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# CAIRNGORMS NATIONAL PARK AUTHORITY

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## MINUTES OF THE PLANNING COMMITTEE held at The Village Hall, Kincaig on 16<sup>th</sup> April 2010 at 9.30am

### PRESENT

Eric Baird  
Stuart Black  
Geva Blackett  
Duncan Bryden  
Jaci Douglas  
Dave Fallows  
Bob Kinnaird

Willie McKenna  
Eleanor Mackintosh  
Ian Mackintosh  
Fiona Murdoch  
Andrew Rafferty  
Gregor Rimell  
Susan Walker

### IN ATTENDANCE:

Pip Mackie  
Bill Stewart  
Andrew Tait

### APOLOGIES:

Peter Argyle  
Lucy Grant  
David Green  
Drew Hendry  
Marcus Humphrey

Mary McCafferty  
Anne MacLean  
Alastair MacLennan  
Richard Stroud

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

1. The Convenor welcomed all present and informed Members that there would be a Site Visit taking place after the meeting to view the planning application site 09/048/CP at Kingussie.
2. Andrew Rafferty informed the Committee that his wife owned a house adjacent to the site Members were going to visit. He stated that he wished to attend but not speak during the site visit.
3. Apologies were received from the above Members.

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

4. The minutes of the previous meeting, 19<sup>th</sup> March 2010, held at The Visitor Centre, Glenlivet were approved with a slight amendment to Paragraph 30 – to reflect that it was agreed that the Audit Committee was to be rescheduled for a different date/time.
5. There were no matters arising.

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

6. Susan Walker declared a direct interest in Planning Application No. 10/091/CP, due having received a neighbour notification for the application.
7. Geva Blackett declared an indirect interest in Planning Application No. 10/092/CP, due to the Applicants being tenants of Invercauld Estate and her husband being the Factor of the Estate.

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

8. 10/087/CP - No Call-in
9. 10/088/CP - No Call-in
10. 10/089/CP - No Call-in
11. 10/090/CP - No Call-in
  
12. 10/091/CP - Susan Walker declared an interest and left the room.  
No Call-in  
Susan Walker returned.
  
13. 10/092/CP - No Call-in
14. 10/093/CP - No Call-in
15. 10/094/CP - No Call-in
16. 10/095/CP - No Call-in
17. 10/096/CP - No Call-in
18. 10/097/CP - No Call-in
  
19. The Committee were advised that a late letter of representation had been received on the following application (10/098/CP) from Ballater & Crathie Community Council. Members agreed that due to the letter being received outwith the accepted timescales the contents would not be taken into consideration during the call-in process.
20. 10/098/CP - No Call-in
  
21. 10/099/CP - No Call-in
22. 10/100/CP - No Call-in

23. 10/101/CP - No Call-in  
24. 10/102/CP - No Call-in  
25. 10/103/CP - No Call-in  
26. 10/104/CP - No Call-in
27. 10/105/CP - The application was withdrawn prior to the meeting.
28. 10/106/CP - The decision was to call-in the application for the following reason :
- The proposal is for a single dwelling located in an area designated by the Badenoch and Strathspey Local Plan as Restricted Countryside where dwellings would not normally be allowed without a land management justification. The proposal raises issues with regard to the principles of housing policy, landscape and issues with regard to the social and economic development of the area. Consequently, the proposal raises issues of general significance for the Cairngorms National Park.

29. 10/107/CP - The decision was to call-in the application for the following reason :
- The development represents a further consolidation of an established business which is sited within a National Scenic Area. Similar to the case with previous applications relating to the established business, the proposal is of general significance to the aims of the National Park, and is of particular significance in terms of conserving and enhancing the natural heritage of the area, the promotion of recreation and tourism and also social and economic development.

### **COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE**

30. The Members wished to make comments to the Local Authorities on the following Planning Application No's 10/091/CP, 10/092/CP, 10/096/CP, 10/097/CP, 10/101/CP & 10/102/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.

### **AGENDA ITEM 6: ANY OTHER BUSINESS**

31. Andrew Tait declared an interest in the following item due to having made a personal objection to the development. Fiona Murdoch also declared an interest due to having expressed a public opinion objecting to any wind farm developments.
32. Duncan Bryden informed Members that the Cushnie Wind Farm proposal was due to be heard at a public inquiry.
33. Bill Stewart advised members that as the main points to be dealt with at the inquiry are landscape and cumulative impact and the impact on the CNP, it was proposed for Matthew Hawkins, CNPA Senior Heritage Officer and Frances Thin, CNPA Landscape Advisor in conjunction with Ledingham Chalmers Solicitors to appear at the public inquiry. Bill Stewart informed Members that other matters would be considered by the Reporter via written submissions.
34. The Committee agreed to proceed in this matter as recommended.
35. Duncan Bryden advised Members that two appeals for non-determination at Dalfaber Farm, Aviemore (07/144/CP & 07/145/CP) had been upheld by the Reporter, without the need for a Section 75 Legal Agreement but with conditions covering the applications.

36. Bill Stewart informed Members that the Applicants had been in discussion with CNPA Officials regarding a Section 75 Legal Agreement, however, the Applicants had made the decision to appeal. He drew Members attention to Condition No. 21 of application 07/145/CP regarding the need for junction improvements and installation of half barriers at the railway crossing, in relation to the applications.

**AGENDA ITEM 7:  
DATE OF NEXT MEETING**

37. Friday 30<sup>th</sup> April 2010, 10:00am at The Duke of Gordon Hotel, Kingussie.
38. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
39. The meeting concluded at 10:25.