
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at The Community Hall, Boat of Garten
on 7th January 2011 at 10.30am

PRESENT

Peter Argyle
Geva Blackett
Duncan Bryden
Jaci Douglas
David Green
Gregor Hutcheon
Bob Kinnaird
Eleanor Mackintosh

Ian Mackintosh
Mary McCafferty
Willie McKenna
Andrew Rafferty
Gordon Riddler
Gregor Rimell
Brian Wood
Allan Wright

IN ATTENDANCE:

Mary Grier
Pip Mackie
Andrew Tait
Bruce Luffman

Hamish Trench
Matthew Hawkins
Murray Ferguson

APOLOGIES:

Angela Douglas
Kate Howie
Marcus Humphrey

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, 10th December 2010, held at The Community Hall, Boat of Garten were approved.
4. The following matter arose: Paragraph 66 - Duncan Bryden advised that Access Officers would be contacting the Estate to discuss the issue of a replacement bridge.

**AGENDA ITEM 4:
DECLARATION OF INTEREST BY MEMBERS ON ANY ITEMS APPEARING
ON THE AGENDA**

5. Andrew Rafferty declared a direct interest in Planning Application No. 10/455/CP, due to being a friend of the Factor of the Estate.
6. Bob Kinnaird declared a direct interest in Planning Application No. 10/459/CP.
7. David Green declared an indirect interest in Item No. 13 (Paper 7) on the Agenda, he advised he was a Board Member of the SAC who had been mentioned in the Planning Paper.

**AGENDA ITEM 5:
PLANNING APPLICATION CALL-IN DECISIONS
(Oral Presentation, Mary Grier)**

8. 10/449/CP - No Call-in
9. 10/450/CP - No Call-in
10. 10/451/CP - No Call-in

11. 10/452/CP - The decision was to call-in the application for the following reason :
 - On the basis of the limited information provided to explain the nature of the application, and having regard to its proximity to, and visibility from the A9 which is the principle route through the west of the National Park, and also having regard to the potential landscape and natural heritage impacts of a development of this nature, it is considered that the proposal may raise issues of significance to the collective aims of the National Park.

12. 10/453/CP - No Call-in
13. 10/454/CP - No Call-in

- Andrew Rafferty declared an interest and left the room.
14. 10/455/CP - The decision was to call-in the application for the following reason :
- The proposal is for a large new dwelling house for an estate worker in relatively open landscape in Glen Feshie and in a location where a path identified on the Scottish Paths Record runs through it. The development proposal also involves the demolition of a disused farmhouse and traditional outbuildings. The proposal raises issues in relation to housing in the countryside, visual and landscape impacts and design, impacts on formal recreational access, and social and economic development. As such it is considered to raise issues of general significance to the collective aims of the Cairngorms National Park.

Andrew Rafferty returned.

15. 10/456/CP - No Call-in
16. 10/457/CP - No Call-in
17. 10/458/CP - No Call-in

- Bob Kinnaird declared an interest and left the room.
18. 10/459/CP - The decision was to call-in the application for the following reason :

- Having regard to the location of the proposed development in an area which is the subject of numerous natural heritage designations, and the nature of the proposal which involves rebuilding a unique and culturally significant structure, the proposal raises issues in relation to the conservation and enhancement of the natural and cultural heritage of the area and is also of relevance in relation to the public's enjoyment of the special qualities of the area.

Bob Kinnaird returned.

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

19. The Members wished to make comments to the Local Authorities on the following Planning Application No. 10/454/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.

20. Geva Blackett left the meeting.

AGENDA ITEM 7: REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF 72 HOUSES; FORMATION OF 5 HOUSE PLOTS; PROVISION OF PRIMARY SCHOOL SITE; ASSOCIATED AMENITY GROUND, ROADS AND FOOTWAYS

AT LAND 200M WEST OF BOAT OF GARTEN FOOTBALL FIELD, CRAIGIE AVENUE, BOAT OF GARTEN (PAPER 1) (08/272/CP)

21. The Planning Officials were joined by Hamish Trench, CNPA Strategic Land Use Director, and Matthew Hawkins, CNPA Senior Heritage Officer.
22. Duncan Bryden informed Members that some letters of representation had been received within the given timescales and these had been circulated for Members attention. The Committee paused to read the letters.
23. Duncan Bryden informed Members that several requests had been made to address the Committee –
 - For the Applicant: Bill Hepburn, Bracewell Stirling, Agent & Andy Mackenzie, MBEC, Environmental Consultant
 - Community Council: Alison Fielding & Sam Faircliff
 - Objectors: Andy Nisbet & Tessa Jones, BSCG
 - Others: Simon Campbell, Cairn Housing & Andrew Norval, Seafield Estate (available for questions)
24. The Committee agreed to the requests.
25. Andrew Tait presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
26. Matthew Hawkins advised the Committee on natural heritage issues regarding Capercaillie and Red Squirrels on the site.
27. Hamish Trench clarified the consideration of the application in relation to the aims of the Park, particularly Section 9(6) of the National Parks (Scotland) Act 2000, which deals with the procedure when there is conflict between the aims of the Park. He also clarified the European Birds Directive and how this was interpreted in domestic legislation under the Wildlife & Countryside Act and other government policies and regulations.
28. The Committee were invited to ask the CNPA Officers points of clarification, the following were raised:
 - a) Clarification of the area of the proposed land to be built on, within the wood with significance for Capercaillie habitat. Andrew Tait responded that the area of the application site was 5.8 hectares.
 - b) The advice given by SNH regarding potential mitigation measures for natural heritage issues and if this conflicted with what the CNPA had stated. Matthew Hawkins confirmed that the CNPA did have a different view from SNH as to whether mitigation to an acceptable degree may be possible and practical.
 - c) The length of time the Applicants had to amend the proposed mitigation measures, since the meeting held in November, and the apparent lack of response from the CNPA regarding this issue. Matthew Hawkins stated that the application had been under consideration for a considerable time. He confirmed that at the meeting in November, the Applicants were requested to submit as much detail as possible on the proposed mitigation measures and that SNH, as the leading body, had responded to the Applicants on the information submitted. Due to other commitments by all parties, the soonest a meeting could be held to discuss this information was 15th December, by which time the CNPA Strategic Land Use Group had to submit their comments to the Planning Officer for inclusion in the report.

- d) Concern that if the Applicants had been afforded more time to investigate mitigation measures, they could have found a solution which would be acceptable to SNH.
- e) The current national population of Capercaillie and how this figure translated to the 1% of birds inhabiting the woodland location. Matthew Hawkins responded that the information available on Capercaillie was several years old and at that time it was set at a national population of 2200, which equated to 1 – 6 male birds on the site.

29. Bill Hepburn, Agent, and Andrew Mackenzie, Environmental Consultant addressed the Committee. Duncan Bryden informed Members that Allan Rennie, from Bracewell Stirling and Mark Berry, from MBEC were also present at the meeting. The presentation covered the following points:

- The importance of Boat of Garten within of Badenoch & Strathspey and the level of local facilities available.
- The inclusion and subsequent removal of the site from the CNP Local Plan.
- The impact on Capercaillie in the vicinity of the development.
- The short timescale given by the CNPA to submit mitigation measures.
- The consideration of alternative sites by the Working Group.
- The design of the proposed house types and willingness to enter discussion with the Planning Officer and amend if necessary.
- The Applicants willingness to form an access from the development to the Community Hall.
- The implementation of the SPA sites, under the Conservation Regulations 1994, and which are directly applicable to Capercaillie.
- The meeting of 15th November, and the belief that both the CNPA and SNH would respond with comments on the mitigation measures submitted.
- The quick time in which the Applicant had submitted the requested mitigation measures and the lack of response from the CNPA Officials.
- The importance of the development for the future of the Boat of Garten Community.
- The area of proposed development within the larger red line boundary.
- The Red Squirrel surveys undertaken for the site.
- The area of the development site (5.7 hectares), within the wider Boat of Garten woods (approx. 800 hectares).
- The site area being covered by commercially planted Scots Pine.
- The hope of reaching agreement with SNH regarding the mitigation measures.
- The forthcoming Parliamentary Bill regarding licensing for Red Squirrel dreys.
- The need for balance to be maintained between people and natural heritage, particularly Capercaillie.

30. The CNPA Officers were invited to make any points of clarification regarding the speakers presentation - the following points were clarified:

- a) Clarification that, although the Working Group had met once, Seafield Estate had been unwilling to discuss alternative sites within the area until the current application had been determined.
- b) The ability to obtain Squirrel Licences not currently being in place, and the fact that even if they were, there was no guarantee of getting a Licence.
- c) Clarification that in preparation of the Core Path Plan the potential impact on Natura interests had been comprehensively considered. The specific paths in question were already well-established and promoted before their designation in the Plan.

- d) That SNH maintained their objection to the current application, as the mitigation measures, as proposed, were not acceptable.
- e) The area around the proposed development area being a valuable habitat for Squirrels.
- f) The building of houses increasing the probability of usage of the wood and therefore the extension of the disturbance buffer.

31. The Committee were invited to ask questions of the speakers and the following points were raised:

- a) Clarification of the Article 2 Bird Directive and how it affects this development.
- b) Clarification if there was a defined definition of the disturbance level to bird population, which then would relate to the level of mitigation measures required.

32. The Committee paused for a break at 12:10pm.

33. The Committee reconvened at 12:20pm.

34. Andy Nisbet & Tessa Jones, Objectors, addressed the Committee. The presentations covered the following points:

Andy Nisbet:

- A previous petition against development in Boat of Garten.
- The visual amenity of Boat of Garten.
- The popularity of the wood and it being a key facility for outdoor recreation.
- The need for affordable housing in the area, but not at the expense of the village.

Tessa Jones:

- The origins of the woodland.
- Habitat continuity implications of the direct footprint of the proposed development.
- The flawed and unrealistic proposed mitigation measures.

35. The Committee were invited to ask questions of the speakers. No questions were asked.

36. Alison Fielding & Sam Faircliff, representatives of the Community Council, addressed the Committee. The presentation covered the following points:

- The site being the only larger identified site for affordable housing in the village.
- The considerable amount of community consultation that had been undertaken regarding housing and the local support demonstrated for the development.
- Alternative development sites within the village being of a much smaller scale.
- The complex issues regarding wildlife and the economic reliance of the village on the wildlife sector.
- The need for the mitigation measures to be thoroughly assessed.
- The lack of existing affordable housing in the village.
- The need to support the local population and therefore the long term sustainability of the village.
- The funding currently available for the affordable housing.
- The current problems experienced with sewage in the village and the need for the upgrade of the Waste Water Treatment Works.

37. The Committee were invited to ask questions of the speakers and the following points were raised:

- a) The apparent difficulty the Working Group had at looking at alternative housing sites whilst there was still a 'live' application in the area.
- b) Alternative sites for housing in Boat of Garten, the level of housing they could support and the level of housing which was required.
- c) The Highland Small Communities Housing Trust survey which had been carried out and the level of community response to the survey.
- d) The timescale of funding currently available for Affordable Housing.

38. Members were invited to ask questions of Simon Campbell, Development Manager for Cairn Housing - the following points were raised:

- a) The availability of funding for Affordable Housing. Simon Campbell explained complex system by which public support was given for affordable housing and confirmed that no funding was available for developments until planning permission had been obtained. If the current application was not approved then it would very likely be more difficult in future to find public funding support.

- b) Simon Campbell confirmed that the only other development Cairn Housing were dealing with in the Park was located in Aviemore.

39. Duncan Bryden thanked the speakers.

40. The Planning Officer clarified the following points:

- a) The application site, although being located within the settlement boundary, is not covered by an allocation in the CNP Local Plan. The policies in the Plan do however allow for development within settlements that comprises, for example, infilling or small scale development.
- b) The very recent adoption of the CNP Local Plan and that the application being contrary to Policy 20 within the Plan.
- c) The current live application at the Boat of Garten Water Treatment Works and the intimation by Scottish Water that they would be willing to carry out works to rectify existing problems should this application not proceed.
- d) If the application were to be approved, it would have to be advertised as a departure to the Local Plan and also referred to Scottish Ministers, due to SNH (a statutory consultee) maintaining their objection.

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

- a) Affordable housing being the biggest issue within the CNP.
- b) The removal of the site allocation from the CNP Local Plan, as per the Reporters' recommendation due to environmental sensitivities and to over- allocation of housing.
- c) The lack of time the Applicant had been given to address SNH and CNPA's concern regarding the mitigation measures.
- d) The extended period of time the application had been live on the CNPA books.
- e) The possibility of deferring the application to allow the Applicants more time to prepare adequate mitigation measures.
- f) The willingness of SNH and CNPA to work with the Applicants on the mitigation measures.
- g) The need to support Communities who wish to enhance their survival and sustainable development.
- h) The importance of the decision to be taken on the application and its impact on the local Community.
- i) The reasons for refusal not just including the lack of mitigation measures but also very strong policy reasons.
- j) The need for the Working Group to be active in looking at alternative sites.
- k) The requirement for obtaining updated housing need figures for the Boat of Garten area.
- l) Concern that by approving the application it would be contrary to the CNPA Local Plan which was so recently approved.
- m) Disappointment that the Working Group had not taken the opportunity to look at alternative housing sites and had instead focussed on the current application. Also, that the Working Group had not demonstrated that the current application was the only feasible site in the area.
- n) The application being a very emotive issue for the Boat of Garten Community.
- o) The potential for the site to support some type of development, but on a much reduced scale to that currently being proposed.
- p) The high level of Affordable Housing included in the proposal.

- q) The Planning Committee being legally obliged to base decisions on the Local Plan, unless material variations allow a departure to the Plan.
- r) The weighting to be attributed to the four Aims of the Park, and the requirement to give greater weight to first aim in certain circumstances, as stipulated in the National Parks (Scotland) Act 2000.
- s) The very recent adoption of the CNP Local Plan.
- t) The Applicant being able to appeal the decision or to resubmit with revised proposals should the application be refused.
- u) The lengthy time taken to get the application to its current stage.
- v) Concern that the CNPA are not entirely aligned with SNH's position on the application.
- w) The need for the CNPA to deliver the first Aim of the Park but also for Affordable Housing to be delivered within Boat of Garten.

42. The Planning Officer clarified the following points:

- a) Emphasis on the length of time the application had been under consideration (since 2008) and that CNPA had made several attempts to encourage the applicant to come forwards with the required information at an earlier stage.
- b) That by refusing the application it would still allow the investigation of other sites for Affordable Housing, also, the potential for re-submission of proposals for development of the current site, and the continuation of the Working Group.

43. Murray Ferguson, CNPA Sustainable Rural Development Director, addressed the Committee regarding the remit of the Working Group and the work they had undertaken. He was joined by Cllr Stuart Black, Chair of the Working Group. Murray Ferguson clarified that the Group had met once and that the discussion had broadly been useful. However, Seafield Estate had not be willing enter discussion regarding other sites until the current application had run its course. Stuart Black advised that a few of potential alternative sites had been discussed at the meeting, however, they were smaller in scale and not large enough to provide the level of housing that the Community requires.
44. Willie McKenna proposed a **Motion** that the application be Deferred, to see if acceptable mitigation measures, both in theoretical and practical terms, could be agreed with SNH (leading to them withdrawing their objection) and also to the satisfaction of other bodies responsible for mitigation including the CNPA as the Access Authority. Willie McKenna stated that the Deferral should only be for a relatively short period of time, in order that the application could be dealt with expediently. This was seconded by Jaci Douglas.
45. Duncan Bryden clarified the position on the proposal for Deferral, which was to allow further information to be submitted on the proposed mitigation measures for Capercaillie. Duncan Bryden reminded Members that there were several other reasons for refusal, and that if the motion were approved these would still require to be taken into account in coming to a final decision. This was agreed.
46. David Green proposed an **Amendment** that the application be Refused, as per the Planners' recommendation, and that the Working Group continue to look at the Affordable Housing situation and the alternative sites in Boat of Garten. This was seconded by Peter Argyle.

47. The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Peter Argyle		√	
Duncan Bryden		√	
Jaci Douglas	√		
David Green		√	
Gregor Hutcheon		√	
Bob Kinnaird		√	
Eleanor Mackintosh		√	
Ian Mackintosh		√	
Mary McCafferty	√		
Willie McKenna	√		
Andrew Rafferty	√		
Gordon Riddler	√		
Gregor Rimell	√		
Brian Wood	√		
Allan Wright	√		
TOTAL	8	7	0

48. The Committee paused for lunch at 1:35pm.
49. The Committee reconvened at 2:15pm.

50. David Green left the meeting.

AGENDA ITEM 8:

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF 30 HOUSES; 10 AFFORDABLE HOUSE PLOTS; 8 SMALL BUSINESS UNITS AND ASSOCIATED INFRASTRUCTURE AND LANDSCAPING AT LAND AT SCHOOL ROAD AND CRAIGMORE ROAD, NETHY BRIDGE (PAPER 2) (09/052/CP)

51. Duncan Bryden informed Members that some letters of representation had been received within the given timescales and these had been circulated for Members attention. The Committee paused to read the letters.
52. Mary Grier advised members that a further letter of representation had been received and also the Applicants Solicitors had submitted a letter requesting the application be deferred for 3 months to allow for further discussion. Both letters had not been circulated due to being received outwith the required timescales.
53. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
54. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) Clarification that the application for outline planning permission had been submitted prior to the CNPA coming into effect. It was confirmed that the application had been submitted in 2002. It had then taken some time to deal with the complexities of the application and conclude the Section 75 Legal Agreement, and the Decision Notice was subsequently issued in 2006.
 - b) Planning Officers in Local Authorities having delegated powers to refuse applications on grounds of lack of information, but the CNPA not having these powers.
55. The Committee agreed to refuse the application for the reasons stated in the report.

AGENDA ITEM 9:

REPORT ON CALLED-IN PLANNING APPLICATION FOR TO CONTINUE USE OF TEMPORARY ACCOMMODATION APPROVED UNDER PLANNING REFERENCE 05/02343/FUL AT URLARMORE, KIRKMICHAEL, BALLINDALLOCH, MORAY (PAPER 3) (10/348/CP)

56. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
57. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) The potential for the reuse of the temporary structure once removed from the site. Mary Grier advised that it would be outwith Planning to condition the reuse of the structure, but that any resale or reuse would be in the Applicants interests.
58. The Committee agreed to approve the application subject to the conditions stated in the report.

**AGENDA ITEM 10:
REPORT ON CALLED-IN PLANNING APPLICATION FOR APPLICATION
UNDER SECT 42 TO DEVELOP LAND WITHOUT COMPLYING WITH THE
TIME LIMITS IN CONDITION I OF PLANNING PERMISSION 04/318/CP
GRANTED BY CAIRNGORMS NATIONAL PARK AUTHORITY ON 17/11/05
[SIX MONTHS EXTENSION OF TIME LIMITS]
AT STATION YARD, STATION ROAD, NETHY BRIDGE
(PAPER 4) (10/380/CP)**

59. Mary Grier presented a paper recommending that the Committee approve the application subject to the condition stated in the report.
60. The Committee discussed the application and the following points were raised:
- a) Concern that this type of application could set a precedent as a way of avoiding the time limit as specified within the previous permission. Mary Grier advised that the Applicant had begun purifying the conditions of the permission earlier in the year, however, she understood there had been recent problems encountered, particularly with Contaminated Land issues, and this had delayed progress.
 - b) The possibility of approving the application for a period of a year, in order for the Applicant to have adequate time to comply with all conditions. Mary Grier responded that the formal description in the application had stated a period of 6 months and it would not be appropriate to vary the time period.
61. The Committee agreed to approve the application subject to the condition stated in the report.

**AGENDA ITEM 11:
REPORT ON CALLED-IN PLANNING APPLICATION FOR APPLICATION
UNDER SECTION 42 TO VARY CONDITION I OF PLANNING PERMISSION
REFERENCE 06/62/FULBS (CNPA APPROVAL: 06/086/CP) TO EXTEND
PERIOD OF APPROVAL BY 15 MONTHS
AT DEVELOPMENT SITE ON FORMER FILLING STATION, GRAMPIAN
ROAD, AVIEMORE
(PAPER 5) (10/413/CP)**

62. Duncan Bryden informed Members that Alistair Grant, Applicant, was available to answer questions.
63. Andrew Tait presented a paper recommending that the Committee approve the application subject to the condition stated in the report.
64. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
- a) The prominence of the site (as a gateway to Aviemore) to be kept in a tidy state, until the commencement of the development.
 - b) The current use of the site as a car park for the adjoining Mountain Shop.
65. Members were invited to ask questions of Alistair Grant, Applicant - the following points were raised:
- a) The current leasing arrangements of the land to the adjoining Mountain Shop.
 - b) It being in the Applicants and Lessees interests to keep the site in a tidy and respectable condition.
66. Duncan Bryden thanked the speaker.

67. The Committee agreed to approve the application subject to the condition stated in the report.

**AGENDA ITEM 12:
REPORT ON CALL-IN ARRANGEMENTS - FOR DECISION
(PAPER 6)**

68. Murray Ferguson, Sustainable Rural Development Director, presented an update report on the Planning Call-in Arrangements and recommended that Members agree to ending of the trial and move to online “call-in” on a permanent basis subject to:

- Reporting back on its operation every 6 months;
- Continuing to improve the effectiveness of the system including the continual refining of the process to make it more accessible and efficient. In particular, continuing to investigate solutions for loading material directly onto the website from the planning office and to improve the quality of the presentation material.
- An additional point, that discretionally, due to operational reasons it may be necessary to hold the call-in report as part of the Planning Committee meeting from time to time.

69. Members were invited to comment on how they felt the electronic call-in process was going, the following points were raised:

- a) The online process being tedious and uninformative.
- b) The lack of interaction with other Members, particularly in relation to comments on applications that were not being called-in.
- c) The trial process being ended too soon and being uncomfortable with a progress report only being produced on a 6 monthly basis.
- d) A bulletin board being a useful tool in continuing with the process so that comments could be seen by members.
- e) It being very useful to be able to view applications several times and thoroughly assess them in your own time.
- f) The poor image quality of some of the images due to what it provided by the Local Authorities or applicants.
- g) The need for transparency and the public to be able to see Members’ comments on applications.
- h) The tight timescales involved in the presentation being available online and the deadline by which Members have to respond.
- i) Difficulties encountered due to internet download speed in rural communities.
- j) The benefit of hearing local knowledge on applications at the Friday meetings.
- k) The need to keep a sense of perspective on the scale and nature of the decisions about call-in.
- l) The need for the continuation of the trial for a further 3 months.
- m) The need for Members to adjust to new ways of working.

70. The Committee agreed for the trial period to be extended for a further 3 months and then be reassessed in March. Meanwhile, CNPA Officials were to investigate the feasibility of modification to the electronic procedure (for example, through using a bulletin board or other mechanism) to allow Members to view each others comments.

**AGENDA ITEM 12:
REPORT ON SCOTTISH GOVERNMENT CONSULTATIONS**

- **HOUSEHOLDER PERMITTED DEVELOPMENT RIGHTS**
- **AMENDMENTS TO THE MODERNISED PLANNING SYSTEM**

(PAPER 7)

71. Bruce Luffman presented a report recommending that Members agree the consultation responses as stated in the report. He advised that any further comments should be emailed to him by Tuesday 11th January 2011, as the report was due to be submitted on Wednesday 12th January 2011.
72. The Committee discussed the report and the following points were raised:
- a) The removal of Permitted Development Rights and if there were different rules for the CNP it would be confusing for members of the public and Local Authorities covering the area.
 - b) The joint approach with Loch Lomond and the Trossachs National Park being a good idea.
 - c) It would be constructive to know what Non Governmental Organisations think of the proposals.
 - d) The proposals being quite “messy”.
 - e) The difficulty in defining the ‘front elevation’ if there is no roadside, e.g. in a rural location.
 - f) The difficulty in knowing when Building Standards would get involved.
 - g) The potential to use a Prior Notification, such as the 28 day notification for Agricultural Buildings instead of the Article 4 Direction.
73. The Committee agreed the response for submission to the Scottish Government and noted that any additional comments should be emailed by Tuesday 11th January 2011.

**AGENDA ITEM 14:
ANY OTHER BUSINESS**

74. Duncan Bryden informed Members that on the 12th January (10am – 1pm) there will be a National Park Plan discussion session in Ballater. Members are welcome to attend.
75. Gregor Hutcheon requested that on the 4th February, the opportunity be taken for new Members to familiarise themselves with the An Camas Mor site. It was agreed that Don McKee would arrange this.

**AGENDA ITEM 15:
DATE OF NEXT MEETING**

76. Friday 4th February 2011 at The Cairngorm Hotel, Aviemore.
77. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
78. The meeting concluded at 3:35pm