
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Panmure Arms Hotel, Edzell on 5th May 2006 at 10.30am

PRESENT

Eric Baird	Alastair MacLennan
Duncan Bryden	Sandy Park
Nonie Coulthard	Andrew Rafferty
Basil Dunlop	David Selfridge
Douglas Glass	Sheena Slimon
Angus Gordon	Richard Stroud
Lucy Grant	Andrew Thin
Willie McKenna	Susan Walker
Eleanor Mackintosh	Bob Wilson

IN ATTENDANCE:

Don McKee	Andrew Tait
Mary Grier	Pip Mackie
David Bale	

APOLOGIES:

Stuart Black	Anne McLean
David Green	Gregor Rimell
Marcus Humphrey	Ross Watson
Bruce Luffman	

WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from the above Members
3. Andrew Thin advised Members that the Applicants for the Tullochgribban Quarry, Dulnain Bridge (05/157/CP) had requested that the application be deferred to allow for further information to be submitted and discussion with CNPA Officials. The Committee agreed to the request to defer the application.

MATTERS ARISING FROM THE PREVIOUS MEETING

4. The minutes of the previous meeting, 21st April 2006, held at The Village Hall, Dalwhinnie and The Village Hall, Laggan were approved subject to amendments to 41 f) to state Concern over the Applicants interpretation of the 'Holford Rule' with regard to National Park designations and an extra point under paragraph 41 to state that there was a need to investigate other alternative routes for the proposed transmission line.
5. There were no matters arising.

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

6. Lucy Grant declared an interest in Planning Application No. 06/143/CP.
7. Andrew Rafferty and Sheena Slimon declared an interest in Item No.9 on the Agenda.
8. It was noted that both Duncan Bryden and Andrew Thin were Members of the Mountain Bothies Association but that neither were associated with Planning Application No. 06/149/CP.

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

9. 06/133/CP - No Call-in
- 10.
- 11.06/134/CP - The decision was to call-in the application for the following reason :
 - The proposal represents the formation of a residential unit in a countryside area identified in the Badenoch and Strathspey Local Plan as being within a Restricted Countryside Area. It is also located within a designated Area of Great Landscape Value and an area listed in the Semi Natural Ancient Woodland Inventory. The proposal therefore raises issues in relation to housing in the countryside, impact upon the scenic and natural heritage amenities of the area and precedent. As such it is viewed as being of general significance to the aims of the Cairngorms National Park.
12. Andrew Rafferty arrived at the Meeting.
- 13.06/135/CP - No Call-in
- 14.06/136/CP - No Call-in
- 15.06/137/CP - No Call-in
- 16.06/138/CP - No Call-in

- 17.06/139/CP - The decision was to call-in the application for the following reason :
- The proposal is for a large storage building in an area close to the River Spey Special Area of Conservation and within the Cairngorms National Scenic Area. The site also lies close to the Speyside Way and the Sustrans Cycle Route. The proposal raises issues in relation to natural heritage, promoting access and promoting economic development. Consequently, the proposal raises issues of general significance with regard to the collective aims of the Cairngorms National Park.
- 18.06/140/CP - No Call-in
- 19.06/141/CP - No Call-in
- 20.06/142/CP - No Call-in
- 21.06/143/CP - No Call-in
Lucy Grant declared an interest and left the room.
Lucy Grant returned.
- 22.06/144/CP - No Call-in
- 23.06/145/CP - No Call-in
- 24.06/146/CP - No Call-in
- 25.06/147/CP - No Call-in
- 26.06/148/CP - No Call-in
- 27.06/149/CP - The decision was to call-in the application for the following reason :
- The proposal involves alterations to Corrour Bothy in Glen Dee. The bothy lies within a remote mountain area that is heavily designated in conservation terms. The application raises issues in relation to natural and cultural heritage and promoting understanding and enjoyment. Consequently, the proposal raises issues of general significance to the collective aims of the Cairngorms National Park.
- 28.06/150/CP - No Call-in
- 29.06/151/CP - No Call-in
- 30.06/152/CP - No Call-in
- 31.06/153/CP - No Call-in
- 32.06/154/CP - No Call-in
- 33.06/155/CP - No Call-in
- 34.06/156/CP - No Call-in
- 35.06/157/CP - No Call-in
- 36.06/158/CP - No Call-in
- 37.06/159/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

38. The Members wished to make comments to the Local Authorities on the following Planning Application No's 06/135/CP, 06/138/CP, 06/140/CP, 06/142/CP, 06/148/CP, 06/150/CP, 06/156/CP & 06/157/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.
39. On application 06/148/CP Richard Stroud raised concerns that comments on the outline application regarding that the house be for estate workers had not been attached to the outline application. The Committee agreed to suspend Standing Orders to decide whether the application be called in. Planning Officers pointed out that the comments had been considered but believed that the site was in a general countryside Policy area and there was no policy support for such an approach. It was subsequently agreed that the application should not be called in.

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF TWO DWELLINGS FOR HOLIDAY ACCOMMODATION AT FORMER CLOVA PRIMARY SCHOOL, GLEN CLOVA, KIRRIEMUIR (PAPER 1)

40. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
41. The Committee discussed the application and the following points were raised:
- a) This was a welcome proposal as there was a need in Glen Clova for further holiday accommodation.
 - b) Clarification of the access to the proposed parking for the development.
 - c) Concern that the dry stone dyke should be preserved as much as possible during works to the site.
 - d) Concern that Condition No. 2 was too restrictive in only allowing the accommodation to be used for holiday lets.
 - e) The possibility of allowing the units to be leased on a longer term basis than for holiday use.
 - f) Clarification of the construction materials being proposed for the units.
 - g) Concern about setting a precedent by allowing the units to be constructed of timber.
 - h) The importance of the proposed development being linked to the Hotel business.
42. Bob Wilson proposed a Motion to approve the application subject to the conditions stated in the report. This was seconded by Douglas Glass.
43. Lucy Grant proposed an Amendment to approve the application subject to the conditions stated in the report but with an amendment to Condition No. 2 to state that "the proposed building shall not be sold separately from the business".

44. The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Eric Baird	√		
Duncan Bryden	√		
Nonie Coulthard	√		
Basil Dunlop	√		
Douglas Glass	√		
Angus Gordon	√		
Lucy Grant		√	
Willie McKenna	√		
Eleanor Mackintosh		√	
Alastair MacLennan	√		
Sandy Park	√		
Andrew Rafferty		√	
David Selfridge	√		
Sheena Slimon		√	
Richard Stroud	√		
Andrew Thin	√		
Susan Walker	√		
Bob Wilson	√		
TOTAL	14	4	0

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

**REPORT ON CALLED-IN PLANNING APPLICATION FOR PROPOSED
TEMPORARY SITING OF ACCOMMODATION UNITS AT LAIRIG GHRU, BEN
MACDUI
(PAPER 2)**

46. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.

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

- a) The proposed camouflaging of the units was welcomed.
- b) Clarification of the timing of the period of works.

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

REPORT ON CALLED-IN PLANNING APPLICATION FOR RENEWAL OF EXISTING GAME REARING SITES AT CUAICH, CULREACHAN AND INVERNAHAVON, NEWTONMORE AND CONSENT TO EXTEND THE EXISTING SITE AT INVERNAHAVON (PAPER 3)

49. Andrew Thin advised the Committee that Michael Glass, Estate Manager for Phones Estate was available to answer any questions Members may have.
50. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
51. Members were invited to ask questions of Michael Glass.
52. Andrew Thin thanked Michael Glass.
53. The Committee discussed the application and the following points were raised:
- a) The colour of the pens.
 - b) Concern over the visual impact of the pens, even though they are only in situ for a relatively short period.
 - c) The possibility of including screen planting amongst the pens to reduce the visual impact of the sites.
 - d) Clarification that Condition No. 1 would allow for the Applicants to reapply for planning permission in future years.
 - e) Concern over the large scale of the operation.
 - f) The possibility of including a condition that the Cuaich site should only be used for emergencies.
 - g) Clarification over what constitutes an emergency in order to use the site at Cuaich.
 - h) The possibility of looking at alternative methods of providing ventilation for the pens.
 - i) The possibility of the Applicants being required to carry out independent monitoring of the water quality regarding any possible contamination from the Birds.
 - j) Concern that there was very little planning guidance regarding this type of development and the possibility of covering this area in the forthcoming CNPA Local Plan.
54. Duncan Bryden proposed a Motion that the application be approved subject to the conditions stated in the report and an additional condition stating that the site at Cuaich should only be used for emergency purposes with prior written agreement from the CNPA acting as Planning Authority. This was seconded by Basil Dunlop.
55. David Selfridge proposed an Amendment that the application be approved subject to the conditions stated in the report. This was seconded by Angus Gordon.
56. Susan Walker proposed a Second Amendment that the application be approved subject to the conditions stated in the report and additional conditions stating that the site at Cuaich should only be used for emergency purposes with prior written agreement from the CNPA acting as Planning Authority and that the Applicant should put in place a programme to independently monitor the impact of the activity on site to the water quality, the timing and methodology of which would be directed by the CNPA in consultation with SEPA.

57. As directed in Standing Orders the first vote was the First Amendment versus the Second Amendment. The Amendment with the most votes would then go on to a vote against the proposed Motion.

58. The vote was as follows:

	AMENDMENT 1	AMENDMENT 2	ABSTAIN
Eric Baird			√
Duncan Bryden		√	
Nonie Coulthard		√	
Basil Dunlop		√	
Douglas Glass	√		
Angus Gordon	√		
Lucy Grant	√		
Willie McKenna		√	
Eleanor Mackintosh		√	
Alastair MacLennan		√	
Sandy Park	√		
David Selfridge	√		
Richard Stroud		√	
Andrew Thin	√		
Susan Walker		√	
Bob Wilson	√		
TOTAL	7	8	1

59. The second vote was for the Motion versus the Second Amendment.

60. The vote was as follows:

	MOTION	AMENDMENT 2	ABSTAIN
Eric Baird			√
Duncan Bryden	√		
Nonie Coulthard		√	
Basil Dunlop	√		
Douglas Glass	√		
Angus Gordon	√		
Lucy Grant	√		
Willie McKenna		√	
Eleanor Mackintosh		√	
Alastair MacLennan		√	
Sandy Park	√		
David Selfridge	√		
Richard Stroud		√	
Andrew Thin	√		
Susan Walker		√	
Bob Wilson	√		
TOTAL	9	6	1

61. The Committee agreed to approve the application subject to the conditions stated in the report and an additional condition stating that the site at Cuaich should only be used for emergency purposes with prior written agreement from the CNPA acting as Planning Authority.

REPORT ON CALLED-IN PLANNING APPLICATION FOR REOPENING AND EXTENSION OF QUARRY AT TULLOCHGRIBBAN QUARRY, DULNAIN BRIDGE (PAPER 4)

62. The Committee had agreed earlier in the meeting to defer the application to allow the Applicants to submit further information and enter further discussions with CNPA Officials.

REPORT ON SCOTTISH EXECUTIVE RURAL GROUP CONSULTATION "ENHANCING OUR CARE OF SCOTLAND'S LANDSCAPES" (PAPER 5)

63. David Bale presented a paper recommending that the Committee approve the consultation response as detailed in the report to be submitted to the Scottish Executive. David Bale advised that the CNPA had been granted an extension to the deadline for this consultation from 24th April 2006 until 5th May 2006, due to the CNPA being involved in the consultation response for the proposed Beaulay – Denny Transmission Line. He also advised that the CNPA would be seeking a meeting with the Scottish Executive, Loch Lomond & The Trossachs National Park & SNH to further discuss the proposals recommended in the Paper.

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

- a) Support of the responses in the Paper.
- b) Concern on the impact of NSAs that straddle the CNPA Boundary, care should be taken not to devalue these areas.
- c) The whole of the CNP being an important designated area, no areas of the Park are more important than other areas.
- d) Paragraph 18. – Include a statement that the CNPA may have an interest in NSA proposals which are not immediately adjacent to the CNP Boundary but still within close proximity to the Park.
- e) Paragraph 27. – Amend to state that we are 'confident' that issues can be resolved.
- f) Paragraph 31. – ensure that Public Bodies outwith the CNP are included.
- g) The possibility of including examples of planning issues which the CNPA may like to control in the Park area, but would not be able to unless the planning legislation associated with NSAs was to be incorporated for use under the National Park designation.

65. The Committee agreed that prior to submission to the Scottish Executive, David Bale should consult with Susan Walker over some points to be worded more strongly in the Report. The Report would then be looked at by Andrew Thin to check that the meaning of the responses had not been altered. Once this had been carried out the consultation response could be submitted to the Scottish Executive.

ANY OTHER BUSINESS

66. David Selfridge requested that Representees were contacted prior to the Planning Committee if a Paper was going to be deferred to save them the inconvenience of travelling to the meeting. Andrew Thin advised that the Representees for Tullochgribban Quarry had been informed of the Applicants request for a deferral, and the intentions of CNPA Officials to support this and that they had travelled to the meeting in case Members had decided not to agree to the request to defer the Paper. The short timescale for this notification was acknowledged.
67. David Selfridge requested that a microphone and stand were obtained for speakers addressing the Committee. Don McKee advised that Andy Rinning was in the process of procuring these items and they would be available for speakers as soon as possible.

DATE OF NEXT MEETING

69. Friday, 19th May 2006, The British Legion, 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 12:55hrs.