
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Albert Memorial Hall, Ballater on 5th April 2007 at 9.30am

PRESENT

Eric Baird	Bruce Luffman
Stuart Black	Willie McKenna
Geva Blackett (Observing)	Eleanor Mackintosh
Duncan Bryden	Anne MacLean
Nonie Coulthard	Andrew Rafferty (Arrived late)
Lucy Grant (Arrived late)	David Selfridge
David Green	Richard Stroud
Marcus Humphrey (Arrived late)	Ross Watson

IN ATTENDANCE:

Don McKee	Andrew Tait
Mary Grier	Pip Mackie
Neil Stewart	

APOLOGIES:

Basil Dunlop	Sandy Park
Angus Gordon	Sheena Slimon
Bob Kinnaird	Susan Walker
Mary McCafferty	Bob Wilson
Alastair MacLennan	

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, 23rd March 2007, held at The Albert Memorial Hall, Ballater were approved subject to amendments to:
 - Item 1 – Andrew Rafferty was also congratulated on retaining his seat.
 - Item 1 – Although Basil Dunlop had not been elected to the Board, he retained his seat due to being a Highland Councillor.
 - Item 6b – “Chief of Public Services” to be amended to “Chief of Corporate Services”.
4. There were no matters arising.

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

5. Marcus Humphrey and Bruce Luffman declared an interest in Item No. 7 on the Agenda.

PLANNING APPLICATION CALL-IN DECISIONS (Oral Presentation, Andrew Tait)

6. 07/112/CP - No Call-in
7. 07/113/CP - No Call-in
8. 07/114/CP - No Call-in
9. 07/115/CP - No Call-in
10. 07/116/CP - No Call-in
11. 07/117/CP - No Call-in
12. 07/118/CP - No Call-in
13. 07/119/CP - No Call-in
14. Lucy Grant arrived at the meeting.
15. 07/120/CP - No Call-in
16. 07/121/CP - No Call-in
17. 07/122/CP - No Call-in
18. 07/123/CP - No Call-in
19. 07/124/CP - No Call-in
20. 07/125/CP - No Call-in
21. 07/126/CP - No Call-in
22. 07/127/CP - No Call-in
23. 07/128/CP - No Call-in
24. 07/129/CP - No Call-in
25. 07/130/CP - No Call-in
26. 07/131/CP - No Call-in
27. 07/132/CP - No Call-in
28. 07/133/CP - No Call-in
29. 07/134/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

30. Andrew Rafferty arrived at the meeting.
31. The Members wished to make comments to the Local Authorities on the following Planning Application No's 07/117/CP, 07/120/CP, 07/121/CP, 07/122/CP, 07/125/CP, 07/134/CP, 07/135/CP & 07/137/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.
32. There was a pause in the meeting for a 5 minute refreshment break.
33. The meeting reconvened.

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF HOUSE AT LAND 1KM EAST OF A889, GLENTRUIM ROAD JUNCTION, BREAKACHY, LAGGAN (PAPER 1)

34. David Green advised Members that requests to address the Committee had been received from John England, Applicant and Campbell Slimon, Representee.
35. The Committee agreed to the requests to speak.
36. Andrew Tait presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
37. John England, Applicant and Campbell Slimon, Representee addressed the Committee.
38. Members were invited to ask questions.
39. David Green thanked the speakers.
40. The Committee discussed the application and the following points were raised:
 - a) Clarification of the weighting currently given to the emerging CNPA Local Plan.
 - b) The current Badenoch & Strathspey Local Plan being out of date.
 - c) The small numbers of house plots available in Laggan.
 - d) Clarification of the terminology of 'clustering' of houses and sporadic development.
 - e) Clarification that Catlodge was designated as a fragile countryside area in the existing Badenoch & Strathspey Local Plan.
 - f) The possibility of including a woodland management plan for the site if the application were approved.
 - g) The potential excavation works required on the site.
 - h) The health of the trees currently on the site.
 - i) The proximity of the proposal to a site which had already been granted planning permission.
 - j) A site being located within the general countryside area in the Badenoch & Strathspey Local Plan.
 - k) The possibility of relocating the site into an area designated as fragile countryside area in the Badenoch & Strathspey Local Plan.
 - l) The vibrancy of the Catlodge community.
 - m) The fact that no land management need case had been made for the proposal.
41. Bruce Luffman proposed a Motion to Refuse the application as per the report. This was seconded by Duncan Bryden.
42. Stuart Black proposed an Amendment to Approve the application, with conditions to come back before the Planning Committee for further approval. This was seconded by Andrew Rafferty.

The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Eric Baird	√		
Stuart Black		√	
Duncan Bryden	√		
Nonie Coulthard	√		
Lucy Grant		√	
David Green	√		
Bruce Luffman	√		
Willie McKenna		√	
Eleanor Mackintosh	√		
Anne MacLean	√		
Andrew Rafferty		√	
David Selfridge	√		
Richard Stroud	√		
Ross Watson	√		
TOTAL	10	4	0

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

**REPORT ON CALLED-IN PLANNING APPLICATION FOR CONSTRUCTION OF
TIMBER "CAMERA OBSCURA" TUNNEL AT COIRE CAS CAR PARK,
GLENMORE, AVIEMORE
(PAPER 2)**

44. David Green advised Members that a request to address the Committee had been received from Fergus Purdie, Agent.
45. The Committee agreed to the request to speak.
46. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
47. Fergus Purdie, Agent, addressed the Committee.
48. Members were invited to ask questions.
49. David Green thanked the speaker.
50. Marcus Humphrey arrived at the meeting.
51. The Committee discussed the application and the following points were raised:
- a) The possibility of Members being provided with a Masterplan for the development of Cairngorm Mountain.
 - b) The potential for a Committee site visit for Members to see the context of the area.
 - c) The possibility of including a condition covering the maintenance and decommissioning of the development.
 - d) Commendation to the Architect for designing a feature that will add to the visual experience of Cairngorm Mountain.
52. The Committee agreed to approve the application subject to the conditions stated in the report with an additional condition covering the maintenance and decommissioning of the development.

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF DWELLING AT SITE AT CRAGGAN MILL RESTAURANT, GRANTOWN ON SPEY (PAPER 3)

53. David Green advised Members that a request to address the Committee had been received from Graham Harvey, Applicant and that Rod Boyd, Architect, was available for questions.
54. The Committee agreed to the request to speak.
55. Neil Stewart presented a paper recommending that the Committee approve the application subject to a Section 75 Legal Agreement and the conditions stated in the report.
56. Graham Harvey, Applicant, addressed the Committee.
57. Members were invited to ask questions of Graham Harvey, Applicant, and Rod Boyd, Architect.
58. David Green thanked the speaker.
59. The Committee discussed the application and the following points were raised:
 - a) Clarification of the proposed roof tiles on the development.
 - b) The location of the Craggan Mill Restaurant rubbish bins.
 - c) The possibility of conditioning the removal of the caravan currently on site once the house was ready for occupation.
 - d) Clarification that the Section 75 Legal Agreement would cover the occupancy of the house and also that the house could not be disposed of separately to the Restaurant.
60. The Committee agreed to approve the application subject to a Section 75 Legal Agreement and the conditions stated in the report with an additional condition that the caravan currently on site would be removed within 1 month from the time the house was ready for occupation.

REPORT ON CALLED-IN PLANNING APPLICATION FOR EXTENSION TO SHOWER / TOILET BLOCK TO PROVIDE TRAINING FACILITIES AT BADAGUISH OUTDOOR CENTRE, ROTHLEMURCHUS (PAPER 4)

61. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
62. The Committee agreed to approve the application subject to the conditions stated in the report.

REPORT ON CALLED-IN PLANNING APPLICATION FOR SETTING ASIDE OF CONDITIONS 7 (EXTERNAL MATERIALS) AND 11 (PATH SIGNING) ON PERMISSION FOR MAINTENANCE SHED SITE TO NORTH OF FISHERMAN'S CAR PARK, SPEY AVENUE, AVIEMORE (PAPER 5)

63. David Green advised Members that a request to address the Committee had been received from Gary Johnston, Agent.
64. The Committee agreed to the request to speak.

65. David Green advised Members that a late submission had been received from the area MSP. Members chose not to read the letter.
66. Mary Grier presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
67. Gary Johnston, Agent, addressed the Committee. Gary Johnston advised Members that the Applicants were now happy to comply with Condition No. 11 of the previously issued planning permission and therefore this part of the application was to be withdrawn.
68. The Planning Officials confirmed that they were content from a procedure point of view for this part of the application to be withdrawn and therefore as the application now only related to the removal of Condition No. 7 (regarding the change to external materials) the recommendation for the application would be Approval.
69. Members were invited to ask questions of Gary Johnston, Agent.
70. David Green thanked the speaker.
71. The Committee discussed the application and the following points were raised:
 - a) Clarification that timber cladding samples had been received by the Planning Officials prior to work commencing on the site.
 - b) The possibility of ensuring that the external materials were of a matt finish to avoid reflective glare and the possibility of a mix of materials being used.
72. The Committee agreed to approve the application subject to a condition that the materials were of a matt finish and coloured as according to the CNPA Natural Heritage Groups recommendation.

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF DWELLINGHOUSE AT SITE TO THE SOUTH OF UPPER RUTHVEN, DINNET, ABOYNE (PAPER 6)

73. Mary Grier presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
74. The Committee discussed the application and the following points were raised:
 - a) A house being an improvement to the visual amenity of the site.
 - b) The applicant having a strong need case for a house on the site due to the nature of his business.
 - c) The drainage arrangements on site.
 - d) The distance of the proposed dwelling from the area for HGV parking.
 - e) Clarification of the number of employees at the site.
 - f) The possibility of including a condition for a landscape and maintenance condition covering the entire site.
 - g) The possibility of including a condition for a contaminated land survey.
 - h) The possibility of approving the application subject to a Section 75 Legal Agreement stating that the house could not be disposed of separately to the business.
75. The Committee agreed to approve the application subject to a Section 75 Legal Agreement and conditions which would be brought before a future Committee for approval.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR CONSTRUCTION OF
GAUGING STATION
MEIKLE KINORD, DINNET, ABOYNE
(PAPER 7)**

76. Marcus Humphrey and Bruce Luffman declared an interest and left the room.
77. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
78. The Committee discussed the application and the following points were raised:
- a) Clarification of the power source for the instruments in the gauging station, it was confirmed it was battery operated.
 - b) Clarification that SNH had agreed to the timing of the works.
 - c) The colour of the proposed hut.
 - d) Clarification that there were no issues in relation to the cultural heritage of the area if the application was approved.
79. The Committee agreed to approve the application subject to the conditions stated in the report.
80. Bruce Luffman and Marcus Humphrey returned.

ANY OTHER BUSINESS

81. Don McKee advised Members that there would be an informal session after lunch. This would include a short presentation on the Aberdeenshire Structure Plan by Piers Blaxter.
82. David Green advised Members that there would also be an opportunity for Members to discuss the revised CNPA Local Plan settlement maps with the Local Plan / Policy Officers.

DATE OF NEXT MEETING

69. Friday, 20th April 2007 at The Richmond Memorial Hall, Tomintoul.
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 12:55hrs.