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# CAIRNGORMS NATIONAL PARK AUTHORITY

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## MINUTES OF THE PLANNING COMMITTEE held within Nethy Bridge Community Centre on 5<sup>th</sup> December 2003 at 10.30am

### PRESENT

Mr Peter Argyle	Mr Alastair MacLennan
Mr Eric Baird	Ms Ann MacLean
Mr Duncan Bryden	Mr Andrew Rafferty
Mr Stuart Black	Mr Gregor Rimell
Ms Sally Dowden	Mr David Selfridge
Mr Basil Dunlop	Mr Robert Severn
Mr Douglas Glass	Ms Joyce Simpson
Mr Angus Gordon	Mrs Sheena Slimon
Mrs Lucy Grant	Mr Richard Stroud
Mr Bruce Luffman	Mr Andrew Thin
Mr William McKenna	Ms Susan Walker
Ms Eleanor Mackintosh	Mr Bob Wilson

### IN ATTENDANCE:

Neil Stewart  
Norman Brockie  
Denis Munro  
Sandra Middleton

### APOLOGIES:

David Green

### WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from David Green.

### MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting were approved.

### DECLARATION OF INTEREST

4. Anne MacLean declared an interest in Item 7 of the Agenda.

## PLANNING APPLICATION CALL-IN DECISIONS

Call-in Notification decisions;

5. 03/109/CP – No Call-in
6. 03/110/CP – No Call-in
7. 03/111/CP – No Call-in
8. 03/112/CP – No Call-in
9. 03/113/CP – No Call-in
10. 03/114/CP – No Call-in
11. 03/115/CP – No Call-in
12. 03/117/CP – No Call-in
13. 03/118/CP – No Call-in
14. 03/119/CP – No Call-in
15. 03/120/CP – No Call-in
16. 03/121/CP – No Call-in
17. 03/122/CP – No Call-in
18. 03/123/CP – No Call-in
19. 03/124/CP – No Call-in
20. 03/125/CP – The decision was to **CALL-IN** this application as the following issues needed to be examined in relation to the Park aims;

- The proposal involves the alteration to an existing access and the formation of a new access track in a countryside location. This is stated a type of development which will be considered for call-in in the agreed Development Control Protocol.
- In this instance, the works are of a significant scale and may have significant landscape and visual impacts in this prominent countryside location. It may also act as a precedent for other similar developments which may have a cumulative effect on the natural heritage of the area. As such, the proposal raises issues of general significance in terms of the aims of the National Park.

21. 03/126/CP – No Call-in

## COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

22. It was agreed that comments be brought forward on applications 03/117/CP, 03/118/CP and 03/122/CP.
23. The Planning Officer proposed that the following comments be submitted to The Highland Council on application 03/117/CP, 21 Castle Road East, Grantown-on-Spey, the Highland Councillors withdrew; Although the proposal, due to its type and nature raises no issues of general significance to the aims of the National Park, the CNPA feels that the design of the garage, with its large, almost flat-roof construction, is unsympathetic, and detrimental to visual amenity, especially taking account of its location in a prominent position, adjacent to the main road into Grantown-on-Spey from the north. The CNPA would wish to see an amendment to the design, in relation to its scale and roof configuration. The comments were agreed with the addition of a comment on the proposed door design which should reflect a domestic, not industrial appearance. The Highland Councillors returned.

24. The Planning Officer proposed that comments be submitted to Aberdeenshire Council on application 03/118/CP Morven Cottage, 25, Viewfield Road, Ballater. The Aberdeenshire Councillors withdrew. The comments agreed were that; “The CNPA accepts the principle of a replacement house on this site. However, in order to conserve and enhance the cultural heritage of this part of the Ballater Conservation Area, the CNPA suggests that amendments are sought to the design, to reflect a more traditional character. This relates, in particular to, finishing materials, window type and configuration, and chimney position.”
25. The Planning Officer proposed that the following comments be submitted to Aberdeenshire Council on application 03/122/CP Morven Cottage, Chapel Brae, Braemar; “Although the proposal, due to its type and nature, raises no issues of general significance to the aims of the National Park, the CNPA feels that in order to conserve and enhance the cultural heritage of this part of the Braemar Conservation Area, the design of the extension should be amended to be more sympathetic to the scale, character and appearance of the existing traditional house. This relates, in particular, to the size, scale and configuration of the roof and the rear extension walls, and the design and configuration of the windows.” The comments were agreed, the Aberdeenshire Councillors returned.

#### **CONSULTATION ON 117 HOUSE SCHEME PROPOSAL IN CARRBRIDGE (Paper 1)**

26. Norman Brockie presented a paper (Paper 1) proposing comments in response to a consultation from the Highland Council for an outline application at Carrbridge for a 117 house scheme proposal. The Highland Councillors and Anne MacLean declared an interest and left the room. NB informed the committee that there had been a previous application by the same developer for a smaller scheme on this site which had met with a great deal of local opposition. The previous application has not been withdrawn and as such both applications are current.
27. It was agreed that greater emphasis be put on environmental issues in the paper and that comments to the Highland Council should be structured around the four aims of the Park. The paper was agreed. The Highland Councillors returned and Anne MacLean.

#### **DECISION ON PLANNING APPLICATION 03/008/CP (Paper 2)**

28. Neil Stewart presented a paper (Paper 2) for determination of planning application reference 03/008/CP for the erection of a dwelling at land adjoining ‘Allt Beag’, Dalrachney Road, Carrbridge. The committee agreed the Planning Officer’s recommendation to Refuse the application for the reasons stated. Bruce Luffman sought clarification on how drainage matters would be dealt with in called-in planning applications. NS advised that drainage was a material consideration and in the interests of environmental protection and the aims of the National Park, drainage proposals would be clarified prior to determination of all applications.

#### **SUPPLEMENTARY GUIDANCE FOR THE CAIRNGORMS NATIONAL PARK: INTERIM PLANNING POLICY No.1: RENEWABLE ENERGY (Preliminary Draft) (Paper 3)**

29. Norman Brockie presented a paper (Paper 3) proposing draft policies to be agreed by the committee and then to be put out to consultation relating to renewable energy schemes

within the CNP. The Committee were advised that at present the CNP are aware of a number of proposed renewable energy schemes in and around the Park.

30. Sue Walker confirmed that SNH would be revising their zoning of sensitive areas for windfarm development and would take cognisance of CNPA views and policy. She pointed out that at present the paper does not mention transmission lines and their impacts.
31. Norman Brockie advised the Committee that planning policies generally would be developed in conjunction with the Loch Lomond and the Trossachs National Park.
32. Sue Walker advised the committee that the timescale shown in paragraph 1.1 and in the Executive Summary relating to renewable energy requirements has now been extended from 2010 to 2015 by the Scottish Executive.
33. It was agreed that Section 7 of the paper be amended to include transmission lines and that it should be noted that small-scale developments can have significant local impacts.
34. The Committee agreed that policies on renewable energy schemes should be developed with regard to promoting more efficient use of energy that is produced both at present and in the future and also with regard to the potential income that such schemes may generate specifically for local communities.
35. It was agreed that the final sentence of paragraph 9.2 be moved in to paragraph 9.1. Policy RE1 was agreed.
36. It was agreed that policy RE2 be amended to read 'small scale schemes' in place of defining different types of scheme individually.
37. The committee were advised that in the case where a renewable energy proposal was outwith the park boundary the Park would be consulted to allow assessment of potential impacts on visual and natural heritage amenity. It was agreed that policy RE4 be amended to include an assessment of natural heritage issues for example impacts on bird foraging areas and impacts on river catchments and their hydrology. Concern was raised as to the criteria upon which an assessment would be made as to whether or not a scheme outwith the park should be notified to the committee for consultation. It was agreed that this be addressed in part by the review of the Development Control protocol with the Local Authorities. Renewable Energy schemes dealt with Under the Electricity Act by the Scottish Executive, those dealt with by Perth & Kinross Council who are not party to the Development Control protocol, and those that are covered by Crown or forestry exemptions should be addressed by working practice agreements with the relevant bodies.
38. It was agreed that Policy RE5 c) be amended to include the importance of maintaining both water flow and the pattern of water flow throughout the year. There was concern that the final sentence of paragraph 13.1 relating to policy RE5, underplayed the potential significance of small schemes for natural heritage issues, it was agreed that the paragraph be amended to reflect this. It was also agreed that the future development of existing schemes within the park be addressed by the policy.
39. Policy RE6 was agreed.
40. It was agreed that policy RE7 be amended to address the issue of reducing the generation of waste within the park and the value of organic matter produced by the decay of natural waste.
41. It was agreed that the CNP should develop a procedure illustrating standard requirements that must be addressed by Environmental Impact Assessments for projects within the park. This should be done in liaison with partner organisations who have carried out a similar process.

42. It was agreed that where policy states that no development should take place, the wording be changed to read that there will be a 'presumption against development'.
43. The possibility of zoning areas of the park for high and low sensitivity to development etc. was discussed, it was agreed that this be addressed at a future meeting and that the proposed interim policy be applied to the park as a whole at present.

#### **ANY OTHER BUSINESS**

44. David Selfridge requested that the planning officer clarify to the committee the function and scope of Permitted Development. Neil Stewart advised the committee that Permitted Development is development that can be classed as development but which does not require planning permission, there are specific Permitted Development rights for a number of groups including householders, railways, forestry, agriculture etc. The committee were referred to the paper on Permitted Development by Richard Hickman that was presented to the committee on their planning training day prior to the opening of the park, and the General Permitted Development Order 1992, which could be viewed on the Scottish Executive website.
45. The Convenor reported to the committee on a meeting he had attended relating to the issue of the capacity of Scottish Water to provide services to settlements in Strathspey. He advised the committee that there is no easy answer to the problem and that reaching conclusions will be a long process. It was raised that this may be an issue for settlements across the park and not just those in Strathspey.
46. Anne MacLean raised concern that affordable housing schemes could not justify the same costs as large commercial developers in relation to water and drainage systems and that they may therefore be at a disadvantage for future developments.
47. Sue Walker raised the issue of water usage and pipe leakages advising the committee that the CNP should not be promoting the pattern of predict and provide but instead addressing demand management and improving system maintenance to reduce water usage and loss which may result in a decrease in waste water and also the pressure on treatment works.
48. Gregor Rimmell raised concern that over-development may occur in areas where there is a greater capacity to provide water services.
49. The Convenor advised the committee that he would address this issue with the Planning Gain Co-ordinator, of Aberdeenshire Council.

#### **DATE OF NEXT MEETING**

50. 19<sup>th</sup> December 2003, Newtonmore Village Hall.
51. The meeting concluded at 12.30pm.