
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at The Village Hall (advertised as The Church Hall), Dulnain Bridge
on 4th May 2007 at 10.30am

PRESENT

Eric Baird
Stuart Black
Duncan Bryden
Basil Dunlop
Angus Gordon
Lucy Grant
David Green
Bob Kinnaird
Mary McCafferty

Willie McKenna
Eleanor Mackintosh
Anne MacLean
Alastair MacLennan
Andrew Rafferty
Sheena Slimon
Susan Walker
Ross Watson
Bob Wilson

IN ATTENDANCE:

Don McKee
Mary Grier
Neil Stewart
Gavin Miles

Andrew Tait
Pip Mackie
Karen Major

APOLOGIES:

Geva Blackett
Nonie Coulthard
Marcus Humphrey
Bruce Luffman

Sandy Park
David Selfridge
Richard Stroud

WELCOME AND APOLOGIES

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

MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 20th April 2007, held at The Richmond Memorial Hall, Tomintoul were approved.
4. Bob Wilson enquired if there had been any update on the AHR fence. Don McKee responded that the appeal was still being considered by SEIRU.

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

5. Sheena Slimon declared an interest in Planning Application No. 07/159/CP.
6. Susan Walker declared an interest in Planning Application No.'s 07/162/CP & 07/170/CP due to being a neighbour of the proposed development site.
7. Anne MacLean declared an interest in Planning Application No. 07/165CP and Item No. 7 on the Agenda due to being a Director of Albyn Housing Society.

PLANNING APPLICATION CALL-IN DECISIONS (Oral Presentation, Neil Stewart)

8. 07/156/CP - No Call-in
9. 07/157/CP - No Call-in
10. 07/158/CP - No Call-in

11. 07/159/CP - Sheena Slimon declared an interest and left the room.
No Call-in
Sheena Slimon returned.

12. 07/160/CP - No Call-in
13. 07/161/CP - No Call-in

14. 07/162/CP - Susan Walker declared an interest and left the room.
No Call-in
Susan Walker returned.

15. 07/163/CP - No Call-in
16. 07/164/CP - No Call-in
17. 07/165/CP - No Call-in
18. 07/166/CP - No Call-in
19. 07/167/CP - No Call-in
20. 07/168/CP - No Call-in
21. 07/169/CP - No Call-in

22. 07/170/CP - Susan Walker declared an interest and left the room.
No Call-in
Susan Walker returned.

23. 07/171/CP - No Call-in
24. 07/172/CP - No Call-in
25. 07/173/CP - No Call-in
26. 07/174/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

27. The Members wished to make comments to the Local Authorities on the following Planning Application No's 07/156/CP, 07/159/CP, 07/161/CP, 07/162/CP, 07/163/CP, 07/166/CP, 07/167/CP, 07/169/CP, 07/170/CP & 07/174/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 ERECTION OF 2 DWELLINGS AT FORMER SHOWER BLOCK, CAMPING & CARAVAN SITE, ROTHIEMURCHUS (PAPER 1)

28. Anne MacLean declared an interest and left the room.
29. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
30. The Committee discussed the application and the following points were raised:
- a) Clarification that the application site was in Rothiemurchus Parish and not on Rothiemurchus Estate.
 - b) Clarification that investigations had been carried out regarding the possibility of having ramps on the footpath instead of steps.
 - c) The height and design of the proposed fence alongside the footpath.
31. The Committee agreed to approve the application subject to the conditions stated in the report.
32. Anne MacLean returned.

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF 50M ANEMOMETER MAST WITH RESTRAINT CABLING AT SITE AT THE LECHT SKI CENTRE, CORGARFF, STRATHDON (PAPER 2)

33. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
34. The Committee discussed the application and the following points were raised:
- a) Clarification if a power line was to run to the site.
 - b) The timescale for the masts removal at the end of the temporary period.
 - c) The application potentially being a pre-cursor to a Wind Farm development.
 - d) A letter being sent to the applicant stating that by approving this application it was in no way pre-judging any future application on the site.
 - e) The construction materials for the base unit of the mast.
 - f) Clarification of how vehicles were to access the site.
 - g) The site being part of a very scenic area of the CNP.
 - h) Concern over the visual and landscape impact of the proposed development.
 - i) The increased visibility of the restraint cabling if marked to deter bird strikes.
 - j) The requirement for vegetation and soil experts to be involved in the reinstatement of the site.

35. The Committee agreed to approve the application subject to the conditions stated in the report and with amendments to include:
- Condition 4 – reference to any power line running to the site.
 - Condition 5 – a requirement for vegetation and soil experts to be involved in the re-instatement of the site.
 - A letter to be sent to the applicant stating that by approving this application it was in no way pre-judging any future application on the site.

**CONSULTATION RESPONSE TO ABERDEENSHIRE COUNCIL FOR THE
ERECTION OF 70M WIND MONITORING MAST AT LAND TO THE SOUTH OF
SCAR HILL RADIO STATION, CUSHNIE, ALFORD
(PAPER 3)**

36. Neil Stewart presented a paper recommending that the Committee approve the consultation response for submission to Aberdeenshire Council.
37. The Committee discussed the response and the following points were raised:
- a) The application potentially being a pre-cursor to a Wind Farm development.
 - b) The length of the temporary period being proposed.
 - c) Clarification that the applicants could apply to extend the time period by future planning applications.
38. The Committee agreed to approve the consultation response for submission to Aberdeenshire Council with amendments to include:
- Point 2 – a reduction of the temporary time period to 12 months.
 - Point 3 – if a further application is received to extend the time period the CNPA would wish to be consulted by Aberdeenshire Council.

**REPORT ON RE-DETERMINATION OF CALLED-IN PLANNING APPLICATION
FOR ERECTION OF DWELLINGHOUSE AT LAND NORTH EAST OF THE OLD
SCHOOLHOUSE, DUTHIL, CARRBRIDGE
(PREVIOUSLY DETERMINED AT THE COMMITTEE OF 15TH DECEMBER 2006)
(PAPER 4)**

39. David Green advised that James Yule, applicant, had requested to address the Committee. The Committee agreed to the request.
40. Mary Grier presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
41. James Yule, applicant, addressed the Committee.
42. The Committee were invited to ask questions of James Yule.
43. David Green thanked James Yule.
44. The Committee discussed the application and the following points were raised:
- a) Clarification of the planning policy covering the proposed development site.
 - b) The visual impact of the existing building on the site.
 - c) The applicant's parents intention to retire in the future.
 - d) The possibility of approving the application subject to a Section 75 Legal Agreement tying the house to a smaller area of land and not requiring the security over the applicant's parents house.

- e) Clarification of the term ‘decoupling’ with reference to the proposed house and the applicant’s parents house.
 - f) The applicant having a land management justification to require a house in the proposed location.
 - g) Clarification of the land owned and the land leased by the farm.
 - h) Previous housing diversification schemes applicable to farms.
 - i) The applicant’s apparent misinterpretation of the previously proposed Section 75 Legal Agreement.
45. Bob Wilson proposed a Motion to Refuse the application for the reasons as stated in the Planning Report. There was no seconder and so the Motion fell.
46. Alastair MacLennan proposed a Motion to Approve the application subject to a Section 75 Legal Agreement tying the proposed property to the 30ha area of land west of the burn, the decoupling of the parent’s house and to a person employed / last employed in agriculture (though not full time) and conditions. This was seconded by Andrew Rafferty.
47. Susan Walker proposed an Amendment to defer the application to further discuss the options regarding the decoupling of the parent’s house and the Section 75 Legal Agreement. This was seconded by Bob Wilson.
- The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Eric Baird		√	
Stuart Black	√		
Duncan Bryden	√		
Basil Dunlop		√	
Angus Gordon	√		
Lucy Grant	√		
David Green	√		
Bob Kinnaird	√		
Mary McCafferty	√		
Willie McKenna	√		
Eleanor Mackintosh	√		
Anne MacLean	√		
Alastair MacLennan	√		
Andrew Rafferty	√		
Sheena Slimon	√		
Susan Walker		√	
Ross Watson	√		
Bob Wilson		√	
TOTAL	14	4	0

48. The Committee agreed to approve the application subject to a Section 75 Legal Agreement tying the proposed property to the 30ha area of land west of the burn, the decoupling of the parent’s house and to a person employed / last employed in agriculture (though not full time) and conditions.

**CONSULTATION RESPONSE TO ABERDEENSHIRE COUNCIL FOR THE
ERECTION OF 8 TURBINE WIND FARM (AMENDED PROPOSAL) AT HILL OF
SNOWY SLACK, KILDRUMMY, ALFORD
(PAPER 5)**

49. Basil Dunlop left the meeting.
50. Andrew Tait presented a paper recommending that the Committee approve the consultation response for submission to Aberdeenshire Council.
51. The Committee discussed the response and the following point was raised:
- a) Concern that the visual impact of the proposed development had been downplayed in the applicant's submitted assessment.
52. The Committee agreed to approve the consultation response for submission to Aberdeenshire Council.
53. The meeting was suspended at 12:30hrs for a lunch break.
54. The meeting reconvened at 13:30hrs.
55. Ross Watson left the meeting.

**APPROVAL TO DEPOSIT CNPA LOCAL PLAN
(PAPER 6)**

56. Gavin Miles & Karen Major presented a paper detailing the next steps for the CNPA Local Plan and recommending that the Committee agree for it to be published and to be placed on deposit.
57. The Committee discussed the Local Plan and the following points were raised:
- a) The possibility of having an Executive Summary for the Local Plan.
 - b) Clarification that the Planners felt that enough land had been allocated for development.
 - c) Clarification of the way the proposed housing list would be managed by various housing providers.
 - d) The time period for representations on the Local Plan.
 - e) The necessity to ensure good communication with the public regarding the various stages the Local Plan has to go through before being adopted.
 - f) The importance of listening to all feedback received and the requirement for lots of partnership working.
 - g) How to ensure that the CNPA and the Local Authorities apply equal weighting to the deposit Local Plan in the assessment of planning applications.
 - h) The development of the 'CNPA Sustainable Design Guide'.
 - i) The need to include reference to gray water in the 'Sustainable Design Guide'.
 - j) The challenge to engage the business community in the consultation process.
 - k) The necessity to make the Local Plan easy to read and interpret by members of the public.
 - l) Concern about the emphasis being placed on the ACCC to engage communities in the consultation process.
 - m) The necessity to be pro-active in the consultation process.
 - n) The possibility of producing a quick reference guide to the Local Plan similar to that for the Park Plan.
 - o) The way the proposed Core Paths are shown on the settlement maps.

- p) An explanation being required of why some settlements have maps and others do not.
 - q) Policy 12 – clarification of why the cultural heritage definition was not used as set out on the National Parks (Scotland) Act.
 - r) Policy 16 – the policy being supportive of small scale development.
 - s) Policy 16 – the cross reference of the policy to PAN 45 guidelines.
 - t) Policy 16 – clarification of the terms ‘renewables’ and ‘micro-generation’.
 - u) Policy 16 – the need for the benefit of any schemes to be passed on to the community affected by the development.
 - v) Policy 24 – clarification of how much the planning gain contributions may be and who would be responsible for making them.
 - w) Policy 25 – the definition of a key / rural worker.
 - x) Policy 25 – the difference in key workers required in urban and rural areas e.g. land management / forestry workers.
 - y) Policy 27c – the difficulty in the criteria being applied to all properties.
 - z) Policy 27c – clarification of the difference between a replacement house and a ruin.
58. The Committee agreed to the CNPA Local Plan being placed on deposit with some issues for continued discussion:
- the definition of key workers.
 - the difference between replacement houses and ruins.
 - the inclusion of cultural heritage in policy 12.
 - clarification of the Core Paths to be displayed on the settlement maps.
 - energy production and how those impacted could benefit.
 - a statement explaining why some settlement have maps and others do not.
 - the possibility of producing a quick guide to the Local Plan.

ANY OTHER BUSINESS

59. Don McKee advised the Committee that a letter from the Scottish Executive had been received regarding the compulsory purchase orders relating to the Beaully – Denny Transmission Line. Don McKee advised that with the Planning Committee’s agreement he would respond stating that any consideration of compulsory purchase would be premature to the outcome of the current PLI and could potentially be seen as prejudicial to it. The Committee agreed to this response being sent to the Scottish Executive.
60. Mary Grier advised Members that proposed conditions had been circulated for the application for a dwellinghouse at Upper Ruthven, Dinnet (06/499/CP), which had recently been approved by the Planning Committee. Members were requested to agree these conditions for the application. Members agreed to the conditions being applied to the application.
61. Bob Kinnaird informed Members that a tent had been erected for a weekend on Cairngorm as part of the Aviemore Mountain Film Festival and had succeeded in being the highest cinema in the UK.

DATE OF NEXT MEETING

69. Friday, 18th May 2007 at The Community Centre, Nethy Bridge.

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 14:40hrs.