

CAIRNGORMS NATIONAL PARK AUTHORITY

APPROVED MINUTES OF THE PLANNING COMMITTEE

held at Community Hall, Boat of Garten

on 13 March 2015 at 11.00am

Present

Peter Argyle (Deputy Convenor)	Bill Lobban
Duncan Bryden	Eleanor Mackintosh (Convenor)
Paul Easto	Mary McCafferty
Dave Fallows	Katrina Farquhar
Jeanette Gaul	Gordon Riddler
John Latham	Gregor Rimell
Angela Douglas	Willie McKenna

In Attendance:

Simon Harrison, Head of Planning
Katherine Donnachie, Planning Officer, Development Management
Peter Ferguson, CNPA Legal Advisor, Harper MacLeod LLP
Matthew Hawkins, Landscape & Ecology Manager
Fred McIntosh, Highland Council Roads Department
Alix Harkness, Clerk to the Board
Stephanie Lawrence, Planning Support Officer

Apologies:

Gregor Hutcheon	Kate Howie
Brian Wood	Fiona Murdoch

Agenda Items 1 & 2:

Welcome & Apologies

1. The Convenor welcomed all present and thanked everyone who came along to the site visit in Carrbridge prior to the meeting. The Convenor reminded those present that Committee attendance at site visits were not compulsory and that those who did not attend the site visit can still participate in decisions.
2. Apologies were received from the above Members.

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Agenda Item 3:

Minutes & Matters Arising from the Previous Meeting

3. The minutes of the previous meeting, 13 February 2015, held at Community Hall Boat of Garten were approved subject to the following amendment:
 - Para 12e: 'corpse' road should be amended to read 'quartz' road.
4. There were no matters arising.
5. The Convenor provided an update on the Action Points from the previous meeting:
 - Action Point at Para 19: The changes were made to the conditions and the informative and the decision notice was issued.
 - At Para 5; Update on previous Action Point 17: Simon Harrison advised that the issue did not appear to be as simple as first thought, and that the applicant/Crown Estate were still to agree on the site/area for the proposed new planting and how to control this. In the worst case, if a legal agreement was required, then this could take at least 4 months, however it was hoped that this would not be necessary and a simple exchange of letters may be all that is required. This would though depend on the solution proposed by the applicant, details of which were still awaited. Simon had advised the applicant and the Crown Estate that he would provide an update to committee this morning, but that it would be for the committee to decide whether they were willing to agree to additional time being granted. The Convenor expressed concern at the process being extended to upto 6 months, and after some discussion the committee agreed that the application should be reported back to the next planning committee in April, for a decision to be taken based upon the situation at that time.
6. The minutes of the previous confidential meeting, 13 February 2015, held at Community Hall Boat of Garten were approved with no amendments.
7. **Action Points arising:** **The Convenor requested that the Tomintoul Wigwams application be brought back to the next Planning Committee meeting.**

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

8. Duncan Bryden declared an interest in:
Item No. 8 - Direct Interest – Was involved in the judging process for the application.

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Agenda Item 5:

Development for 117 dwelling houses with associated infrastructure, roadways, and footpaths

**On Land At Crannich Park, Rowan Park and Carr Road, Carrbridge
(05/495/CP) (Detailed Planning Permission)**

9. The Convenor informed Members that a request to address the Committee had been received, within the given timescale, from:
 - Objector – Badenoch & Strathspey Conservation Group, Mr & Mrs Jones
10. The Committee agreed to the request.
11. Katherine Donnachie presented an outline of the complicated history/ context of the applications on the Carrbridge site.
12. Katherine Donnachie presented a paper recommending that the Committee refuse the application subject to the reasons stated in the report.
13. Mrs Jones was invited to address the Committee. The presentation covered the following points:
 - Highlighted that the 117 houses requirement for Carrbridge had featured in both the adopted Cairngorms National Park Local Plan and the forthcoming Cairngorms National Park Local Development Plan yet Scottish Government Reporters had recommended that the woodland in the sites should not be developed;
 - National Parks should aim to meet the housing land requirements however they are not obliged to do so;
 - Importance and vulnerability of two of the key habitats - the grassland and bog-woodland habitats.
14. The Convenor thanked the speaker.
15. The Committee discussed the application and the following points were raised:
 - a) Acknowledgement of the strong reasons for refusal.
16. The Committee agreed to refuse the application subject to the reasons stated in the report.
17. **Action Points arising:** None.

Agenda Item 6:

Variation to Condition 4 of Outline Planning Consent 03/00393/OUTBS insofar as it relates to the hold back distance from The B9153 and to the phasing location of the development

**At Land Bounded by Crannich Park, Rowan Park and Carr Road, Carrbridge
(07/400/CP (Detailed Planning Permission)**

18. The Convenor informed Members that no request to address the Committee had been received.

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19. Katherine Donnachie presented a paper recommending that the Committee refuse the application subject to the reasons stated in the report.
20. The Committee agreed to refuse the application for the reasons stated in the report.
21. **Action Points arising:** None.

Agenda Item 7:

Report on Called-In Planning Application:

Erection of 96 houses, associated roads and footways

At Land Bounded by Crannich Park, Rowan Park and Carr Road, Carrbridge (2013/0120/DET) (Detailed Planning Permission)

22. The Convenor informed Members that a request to address the Committee had been received, within the given timescale, from:
 - Objectors – Badenoch & Strathspey Conservation Group, Catherine MacBeath, Lorraine Anderson, Kate Clark, RSPB (Peter Gordon), Fionnghal NicPhadraig, Rachel Williams, Louise De Raad, Cairngorms Campaign
 - Carrbridge Community Council – Mr Kirk
23. The Convenor advised Members that 4 of the 9 objectors had been nominated by the group to address the Committee.
24. Committee agreed to the requests.
25. Katherine Donnachie presented a paper recommending that the Committee refuse the application subject to the reasons stated in the report.
26. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) Had the details of the phasing of the development been made available? Katherine advised that the Applicant intended to build 20-30 houses per year which was a real concern to the objectors;
 - b) With reference to the recent change in policy which states that National Parks do not have to meeting the housing needs and demand; what weight could be applied to that policy? Katherine advised that the requirement for meeting the housing demand is set at Local Development Plan level. Simon Harrison advised that the proposed Local Development Plan had taken the recent change in policy into account. He advised that the change should not be given any significant weight but it was for the Planning Committee to decide on its weighting;
 - c) Clarification was requested from Fred McIntosh, Highland Council Roads Department regarding the proposed introduction of the reduced speed limit in all areas of the proposed development. Would a 20 mile per hour speed limit be deemed acceptable in that area? Mr McIntosh advised that as Carr Road was a shared road it could only be made calmer and as such it would be acceptable.
27. Louise De Raad, Rachel Williams, Peter Gordon and Mrs Jones were invited to address the Committee. Their presentation covered the following points:
 - Small scale housing preferred;

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- Would prefer the development to be in keeping with the character of the village;
 - The road is currently well used by pedestrians including children and pensioners;
 - Cannot afford to destroy the Scottish Native Woodland found on the site;
 - Many of the species found on the site is dependent on the woodland;
 - If the development is approved this could result in increasing the population of Carr-bridge therefore leading to an increase in capercaillie disturbance;
 - Concern that the mitigation measures described in the Habitats Regulations Assessment is achievable;
 - The cultural use of the site;
 - Concern that the favourable biodiversity has not been taken into account.
28. The Committee were invited to ask questions of the speakers and the following points were raised:
- a) Were the objectors aware of the ownership of the woodland and that it could be felled by the land owner? Peter Gordon advised that developing the site would be detrimental to the woodland compared to felling;
 - b) Clarification was sought from Peter Gordon, was the plans for mitigation that had been put forward the problem? Peter Gordon agreed that it was and that it was deemed unachievable.
29. Mr Kirk was invited to address the Committee. The presentation covered the following points:
- No one in Carrbridge has been in favour of this application;
 - Loss of large woodland is undesirable;
 - Scale of development, and social and private housing not integrated;
 - The Woodland is currently used to play, exercise;
 - There have been plots available for 4-5 years at Dalmhor which have not been sold yet;
 - The road barely copes presently. It is frequently used by senior citizens, children walking and cycling to school, farm vehicles. There is no alternative route and cars pass at passing places only when there are no pedestrians on road;
 - It would not be possible to widen road nor would want to as spoil character for village.
30. The Convenor thanked the speakers.
31. The Committee discussed the application and the following points were raised:
- a) Concern surrounding the safety of Carr Road and was the shared vehicle access adequate?
 - b) Agreement that the application was inappropriate in scale, layout and shows no respect for the character of Carrbridge;
 - c) Thanks to Katherine Donnachie for having produced a clear report;
 - d) Acknowledgement of the need for housing of an appropriate scale; the application as it stands is not appropriate;

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- e) Acknowledgement that the village needs houses that local people can afford
Agreement that it was a poor application with significant missing information and therefore Members were required to make an informed judgement.
32. The Committee agreed to refuse the application for the reasons stated in the report.
33. **Action Points arising:** None.
34. Duncan Bryden left the room at this point.

Agenda Item 8:

Report on Called-in Planning Application:

Installation of Viewpoint Feature with Cowled Seats, Path and Minor Lay-By Improvements

At Site to the North West of Allarguie House, Corgarff, Strathdon (2015/0019/DET (Detailed Planning Permission))

35. The Convenor informed Members that a request to address the Committee had been received, within the given timescale, from:
- Applicant – Peter Crane
36. The Committee agreed to the request.
37. Simon Harrison presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
38. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
- a) Clarification as to how the proposal fits with policy 6 of the Local Plan. Simon Harrison advised it was felt that it did, but accepted that the design issue was subjective.
 - b) Clarification as to what message the structures would give out? Simon advised that it is an important project for the National Park and for Scotland as a whole. He added that the applicant would be available to answer the question in detail.
39. Pete Crane was invited to address the Committee. The presentation covered the following points:
- Background to context of application, 3 yr initiative Scottish Scenic Routes;
 - About choosing routes of outstanding scenic nature;
 - The key outcomes of the project: getting people enjoying routes, spending in rural areas;
 - And developing talent in young architects and landscape architects;
 - To encourage people to stop and look at the outstanding scenery;
 - Sometimes the seats don't look like seats, often provocative;
 - Sometimes about upgrading car parks to make attractive to stop;
 - Working with the Partnership, looked at this route, from Blairgowrie to Grantown,
 - John Kennedy young architect won the competition last year;
 - The other sites chosen along the route including the Grantown roundabouts project;

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- Site needs care and attention, not fitting for an outstanding National Park as the site continues to degrade but boasts a fantastic view;
 - Not just installation but also upgrading the lay by, drainage, access path and refurbish the existing stone feature;
 - The architect has re-designed the proposal by having softened the cowls to make them reflect the existing stone and positioned them to encourage views;
 - The cowls would not make a huge impact on the landscape and they would not be a dominant feature in the landscape.
40. The Committee were invited to ask questions of the speaker and the following points were raised:
- a) Would there be land leasing obligations and who would be responsible for maintaining the structure? Pete Crane advised that if the application was approved then the Estate would have to enter into a land management agreement with the Cairngorms National Park Authority. Pete added that the Cairngorms National Park Authority would be responsible for maintaining the structures however they were designed in such a way that they would require minimal maintenance.
 - b) Are the community in support of these structures and of the Grantown roundabouts project? Pete Crane advised that there is community support present for all the scenic routes proposed locations however less so for this one as there are not few neighbours to the site.
 - c) Does the space between the cowls represent something? Pete advised that the architects rational was to separate the cowls from the existing stone.
 - d) Over time would it weather to an extent? Pete advised that the cowls would be made of stainless steel with the main intention that they don't rust and decay.
 - e) With reference to the point that the structure would encourage people to stop and spend money, where would they spend money? Pete advised that there is evidence from structures having being built elsewhere that it encourages more people to come to see it and people are more likely to stop at surrounding villages along route.
 - f) With reference to the path leading up to the cowls, what kind of surface was intended between the existing standing stone and cowls? Pete advised a sense of wildness being portrayed by a sense of going through heather was proposed.
 - g) Would this choice of surface be an issue combined with winter weather? Pete Crane agreed that he would look into this.
 - h) Clarification was sought as to how the matt material surface of the cowls alters in appearance in the rain or sun. Pete advised that it had been made very clear that a shining beacon was not wanted.
41. The Convenor thanked the speaker.
42. The Committee discussed the application and the following points were raised:
- a) Interesting project, recognition that the lay by needs attention and acknowledgement of the huge amount work carried out by the applicant to amend and resubmit the application;

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- b) In general terms how does it fit with the landscape? Matthew Hawkins advised that the new design is small in scale and fits better in the landscape. He went on to advise that it is proposed in a discrete and specific location that encourages people to sit there for longer. He added that the structure would be completely reversible if taken away and the land would remain the same. Lastly he advised that the fencing in situ would be simplified. As such, it was felt that the proposal was consistent with local plan policy.
- c) Acknowledgement that it could provide an individual experience for the individual sitting on the seat.
43. The Committee agreed to approve the application subject to the conditions stated in the report.
44. **Action Points arising:** None.
45. Duncan Bryden returned to the meeting at this point.

Agenda Item 11:

Any Other Business

46. Simon Harrison reminded Members that the planning permission for the Craggan clay pigeon shooting application (2014/0090/DET) had been granted on appeal to Scottish Ministers and the enforcement notice had been dismissed. He added that the economic factors had been given more weight, however there were many more conditions attached to the approval. Simon went on to report that his team felt that they possibly could in hindsight have given more weight to economic matters, and were initially minded to recommend approval. However, it was a very close call, as highlighted by the Reporter in his decision letter, and as such they should take the result on the chin and move on.
47. There was some frustration by Board members that the Reporter had weighted matters differently. Grant Moir advised Members that he was attending a meeting with the DPEA next week and would raise this, and highlight his own observation regarding them not referencing or giving weight to the National Parks 2000 Act in any decisions that they take relating to the Cairngorms National Park.
48. Simon Harrison provided an update on the Local Development Plan and advised that it would be brought to the Formal Board meeting on 27 March 2015 to be formally adopted by the Board.
49. A Planning Committee Member asked if it would be possible to ensure that commercial woodlands are not felled overnight. Grant Moir advised that there would be nothing to stop this but the owner would be obliged to re-stock the woodland, as per Forestry Standards. Simon Harrison advised that the use of a tree preservation order or a woodland order could also be looked into.
50. **Action Points arising:** **Grant Moir to bring the views of the Planning Committee to the meeting with DPEA as detailed in paragraph 47.**

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Agenda Item 12:

Date of Next Meeting

51. Friday 17 April 2015 at Albert Hall, Ballater.
52. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Clerk to the Board, Alix Harkness.
53. The public business of the meeting concluded at 13.20.