
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Ben Mhor Hotel, Grantown on Spey on 11th August 2006 at 10.30am

PRESENT

Eric Baird	Anne MacLean
Stuart Black	Alastair MacLennan
Duncan Bryden	Sandy Park
Basil Dunlop	Andrew Rafferty
Douglas Glass	David Selfridge
Angus Gordon	Sheena Slimon
David Green	Andrew Thin
Marcus Humphrey	Susan Walker
Bruce Luffman	Ross Watson
Willie McKenna	

IN ATTENDANCE:

Don McKee	Andrew Tait
Mary Grier	Pip Mackie
Neil Stewart	

APOLOGIES:

Nonie Coulthard	Gregor Rimell
Lucy Grant	Richard Stroud
Eleanor Mackintosh	Bob Wilson

WELCOME AND APOLOGIES

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

MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 28th July 2006, held at The Albert Memorial Hall, Ballater were approved.
4. There were no matters arising.

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

5. Eric Baird declared an interest in Planning Application No. 06/290/CP.
6. Marcus Humphrey and Andrew Thin declared an interest in Item No. 8 on the Agenda.

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

7. 06/288/CP - No Call-in
8. 06/289/CP - No Call-in

9. 06/290/CP - Eric Baird declared an interest and left the room.
No Call-in
Eric Baird returned.

10. 06/291/CP - No Call-in
11. 06/292/CP - No Call-in
12. 06/293/CP - No Call-in
13. 06/294/CP - Mary Grier advised that the application had been withdrawn.
14. 06/295/CP - No Call-in
15. 06/296/CP - No Call-in
16. 06/297/CP - No Call-in

17. 06/298/CP - The decision was to call-in the application for the following reason :
 - The proposed change of use from a tourist accommodation hostel to a dwelling house represents the formation of a residential unit in an area which is identified in the Badenoch and Strathspey Plan (1997) as a restricted countryside area. The proposal therefore raises issues in relation to housing in the countryside, and in addition would also raise issues in relation to the loss of tourist accommodation. As such the proposed development is viewed as being of general significance to the aims of the National Park.

18. 06/299/CP - No Call-in
19. 06/300/CP - No Call-in
20. 06/301/CP - No Call-in
21. 06/302/CP - No Call-in
22. 06/303/CP - No Call-in

23.06/304/CP – The decision was to call-in the application for the following reason :

- The proposed development of 10 residential units is located within the Grantown on Spey Conservation Area on land immediately to the rear of a Category C listed building. It is also adjacent to an existing access track. The development is of general significance to the aims of the Park, particularly in terms of cultural heritage, and also the social and economic development of the area in the form of housing and affordable homes provision.

24.06/305/CP – The decision was to call-in the application for the following reason :

- The proposal is of linked significance to 06/304/CP which is on the same site, with the works for which listed building consent is sought being necessary to facilitate that development. The proposal therefore raises issues of general significance to the aims of the National Park.

25.06/306/CP – No Call-in
26.06/307/CP – No Call-in
27.06/308/CP – No Call-in
28.06/309/CP – No Call-in
29.06/310/CP – No Call-in
30.06/311/CP – No Call-in
31.06/312/CP – No Call-in
32.06/313/CP – No Call-in
33.06/314/CP – No Call-in
34.06/315/CP – No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

35. The Members wished to make comments to the Local Authorities on the following Planning Application No's 06/288/CP, 06/293/CP, 06/313/CP & 06/314/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 BOTHY AND ERECTION OF DWELLINGHOUSE AT GARDEN GROUND, MALVERN, DUACK BRIDGE, NETHY BRIDGE (PAPER 1)

36. Andrew Thin advised Members that Bruce Park, representative for the Applicant, had requested to address the Committee. Members agreed to this request.

37. Mary Grier presented a paper recommending that the Committee refuse the application for the reasons stated in the report.

38. Bruce Park, representative for the Applicant, addressed the Committee.
39. Members were invited to ask Bruce Park questions.
40. Andrew Thin thanked Bruce Park.
41. The Committee discussed the application and the following points were raised:
 - a) The length of time the applicant and her family had lived in the area.
 - b) The possibility of care homes in the locality having a free room, as by approving this application the applicant's daughter would be nearby the applicant should care be required.
 - c) The Tree Preservation Order that covered the site.
 - d) The current Badenoch & Strathspey Local Plan defining the garden ground at Malvern as having 2 different land use allocations.
 - e) Concern about the age of the Badenoch & Strathspey Local Plan given the emerging CNPA Draft Local Plan.
 - f) Consideration that the application, by demolishing the bothy, was for a replacement dwelling and not the erection of a new dwelling.
 - g) The architectural merit of the existing bothy.
 - h) The site being well screened from the B970.
 - i) The possibility of approving the application subject to a Section 75 Agreement.
 - j) The fact that financial implications and a well screened site are not planning reasons for approving an application.
 - k) The planning history of the site.
 - l) Clarification of the term 'forestry' as used in the Badenoch & Strathspey Local Plan.
 - m) The existing character and setting of Nethy Bridge.
42. Bruce Luffman proposed a Motion to defer the application in order to investigate the possibility of approving the application subject to a Section 75 Agreement stating the proposed dwelling should remain as ancillary accommodation to Malvern and further information should be sought regarding finished floor levels, sections and landscaping. This was seconded by David Selfridge.
43. There was no amendment.
44. The Committee agreed to defer the application in order to investigate the possibility of approving the application subject to a Section 75 Agreement stating the proposed dwelling should remain as ancillary accommodation to Malvern and further information should be sought regarding finished floor levels, sections and landscaping.

REPORT ON CALLED-IN PLANNING APPLICATION FOR EXTENSION & ALTERATIONS TO EXISTING VISITOR CENTRE AT BURN O'VAT, DINNET, ABOYNE (PAPER 2)

45. Marcus Humphrey and Andrew Thin declared an interest and left the room.
46. Sandy Park took over as Chair for this determination.
47. Sandy park advised the Committee that Ron McDonald, representative for SNH, was available to answer any questions Members may have.
48. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
49. Members were invited to ask Ron McDonald questions.

50. Sandy Park thanked Ron McDonald.
51. The Committee discussed the application and the following points were raised:
- a) Clarification over the term 'extension' in Aberdeenshire Council planning policy.
 - b) The proposal being an improvement to the visitor experience at the site – including encouraging visitors to access local walks.
 - c) Concern over the scale of the proposal.
 - d) The need for the toilets at the site to be open all year round.
 - e) The proposed extension being seen against a backdrop of trees.
 - f) The proposal having minimum impact on existing trees at the site.
 - g) Consideration should be given (as part of the planning process) to improving the sustainability of buildings.
 - h) The proposal providing a consolidation of facilities in the one location.
52. Willie McKenna chose to abstain from any determination decision for this application.
53. The Committee agreed to approve the application subject to the conditions stated in the report.
54. Marcus Humphrey and Andrew Thin returned.
55. Andrew Thin took the Chair from Sandy Park.

REPORT ON CALLED-IN PLANNING APPLICATION FOR ALTERATIONS & EXTENSION TO EXISTING BOTHY AT CORROUR BOTHY, GLEN DEE, BRAEMAR (PAPER 3)

56. David Selfridge left the meeting.
57. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
58. The Committee discussed the application and the following points were raised:
- a) The benefits of dealing with toilet waste locally.
 - b) Possible implications for the proposal if disposing of toilet waste locally doesn't work.
 - c) Concern about how non-biodegradable materials will be dealt with.
 - d) The proposed materials of the extension to the bothy.
 - e) The possibility of the extension incorporating fire retardant materials.
59. The Committee agreed to approve the application subject to the conditions stated in the report and an additional point in Condition No. 4 to specify that the materials used should be fire retardant.

ANY OTHER BUSINESS

60. Andrew Tait advised Members that the Anti-Pylon signs which had been erected without permission on the Ralia Estate had been taken down in the last week. Andrew Tait informed Members that he had spoken to Alastair Finlay who confirmed they had been removed.
61. Andrew Tait advised Members that Invercauld Estate were appealing against the refusal of retrospective planning permission for a section of track at Gleann an t-Slugain. The application had been lodged with Aberdeenshire Council in 2003

(pre CNPA existence). Andrew Tait advised that Aberdeenshire Council had advised as per procedures, the CNPA about this appeal, however, due to the timescales involved it was not been possible to bring a formal report to the Committee. Andrew Tait asked Members to agree to a consultation response being sent to the Scottish Executive Inquiry Reporters Unit covering points in the CNPA Interim Policy on Vehicle Hill Tracks and the recent advice regarding Hill Tracks by SNH. The Committee agreed to this approach. Bruce Luffman advised the Committee that some mitigation measures had already been carried out at the site, from the time that the Council refused permission. He also advised that the track had been formed to allow easier access for shooting and stalking.

62. Basil Dunlop raised the issue about the proliferation of Ragwort appearing in the Coire na Ciste car park. The Planning Officials agreed to refer this matter to the CNPA Natural Heritage Group.

DATE OF NEXT MEETING

69. Friday, 25th August 2006 at 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 12:35hrs.