
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at Ben Mhor Hotel, Grantown on Spey on 16th December 2005 at 10.30am

PRESENT

Eric Baird	Eleanor Mackintosh
Stuart Black	Anne McLean
Duncan Bryden	Alastair MacLennan
Sally Dowden	Sandy Park
Basil Dunlop	Gregor Rimell
Douglas Glass	David Selfridge
Angus Gordon	Sheena Slimon
Lucy Grant	Richard Stroud
Marcus Humphrey	Andrew Thin
Bruce Luffman	Susan Walker
Willie McKenna	Bob Wilson

IN ATTENDANCE:

Don McKee	Andrew Tait
Mary Grier	Pip Mackie
Neil Stewart	

APOLOGIES:

David Green
Andrew Rafferty
Joyce Simpson

WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from David Green, Andrew Rafferty & Joyce Simpson.

MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 2nd December 2005, held at The Albert Memorial Hall, Ballater were approved subject to an amendment to item 54 to change the phrasing to the past tense.
4. There were no matters arising.

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

5. Alastair MacLennan declared an interest in Planning Application No. 05/497/CP.
6. Angus Gordon declared an interest in Planning Application No. 05/498/CP.
7. The Aberdeenshire Councillors declared an interest in Planning Application No. 05/511/CP.
8. Eric Baird and Marcus Humphrey declared an interest in Item No.8 on the Agenda.
9. Angus Gordon declared an interest in Item No.10 on the Agenda.

PLANNING APPLICATION CALL-IN DECISIONS (Oral Presentation, Neil Stewart)

- 10.05/496/CP - No Call-in
- 11.05/497/CP - No Call-in
Alastair MacLennan declared an interest and left the room.
Alastair MacLennan returned.
- 12.05/498/CP - No Call-in
Angus Gordon declared an interest and left the room.
Angus Gordon returned.
- 13.05/499/CP - No Call-in
- 14.05/500/CP - The decision was to call-in the application for the following reason :
- Due to the prominence of this site which lies in a highly visible location near to main tourist routes, the design of a new house raises issues in relation to the conservation and enhancement of the natural and cultural heritage, and the enjoyment of the special qualities, of the area. As such it raises issues of significance to the collective aims of the National Park.
- 15.05/501/CP - The decision was to call-in the application for the following reason :
- The proposal is for the erection of a commercial based tourist facility on a prominent site adjacent to the A9 and close to the southern gateway to the National Park, and to the River Truim which carries several natural heritage designations. The proposal therefore raises issues relating to landscape impact, design, social and economic development in the form of tourism, and natural heritage. As such it is deemed to be of significance to the collective aims of the National Park.

- 16.05/502/CP - No Call-in
- 17.05/503/CP - No Call-in
- 18.05/504/CP - No Call-in
- 19.05/505/CP - No Call-in
- 20.05/506/CP - No Call-in
- 21.05/507/CP - No Call-in
- 22.05/508/CP - No Call-in
- 23.05/509/CP - No Call-in
- 24.05/510/CP - No Call-in
- 25.05/511/CP - No Call-in
- 26.05/512/CP - No Call-in
- 27.05/513/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 05/497/CP, 05/505/CP, 05/506/CP, 05/509/CP & 05/510/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.

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF TEMPORARY WEATHER CANOPY AT AUCHTAVAN COTTAGE GLEN FEARDER BRAEMAR (PAPER 1)

- 29. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
- 30. The Committee discussed the application and the following points were raised:
 - a) Concern about potential weather impacts on the temporary structure and the possible potential for damaging the cottage.
 - b) The possibility of the concrete bases for the temporary structure disturbing archaeological remains on the site.
- 31. The Committee agreed to approve the application subject to the conditions stated in the report.

REPORT ON CALLED-IN PLANNING APPLICATION FOR CONSTRUCTION OF REPLACEMENT FOOTBRIDGE AT SHIEL OF GLEN TANAR GLEN TANAR ABOYNE (PAPER 2)

- 32. Eric Baird and Marcus Humphrey declared an interest and left the room.
- 33. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
- 34. The Committee discussed the application and the following points were raised:
 - a) Clarification of the condition concerning otter sightings.
 - b) Clarification of why there was no condition recommended for the timing of works.
- 35. The Committee agreed to approve the application subject to the conditions stated in the report.

36. Eric Baird and Marcus Humphrey returned.

REPORT ON CONSULTATION RESPONSE TO SCOTTISH EXECUTIVE ON CONSTRUCTION OF WINDFARM AT GLENKIRK, INVERNESS-SHIRE (PAPER 3)

37. Andrew Thin asked Members to note that Duncan Bryden lived in the vicinity of the proposed Wind Farm but had not made any personal representations on the development.
38. Andrew Tait presented a paper recommending that the Committee agree the consultation response to be submitted to the Scottish Executive.
39. The Committee discussed the consultation response and the following points were raised:
- a) Clarification on why no mention of the potential impact to birds was included in the consultation response.
 - b) The proximity of the Turbines to the Park.
 - c) The cumulative impact of Turbines on views from the Park.
 - d) The possibility of another wind farm being proposed in the vicinity of the Park boundary.
 - e) The possibility of including reference to NPPG 6, regarding the quartering of Scotland and each quarter being responsible for providing its own power supply in the covering letter.
 - f) The need to protect the Park from the visual intrusion of Turbines.
 - g) Clarification of the criteria for the CNPA being consulted upon applications which fall outwith the Park.
 - h) The visual impact caused by the colour of the Turbines.
 - i) The inclusion of reference to community benefit in future consultation responses from the CNPA Economic & Social Development Group.
 - j) Concern over photo montages.
 - k) Concern over how the Turbines may look in 5/10 years time.
40. The Committee agreed to approve the consultation response as detailed in the report.

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF NEW DWELLINGHOUSE AT LAND ADJACENT TO CHURCH PLACE, DULNAIN BRIDGE (PAPER 4)

41. Angus Gordon declared an interest and left the room.
42. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
43. The Committee discussed the application and the following points were raised:
- a) The possibility of including a condition stating that no tree felling must take place on the site until the matter has been addressed in the future Reserved Matters application.
 - b) The Committee agreed to approve the application subject to the conditions stated in the report and the inclusion of a condition stating that no tree felling must take place on the site until the matter has been addressed in the future Reserved Matters application.
44. Angus Gordon returned.

ANY OTHER BUSINESS

45. Don McKee advised that the CNPA had been granted a further time extension to the consultation period for the Beaulay – Denny Transmission Line until 28th April 2006. DM advised that a report would probably be brought to the Planning Committee on the 21st April 2006 which would be held in the Laggan/Dalwhinnie area. DM informed Members that further information would be brought to the Committee in the New Year regarding the detailed process leading up to the April Committee including a site visit. DM advised that an addendum for the Environmental Statement had been submitted by the Applicants. DM informed the Committee that the CNPA still required information from the applicants on protected species and had commissioned landscape advice.
46. Andrew Thin advised that as the full planning committee for Highland Council would be approving a response on the Transmission Line to the Scottish Executive, the Board Members who sit on the full planning committee for Highland Council would have to declare an interest at the committee when the response for the CNPA was being discussed.
47. Bruce Luffman and Alastair MacLennan asked if any further progress had been made on arranging a site visit to see the impacts of undergrounding of Transmission Lines. Don McKee advised that it was in the process of being arranged.
48. Don McKee advised that the next Planning Committee would take place on the 30th December and that only the Call-in Report would be on the Agenda.
49. Andrew Tait informed the Committee that the Reporter for the Scottish Executive had issued a decision on the appeal against the Enforcement Notice for the Aviemore Highland Resort fence. AT advised that the Reporter had stated that the fence to the south of Aviemore in the woodland area did not require planning permission and was allowed to remain. However, the fence at the entrance to the resort and around Tesco's car park did require planning permission and the fence must be removed in this area within 2 months of the date of the decision issued by the Reporter.
50. Willie McKenna requested that a paper be brought to the Planning Committee clarifying what constituted affordable housing and the amount required in the Park area. Andrew Thin advised that this issue would be looked at in the afternoon session discussing the CNPA draft Local Plan.
51. Sandy park asked if the new Scottish Executive planning white paper would affect the CNPA planning powers. Don McKee advised that it would not as any change to the CNPA planning powers would have to be dealt with through a change in the legislation.

DATE OF NEXT MEETING

69. Friday 30th December, Ballater.
70. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
71. The meeting concluded at 12:15hrs.