
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held via audio link between the CNPA Office, Albert Memorial Hall, Ballater
and CNPA Office, 14 The Square, Grantown -on-Spey
on 8th April 2005 at 10.30am

PRESENT

Eric Baird	Willie McKenna
Duncan Bryden	Eleanor Mackintosh
Stuart Black	Anne MacLean
Sally Dowden	Sandy Park
Basil Dunlop	Andrew Rafferty
Douglas Glass (In Ballater)	David Selfridge
Angus Gordon	Joyce Simpson
Lucy Grant	Sheena Slimon
Marcus Humphrey	Richard Stroud (In Ballater)
Bruce Luffman	Bob Wilson

IN ATTENDANCE: (All in Ballater)

Don McKee	Andrew Tait	Norman Brockie
Mary Grier	Pip Mackie	

APOLOGIES:

David Green	Andrew Thin
Alastair MacLennan	Susan Walker
Gregor Rimell	

WELCOME AND APOLOGIES

1. The Vice -Convenor, Bruce Luffman, welcomed all present and explained that owing to adverse weather conditions the meeting could not take place in Carrbridge as advertised but instead would be conducted via audio link between CNPA Offices in Ballater and Grantown on Spey.
2. Apologies were received from David Green, Alastair MacLennan, Gregor Rimell, Andrew Thin & Susan Walker.

MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 24th March 2005, held in Grantown -on-Spey were approved.
4. There were no matters arising.

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

5. Bob Wilson declared an interest in Planning Application No. 05/140/CP.
6. Andrew Rafferty declared an interest in Planning Application No. 05/142/CP.
7. Sally Dowd declared an interest in Planning Application No. 05/154/CP.
8. Lucy Grant declared an interest in Planning Application No. 05/156/CP.

PLANNING APPLICATION CALL - IN DECISIONS (Oral Presentation, Mary Grier)

9. 05/126/CP - No Call -in
10. 05/127/CP - No Call -in
11. 05/128/CP - No Call -in

12. 05/129/CP - The decision was to Call -in this application for the following reason:

- The development represents the formation of a residential unit in a restricted countryside area and is located within a designated National Scenic Area. The proposal therefore raises issues in relation to housing in the countryside, impact on the scenic amenities of the area and precedent. As such it is viewed as being of general significance to the aims of the National Park.

13. 05/130/CP - No Call -in
14. 05/131/CP - No Call -in
15. 05/132/CP - No Call -in
16. 05/133/CP - No Call -in

17. 05/134/CP - The decision was to Call -in this application for the following reason:

- The proposed development is for a sizeable development consisting of both the conversion of an existing steading, the conversion of a redundant bus station house (which is a Grade B Listed Building) and also a new building element. The proposed development site is located within the Conservation Area of Braemar. The development therefore raises issues in relation to social and economic development in the form of housing and affordable homes provision, the enhancement and conservation of the cultural heritage of the area and the impacts on existing developments. As such the proposal is deemed to be generally significant to the collective aims of the National Park.

- 18.05/135/CP - NoCall -in
19.05/136/CP - NoCall -in
- 20.05/137/CP - The decision was to Call -in this application for the following reason:
- The mixed use development proposal, which includes tourist related facilities, is located on a prominent site close to the eastern entrance to the Cairngorms National Park. The proposal therefore raises issues in relation to the promotion of the enjoyment and understanding of the qualities of the Park by the general public, issues of sustainable economic development, and general issues regarding planning policy, visual impact and potential traffic implications. It is therefore considered that the proposal is of significant to the collective aims of the National Park.
- 21.05/138/CP - NoCall -in
22.05/139/CP - NoCall -in
- 23.05/140/CP - Bob Wilson declared an interest and left the room.
NoCall -in
Bob Wilson returned.
- 24.05/141/CP - NoCall -in
- 25.05/142/CP - Andrew Rafferty declared an interest and left the room.
NoCall -in
Andrew Rafferty returned.
- 26.05/143/CP - The decision was to Call -in this application for the following reason:
- The proposed development involves the erection of an extension to a traditional dwelling house, which is believed to form one of the oldest residential properties within the settlement of Nethy Bridge. The development therefore raises issues in relation to the conservation and enhancement of the cultural heritage of the area and as such is of significant to the aims of the National Park.
- 27.05/144/CP - NoCall -in
28.05/145/CP - NoCall -in
- 29.05/146/CP - The decision was to Call -in this application for the following reason:
- The advertisement is proposed to be located in a highly prominent position within designated Area of Great Landscape Value, and a short distance from the heavily

trafficked A9, which is the principle carriageway through the western side of the National Park. The proposed advertising sign, by reason of its location, and size has the potential to be visually obtrusive and detract views of the surrounding rural landscape. It is therefore considered that the proposal raises issues in relation to the conservation and enhancement of the natural amenity of the area, the promotion of the enjoyment of the special qualities of the area by the general public, and the precedent which such development would set for general advertising in close proximity to a main route through the National Park and the consequent cumulative impact of such forms of advertising signage.

30.05/147/CP - NoCall -in
 31.05/148/CP - NoCall -in
 32.05/149/CP - NoCall -in
 33.05/150/CP - NoCall -in
 34.05/151/CP - NoCall -in
 35.05/152/CP - NoCall -in
 36.05/153/CP - NoCall -in

37.05/154/CP - Sally Dowden declared an interest and left the room.
 The decision was to Call -in this application for the following reason:

- The proposed advertising signage is of a significant scale and will form a prominent feature on the Osprey Building in the Aviemore Highland Resort complex. The proposal may potentially have a visual impact on the locality and raises issues of precedent. The development proposal is of a scale and type which may raise issues of general linked significance to the collective aims of the National Park.

Sally Dowden returned.

38.05/155/CP - NoCall -in

39.05/156/CP - Lucy Grant declared an interest and left the room.
 The decision was to Call -in this application for the following reason:

- The development involves an upgrade and extension of the existing water treatment works which is located in a prominent position in the landscape and the formation of access tracks and associated structures close to the Gergask Burn which is a tributary of the River Spey. As such the proposal raises issues in relation to the sustainable social and economic development of the Laggan community and the conservation and

enhancement of the natural heritage of this part of the National Park.

Lucy Grant returned.

40.05/157/CP - The decision was to Call -in this application for the following reason:

- Having regard to the nature of the activity proposed, the extent of land involved, and the significant time scale over which quarrying activity is proposed to take place, it is considered that the development raises issues in relation to the sustainable use of the natural resources of the area, the sustainable economic development of the area's communities, and it may also have a potential impact on the enjoyment of the special qualities of the area by the public. As such the proposal is deemed to be generally significant to the collective aims of the National Park.

41.05/158/CP - No Call -in

42.05/159/CP - No Call -in

43.05/160/CP - No Call -in

44.05/161/CP - No Call -in

45.05/162/CP - No Call -in

46.05/163/CP - No Call -in

47.05/164/CP - No Call -in

48.05/165/CP - No Call -in

49.05/166/CP - The decision was to Call -in this application for the following reason:

- The development is for the construction of a new hill track in an open and exposed upland countryside area, which has a number of environmental designations (SSSI, cSAC and SPA). The development therefore raises issues in relation to landscape impact, nature conservation and precedent and therefore is deemed to be generally significant to the collective aims of the National Park.

50.05/167/CP - No Call -in

51.05/168/CP - The decision was to Call -in this application for the following reason:

The proposed development involves the conversion of a redundant bus station house which is a Grade B Listed Building. The proposed development site is located within the Conservation Area of Braemar. The development therefore raises issues in relation to social and economic development in the form of housing and affordable homes provision, and the

enhancement and conservation of the cultural heritage of the area. As such the proposal is deemed to be generally significant to the collective aims of the National Park.

COMMENTING ON APPLICATIONS NOT CALLED - IN BY THE COMMITTEE

52. It was agreed that comments be made to the Local Authorities on Planning Application No's 05/128/CP, 05/135/CP, 05/136/CP, 05/140/CP, 05/142/CP, 05/145/CP, 05/152/CP, 05/155/CP, 05/163/CP, 05/164/CP & 05/165/CP.

53. The Moray Councillor declared an interest and left the room.

54. It was agreed to submit the following comments to Moray Council on Planning Application No. 05/140/CP:

In the interests of ensuring the conservation and cultural enhancement of the area, the CNPA recommends that the proposed development be amended in order to more appropriately reflect the existing pattern of development of this planned estate village, with the overall scale, proportions and design concept resembling adjacent properties, incorporating the use of traditional building materials, and adhering to the established building line.

The Moray Councillor returned.

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

56. It was agreed to submit the following comments to Highland Council on Planning Application No. 05/128/CP:

In the event of planning permission being granted for the proposed development, the CNPA recommends, in the interests of conserving and enhancing the natural heritage of the area, and ensuring the enjoyment of the special qualities of the area by the public, that a condition be included stipulating that the permission is for a temporary period of three years only, in order to assess at the end of that period whether or not the proposed polytunnel is adequately maintained or has been liable to deterioration. In addition, it is recommended that a condition be attached to any planning permission requiring that the proposed polytunnel be maintained in good order at all times.

57. It was agreed to submit the following comments to Highland Council on Planning Application No. 05/142/CP:

In the interests of ensuring the promotion of the sustainable economic development of the area's communities, the CNPA recommend that further detailed information be sought on the extent of floorspace to be used for retail sales. The CNPA recommend that any retail sales area permitted is ancillary to the veterinary surgery. In the event that consideration is being given to the retail sales area operating as an independent unit, it is considered necessary to carry out a sequential test, to determine the appropriateness or not of the proposal.

58. It was agreed to submit the following comments to Highland Council on Planning Application No.05/145/CP:

In the interests of conserving and enhancing the built and cultural heritage of the area, the CNPA recommends that any extension at this location should match the existing dwelling house in terms of the roof profile and the materials used.

59. It was agreed to submit the following comments to Highland Council on Planning Application No.05/152/CP:

Having regard to the nature and scale of the structure proposed and its location in a development restraint area, the CNPA wish to make the following recommendations, in the interests of ensuring the sustainable use of the natural resources of the area and the promotion of the social development of the area's communities –

- (a) That the proposed granny annex be retained at all times as ancillary accommodation to the main dwelling house and should not be sold separately from the main dwelling house;
- (b) That the internal layout of the development be amended to provide internal linkages between the main dwelling house and the granny annex;
- (c) That the existing mobile homes are removed from the site prior to the first occupation of the proposed development.

60. Richard Stroud proposed a Motion to submit comments on Planning Application No.05/155/CP. This was seconded by Eric Baird. Bruce Luffman proposed an Amendment to not submit comments on Planning Application No. 05/155/CP. This was seconded by Sally Dowden. The vote was as follows:

NAME	MOTION (Comment)	AMENDMENT (No Comment)	ABSTAIN
Eric Baird	√		
Duncan Bryden	√		
Sally Dowden		√	
Douglas Glass		√	
Lucy Grant	√		
Marcus Humphrey		√	
Bruce Luffman		√	
Willie McKenna		√	
Eleanor Mackintosh		√	
Anne MacLean		√	
Andrew Rafferty		√	
David Selfridge		√	
Joyce Simpson		√	
Richard Stroud	√		
Bob Wilson		√	
TOTAL	4	11	0

The decision was to not submit comments. Eric Baird, seconder for the Motion, requested it noted that he had asked to address the Committee in support of the Motion but this request had not been acknowledged.

61. It was agreed to submit the following comments to Highland Council on Planning Application No.05/163/CP:

In the interests of promoting the sustainable use of the natural resources of the area and promoting the sustainable social development of the area's communities, the CNPA wish to make the following recommendations –

- (a) any development on the proposed site should adhere to the provisions of section 5.1.4 of the Badenoch and Strathspey Local Plan, particularly with reference to development adhering to established building lines. The site layout should therefore be amended accordingly to reflect this;
- (b) It is recommended that any development on the site incorporates significant landscape screening at appropriate locations, using indigenous species, in order to minimise the visual impacts of any potential filling which may be necessary to facilitate a development on the site in accordance with the aforementioned provisions of section 5.1.4 of the Local Plan.

62. It was agreed to submit the following comments to Highland Council on Planning Application No.05/164/CP:

In the event of planning permission being granted for the proposed development, the CNPA recommend in the interests of promoting the sustainable use of the natural resources of the area and promoting the sustainable social development of the area's communities, that the permission include a section 75 agreement restricting the use of the dwelling house to persons employed on the estate and their immediate family.

63. It was agreed to submit the following comments to Highland Council on Planning Application No.05/165/CP:

In the event of planning permission being granted for the proposed development, the CNPA make the following recommendations, in the interests of conserving and enhancing the natural heritage of the area, in the interests of promoting the sustainable use of the natural resources of the area and promoting the sustainable social development of the area's communities: –

- (a) that due regard is given to the potential heritage importance of the proposed site, which consists of species rich grassland and native woodland;
- (b) that the permission include a section 75 agreement restricting the use of the dwelling house to persons employed on the estate and their immediate family.

64. The Highland Councillors returned.

65. The Aberdeenshire Councillors declared an interest and left the room.

66. It was agreed to submit the following comments to Aberdeenshire Council on Planning Application No.05/135/CP&05/136/CP:

In the interests of its natural and cultural heritage aim, should the proposal prove acceptable the CNPA would recommend that the applicant submit amended plans to ensure that no trees are removed as a result of the development proposed.

67. The Aberdeenshire Councillors returned.

REPORT ON CALLED - IN PLANNING APPLICATION USE OF LAND FOR SITING 2 RESIDENTIAL CARAVANS FOR HOLIDAY LETS, CAMPING SITE, FISHING POND, SIGN & SMALL RETAIL OUTLET AT WAULK MILL, CROMDALE (Paper 1)

68. The Vice - Convenor informed the Committee that due to the meeting being held via a link it would be inadvisable to determine any planning applications.

69. The Committee agreed to defer the paper until the next Planning Committee.

REPORT ON CALLED - IN PLANNING APPLICATION FOR RELOCATION OF PUBLIC TOILETS AND SHELTER AT CAMBUS O'MAY, BALLATER (PAPER 2)

70. The Vice - Convenor informed the Committee that due to the meeting being held via a link it would be inadvisable to determine any planning applications.

71. The Committee agreed to defer the paper until the next Planning Committee.

REPORT ON CONSULTATION RESPONSE TO HIGHLAND COUNCIL ON HOUSING AND MIXED USE DEVELOPMENT, BOAT OF GARTEN (02/00230/OUTBS (Paper 3)

72. The Highland Councillors and Anne MacLean declared an interest and left the room.

73. Norman Brockie presented a paper recommending that the Committee approve the consultation response as detailed in the report.

74. The Committee discussed the report and following points were made:

- a) When the site was first recorded as an Ancient Woodland.
- b) The Capercaillie that were recorded being in the vicinity of the site.
- c) Other species (flora and fauna) being affected in the Ancient Woodland.
- d) The necessity for carrying out an Environmental Assessment of the site and the wider area.
- e) The current use of the site as an amenity area by residents of Boat of Garten.
- f) The possibility of setting a precedent by delaying applications for the production of the CNP Local Plan.

- g) The current and future pressure on the local infrastructure.
75. The Committee approved the consultation responses subject to the addition for an Environmental Assessment to be carried out for the site and wider area and a supportive statement being added regarding the provision of a new school in an appropriate location.
76. The Highland Councillors and Anne MacLean returned.

ANY OTHER BUSINESS

77. There was no other business.

DATE OF NEXT MEETING

78. Friday 22nd April, Ballater.
79. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
80. The meeting concluded at 14:00hrs.