
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at Community Centre, Nethybridge
on 13th November 2009 at 10.30am

PRESENT

Peter Argyle
Eric Baird
Stuart Black
Geva Blackett
Duncan Bryden
Jaci Douglas
Dave Fallows
Lucy Grant
David Green
Drew Hendry (arrived late)

Marcus Humphrey
Bob Kinnaird
Mary McCafferty
Willie McKenna
Eleanor Mackintosh
Alastair MacLennan
Gregor Rimell
Richard Stroud
Susan Walker

IN ATTENDANCE:

Don McKee
Robert Grant

Bill Stewart
Marie Duncan

APOLOGIES:

Ian Mackintosh
Fiona Murdoch

Anne MacLean
Andrew Rafferty

**AGENDA ITEMS 1 & 2:
WELCOME AND APOLOGIES**

1. The Convenor welcomed all present and reminded members the Finance Committee are to meet briefly after the Planning Committee.
2. Apologies were received from the above Members.

**AGENDA ITEM 3:
MINUTES & MATTERS ARISING FROM THE PREVIOUS MEETING**

3. The minutes of the previous meeting, 30th October 2009 held at Lonach Hall, Strathdon were approved subject to amending a typo in Duncan Brydens name within members present section.
4. There were no matters arising.

**AGENDA ITEM 4:
DECLARATION OF INTEREST BY MEMBERS ON ANY ITEMS APPEARING
ON THE AGENDA**

5. Stuart Black declared an interest in Planning Application No. 09/341/CP, Applicant.
6. Stuart Black, Jaci Douglas, Dave Fallows, Drew Hendry & Gregor Rimell as Highland Councillors declared an interest in Planning Application No. 09/349/CP.
7. Stuart Black declared an interest in Planning Application No. 09/352/CP, Tennant.
8. Willie McKenna declared an interest in Planning Application No. 09/354/CP, Employee of Applicant.
9. Stuart Black, Jaci Douglas, Dave Fallows, Drew Hendry & Gregor Rimell as Highland Councillors declared an interest in Item No 6. on the Agenda.
10. Willie McKenna declared an indirect interest in Item No 6. on the Agenda, Community Interest.
11. David Green declared an indirect interest in Item No 7. On the Agenda, Board Member of SAC.

Stuart Black declared an interest and left the room.

**AGENDA ITEM 5:
PLANNING APPLICATION CALL-IN DECISIONS
(Oral Presentation, Bill Stewart)**

12. 09/341/CP - No Call-in
Stuart Black returned
13. 09/342/CP - No Call-in
14. 09/343/CP - No Call-in
15. 09/344/CP - No Call-in
16. 09/345/CP - No Call-in
17. 09/346/CP - No Call-in
18. 09/347/CP - No Call-in
19. 09/348/CP - No Call-in
20. 09/349/CP - No Call-in
Drew Hendry arrived at the meeting
21. 09/350/CP - No Call-in
22. 09/351/CP - The decision was to call-in the application for the following reason :
- The site is located in a prominent countryside location within a restricted countryside area, which also carries a landscape designation and where there are restrictions on unjustified houses. The proposal is therefore considered likely to raise issues relating to the principle of development, precedent and landscape. As such the proposal is of general significance to the collective aims of the National Park.
- Stuart Black declared an interest and left the room
23. 09/352/CP - The decision was to call-in the application for the following reason :
- This is a retrospective application relating to the erection of a steel framed shed to house woodchip fuel manufacturing plant and associated ground works and landscaping. This application arose following Park Planning Officials noting that the developer had extended outwith the original redline application site for consent 07/087/CP. The unauthorised works involve changes to the design of the building, ground works and landscaping. Given the retrospective nature of the proposal and as the Park dealt with the original application and noted the recent unauthorised matters, it is considered that this proposal will raise issues of significance to the aims of the Park.
- Stuart Black returned
24. 09/353/CP - No Call-in
25. 09/354/CP - No Call-in
26. 09/355/CP - The decision was to call-in the application for the following reason :
- The present proposal is located within an area identified as at risk from flooding and within the Insh Marshes National Nature Reserve. The site is also adjacent to important international and national, natural heritage designations and the access to the site crosses a route which is being promoted in the CNP Draft Core Paths Plan. The

development therefore raises issues in relation to the conservation and enhancement of the natural and cultural heritage of the area; the social and economic development of the area; the promotion of public access; and the scale and nature of residential development in a sensitive location. As such, it is considered that the proposal raises issues of general significance to the collective aims of the National Park.

27. 09/356/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

28. The Members wished to make comments to the Local Authorities on the following Planning Application No's 09/344/CP, 09/347/CP, 09/348/CP, 09/349/CP & 09/356/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.

Stuart Black, Jaci Douglas, Dave Fallows, Drew Hendry & Gregor Rimell as Highland Councillors declared an interest and left the room

AGENDA ITEM 6: REPORT ON CALLED-IN PLANNING APPLICATION FOR CONSTRUCTION OF NEW COMMUNITY SCHOOL; ASSOCIATED ACCESS ROAD; PLAYING FIELD WITH COMMUNITY PARK AREA AT LAND TO EAST OF FOOTBALL PITCH, BIRCH ROAD, AVIEMORE (PAPER 1)

29. Duncan Bryden informed members that Stuart More (Highland Council Architect) and Alan MacRae (Project Manager) were available to answer questions.

30. Robert Grant (Planning Officer) presented a paper recommending that the Committee approve the application for the reasons stated in the report.

31. The Committee discussed the application and the following points were raised:
- a) Clarification that the appendix proforma was 58 letters of support not objection.
 - b) Clarification of the landscaping on Birch Road.
 - c) Clarification of the playground provision and the availability of use of existing playing field.
 - d) Clarification of Condition 15 and the method statement.
 - e) Consideration of the issues covered within the method statement including the amenity of local residents.
 - f) Issues concerning the Green Travel Plan.
 - g) Clarification of the sustainability principles included in the conditions.

Mary McCafferty left the meeting.

- h) Clarification of the access route in relation to the medical centre and the level of bus movements.
- i) The pedestrian access arrangement to school and medical centre.

- j) Clarification on redline for pathway on map.
 - k) Clarification of the footpath and vehicle access.
32. The Committee were invited to ask questions of Stuart More (Highland Council Architect) and Alan MacRae (Project Manager) and the following points were raised:
- a) The production of heat and use of a woodchip boiler.
 - b) Windows, insulation, roof lighting with velux windows and the use of solar power.
 - c) Roof overhangs and surface protection.
 - d) The use of sustainable materials throughout the development.
 - e) Inclusion of condition to cover BRE Environmental Assessment Method (BREEAM) expectation.
 - f) BREEAM scoring and CNPAs aspirations of excellence.
 - g) Solar positioning and consideration to daylight hours.
 - h) The balance between play areas, playing field function and existing woodland.
 - i) Recognition of sporting requirements for playing field.
 - j) Retention of wildlife corridors and areas for community use.
 - k) Confirmation of transport and delivery vehicle frequency.
 - l) Security within access and pathways to school.
 - m) After school hours delivery of woodchip and refill process.
 - n) Clarification it is as playing field not a football pitch.
 - o) Consideration of parents dropping off children and transport impact.
 - p) Potential risk to children from fence barriers and the use of closed areas.
 - q) Clarification of what is to be included in the method statement.
 - r) How the development will reflect the special qualities of the area and the CNP.
 - s) The importance of incorporating the cultural identity of the Cairngorms into the design in the early stages.
33. Duncan Bryden thanked Stuart More and Alan MacRae.
34. The Committee discussed the application and the following points were raised:
- a) The possibility of strengthening conditions to include sustainability statement.
 - b) Including mention of BREEAM aspiring to the excellent scoring on the development.
 - c) Condition to include a timed landscaping scheme.
 - d) Clarification on the access within conditions at this stage.
 - e) Strengthening the method statement.
 - f) Recognition of the Cairngorms within the design.
 - g) The educational use of the playing field by school children within school hours.
 - h) The balance between school and community use of the playing field and implications.
 - i) Specific mention of working hours of operation within the method statement taking into account local amenity.
 - j) Possible public consultation to incorporate cultural identity within the design prior to design.
 - k) The current school role and future forecasts and potential to expand.
35. The Committee agreed the application for the reasons stated in the report with alterations to conditions covering the strengthening of the method statement and sustainability statement, mentioning BREEAM with detail to be decided by CNPA planning officials.

Stuart Black, Jaci Douglas, Dave Fallows, Drew Hendry & Gregor Rimell as Highland Councillors returned.

Stuart Black declared an interest and left the room.

**AGENDA ITEM 7:
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF
DWELLINGHOUSE AND SITING OF TEMPORARY RESIDENTIAL
CARAVAN AT SITE NORTH OF MAINS OF GLENCARVIE, STRATHDON
(PAPER 2)**

36. Bill Stewart (Planning Manager) presented a paper on behalf of Mary Grier (Planning Officer) recommending that the Committee approve the application subject to the conditions stated in the report.
37. Bill Stewart advised members that the previous application 07/360/CP requires a signature on the Section 75 Obligation, and if this application is approved today 07/360/CP will be withdrawn.
38. The Committee discussed the application and the following points were raised:
 - a) Clarification of the parks planning policy changes and implications for future S.75 Obligations.
 - b) The potential to vary the terms of the current S.75.
 - c) The recent flooding in the area and impact on development.
 - d) Agreement that any previous concerns have been addressed within new application.
 - e) Concerns on Planning Gain requirements on single unit housing.
 - f) Agreement the Planning Gain requirement should be removed as applicants already contribute within the wider community.
39. The Committee agreed to approve the application subject to the conditions stated in the report and removal of Planning Gain requirement in recognition of the applicant already contributing to the community.

**AGENDA ITEM 8
ANY OTHER BUSINESS**

40. Duncan Bryden advised members of the letter circulated for reference with the reporters decision on the planning appeal for Land at Former Nursery Site, Dell Road, Nethybridge.
41. Robert Grant updated members a higher attendance is required for Sustainability Workshop's and new potential dates for Jan/Feb will be e-mailed.
42. Duncan Bryden reminded members that the next planning committee on 27th November 2009 at the Village Hall, Newtonmore was a 9.30.
43. Don McKee requested a brief informal discussion before lunch to update members on the changes to the planning system with opportunity for some discussion/questions. Members agreed.

**AGENDA ITEM 9
DATE OF NEXT MEETING**

44. Friday 9.30am, 27th November 2009 at the Village Hall, Newtonmore.
45. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
46. The meeting concluded at 12:35hrs.