
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held within the Lonach Hall, Strathdon

on 12th March 2004 at 10.30am

PRESENT

Mr Peter Argyle	Mr Alastair MacLennan
Mr Eric Baird	Ms Anne MacLean
Mr Duncan Bryden	Mr Andrew Rafferty
Mr Stuart Black	Mr Gregor Rimmell
Ms Sally Dowden	Mr David Selfridge
Mr Douglas Glass	Mr Robert Severn
Mr Angus Gordon	Ms Joyce Simpson
Mrs Lucy Grant	Mrs Sheena Slimon
Mr Bruce Luffman	Mr Richard Stroud
Mr Willie MacKenna	Ms Susan Walker
Ms Eleanor Mackintosh	Mr Bob Wilson

IN ATTENDANCE:

Neil Stewart	Gavin Miles
Norman Brockie	Sandra Middleton

APOLOGIES:

Mr Basil Dunlop
Mr David Green
Mr Andrew Thin

WELCOME AND APOLOGIES

1. The Vice Chairman welcomed all present.
2. Apologies were received from Mr Basil Dunlop, Mr David Green and Mr Andrew Thin.

MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting were approved with one amendment to Item 34 to read; Sue Walker requested that the Convenor write to the Standards Commission regarding the situation whereby the CNPA are unable to make comment on applications which it does not/can not Call-in She asked that in this letter the Convenor stress the problems caused by this situation and urge the Standards Commission to resolve the situation as quickly as possible.

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

4. Robert Severn declared an interest in application No. 04/119/CP.
5. Alistair MacLennan declared an interest in application No. 04/118/CP.
6. Anne MacLean declared an interest in application No. 04/106/CP.

PLANNING APPLICATION CALL-IN DECISIONS

7. 04/092/CP - The decision was to Call-In this application for the following reason:
 - The development of telecommunications installations is identified in the agreed Development Control Protocol as a type which should be closely examined for a call-in. This is due to their general nature and scale. In this instance, the erection of a 26 metre high telecommunications mast in this countryside location, close to areas which are well-used for recreational purposes, may raise issues of general significance to the collective aims of the National Park.

8. 04/093/CP - No Call-in
9. 04/094/CP - No Call-in
10. 04/095/CP - No Call-in
11. 04/096/CP - No Call-in
12. 04/097/CP - No Call-in
13. 04/098/CP - No Call-in
14. 04/099/CP - No Call-in
15. 04/100/CP - No Call-in
16. 04/101/CP - No Call-in
17. 04/102/CP - No Call-in
18. 04/103/CP - No Call-in
19. 04/104/CP - No Call-in
20. 04/105/CP - No Call-in

21. 04/106/CP - Anne MacLean declared an interest and left the room.
No Call-in
Anne MacLean returned

22. 04/107/CP - No Call-in
23. 04/108/CP - No Call-in

24. 04/109/CP - The decision was to Call-In this application for the following reasons:
 - The proposal represents the erection of a new dwellinghouse and the formation of a new recreation-based business in a prominent restricted countryside area. The site is located close to a tributary of the River Spey which is designated as a cSAC and within close proximity to buildings of historical and cultural interest. As such

the proposal may raise issues of general significance to the collective aims of the National Park.

25. 04/110/CP - Richard Stroud proposed a Motion to Call-in this application, this was seconded by Bruce Luffman. Doug Glass proposed an amendment not to Call-in the application, this was seconded by Bob Severn. The vote was as follows;

NAME	MOTION (Call-in)	AMENDMENT (No Call-in)	ABSTAIN
Peter Argyle		✓	
Eric Baird	✓		
Duncan Bryden		✓	
Stuart Black		✓	
Sally Dowden		✓	
Douglas Glass		✓	
Angus Gordon		✓	
Lucy Grant	✓		
Bruce Luffman	✓		
Willie McKenna		✓	
Eleanor Mackintosh	✓		
Alistair MacLennan		✓	
Anne MacLean		✓	
Andrew Rafferty		✓	
Gregor Rimmell		✓	
David Selfridge		✓	
Robert Severn		✓	
Joyce Simpson		✓	
Sheena Slimon		✓	
Richard Stroud	✓		
Susan Walker	✓		
Bob Wilson	✓		
TOTAL	7	15	0

The Decision was No Call-in.

26. 04/111/CP - No Call-in
 27. 04/112/CP - No Call-in
 28. 04/113/CP - No Call-in
 29. 04/114/CP - No Call-in
30. 04/115/CP - Neil Stewart expressed concern at recommending Call-in on this application as it would mean entering the Aviemore redevelopment scheme at a late stage which may raise issues in relation to continuity. He advised the committee that despite this concern the application must be looked at in relation to its significance to the Park aims and as such recommended that the committee Call-in the application.

The decision of the committee was to Call-In this application for the following reasons:

- The proposal is for the construction of a pavilion, to accommodate new retail floorspace, which is of a scale which may have impacts on the Aviemore town centre and the commercial areas of other settlements within the National Park. The design of the building may also have visual impacts on the locality and when viewed from other areas surrounding Aviemore. The development control protocol advises that retail developments which may have a significant impact on settlements should be considered for call-in and in this instance, the proposal is of a scale and type which may raise issues of general significance to the collective aims of the National Park.

31. 04/116/CP - No Call-in

32. 04/117/CP - No Call-in

33. 04/118/CP - Alistair MacLennan declared an interest and left the room.

No Call-in

Alistair MacLennan returned.

34. 04/119/CP - Bob Severn declared an interest and left the room.

The decision was to Call-In this application for the following reasons:

- The proposal is for environmental improvement works in a highly sensitive area but an area which represents one of the main tourist and recreation based locations in the National Park. The location is therefore of importance in the wider context of the National Park and the development may therefore raise issues of general significance to its collective aims.

Bob Severn returned.

35. 04/120/CP - Neil Stewart recommended that the committee Call-in the application but raised similar concerns to those he raised for application 04/115/CP relating to continuity. The decision of the committee was to Call-In this application for the following reasons:

- The proposal is for the construction of a supermarket which is of a scale which may have impacts on the Aviemore town centre and the commercial areas of other settlements within the National Park. The development control protocol advises that retail developments which may have a significant impact on settlements should be considered for call-in and in this instance, the proposal is of a scale and type which may raise issues of general significance to the collective aims of the National Park.

36. 04/121/CP - Neil Stewart recommended that the committee Call-in the application but again raised similar concerns to those he raised for application 04/115/CP and 04/120/CP relating to continuity. The decision of the committee was to Call-In this application for the following reasons:

- The proposal is for the Erection of a Covered kart track and ice/leisure facilities. The development control protocol advises that recreational and tourism developments of more than local significance should be considered for call-in and in this instance, the proposal is of a scale and type which may raise issues of general significance to the collective aims of the National Park.

DECISION ON CALLED-IN APPLICATION 03/081/CP – ERECTION OF 22m HIGH LATTICE TOWER ETC. AT INVERCAULD ESTATE (Paper 1)

37. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated. Attention was drawn to the letter submitted to the committee from Invercauld Estates stating that the Estate have no intention of felling or removing those trees surrounding the site. The paper was Agreed, the application was approved.

REPORT ON CODE OF CONDUCT/CONFLICTS OF INTEREST (Paper 2)

38. Jane Hope presented a paper to update and advise the Committee on the recent interpretation of the extant guidance from the Standards Commission (including its general dispensation to Councillors who are members of other public bodies), which results in Councillors on the CNPA Board being debarred from participating in the determination by their own Council of any planning application on which the CNPA has offered comments.
39. The Committee were advised that Andrew Thin had written to the Standards Commission requesting quick action on this subject and hoped to have a resolution in less than 2 weeks.
40. The Committee agreed the paper and its recommendations to amend the CNPA Member's Code of Conduct, that the Dispensation to Councillors from the Standards Commission should be urgently amended (as in the wording as set out in the paper, recognising that the Commission may propose an alternative), and that until the current anomalies have been sorted out, the Committee does not offer comments on planning applications which it has not called-in.

UPGRADE OF ELECTRICITY TRANSMISSION LINE FROM BEAULY TO DENNY: PRE-APPLICATION CONSULTATION ON THE PREFERRED ROUTE (Paper 3)

41. Lucy Grant declared an interest in the proposal and left the room. Sheena Slimon declared an interest but remained.
42. Norman Brockie presented a paper on the upgrade of the electricity transmission line from Beauly to Denny, he advised the committee that this was a pre-application consultation to

allow the committee to give their opinion to Scottish and Southern Energy on their preferred route, this would later be followed by a request for a scoping opinion and then by a consultation under the Electricity Act.

43. The Committee Agreed that in order to be consistent with other policies within the park, which presume against major new developments (e.g. wind farms), their consultation response should indicate their preference that the new transmission line should not be routed within the Cairngorms National Park Boundary.
44. Lucy Grant returned.

INTERIM PLANNING POLICY No. 4 MINERAL WORKINGS (Paper 4)

45. Gavin Miles put forward a Preliminary Draft Interim Planning Policy on Mineral Workings asking the committee to support the intention to put forward the policy for consultation.
46. Willie McKenna voiced concern that materials for dirt roads etc within the Park can only be sourced locally and would not wish to see a policy put in place that meant that such materials would no longer be available. Gavin Miles advised the committee that the policy put forward allows for production of material to meet local needs and that Permitted Development rights for Mineral Workings would remain unchanged.
47. Concern was raised over the Park's status in relation to temporary and existing Borrow Pit consents and also the Permitted Development Rights relating to proposed Borrow Pits within the Park. It was Agreed that Gavin Miles would clarify this situation at a later date.
48. Duncan Bryden raised the issue of Peat workings within the Park. It was agreed that peat extraction and workings should be addressed by the policy.
49. Duncan Bryden also expressed concern that restrictions on recycling of minerals could present barriers to developers in trying to meet high standards in house building.
50. It was agreed that policy MW3 be expanded to clarify the position regarding recycled and secondary mineral developments.
51. Alistair MacLennan requested that Policy MW1:e be amended in line with previous policies to insert the word 'Significant' after the words, "There are no", and prior to the words, "environmental impacts". This was Agreed by the Committee.
52. Susan Walker requested that Policy MW1:e also be amended to specifically mention geomorphology and groundwater and that policy MW1:g be moved and placed prior to policy MW1:e. This was Agreed by the Committee.
53. Susan Walker also requested that section 8.1 be amended to include impacts on landform erosion and sedimentation patterns.
54. The Paper was Agreed subject to the above amendments.

ANY OTHER BUSINESS

55. There was no other business.

DATE OF NEXT MEETING

56. 26th March, Carrbridge Village Hall, Carrbridge.

57. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.