

CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at Community Hall, Boat of Garten
on 14th September 2012 at 10.30am

Members Present

Peter Argyle (Deputy Convenor)	Eleanor Mackintosh
Angela Douglas	Ian Mackintosh
Jaci Douglas	Willie McKenna
Dave Fallows	Martin Price
Katrina Farquhar	Gordon Riddler
David Green	Gregor Rimell
Kate Howie	Brian Wood
Gregor Hutcheon	Allan Wright

In Attendance:

Don McKee, Head Planner
Andrew Tait, Senior Planning Officer, Development Management
Katherine Donnachie, Planning Officer, Development Management
Andy Rinning, Business Services Manager

Apologies:

Duncan Bryden Marcus Humphrey Mary McCafferty

Agenda Items 1 & 2:

Welcome & Apologies

1. The Deputy Convenor welcomed all present.
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, 17th August 2012, held at Albert Memorial Hall, Ballater were approved with the following amendment:
 - Page 14 Para 85 change 'Anders Eslin' to Anders Esselin'
4. There were no matters arising.
5. The Deputy Convener provided an update on the Action Points from the previous meeting:
 - Para 33: The CNPA Monitoring & Enforcement Officer is pursuing compliance with the approved plans.
 - Para 40: Gairnshiel Lodge - The wall has been reinstated and the Senior Planning Officer has had discussions with the applicant about alternative access.
 - Paras 50 & 51: The requirement for a revised plan for the drystone walling has been raised with the applicant and we are awaiting response.
 - Para 80: Scottish Government Architecture Policy – A response has been issued with relevant comments.
 - Para 83: The CNPA Monitoring & Enforcement Officer is pursuing the unauthorised fans and an enforcement notice has been issued for impeding the visibility display.

Agenda Item 4:

Outcome of Electronic Call-In

6. The content of the Outcome of the Electronic Call-in held on 31st August 2012 was noted.

Agenda Item 5:

Declaration of Interest by Members on Items Appearing on the Agenda

7. Gregor Hutcheon declared an interest in:
 - Item No 6. (Paper 1) - Indirect interest – due to being a Director of COAT
8. Angela Douglas and Ian Mackintosh declared an interest in:
 - Item No 10. (Paper 6) - Indirect interest – due to relationship with the owners of the estate.

Agenda Item 6:

Report on Called-In Planning Application to create a countryside park with paths and timber footbridge with boardwalk access on either side; shelter; and pond at Land 150M East Of Dalfaber Road, Aviemore (Paper 1) (2012/0232/DET)

9. The Deputy Convenor informed members that Mr Grierson, representing Aviemore & Vicinity Community Council was present to respond to any questions.
10. The Head Planner presented a paper recommending that the Committee approve the application subject to the conditions stated in the report. A minor correction was required to the wording in para 36 where reference had been made to 'generally poor quality scrub land' and the ground should be referred to as 'productive land'.
11. The Committee were invited to ask the Head Planner points of clarification, the following were raised:
 - a) All abilities access in relation to gates instead of styles, the composition and maintenance of the path; potential issue with cattle and dogs; and what was the purpose of the pond.
12. The Deputy Convenor invited Mr Grierson to respond to the points raised:
 - a) One stile to remain but open path constructed beside it for all abilities access and the stile at the north end to be removed.
 - b) Cattle will be fenced off from the path.
 - c) The path surface is understood to be self maintaining due to volume of pedestrian traffic. A maintenance programme to be set up by the Community Company to keep the sides of the path cut back.
 - d) The pond is being created at the suggestion of SEPA as compensation for the flood plain and will also be for wildlife.
13. The Committee agreed to approve the application subject to the conditions stated in the report.
14. **Action Points arising: None**

Agenda Item 7:

Report on Called-In Planning Application for Advertisement of the following types: Fingerpost and information panels

At Land 150M East Of Dalfaber Road, Aviemore

(Paper 2) (2012/0233/ADV)

15. The Head Planner presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
16. The Committee were invited to ask the Head Planner points of clarification. None were raised.
17. Congratulations were extended to Mr Grierson and the Community Council for the initiative and work done on this proposal.
18. The Committee agreed to approve the application subject to the conditions stated in the report.
19. **Action Points arising: None**

Agenda Item 8:

Report on Called-In Planning Application to Extend the existing rail track for approx 100m and erect an ex British Rail bridge over the river Dulnain

At Dismantled Railway Line 420M East Of Viewfield, Easter Curr, Dulnain Bridge

(Paper 3) (2012/0220/DET)

20. The Planning Officer presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
21. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) A question was raised about any conditions attached to the reinstatement of the abutments – it was confirmed that condition 3 on page 11 of the paper covered this point.
 - b) The construction of the bridge gave the indication of a much bigger and longer term scheme and the question raised was whether giving consent to this application meant approval to the longer term scheme. The Charitable Trust are carrying out work in stages as funding permits and this work is the third part of a four or five stage process. The longer term aspiration has always been to complete the line to

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Grantown and the Board had previously given a commitment in principle to this work. Discussions are taking place to ensure safe public access across the bridge once the train starts crossing.

22. The Deputy Convenor invited Mr Dunlop to comment on the discussion. He informed members that the Trust had applied to Transport Scotland and Scottish Government for a TAWS (Transport and Works (Scotland) Act 2007) Application but the delays over the realignment of the A95 at Gaich prompted the current application in order to make progress whilst the realignment delay was being resolved.

23. The Committee agreed to approve the application subject to the conditions stated in the report.

24. Action Points arising: None

Agenda Item 9:

Report on Called-in Planning Application:

Extension of time period for siting of mobile units (for 3 years to 2015) at

Wolftrax, Strathmashie, Laggan

(Paper 4) (2011/0235/DET)

25. The Head Planner presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.

26. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:

- a) A question was raised about the length of the extension for completion of the project. It was explained that the applicants were being cautious with their timing, they had not yet applied for detailed permission and funding arrangements were still being finalised.

27. The Committee agreed to approve the application subject to the conditions stated in the report.

28. Action Points arising: None

Agenda Item 10:

Report on Called-In Planning Application for Application under Section 42 to remove of Condition 10 to Planning Permission 04/593/CP At Land North East Of Dalrachney Lodge Hotel, Carrbridge (Paper 5) (2012/0230/DET)

29. The Senior Planning Officer presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.

30. The Committee were invited to ask the Planning Officer points of clarification. None were raised.

31. The Committee agreed to approve the application.

32. Action Points arising: None

Agenda Item 11:

Report on Consultation Response to Aberdeenshire Council on Erection of 7 Wind Turbines at Bamff Estate, 5km North West of Alyth (P & K Ref 12/00963/FLL) (Paper 6)

33. The Senior Planner Officer presented a report on the consultation and recommended that the Committee agree a response of no objection to the construction of seven wind turbines.

34. Angela Douglas declared an interest and left the room due to knowing the owners of Bamff Estate quite well. Ian McIntosh declared an indirect interest due to knowing the owners.

35. The Committee were invited to ask the Senior Planning Officer points of clarification, the following were raised: None were raised.

36. The Committee agreed that the response of no objection be submitted.

37. Action Points arising: None

38. Angela Douglas returned.

Agenda Item 12:

Report on Planning Committee Standing Orders – Revision to Periods for Submission of Written Representations and Request to Make Oral Representations (Paper 7)

39. The Head Planner presented a report on the Planning Committee Standing Order and recommended that the Committee agree a revision of paragraphs 9, 11 and 12.
40. The Committee were invited to ask the Head Planner points of clarification, the following were raised:
- a) How would changes to applications caused by the process of negotiations with CNPA planning staff be treated as a result of the change to 21 days. There is a possibility that members of the public may be affected by changes to the proposals originally submitted in an application and not have sufficient time to make representations. It was explained that if there were significant changes to the proposals then it would be a case of re-consultation. A greater effort is being attached to pre-application discussions to ensure that applications are fit for purpose. Statutory consultations and discussions with communities and owners of properties are encouraged throughout the process. If members of the public make clear in representations that they are not objecting but would have cause for concern if certain changes were made then this would flag up to planning staff the potential for re-consultation.
41. The Committee agreed that the revision of paragraphs 9, 11 and 12 be adopted as set out in Appendix 2 to the paper.
42. **Action Points arising: None**

Agenda Item 13:

Any Other Business

43. Members wishing to join Steve Watson of the Community Land Trust, Somerset, Devon and Dorset after lunch were welcome to do so.
44. New member planning training is proposed for 28 September and an offer was extended to all members to attend.
45. Aberdeenshire Design Awards were announced on Thursday 6 September and a copy of the booklet is available for viewing.

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46. The members of the Planning Committee expressed their thanks to Marcus Humphrey, Jaci Douglas, Ian MacIntosh and Allan Wright for their support over the past years and wished them success in the future.

47. Action Points arising:

Agenda Item 14:

Date of Next Meeting

48. 10:30am ,Friday 12th October 2012 at Albert Memorial Hall, Ballater

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

50. The public business of the meeting concluded at 11.30am