

CAIRNGORMS NATIONAL PARK AUTHORITY

DRAFT MINUTES OF THE PLANNING COMMITTEE

held at The Albert Hall, Ballater

on 10th June 2016 at 11.00am

Members Present

Peter Argyle

Rebecca Badger

Angela Douglas

Katrina Farquhar

Jeanette Gaul

Kate Howie

Janet Hunter

Bill Lobban

Eleanor Mackintosh (Convener)

Willie McKenna

Fiona Murdoch

Gordon Riddler (Deputy Convener)

Brian Wood

In Attendance:

Gavin Miles, Head of Planning

Grant Moir, CEO

Jane Shepherd, Planning Manager, Development Management

David Berry, Planning Manager, Forward Planning & Service Improvement

Matthew Taylor, Planning Officer, Development Management

David Allan, Planning Technician

Dan Harris, Planning Officer, Development Planning

Katie Crerar, Planning Officer, Development Planning

Peter Ferguson, Legal Adviser Harper & MacLeod LLP

Alix Harkness, Clerk to the Board

Apologies:

Paul Easto

Gregor Hutcheon

Gregor Rimell

Judith Webb

John Latham

Dave Fallows

Agenda Items 1 & 2:

Welcome

1. The Convener welcomed all present and apologies were noted.

DRAFT COMMITTEE MINUTES

Agenda Item 3:

Minutes & Matters Arising from the Previous Meeting

2. The minutes of the previous Confidential meeting, 15 April 2016, held at the Albert Hall, Ballater were approved with no amendments.
3. The minutes of the previous meeting, 13 May 2016, held at the Community Hall, Boat of Garten were approved with amendments to the following:
 - a) At Para. 9f: The first sentence to be made more specific to read 'A question relating to whether Local Authorities had the knowledge and expertise in house *in particular related to UK Areas of Interest or European Centres of Excellence* to take forward Flood Risk Management Plans'.
 - b) At Para. 15b: Removal of the extraneous 'The'.
4. There were no matters arising.
5. The Convener provided an update on the Action Points from the previous meetings:
 - a) **Confidential Minutes (15 April 2016) Action point at Para 5i: Discharged** Action was carried through, the date to have a general discussion with the Chief Reporter is being finalised. The Convener will keep the Planning Committee up to date in this regard.
 - b) **Minutes 13 May 2016 - Action point at Para 5i: Discharged** - Draft Confidential minutes of meeting on 15 April 2016 circulated to the Planning Committee.
 - c) **Action point at Para 12i: Discharged** - Steve MacFarland advised the Local Authorities, the Planning Committee's points relating to the omission of reference to both the Cairngorms National Park Partnership Plan and Cairngorms Local Development Plan.
 - d) **Action point at Para 27i: Discharged** - Meadowside Quarry Report on Agenda as Item 8, Coylumbridge Housing S75 concluded and Decision Notice issued.

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

6. Katrina Farquhar declared an interest in:
 - a) Item No. 5 – Direct interest - is a tenant of the applicant.
7. Katrina Farquhar left the room.

DRAFT COMMITTEE MINUTES

Agenda Item 5:

Application for Detailed Planning Permission (2016/0067/DET)

Maintenance and Upgrading Works to Existing Hill Tracks (retrospective)

At Land at Dinnet Moor, Dinnet, Aboyne

Recommendation: Refuse and delegate Enforcement Action

8. Gavin Miles informed the Planning Committee that the Applicant had submitted their Construction Method Statement the previous day. He proposed that the Committee defer the application to the next Planning Committee meeting on 8th July 2016 to allow the Planning staff to read the new information and to give the applicant more time to provide further information.
9. The Committee agreed to defer the application to the next Planning Committee meeting on 8th July 2016.
10. **Action Points arising: None.**

Agenda Item 6:

Application for Detailed Planning Permission (2016/0011/DET)

Proposed Flood Alleviation Scheme diverting from the Allt Mhor to discharge into the adjacent Loch Gynack,

At Pitmain Estate, Pitmain Lodge, Kingussie

Recommendation: Approve Subject to Conditions

11. Katrina Farquhar returned to the meeting.
12. Matthew Taylor presented the paper to the Committee.
13. The Committee were invited to discuss the report, the following points were raised:
 - a) Suggestion made to erect interpretative panels to inform passers-by of benefit of construction. Matthew agreed that this could be sought as part of the access condition.
 - b) Was there a reason for the length of the proposed channel? Matthew advised that this was the most direct route.
 - c) Concern was raised that the structure would stand out given that the pictures depicted a concrete structure. Matthew explained that SEPA would approve the design of the structure through the CAR license process. Officers have sought mitigation through riparian planting but could also discuss material and construction options with the agent as part of the condition requirements to see if any further design measures are available. Members agreed to leave staff to look into this and put it in place.

DRAFT COMMITTEE MINUTES

- d) Clarification as to the size of the proposed channel was sought. Matthew confirmed that it would be about the size of a forest track.
 - e) Agreement that it would be an important scheme for the area however that it would be best to try and soften the impact by way of mitigation.
14. The Committee agreed to approve the application subject to conditions detailed in the report.
15. **Action Points arising:**
- i. **Informative to be added to suggest signage is put up to inform passers-by of benefit of structure.**
 - ii. **Planning Officer to look at the appearance of the structure to lessen the visual impact as part of the condition submissions.**

Agenda Item 7:

Application for Detailed Planning Permission (2016/0082/DET)

Removal of Gravel Embankments

At Allt An T-Slugain, Invercauld Estate, Braemar

Recommendation: Approve Subject to Conditions

16. The Convener advised the Committee that Laura Wilkie, Project Officer from the Pearls in Peril Project was present to answer any questions the Committee may have.
17. David Allan presented the paper to the Committee. He proposed a variation to condition 4 which currently stated 12 months. He proposed that this be increased to no more than 3 years, as per SEPA's recommendation.
18. The Committee agreed to approve the application subject to conditions detailed in the report, with the amendment to condition 4.
19. **Action Points arising:** None.

DRAFT COMMITTEE MINUTES

Agenda Item 8:

Conclusion of Section 75 Legal Agreements on Application 2015/0154/DET

Application under Section 42 to variation Condition 2 (rate of extraction)

(approved under ref: 05/015/CP (05/00008/FULBS)) seeking an uplift in the rate of annual extraction from 50,000 T to 150,000 T

At Meadowside Quarry. Kincraig

RECOMMENDATION: No change to decisions to approve and modify conditions

20. Gavin Miles presented the paper to the Committee. He advised that should the Section 75 not be signed it would be brought back before the Committee.
21. The Committee agreed to approve the application subject to conditions detailed in the report.
22. **Action Points arising:** **None.**

Agenda Item 9:

Local Development Plan Monitoring Report

23. Dan Harris presented the paper to the Committee.
24. The Committee were invited to discuss the report, the following points were raised:
 - a) Agreement that the report was showing positive trends with the caveat of it being over a short timescale.
 - b) Clarification as to how many of the 27 applications had been refused and approved. Dan advised that only one of the 27 had been refused however the refusal of that one was later overturned following an appeal and was now classified as being approved.
 - c) Agreement that this was evidence to show that the Authority was not adverse to development and that approving applications was a sign of hard work by the staff.
 - d) Praise for the clear and comprehensive report.
 - e) Could any indication be given as to the issues at this stage? Dan advised that it was too early to say as they had not drilled down into the detail yet. He added that at this time next year the issues could be identified and discussed in detail.
 - f) Concern that the use of sub-policy information was not systematically recorded by planning authorities and that some gaps remain in understanding how policies are used. Dan advised that there was an opportunity to go back through each planning authorities reports to record how and when they were used.
25. The Committee noted the report for information.
26. **Action Points arising: None.**

Agenda Item 10:

Local Development Plan Action Programme Review

27. Katie Crerar presented the paper to the Committee.
28. The Committee were invited to discuss the report, the following points were raised:
 - a) Request was made to have sight of the housing evidence paper for the NPPP, which was referenced in the Action Programme. Grant advised that this could be circulated following the launch of the National Park Partnership Plan Consultation.
 - b) An explanation was sought as to why the Development Appraisal Toolkit was not considered to be an effective method for appraising viability. Gavin explained that it had been created by external consultants and was too complicated for anyone but them to work with it. Developers already have their own methodologies for calculating the viability of development, and therefore it was considered that there was no benefit in using or reviewing the toolkit.
 - c) A suggestion was made to add a short note stating that works had started where appropriate on each of the development plan sites. Katie agreed.
29. The Committee approved the Local Development Programme Review 2016.
30. **Action Points arising:**
 - i. **NPPP housing evidence paper to be circulated to the Planning Committee following National Park Partnership Plan Launch on 27 June 2016.**
 - ii. **Short note to be added to each relevant development plan site where works had begun.**

Item 11:

Paper on the Independent Review of the Scottish Planning System

31. Gavin Miles presented the paper to the Committee. He provided the Committee with a background to how it had come about. He added that Heads of Planning Scotland (HoPS) were keen to take it forward.
32. Grant Moir highlighted a few of the positive recommendations that had come from the Independent review of the Scottish Planning system report:
 - a) Extending the timescales of the Local Development Plans to 10 years.
 - b) Increased fees for retrospective planning applications.
 - c) Moving away from examinations of Local Development Plans.

DRAFT COMMITTEE MINUTES

33. Grant added that we are now waiting on the Scottish Government response to the review and that there would probably be a follow up consultation later in the year on specific proposals.
34. The Committee were invited to discuss the paper, the following points were raised:
- a) A question was asked around the resources needed to run a full planning service by the CNPA. Grant advised that the CNPA is looking at this issue but that next steps depend on the SG response.
 - b) Did the report find that the Reporters Unit was not working well? Gavin advised that there were recommendations in the report that could change the role of Reporters in some parts of the planning process and that most Local Authorities had views on this issue.
 - c) A question was asked around how Loch Lomond & Trossachs National Park Authority (LLTNPA) planning was funded at present? Grant advised that the planning system in LLTNPA was part of the grant-in-aid from Scottish Government to the NPA.
35. The Committee noted the paper.
36. **Action Points arising: None.**

Item 12:

Any Other Business

38. The Convener asked for a show of hands of which Committee Members would be in attendance at the next Planning Committee meeting on 8th July 2016 in Nethy Bridge.
37. **Action Point arising:**
- i. **Clerk to the Board to email the Planning Committee to confirm attendance for the next meeting on 8th July 2016.**

Agenda Item 13:

Date of Next Meeting

38. Friday 8 July 2016 at The Community Centre, Nethy Bridge
39. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Clerk to the Board, Alix Harkness.
40. The public business of the meeting concluded at 12.35 hrs.