
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Community Hall, Boat of Garten on 5th March 2010 at 10.30am

PRESENT

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

Bob Kinnaird
Mary McCafferty
Willie McKenna
Eleanor Mackintosh
Ian Mackintosh
Anne MacLean
Alastair MacLennan
Andrew Rafferty
Gregor Rimell
Richard Stroud
Susan Walker

IN ATTENDANCE:

Robert Grant	Pip Mackie
Mary Grier	Don McKee
Derek Manson	Bill Stewart

APOLOGIES:

Fiona Murdoch

AGENDA ITEMS 1 & 2: WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from the above Members.
3. Duncan Bryden informed Members that the application referred to in Paper 2 (Agenda Item No. 7) had been withdrawn by the Applicant prior to the Planning Committee and it therefore would not be considered at the meeting.

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

4. The minutes of the previous meeting, 19th February 2010, held at The Duke of Gordon Hotel, Kingussie were approved with an amendment to Paragraph 1 to name the Members who were involved in the Finance Committee and so arrived late at the Planning Committee.

5. There were no matters arising.

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

6. Don McKee, Head of Planning, declared an interest in Planning Application No. 10/057/CP, due to receiving a neighbour notification for the application.
7. Anne MacLean declared a direct interest in Item No. 6 on the Agenda, due to her husband being Vice Chairman of the Anagach Woods Trust.
8. Andrew Rafferty declared a direct interest in Item No. 6 on the Agenda, due to receiving a neighbour notification for the application.
9. Jaci Douglas declared an indirect interest in Item No. 6 on the Agenda, as her husband is an ex director of the Anagach Woods Trust and she is a Friend of the Anagach Woods Trust.

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

10. 10/043/CP - No Call-in
11. 10/044/CP - No Call-in
12. 10/045/CP - The decision was to call-in the application for the following reason :
 - This application proposes the construction of a replacement Waste Water Treatment Works at Boat of Garten. This would involve the construction of infrastructure in the form of storage tanks, pumping stations and associated plant equipment alongside upgrading an access track, earth bunds and substantial landscaping proposals. The proposal would significantly alter the character and appearance of the area. It is considered that the proposal raises issues in terms of landscape and natural and cultural heritage. As such it is deemed to be of significance to the collective aims of the National Park.
13. 10/046/CP - No Call-in
14. 10/047/CP - No Call-in
15. 10/048/CP - The decision was to call-in the application for the following reason :
 - It is proposed to erect five dwelling units to be located in a countryside area, where there are restrictions on unjustified house developments. The proposal therefore raises issues relating to principle in terms of planning policy, precedent and landscape and ecological impact. As such it is deemed to be of significance to the collective aims of the National Park.
16. 10/049/CP - No Call-in

- 17. 10/050/CP - No Call-in
- 18. 10/051/CP - No Call-in
- 19. 10/052/CP - No Call-in
- 20. 10/053/CP - No Call-in
- 21. 10/054/CP - No Call-in
- 22. 10/055/CP - No Call-in
- 23. 10/056/CP - No Call-in

24. 10/057/CP - Don McKee declared an interest and left the room.
No Call-in
Don McKee returned.

- 25. 10/058/CP - No Call-in
- 26. 10/059/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 10/046/CP, 10/050/CP, 10/052/CP, 10/053/CP, 10/055/CP, 10/057/CP & 10/058/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:
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF
HOUSING; ASSOCIATED ROAD CONSTRUCTION, DRAINAGE AND
LANDSCAPING AT LAND BETWEEN SEAFIELD AVENUE & CASTLE ROAD
EAST, GRANTOWN ON SPEY
(06/320/CP) (PAPER 1)**

28. Anne MacLean & Andrew Rafferty declared an interest and left the room.
29. Duncan Bryden informed Members that Jimmy Mitchell & Dr Gus Jones, Objectors, & Donald Scobbie, representative of Grantown on Spey & Vicinity Community Council had requested to address the Committee. The Committee agreed to the requests.
30. Duncan Bryden informed Members that there was no representation present on behalf of the Applicant.
31. Mary Grier presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
32. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) The very detailed report presented to the Committee and the extensive work done by the Planning Officer on the application.
 - b) The huge amount of public interest and representations received.
33. The Committee decided that due to the above points and the recommendation of refusal there was no cause for the Speakers to address the meeting.
34. The Committee agreed to refuse the application for the reasons stated in the report.
35. Duncan Bryden thanked Jimmy Mitchell, Dr Gus Jones & Donald Scobbie for attending the meeting.
36. Anne MacLean & Andrew Rafferty returned.

**AGENDA ITEM 7:
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF
REPLACEMENT FARMHOUSE AT SITE 54M EAST OF CORANSTILBEG
FARMHOUSE, KINGUSSIE
(07/239/CP) (PAPER 2)**

37. The application was withdrawn by the Applicant prior to the Planning Committee and therefore not considered at the meeting.

**AGENDA ITEM 8:
PLANNING PAPER WITHDRAWN FROM AGENDA PRIOR TO MEETING
(PAPER 3)**

**AGENDA ITEM 9:
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF
HOUSE AT LAND 850M SOUTH WEST OF WESTER RYNABALLACH,
CROMDALE
(09/300/CP) (PAPER 4)**

38. The Committee paused to read a letter of representation.

39. Derek Manson presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
40. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) The location of the other properties located on the landholding.
 - b) The distance and visual impact of the water supply to the application site.
 - c) Recent planning guidance regarding housing.
 - d) The unwillingness of the Applicant to enter into a Section 75 Legal Agreement.
 - e) The location of the farm and associated agricultural buildings.
 - f) The lack of any provision of land management justification.
 - g) The need for young people to enter the farming profession in order for it to be sustainable.
 - h) Implications for homeowners who have tenants on a full tenancy agreement.
 - i) The possibility of the Applicants renovating an existing property on the landholding.
 - j) The significant reasons for refusing the application including design, siting and landscape issues.
41. The Committee agreed to refuse the application for the reasons stated in the report.

**AGENDA ITEM 10:
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF
SHOOTING LODGE AND ACCESS ROAD AT LAND 2300M SOUTH OF
PIPERS CROFT, CATLODGE & OFF A889, LAGGAN
(09/351/CP) (PAPER 5)**

42. The Committee paused to read a letter of representation.
43. Derek Manson presented a paper recommending that the Committee refuse the application subject to the conditions stated in the report.
44. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) The lack of demonstrated need for the proposed lodge.
 - b) The Trunk Roads consultation response.
 - c) The potential for the application to provide employment opportunities not just accommodation.
 - d) The Applicant not providing any business case for requiring the lodge.
 - e) The supporting information containing mainly suppositions of things which could be done and no reference to any works which had already been carried out.
45. The Committee agreed to refuse the application for the reasons stated in the report.

**AGENDA ITEM 11:
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF
CARETAKERS HOUSE AT LAND 45M NORTH EAST OF KEEPERS HOUSE,
INVERESHIE, INSH, KINGUSSIE
(09/339/CP) (PAPER 6)**

46. Derek Manson presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
47. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) The lack of demonstrated need for the proposed dwelling.

- b) The potential for the development to be looked upon favourably once the new holiday chalets had been built and the letting business had been operating for more than 2 years.
 - c) The existing dwellings currently being used for holiday lets.
 - d) The existing stable block on the site still being used as accommodation for horses
 - e) The cumulative impact of a further dwelling in the group of buildings at the site.
 - f) The manager of the letting business currently residing at Invereshie House.
 - g) The possibility of Invereshie House being sold.
 - h) The potential for one of the new holiday chalets to be used as manager's accommodation.
 - i) The reasons for refusal including design and impact on a right of way.
48. The Committee agreed to refuse the application for the reasons stated in the report.

**AGENDA ITEM 12:
ANY OTHER BUSINESS**

49. Duncan Bryden informed the Committee that Andrew Tait, Planning Officer had been dealing with a consultation response to Aberdeenshire Council regarding 2 x 8 metre high Wind Turbines at Wheedlemont, Rhynie.
50. Bill Stewart provided Members with a presentation. He informed Members that the CNPA had previously been consulted on an Anemometer Mast at the same site and advised that the Turbines were only visible from very limited areas of the CNP and at a distance of 15km with intervening hills in between.
51. Bill Stewart advised Members of the response - thanking Aberdeenshire Council for the consultation and that the CNPA had no objection to the development. He recommended that Members agree the response for submission to Aberdeenshire Council.
52. Members agreed to the consultation response being submitted to Aberdeenshire Council.

**AGENDA ITEM 13:
DATE OF NEXT MEETING**

53. Friday 19th March 2010 at The Glenlivet Distillery Visitor Centre, Glenlivet.
54. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
55. The meeting concluded at 12.15pm.