
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at Glenmore Lodge, Glenmore
on Friday 6th August 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
Alastair MacLennan
Andrew Rafferty
Gregor Rimell
Richard Stroud

IN ATTENDANCE:

Don McKee
Mary Grier
Andrew Tait

APOLOGIES:

Anne MacLean
Fiona Murdoch
Susan Walker

AGENDA ITEMS 1 & 2:

WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from the above Members.

AGENDA ITEM 3:

MINUTES & MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 23rd July 2010, held at The Grant Arms Hotel, Grantown on Spey were approved.
4. There were no matters arising.

5. Duncan Bryden advised in relation to Para. 43 that CNPA officials had been in contact with the Crown Estate and would be progressing discussions in relation to matters raised at the last CNPA planning meeting.

AGENDA ITEM 4:

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

6. Stuart Black, Jaci Douglas, Dave Fallows and Drew Hendry declared a direct interest in Planning Application No. 10/253/CP, due to Highland Council being the applicants and them being Highland Councillors.
7. Andrew Rafferty declared an indirect interest in Planning Application No. 10/258/CP, as the applicants' wife had been employed by him.
8. Jaci Douglas declared a direct interest in Planning Application No. 10/263/CP, due to a person objecting to the application being a close friend.
9. Stuart Black declared a direct interest in Planning Application No. 10/263/CP, as he had assisted a close friend in preparing the planning application.
10. Mary McCafferty declared an indirect interest in Planning Application No. 10/263/CP, as she had assisted the applicants in getting into the Highland League.

AGENDA ITEM 5:

PLANNING APPLICATION CALL-IN DECISIONS

(Oral Presentation, Andrew Tait)

11. 10/248/CP - No Call-in
12. 10/249/CP - No Statutory Call-in Powers
13. 10/250/CP - No Call-in
14. 10/251/CP - No Call-in
15. 10/252/CP - No Call-in

Highland Councillors (Stuart Black, Jaci Douglas, Dave Fallows and Drew Hendry) declared an interest and left the room.

16. 10/253/CP - No Call-in
Highland Councillors returned.

17. 10/254/CP - No Call-in
18. 10/255/CP - No Call-in
19. 10/256/CP - No Call-in
20. 10/257/CP - No Call-in
21. 10/258/CP - No Call-in
22. 10/259/CP - No Call-in
23. 10/260/CP - No Call-in
24. 10/261/CP - No Statutory Call-in Powers
25. 10/262/CP - No Call-in

Stuart Black and Jaci Douglas declared an interest and left the room.

26. 10/263/CP - No Call-in
Stuart Black and Jaci Douglas returned.

27. 10/264/CP - The decision was to call-in the application for the following reason :
- The proposed compound is extensive in size and could be in place for up to five years. The proposed development is considered to raise issues in relation to landscape and natural heritage, and the socio economic development of the area and is therefore of significance to the aims of the National Park.
28. 10/265/CP - No Call-in
29. 10/266/CP - No Call-in
30. 10/267/CP - No Call-in
31. 10/268/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

32. The Members wished to make comments to the Local Authorities on the following Planning Application No's 10/248/CP, 10/250/CP, 10/251/CP, 10/257/CP, 10/259/CP, 10/261/CP, 10/263/CP & 10/268/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.
33. Drew Hendry left the meeting.

**AGENDA ITEM 6:
REPORT ON AMENDED WORDING OF CONDITIONS:
MASTER PLAN FOR PHASED DEVELOPMENT OF UP TO 300 HOUSES;
ECONOMIC DEVELOPMENT USES; COMMUNITY USES INCLUDING ALL
INFRASTRUCTURE, LANDSCAPING ETC.
AT LAND TO NORTH EAST OF KINGUSSIE - NORTH OF ACCESS ROAD,
KERROW DRIVE, DUNBARRY TERRACE AND A86, KINGUSSIE
09/048/CP (OUTLINE PLANNING PERMISSION)
(PAPER I)**

34. Duncan Bryden informed Members that Alan Ogilvie of GH Johnson Building Consultants Ltd. (agent for the planning application) was present and available to answer questions.
35. Duncan Bryden advised Members that a letter had been received within the required timescales from Kingussie Community Council in connection with Paper I. Members paused to read the letter of representation.
36. Duncan Bryden informed Members that a letter had been received, outwith the required timescales, from solicitors R and R Urquhart acting on behalf of the Badenoch and Strathspey Conservation Group. Duncan Bryden acknowledged receipt of the letter. Members agreed not to circulate the letter as it was not received within the required timescales.

37. Andrew Tait presented a paper recommending that the Committee approve the proposed amended wording to the conditions for the reasons stated in the report.
38. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) Concerns that the amended wording of condition no. 7 could result in fragmented development across various phases of the site;
 - b) The strength of the use of the term 'otherwise agreed' in allowing the Planning Authority to counteract a fragmented approach to the development of the site; and
 - c) Clarification that the condition was intended to refer to all elements of development within each phase, and not only to landscaping provision.

39. The Committee discussed the application and the following points were raised:
 - a) Query regarding the general procedures for dealing with amendments to conditions;
 - b) Concerns that the approach of amending the conditions prior to the issuing of a decision notice could be considered to hinder opportunities for community consultation;
 - c) Highlighting that the CNPA planning committee resolved to grant planning permission in principle for the development, with the understanding that the community / community council would be fully consulted on future detailed applications;
 - d) Suggestion that the CNPA's Enforcement Officer address the Community Council to explain the role of monitoring and enforcement, and his role in ensuring adherence to conditions of planning permission;
 - e) Request that consideration is given to procedures to allow a greater degree of community consultation where conditions are being considered for amendment; and
 - f) A suggestion that CNPA planning officials meet with Kingussie Community Council to discuss the wider context for this application and clarify the consideration of the amended wording for conditions.

40. Don McKee clarified the nature of this report. The substantive discussion and consideration of community representations had taken place on 30 April 2010 and this item related to minor changes to conditions that did not affect the substantive decision, but which would make it easier to implement and control what had been approved by Members. He confirmed that staff would be happy to meet the Community Council.
41. The Committee agreed to approve the proposed amended wording to the conditions for the reasons stated in the report.

**AGENDA ITEM 7:
ANY OTHER BUSINESS**

42. Andrew Tait, planning officer, circulated a paper which contained amendments to the wording of condition no's 6 and 7 of the approval which the CNPA Planning Committee resolved to grant at the meeting of 23rd July 2010 for Planning Application No. 10/153/CP (Aviemore Primary School, Approval of Matters Specified in Conditions).
43. It was clarified that the amendment of the wording of condition no. 6 now included the following text – “The content of the GTP should be subject to consultation with Inclusive Cairngorms to account for disabled users.”
44. It was clarified that the amendment to the wording of condition no. 7 now included text which required the submission of proposals for the provision of a 4 way signals at the junction with Grampian Road and the introduction of a 20mph (part time) speed limit on the section of Grampian Road in the vicinity of the school.
45. Members agreed the amended wording of condition no's 6 and 7.

**AGENDA ITEM 8:
DATE OF NEXT MEETING**

46. Friday 20th August 2010 at The Community Hall, Boat of Garten.
47. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
48. The meeting concluded at 11.25am.