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# CAIRNGORMS NATIONAL PARK AUTHORITY

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## MINUTES OF THE PLANNING COMMITTEE held within The Airlie Arms Hotel, Kirriemuir on 6<sup>th</sup> May 2005 at 10.30am

### PRESENT

Eric Baird	Alastair MacLennan
Duncan Bryden	Anne MacLean (who arrived later)
Sally Dowden (who arrived later)	Sandy Park
Douglas Glass	Andrew Rafferty
Angus Gordon	Gregor Rimell
Lucy Grant	David Selfridge
David Green	Joyce Simpson
Marcus Humphrey (who arrived later)	Richard Stroud
Bruce Luffman (who arrived later)	Andrew Thin
Willie McKenna (who arrived later)	Bob Wilson
Eleanor Mackintosh	

### IN ATTENDANCE:

Don McKee	Andrew Tait
Neil Stewart	Pip Mackie

### APOLOGIES:

Stuart Black	Sheena Slimon
Basil Dunlop	Susan Walker

### WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from Stuart Black, Basil Dunlop, Sheena Slimon & Susan Walker.

### MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 22nd April 2005, held in Ballater were approved.
4. Sandy Park requested that the Standing Orders be reviewed to specifically cover matters if a Board Member arrives late to a Planning Committee meeting. Andrew Thin advised that Standing Orders were currently under review and that this issue could be covered as part of that process. Andrew Thin confirmed that at the last Planning Committee Standing Orders had been adhered to.

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

5. Andrew Thin requested that Members note that Planning Application No. 05/203/CP was in the name of Jane Hope, Chief Executive.
6. Anne MacLean declared an interest in Item No. 8 on the Agenda (Paper 2).

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

7. 05/192/CP - No Call-in
8. 05/193/CP - No Call-in
9. 05/194/CP - No Call-in
10. 05/195/CP - No Call-in
11. 05/196/CP - No Call-in
12. 05/197/CP - No Call-in
13. 05/198/CP - No Call-in
14. 05/199/CP - No Call-in
15. 05/200/CP - No Call-in
  
16. 05/201/CP - The decision was to Call-in this application for the following reason:
  - The proposal is for the erection of a commercial based tourist facility on a prominent site adjacent to the A9 and close to the southern gateway to the National Park, and to the River Trium which carries several natural heritage designations. The proposal therefore raises issues relating to landscape impact, design, social and economic development in the form of tourism, and natural heritage. As such it is deemed to be of significance to the collective aims of the National Park.
  
17. 05/202/CP - No Call-in
18. 05/203/CP - No Call-in
19. 05/204/CP - No Call-in
  
20. 05/205/CP - The decision was to Call-in this application for the following reason:
  - The development is for a new dwellinghouse in a prominent countryside area, which carries a landscape conservation policy designation, and where there are restrictions on unjustified single house developments. The proposal also involves the upgrading of a track and the crossing of a watercourse. The proposal therefore raises issues relating to principle in terms of planning policy, precedent and cumulative impact, landscape impact, and natural heritage.

As such it is deemed to be of significance to the collective aims of the National Park.

21.05/206/CP - No Call-in  
22.05/207/CP - No Call-in  
23.05/208/CP - No Call-in  
24.05/209/CP - No Call-in  
25.05/210/CP - No Call-in

26.05/211/CP - The decision was to Call-in this application for the following reason:

- The proposal is for a development in a National Scenic Area and in one of the main tourist areas but also one of the most sensitive areas of the National Park. The proposal raises issues in relation to the promotion of recreation, landscape impact and the conservation of natural heritage. As such it raises issues of general significance to the collective aims of the Park.

27.05/212/CP - No Call-in  
28.05/213/CP - No Call-in

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

29. It was agreed that comments be made to the Local Authorities on Planning Application No's 05/193/CP, 05/194/CP, 05/200/CP & 05/210/CP.

30. The Highland Councillors declared an interest and left the room.

31. It was agreed to submit the following comments to Highland Council on Planning Application No. 05/193/CP :

In the interests of enhancing the visual appearance of this site, the CNPA welcomes the principle of the proposal to upgrade the existing building and provide natural screening. However, due to the sensitive and prominent location, the CNPA suggests that the Council ensures that the landscaping is of a native, type, nature and species and that the building is constructed and finished in an appropriate way.

32. It was agreed to submit the following comments to Highland Council on Planning Application No. 05/194/CP :

In the interests of promoting the special qualities of the National Park, the CNPA welcomes the proposal in principle and acknowledges that the choice of site is to take advantage of a panoramic viewpoint. However, because of the prominence of the site, the CNPA asks that consideration be given to providing some appropriate landscaping to provide a setting and consideration is given to using

different finishing materials such as timber wall cladding and roof slate or roof cladding of an appropriate muted colour.

33. It was agreed to submit the following comments to Highland Council on Planning Application No. 05/200/CP :

In the interests of conserving the built heritage of this traditional rural building, the CNPA is concerned about some of the design proposals, in particular the raising of wall heads and ridge heights. It is suggested that in order to retain the character and integrity of this building, as much accommodation as possible is provided within the confines of the existing structure.

34. It was agreed to submit the following comments to Highland Council on Planning Application No. 05/210/CP :

It is noted that this application is retrospective. The CNPA wishes to express its strong concern about the fact that this development has been carried out without the benefit of planning permission and the CNPA does not condone the line of action taken by the applicant in this instance. If the Council are minded to grant retrospective planning permission in this instance, the CNPA suggests that a condition or Section 75 Legal Agreement is used to ensure the living annexe remains ancillary to the main house and is not disposed of separately.

35. The Highland Councillors returned.

**REPORT ON CALLED-IN PLANNING APPLICATION ERECTION OF 4 RESIDENTIAL LODGES AT BADAGUISH OUTDOOR CENTRE, GLENMORE, AVIEMORE  
(Paper 1)**

36. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.

37. Highland Councillors wished it to be noted that whilst Highland Council had an involvement in this application via its Education Department, Members had had no dealings with the matter whatsoever.

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

- a) Deer fencing surrounding the site.
- b) All ability access to the Lodges.
- c) The provision of staff accommodation on site.
- d) The possibility of including a limit on the length of time individuals would be allowed to occupy the Lodges e.g. 4 - 6 weeks.
- e) Rights of access through the site.
- f) The possibility of future forestry felling operations and the screening of the Lodges.
- g) Undergrounding of power lines.
- h) Concern that the existing Lodges on site were being used for commercial use and not restricted to youth/disadvantaged/disabled groups.

- i) The strengthening of the conditions to allow the new Lodges to be restricted for use to youth/disadvantaged/disabled groups, as stated in the planning application.
39. The Committee agreed to defer the application to allow for further discussion on the above matters with the Applicants.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR CONSTRUCTION OF DISTRICT HEATING BUILDING AT LAND AT UNIT 15, DALFABER INDUSTRIAL ESTATE, AVIEMORE (PAPER 2)**

40. Anne MacLean declared an interest and left the room.
41. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
42. Andrew Thin advised that Bob Hopkins, a representative for the Agent, had requested to address the Committee. The Committee agreed the request.
43. Bob Hopkins addressed the Committee and questions were invited from members.
44. Andrew Thin thanked Bob Hopkins.
45. The Committee briefly discussed the application and the following points were raised:
- a) Road surface materials.
  - b) The sourcing of the wood chips to be used.
46. The Committee agreed to approve the application subject to the conditions stated in the report, with an amendment to condition 4c, stating that the road surface should be of appropriate construction for the vehicles likely to use the access.
47. Anne MacLean returned.

**ANY OTHER BUSINESS**

48. Andrew Tait provided an update on the enforcement action for the Aviemore Highland Resort Fence. AT advised that there had been some delay in finding a solicitor able to take on the case, but this had now been resolved and the enforcement notice checked. AT informed the Committee that there were some slight amendments to make to the notice but that it would be ready for issue in the next couple of weeks.
49. Willie McKenna queried works starting at Highburnside, Aviemore, an application which the CNPA had called-in at the last Planning Committee. Don McKee advised that Mary Grier, Planning Officer, had spoken to the Applicants regarding the issue. The Applicants advised that they had been in discussion with, and granted permission, by the Scottish Executive to start road diversion works prior to tunnelling under the A9. The Applicants stated that they had not considered that the application would be called-in by the CNPA for determination. Don McKee informed the Committee, that the Applicants had been advised to cease all works at the site and any works carried out were at their own risk.
50. Joyce Simpson queried if the CNPA would have an opportunity to comment on the proposed Wind Farm at Dunmaglass. Don McKee advised that Highland

Council had requested a consultation response from the CNPA. DM informed the Committee that the Planning Office had commissioned landscape advice on this proposal and that a paper would be forthcoming to the Committee for discussion.

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

51. Friday 20<sup>th</sup> May, Grantown on Spey.
52. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
53. The meeting concluded at 12.20hrs.