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# CAIRNGORMS NATIONAL PARK AUTHORITY

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## MINUTES OF THE PLANNING COMMITTEE held at The Ben Mhor Hotel, Grantown on Spey on 10<sup>th</sup> February 2006 at 10.30am

### PRESENT

Eric Baird	Anne McLean
Stuart Black	Alastair MacLennan
Sally Dowden	Sandy Park
Basil Dunlop	Andrew Rafferty
Douglas Glass	David Selfridge
Angus Gordon	Joyce Simpson
Lucy Grant	Sheena Slimon
David Green	Richard Stroud
Bruce Luffman	Susan Walker
Willie McKenna	Bob Wilson
Eleanor Mackintosh	

### IN ATTENDANCE:

Don McKee	Andrew Tait
Mary Grier	Wendy Rogerson
Neil Stewart	

### APOLOGIES:

Duncan Bryden	Gregor Rimell
Marcus Humphrey	Andrew Thin

### WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from the above Members.
3. It was noted that Sheena Slimon would be arriving late.

### MATTERS ARISING FROM THE PREVIOUS MEETING

4. The minutes of the previous meeting, 27<sup>th</sup> January, held at The Albert Memorial Hall, Ballater were approved, with a request that for future minutes whole names should be used not just initials, as was the case on page 7 of the previous minutes.
5. It was pointed out that at the last meeting a non-planning member of CNPA staff spoke over the allotted 10 minute time slot.

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

6. Sally Dowden declared an interest in planning application 06/022/CP
7. Anne MacLean declared an interest in Item No 9 on the Agenda.

## **PLANNING APPLICATION CALL-IN DECISIONS (Oral Presentation, Andrew Tait)**

8. 06/021/CP - No Call-in

Sally Dowden declared an interest and left the room.

9. 06/022/CP - No Call-in
- Sally Dowden returned.

10. 06/023/CP - No Call-in
11. 06/024/CP - No Call-in
12. 06/025/CP - No Call-in
13. 06/026/CP - No Call-in
14. 06/027/CP - No Call-in
15. 06/028/CP - No Call-in
16. 06/029/CP - No Call-in
17. 06/030/CP - No Call-in
18. 06/031/CP - No Call-in
19. 06/032/CP - No Call-in
20. 06/033/CP - No Call-in
21. 06/034/CP - No Call-in

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

22. The Members wished to make comments to the Local Authorities on the following Planning Application No's 06/022/CP, 06/023/CP, 06/024/CP 06/031/CP & 06/034/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.

## **REPORT ON CALLED-IN PLANNING APPLICATION FOR DEMOLITION OF BEDROOM WING AND ERECTION OF 4 DWELLING UNITS FOR HOLIDAY ACCOMMODATION AT THE BOAT HOTEL, BOAT OF GARTEN (PAPER 1)**

23. Sandy Park reiterated to the Committee that the time slot of 10 minutes per speaker be adhered to and that any questions asked of the speaker be done at the appropriate time.
24. Sandy Park advised the Committee of a late letter
25. The Committee paused to read the letter
26. Sheena Slimon arrived at the meeting.
27. Sandy Park advised the Committee that the Applicants, Mr & Mrs Tatchell had requested to address the Committee.

28. It was brought to the attention of the Committee by Angus Gordon that the Boat of Garten Community Council had not received enough notice of when the application would be coming before Committee in order to make their request known that they wished to address the Committee.
29. It was felt that the Community Council should have a chance to address the committee.
30. Richard Stroud proposed a Motion that the application be deferred until next committee where the Community Council should have appropriate notice.
31. This was seconded by Lucy Grant
32. There was no amendment proposed
33. The Committee agreed to defer the application until next Committee.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR CHANGE OF USE OF WOODLAND AREA TO GARDEN CURTILAGE AT 68 STRATHSPEY DRIVE, GRANTOWN-ON-SPEY (PAPER 2)**

34. Sandy Park advised the Committee that the applicant Mr Bisset and two objectors, Mrs Sutherland and Mr Haywood, had requested to address the Committee
35. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
36. Mr Bisset addressed the Committee.
37. The committee were invited to ask questions.
38. Sandy Park thanked Mr Bisset
39. Mrs Sutherland addressed the Committee.
40. Mr Haywood addressed the Committee.
41. The Committee were invited to ask questions of both objectors.
42. Sandy Park thanked Mrs Sutherland and Mr Haywood.
43. The planners were asked by the Committee what the policy was regarding garden curtilages.
44. The Committee discussed the application and the following points were raised:
  - a) The original purpose of the wooded area and why that should be maintained.
  - b) Access issues and whether there was significant loss of access, and where there may be alternative access provided.
  - c) Whether the trees that had been removed should be replaced to their original density and the possibility of strengthening condition 2 to state that more trees should be planted.
  - d) Concern that in approving this application a precedent could be set for other properties backing out onto the woodland.
  - e) What the legal responsibilities of the applicant should be according to the title deeds of the property.
45. Bruce Luffman proposed a motion that the application be refused to avoid setting a precedent for future applications. This was seconded by Bob Wilson.
46. David Green proposed an Amendment to approve the application subject to the conditions stated in the report with an amendment to Condition 2 to replant more trees. This was seconded by Lucy Grant.

The vote was as follows:

NAME	MOTION	AMENDMENT	ABSTAIN
Eric Baird	√		
Stuart Black		√	
Sally Dowden		√	
Basil Dunlop	√		
Douglas Glass		√	
Angus Gordon		√	
Lucy Grant		√	
David Green		√	
Bruce Luffman	√		
Willie McKenna		√	
Eleanor Mackintosh		√	
Anne McLean	√		
Alastair MacLennan		√	
Sandy Park		√	
Andrew Rafferty		√	
David Selfridge	√		
Joyce Simpson		√	
Sheena Slimon		√	
Richard Stroud	√		
Susan Walker	√		
Bob Wilson	√		
<b>TOTAL</b>	<b>8</b>	<b>13</b>	<b>0</b>

47. The Committee agreed to approve the application subject to the conditions stated in the report with an amendment to condition 2 to state that more trees be replanted within the given time period.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR OUTLINE PLANNING PERMISSION FOR A RESIDENTIAL DEVELOPMENT COMPRISING OF 104 SERVICED HOUSING PLOTS; ALL ASSOCIATED ROADS AND ACCESS POINTS; AND ALL ASSOCIATED SERVICE ENGINEERING WORKS AND LANDSCAPE WORKS AT NORTH DALFABER, AVIEMORE.  
(PAPER 3)**

48. Anne McLean declared an interest and left the room.  
49. Sandy Park advised of a late consultation response from Scottish Water.  
50. The Committee paused to read the letter.  
51. Sandy Park advised that one of the applicants, Sandy Lewis, and two objectors had requested to address the Committee.  
52. Mary Grier presented a paper recommending that the Committee refuse the application for the reasons stated in the report, with an amendment to reason 1 to reflect that Scottish Water no longer objected, but water, sewerage and infrastructure were still of sufficient concern to merit refusal.  
53. Sandy Lewis addressed the Committee.

54. Sandy Park advised the Committee that the applicant's agent Bob Reid was also available for questions.
55. The Committee were invited to ask questions of the applicant and agent.
56. Sandy Park thanked both applicants.
57. Bill Lobban an objector on behalf of the Dalfaber Action Group addressed the Committee.
58. Cathie Moredaunt an objector addressed the Committee.
59. The Committee were invited to ask questions of both objectors.
60. Sandy Park thanked both objectors.
61. The planners were asked to clarify to the Committee how the proposed development deviates from the Local Plan.
62. The Committee discussed the application and the following points were raised:
  - a) The fact that the objection by Scottish Water had not been entirely removed.
  - b) The undesirability of combining recreational spaces within a residential area.
  - c) How much access within the site would be constrained.
  - d) The need to balance all aims of the national park, and the importance of each.
  - e) The significance of the amount of tree loss.
  - f) Issues of safety regarding the railway crossing.
  - g) The possibility of changing the development to make better use of the green space for the future.
63. Bob Wilson proposed a Motion to refuse the application as recommended in the report. This was seconded by Bruce Luffman.
64. No Amendment was proposed.
65. The Committee agreed to refuse the application in accordance with the reasons stated in the report.
66. Anne McLean returned.

### **ANY OTHER BUSINESS**

67. Sally Dowden wished it to be pointed out to the Committee that the aims of the park each carry equal weighting and decisions must not be based on any aim having more importance than another.

### **DATE OF NEXT MEETING**

69. Friday, 24th February 2006, The Albert Memorial Hall, Ballater.
70. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
71. The meeting concluded at 13:40hrs.