members on Items Appearing on the Agenda

5. Jaci Douglas declared an indirect interest in Item No. 9 (Paper 4) on the Agenda, due to being friends with people who lived in neighbouring properties to the site.
6. Katrina Farquhar declared an indirect interest in Item No. 8 (Paper 3) on the Agenda, due to knowing the Applicant.
7. Marcus Humphrey & Don McKee declared a direct interest in Item No. 8 (Paper 3) on the Agenda, due to knowing the Applicant.
8. Brian Wood declared an indirect interest in Item No. 7 (Paper 2) on the Agenda, due to the Applicant seeking grant funding for the development project from various local organisations. Brian Wood had responded to the request on behalf of the Braemar History Group.
9. Jaci Douglas arrived at the meeting.

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Agenda Item 6:

Report on Request for Removal of Section 75 Agreement

For Erection of Dwelling

At Laggan Country Hotel, Laggan

(Paper 1) (06/336/CP)

10. Duncan Bryden advised that the Applicant, David Huisman, had requested to address the Committee. However, this request had been received outwith the permitted timescales. Duncan Bryden asked Members if they wished to suspend Standing Orders to allow the Applicant to address the Committee. Members agreed to suspend Standing Orders.
11. Andrew Tait presented a paper recommending that the Committee refuse the request for the reasons stated in the report with an additional reason inserted into Paragraph 16 to refuse the application, specifically referring to CNP Local Plan Policy 22 – Housing Outwith Settlements.
12. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) Would it be competent to vary the terms of the Section 75 Legal Agreement (S75) to allow the cascade mechanism, even though the Applicant had not requested the variation. Don McKee responded that the cascade mechanism had been discussed with the Applicant, but after the Applicant had seen the letter issued by the Chief Planner he had requested the complete discharge of the S75. Don McKee advised this point may be best directed to the Applicant.
 - b) Clarification if the cascade mechanism was available to all S75's. Don McKee responded that the cascade mechanism was available to all S75's and that Planning Officers were initially going to recommend this as a variation to the S75 in order for the Applicant to achieve finance to finish the project. However, the Applicant did not wish the S75 to be varied but removed completely. Don McKee advised that the cascade mechanism would be built into all future S75's. However, the proposal being considered was for a historical S75 Agreement and therefore a variation would be required.
13. David Huisman, Applicant, was invited to address the Committee. The presentation covered the following points:
 - The CNP Local Plan (CNP LP) being flawed.
 - Previous extensions built onto the Laggan Country Hotel and the lack of bedroom capacity when dealing with coach parties.
 - Previous owners providing static chalets on site and the chalets not being fit for residential purpose.

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- The recent CNP LP not providing for a residential house to be built in the grounds of the Hotel.
- The Planning Authority recognising the need for accommodation on the site by approving the existing chalets.
- The existing chalets being of sub standard construction and the lack of insistence by the Planning Authority for them to be new build structures. The feeling of being let down by the Local Authority by these chalets being approved.
- The current drainage, insulation, temperature and electrical problems experienced living in the chalets.
- Other new build properties in the area which have been approved without S75's and that 2 of the Applicants for some of these houses have been Members of the CNPA Planning Committee.
- Instances of applications being approved without S75's and some S75's being lifted.
- The recent letter issued by the Chief Planner advising that the use of S75's was no longer to be recommended and therefore that all existing S75's should be abolished.
- The possibility that the CNPA as Planning Authority have too much power or that the Scottish Government do not have enough and cannot control the CNPA as Planning Authority.
- Advising that the S75 has been appealed to the Reporters Unit.

14. The Committee were invited to ask questions of the speaker and the following points were raised:

- a) Clarification of the construction costs, as detailed in the letter from the Applicant's wife, Janet Huisman. Mr Huisman advised that the costs detailed were the outgoings on the project in the last year.
- b) Advising the Applicant that Highland Council had taken the same view as the CNPA, in stating that there were some circumstances where a S75 was still appropriate despite the letter from the Chief Planner.
- c) If the Applicants financial situation could be solved by varying the S75 by including the cascade mechanism. Mr Huisman responded that they had approached the Bank of Scotland (HBoS) (who the CNPA had been in discussion with) in Inverness and neither of the advisers in the branch that day had heard of the cascade mechanism. He advised that it was not vital that they obtained a mortgage, but it would be of help. Mr Huisman advised that the house was located a distance from the Hotel and by removing the S75 it would give them an option of selling the Hotel to the coach company in the future. He advised that, when in the future, they were to leave the Hotel; he foresaw them selling the Hotel and house together.
- d) Clarification that although the HBoS branch in Inverness may not be aware of the issues surrounding S75's, would they, as the Applicants, be willing to vary the S75 to include the cascade mechanism. Mr Huisman responded that obtaining a mortgage was not the only issue and that he felt they were the only business in the area subject to a S75. He advised of the pressure of operating the business under the

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constraints of a S75, where the custom comes 95% from one coach company. He advised that should the coach company withdraw their custom there was the possibility of losing both the business and their house. Whereas, if the S75 were lifted they may lose the business but not their house.

- e) Querying the possibility of selling the Hotel and the Applicants commitment to still running the Hotel. Mr Huisman advised that their long term plan had been to run the Hotel whilst seeing their children through school. He advised that their youngest child still had 8 years left to go at school. Mr Huisman informed Members that they currently had a planning application for a 4 bedroom extension to the Hotel and to replace the existing chalets and they were still committed to running the Hotel for the next 8 – 10 years.
- f) Clarification if the S75 was lifted, the Hotel sold and Mr Huisman and his family to remain living in the house – the new owners would presumably require a house on site associated with the business. Mr Huisman responded that if that were the case the new owners would have the 2 replacement chalets to live in and should an application be submitted for a residential house this should be refused outright.

15. Duncan Bryden thanked the speaker.

16. The Committee discussed the application and the following points were raised:

- c) If the Committee believe the approach was correct, the application should be refused and await the outcome on the appeal from the Reporters Unit.
- d) The fact that the S75 would be applied on the application today as it had been when originally granted.
- e) The established cascade mechanism to allow lenders to provide financial support and if the Applicant was not willing to vary the S75, the request to lift it should be refused.
- f) The possibility of varying the S75 to include the cascade mechanism without the Applicant requesting this. Don McKee advised that the Committee could resolve to vary the S75. However, S75's required both the signature of the Applicant and the CNPA and the Applicant had made his feelings on the subject quite clear.
- g) The request not being based on the requirement for finance, but on the fact that the Applicant may wish to sell the Hotel separately from the house. This being the reason S75's were used in the first place, to allow development where it would not otherwise have been acceptable in policy terms.
- h) S75's should be seen as enabling to development and not restrictive.
- i) The possibility of refusing the request to lift the S75 but whilst also resolving to vary the S75 to include the cascade mechanism. Duncan Bryden requested Don McKee to advise if this could be achieved. Don McKee advised that the application would be refused and the Applicant duly informed. Meanwhile, the Applicant could continue his dialogue regarding an appeal with the Reporters Unit. As a separate strand, an advisory note could be included requiring the Planning Officers to discuss

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further with the Applicant the possibility of varying the S75 to include the cascade mechanism. Don McKee informed Members that Andrew Tait had forwarded the Applicant contact details of a member of staff within HBoS who had had previous dealings with an S75 and cascade mechanism within the CNP.

17. The Committee agreed to refuse the application subject for the reasons stated in the report.

18. **Action Points arising:** Planning Officers to discuss the possibility of varying the S75 to include the cascade mechanism with the Applicant.

Agenda Item 7:

Report on Called-In Planning Application

For Restoration of Former Croft House with Ancillary Storage and Re-positioning of New Dwellinghouse and Alterations to External Finishes At Tomintoul Croft, Braemar (Paper 2) (2011/0378/LBC & 2011/0379/DET)

19. Robert Grant presented a paper recommending that the Committee approve the application subject to the conditions stated in the report with an Additional Condition requiring the restoration of the croft house prior to the first occupation of the new house.

20. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:

- a) Uneasiness with approving planning permission for a house in the countryside under the proposed circumstances. Robert Grant advised that planning permission had already been granted for the development in May 2011, in order to enable the rehabilitation of the listed croft house.
- b) Concern about setting a precedent for other developments of this type. Robert Grant advised that it was a unique opportunity to safeguard, preserve and enhance an A listed building and therefore a new dwelling had been accepted at the site.
- c) The principle of the development already having been established and the proposal being a reasonable solution.
- d) The public gain for the rehabilitation of the croft house. Would the public have access to the building? Robert Grant responded that the Applicant had been advised that the croft house (once restored) might be made available for public viewing through the 'Doors Open Day' held every September, as well as occasional additional public access.

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- e) Querying the fact that there was no condition tying the original croft house to the new dwelling. Robert Grant responded that this had been discussed for the previous determination and that due to the implications of finance and VAT issues it was felt that a Section 75 Legal Agreement would be too onerous. Robert Grant advised that the Applicants had stated their full commitment to the restoration of the croft house.
 - f) The Committee were informed that the Applicant had attended a community Council meeting and had given his firm assurance that public access would be available to the croft house through various open days.
 - g) The requirement for an Advisory Note regarding public access to the original croft house.
21. The Committee agreed to approve the application subject to the conditions stated in the report with an Additional Condition requiring the restoration of the croft house prior to the first occupation of the new house and an Advisory Note regarding public access to the original croft house.
22. **Action Points arising:** None.

Agenda Item 8:

Report on Called-In Planning Application For Erection of Replacement Dwellinghouse At Site to the North of Glascorrie, Cambus O'May, Ballater (Paper 3) (2011/0344/DET)

23. Marcus Humphrey & Don McKee declared an interest and left the room.
24. The Convener informed Members that a request to address the Committee had been received, within the given timescale, from:
- Applicant – Neil Williams
25. The Committee agreed to the request.
26. Robert Grant presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
27. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
- a) Clarification if the photo montage had been provided by the Applicant. Robert Grant responded that the proposed house was provided by a timber kit manufacturer and the photo montage was available on their website. He stated that there were slight design changes in the proposal from the photo montage, such as the garage being in the gable elevation.

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- b) Clarification if the existing building was structurally sound, as the Applicant claimed it required underpinning.
- c) Clarification of the phrase 'embodied energy' and if it were measurable. Robert Grant responded that the embodied energy was the works gone into originally building the house and this had to be taken into account if it were to be demolished.
- d) The difficulty in assessing the state of the existing building when no opportunity had been given to members to view the building internally. Duncan Bryden stated that no site visit had been arranged for this application.

28. Neil Williams was invited to address the Committee. The presentation covered the following points:

- The recent handing over of his full agricultural tenancy of Ballaterach & Headinch in return for the land at Glascorrie.
- The existing property at Glascorrie and the lack of sunlight due to forestry planting.
- An approved application for a replacement property at Headinch, in a new location setting a precedent for the proposed development.
- The proposed site having sun all year round, allowing the possibility of solar panels and passive solar gain.
- The possibility of running the new dwelling as a Bed & Breakfast business.
- The acreage at Glascorrie not being able to sustain an income from agriculture alone, therefore some form of diversification was required.
- The proposed location being close to the Deeside Way, allowing easy access to the Bed & Breakfast for walkers and visitors to the area.
- The proposal complying with CNP LP Policy 23 – Replacement Housing.
- The only objection having been received from the CNPA Landscape Officer, for an objection to carry weight surely it should be supported by at least one other letter detailing similar concerns.
- The costs of making the existing property habitable far outweighing any costs associated with a new build property.
- Photographs to demonstrate the overshadowing and snow / frost levels at Glascorrie.
- Willingness to consider design changes and landscape suggestions.

29. The Committee were invited to ask questions of the speaker and the following points were raised:

- a) Clarification why underpinning would be required for the existing property. Neil Williams responded that due to the age of the property and there being no damp proof course, the foundations were on the surface of the ground. Therefore a 'hit and miss' operation would be required to be carried out to comply with Health and Safety implications.
- b) The possibility of repositioning the proposed dwelling to a new location. The Applicant responded that he would be willing to discuss repositioning of the

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- property. However, it was the only site on the holding which allowed access to the sun all year round.
- c) The possibility of tree thinning taking place. Neil Williams replied that forestry planting was on the increase and that it was very unlikely that the hillside would ever be completely felled.
 - d) How far the Applicant was willing to move on the design of the property. Neil Williams responded that he had been advised by Aberdeenshire Council that a single storey dwelling would be most appropriate for the site and that had been the design submitted. Duncan Bryden requested the Planning Officer to confirm the advice given by Aberdeenshire Planning Officials. Robert Grant responded that he had discussed the matter with Aberdeenshire Council and they had advised that an accompanied site visit had been carried out in August 2011. The Applicant had been advised that the new dwelling would not be considered as a replacement house and that the proposed location would not be acceptable. Robert Grant confirmed that the Agent involved in this discussion was not the same Agent acting at the moment.
 - e) If the forestry causing the overshadowing was outwith the Applicants control. The Applicant confirmed that the forestry plantation was completely outwith his control and that it still had some growing to do before it would be considered for felling.
 - f) The lack of information provided with the application. The Applicant stated that he would have thought that all the information requested had been supplied, this was why he had employed an Agent.
 - g) Clarification of the information provided regarding the overshadowing. Robert Grant responded that the Agent had provided some details regarding solar modelling. However, the information provided was not adequate enough to make a detailed assessment of the issue. Robert Grant had subsequently emailed the Agent that requesting more substantive information be submitted and giving a clear indication of what was required. No further information had been received to date.
 - h) The design of the new dwelling not being in keeping with existing properties in the CNP and how far the Applicant would move on design changes. The Applicant advised that he would be willing to discuss changes to the design as long as any suggestions were sensible and practical. He stated his wish to enhance and fit in with the area.
 - i) Why the existing house would be required to be demolished if the new dwelling was to be built elsewhere. The Applicant confirmed that he would be happy to keep the existing property as it was currently used as a store. Robert Grant advised that in the replacement housing policy it was a requirement for the existing property to be demolished. However, buildings of significant cultural heritage (in certain circumstances) could be retained.
 - j) The possibility of not demolishing the existing property.
 - k) Explanation of the Applicants wish for diversification. The Applicant stated that he had applied to the CNPA to explore various tourism ventures particularly in the

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hospitality industry. However, until planning permission had been granted these options could not be fully explored.

- l) Various Planning Policies supporting retiring farmers to build a new dwelling and if the Applicant currently owned any other properties. The Applicant confirmed he owned another property, due to having an agricultural tenancy for the farm should anything have happened, his wife and daughter would have had somewhere to live.

30. Duncan Bryden thanked the speaker.

31. The Committee discussed the application and the following points were raised:

- a) Concern at the requirement for the existing property to be demolished. Andrew Tait advised that although the property was of some cultural heritage value, it had not been established that it was of significant cultural heritage value.
- b) The need for the proposed design of the dwelling to be radically amended as it did not fit in with existing dwellings within the CNP.
- c) The area being sensitive for visual impact to only the immediate area.
- d) Sympathy with the Applicant for the case being made.
- e) Clarification if major design changes were made would a new planning application be required. Andrew Tait responded that a new application would be required for substantial design changes. The site was on an exposed site and the existing pattern of development was in a continuous linear pattern. He advised that many houses on South Deeside were subject to overshadowing and raised concern that approving the application would set a precedent for the area.
- f) If the application could only be considered under the replacement housing policy or if could be considered under the cluster of housing policy. Andrew Tait responded that the application was only being considered under the replacement housing policy as it did not fit in the cluster of housing policy.
- g) Given the requirement for energy efficiency and climate change issues, it seems impractical to support a replacement house being built in the shadows. Robert Grant stated that the photos provided of the site only showed the site over the winter period and therefore it wasn't possible to assess the site fully for overshadowing. He also advised that the overshadowing issue could not outweigh the prominent landscape issues raised by the new dwelling.
- h) The existing property being used as a store and being kept wind and watertight.
- i) Concern that the photo montage provided had not been provided by the Applicant and was a generic image.
- j) It not being reasonable to ask an Applicant to live in dark shade for 8+ months of the year.
- k) Future applications being dealt with on an individual basis and therefore no precedent being set.
- l) The Applicant not having been particularly well advised by his Agent.
- m) The requirement for quality design, location and landscaping.

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- n) Refuse the application but with a clear steer to the Applicant that a replacement house would be acceptable with radical changes to design and location.
- o) The need for the Applicant to provide further information in any subsequent application, covering a framework for all options available, including a clear business case.
- p) Looking forward to a new application being forthcoming addressing design, location, business case and general acceptance that the existing building should be retained.
- q) Ensuring that the Planning Officers assist with addressing an acceptable design.

32. The Committee agreed to refuse the application for the reasons stated in the report.

33. Action Points arising: The Planning Officers to assist the Applicant with addressing design issues for any new application.
Cultural Heritage input required for the existing property from the appropriate professional person.

34. Marcus Humphrey & Don McKee returned.

35. The Committee paused for a break at 12.30pm.

36. The Committee reconvened at 12.35pm.

37. Dave Fallows and David Green left the meeting.

Agenda Item 9:

Report on Called-In Planning Application

**Demolition of Four Flats, Maltings, Malt Barns, Steeps, Malt Bins and Garages; Erection of New Malt Storage Bins, Mash Tun and Associated Plant; Construction of New Access, Hard Standing and Turning Areas At Balmenach Distillery, Cromdale
(Paper 4) (2011/0240/DET)**

38. Duncan Bryden advised that the following people had requested to address the Committee.

- Applicant – David Sinclair (Inver House Distillers)
- Agent – Alastair Mackie, Ashley Bartlam Partnership, Elgin

39. These requests had been received outwith the permitted timescales. Duncan Bryden asked Members if they wished to suspend Standing Orders to allow the Applicant / Agent to address the Committee. Members agreed to suspend Standing Orders.

40. Mary Grier presented a paper recommending that the Committee refuse the application for the reasons stated in the report. Mary Grier clarified that the description of the development in the report referred to 'construction of New Access', she advised that

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this was incorrect and should state 'Access Amendments'. This inaccuracy would be amended in any documentation issued for the application.

41. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:

- a) Clarification of the location of the residential house on the site.
- b) Clarification if any alternative use for the house was a planning matter. Mary Grier responded that the use of the property had been discussed at the pre-application stage but other uses had not been further explored.
- c) Clarification that the area of proposed hard standing currently had buildings located on it. Mary Grier confirmed that this was the case.
- d) Clarification that if an application had come forward for housing on an industrial site would it be refused. Mary Grier responded that the house had originally been built for the owners of the Distillery and had subsequently been converted into flats for workers. Mary Grier stated that she had contacted Highland Council Environmental Health and there was no minimum distance required between residential properties and Distilleries. Therefore any application would be judged on its merits.
- e) The possibility of retaining the residential property for another use. Mary Grier advised that it was not specified that the property had to be used for residential purposes and could be utilised as office space.
- f) Clarification of the location of the other buildings on the site.
- g) The possibility of relocating the hard standing thereby being able to retain the residential house. Mary Grier advised that the relocation of the hard standing and the retention of the property would not be feasible due to other constraints on the site.
- h) The possibility of a site visit.

42. David Sinclair and Alastair Mackie were invited to address the Committee. The presentation covered the following points:

- The significant investment made by the Applicants into the Distillery.
- The other Distillery sites owned by the Applicants.
- The residential property being considered as backland development.
- The large prominent storage building to be demolished, therefore enhancing the visual amenity.
- The phasing of the proposed development.
- The support for the development of the local community.
- Recognition of the importance of the residential house, but the options for it being used residentially or for office space was not appropriate as its use would clash with the needs of the Distillery.

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43. The Committee were invited to ask questions of the speaker and the following points were raised:

- a) The possibility of removing some of the buildings but retaining the house. The Agent advised that other buildings had been brought back into use (the Gin Still) and the staff facilities would be relocated to the original Distillery from a more recent addition (proposed for demolition). He advised that in pre-application discussions many layouts had been considered in conjunction with the Highland Council Planning Officer and the proposed layout had been suggested by them. The Agent advised of the difficulties of HGV's negotiating the steep braes at the site, particularly in winter months and the need to keep domestic / visitor and industrial traffic separated.
- b) If the local community had been asked if they had a use for the house.

44. Mary Grier responded on the following issues:

- That no representations, either in support or against, had been received on the application.
- The importance of the house was not just based on visual impact but also on cultural heritage and its relationship to the first Aim of the CNPA.
- Highland Council Housing Officer had advised that although the house would be good for conversion it was too remote to be considered for Affordable Housing purposes.
- Highland Council Planning Officer had stated in a letter in March 2011 that the loss of the house alone would raise a number of policy issues of concern to both Highland Council and the CNPA. Also, several of the other buildings would raise cultural heritage and sustainability issues in varying degrees to either or both authorities Local Development Plans and/ or Aims of the CNPA.
- It had been indicated that the main focus for the site was as a production facility not a visitor facility and this was reiterated in correspondence from the Agent in December 2011.

45. The Committee were invited to ask questions of the speaker and the following points were raised:

- a) The possibility of retaining the house whilst carrying out the improvements on site. The Agent responded that whilst they were sympathetic to the house being retained and had looked at various options, the current proposal was considered the most appropriate. The Applicant advised that due to the 24 hours a day working, the priority was for traffic management.
- b) The possibility of retaining the house to be redeveloped at some point in the future. The Applicant advised that a structural report had been carried out in 2004 on the property and had estimated a cost of over £700k to bring it up to standard.
- c) If permission were granted to demolish the house, could the granite and cast iron rainwater goods be retained for future use. The Agent stated that they could be retained.

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- d) Clarification of the retention of the management office buildings. The Agent confirmed that the Office buildings would be retained and that the only staff building for demolition was a small flat roof building to the rear of the storage building.
- e) The large size of modern HGV's and the site not being equipped to deal with such large vehicle movements due to being constructed prior to the large vehicles coming into use.
- f) If planning permission were refused would production be moved to other sites owned by the Applicant. The Applicant responded that the manufacture of Whisky was a personal choice and not as straightforward as being able to move or increase production due to the water provision and flow at the site.
- g) Clarification of the scale of production at the Distillery. The Applicant advised that the main function was the production of Malt Whisky, which operated 24 hours a day, 7 days a week. A small percentage was in producing Gin. He advised that they employed 12 people at the site.
- h) The proposed traffic flow through the site. The Applicant advised that it was to rationalise the current one way system in place.
- i) Clarification if the HGV's currently exited the site through the village. The Applicant advised that they did, this was the existing traffic route and was not proposed for change.
- j) The possibility of using the residential house as offices to let to the general public. The Applicant advised that this would have implications for mixing pedestrians with HGV movements. He advised that the existing offices for the Distillery Staff were more than satisfactory.
- k) Clarification if there was any local traffic movements (from Tractors) to collect by-products from the Distillery. The Applicant advised that there were no local movements of this type. All by-products were removed from the site in HGV's.
- l) Confirmation that the Applicant would not look at retaining the residential house. The Applicant responded that they had proposed a way to proceed with the application being discussed and that the retention of the house would not be given consideration.
- m) Clarification of the site boundary and the change in levels on the site.
- n) Specific difficulties with the proposed layout and the possibility of other options being explored for other areas of the site.

46. Duncan Bryden thanked the speakers.

47. The Committee discussed the application and the following points were raised:

- a) The high level of investment by the Applicants in the current economic climate.
- b) The possibility of having a Site Visit for Members.
- c) The need for further discussion with the Housing Authority and the local community regarding the use of the residential property.

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- d) The need for the Applicants to be given time to consider ways to retain the residential house for some future use.
- e) The lack of reference in the report to the fourth Aim of the CNPA.
- f) The high level of employment at the Distillery for such a small community.
- g) Important to support and encourage investment but not to the detriment of cultural heritage aspects.
- h) Consideration should be given to the importance of other historic buildings on the site not just the house.
- i) The improvement in visual amenity by the demolition of the Silo building.
- j) The need for the Applicants to clarify that they had exhausted all possible options for the use of the residential house including consultation with the local community and other business opportunities.

48. The Committee agreed to defer the application to allow for Members to attend a site visit and for the Applicants to clarify that they had exhausted all possible options for the use of the residential house including consultation with the local community and other business opportunities.

49. **Action Points arising:** Planning Officers to arrange a Site Visit and advise Members of the date and time.

Agenda Item 10: Any Other Business

50. Members were advised that a discussion session would be held in the afternoon, starting at 2.20pm.

51. **Action Points arising:** None.

Agenda Item 11: Date of Next Meeting

52. Friday 2 March 2012 at The Albert Memorial Hall, Ballater.

53. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.

54. The public business of the meeting concluded at 1.55pm.