
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Community Centre, Nethy Bridge on 17th October 2008 at 10.00am

PRESENT

Eric Baird	Mary McCafferty
Stuart Black	Willie McKenna
Duncan Bryden	Eleanor Mackintosh
Nonie Coulthard	Ian Mackintosh
Jaci Douglas	Anne MacLean
Dave Fallows	Alastair MacLennan
Lucy Grant	Fiona Murdoch
Marcus Humphrey	Sandy Park
Bob Kinnaird	Andrew Rafferty
Bruce Luffman	Ross Watson

IN ATTENDANCE:

Don McKee	Andrew Tait
Mary Grier	Pip Mackie
Neil Stewart	Marie Duncan

APOLOGIES:

Geva Blackett	Richard Stroud
David Green	Susan Walker
Drew Hendry	

AGENDA ITEMS 1 & 2: WELCOME AND APOLOGIES

1. The 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, 3rd October 2008, held at The Lecht Ski Centre, Strathdon were approved.

4. There were no matters arising.

AGENDA ITEM 4:

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

5. Jaci Douglas and Ross Watson declared an interest in Planning Application No. 08/337/CP.

AGENDA ITEM 5:

PLANNING APPLICATION CALL-IN DECISIONS

(Oral Presentation, Neil Stewart)

6. 08/334/CP - No Call-in

7. 08/335/CP - No Call-in

8. 08/336/CP - No Call-in

9. Jaci Douglas & Ross Watson declared an interest and left the room.

10. 08/337/CP - No Call-in

11. Jaci Douglas & Ross Watson returned.

12. 08/338/CP - No Call-in

13. 08/339/CP - No Call-in

14. Ian Mackintosh arrived at the meeting.

15. 08/340/CP - No Call-in

16. 08/341/CP - No Call-in

17. 08/342/CP - No Call-in

18. 08/343/CP - No Call-in

19. 08/344/CP - No Call-in

20. 08/345/CP - No Call-in

21. 08/350/CP - No Call-in

22. 08/351/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

23. The Members wished to make comments to the Local Authorities on the following Planning Application No's 08/335/CP, 08/340/CP, 08/344/CP, 08/349/CP & 08/350/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: REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF 8 FLATS; FORMATION OF HARD SURFACE TO FRONT AT SHELTER STONE BOTHY, 129 GRAMPIAN ROAD, AVIEMORE (PAPER 1)

24. The Committee paused to read a late letter of representation.
25. Duncan Bryden informed Members that Andrew Bruce, Agent, had requested to address the Committee and that Dorothy Sloan, Applicant, was available to answer questions regarding the application.
26. Members agreed to the request to address the Committee.
27. Neil Stewart presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
28. The Committee were invited to ask the Planning Officer points of clarification, the following points were raised:
- a) The height of the proposed building in relation to the existing Shelter Stone.
 - b) The history of the Shelter Stone building.
 - c) The overbearing nature of the proposed development and if this was related to its footprint or height.
 - d) Similar scale developments on adjoining plots to the site.
 - e) The existing building line of Grampian Road.
29. Andrew Bruce, Agent, addressed the Committee.
30. The Committee were invited to ask questions of the Agent and Applicant and the following points were raised:
- a) Pre- application discussion with the Highland Council Conservation Architect.
 - b) Had any tests been carried out for loss of light / overshadowing.
 - c) Concern about the loss of the Shelter Stone Bothy given its current use.
 - d) The inclusion of sustainable materials / renewable energy sources in the development.
 - e) Consideration for a smaller scale development on the site.
 - f) The communal areas including clothes drying areas, bike parks and vegetable plots.
 - g) The national, regional and local guidance on development within the curtilage of Listed Buildings.
 - h) The participation of Shelter Stone in existing sustainable tourism schemes.

31. Duncan Bryden thanked the Agent and Applicant.
32. The Committee discussed the application and the following points were raised:
- a) The removal of the Shelter Stone Bothy enhancing the setting of the Listed Building.
 - b) The visual amenity of the development as seen from Grampian Road.
 - c) The overbearing scale of the proposed development, particularly for the adjoining neighbours in Craig na Gower Avenue.
 - d) The development negatively affecting the curtilage of a Listed Building.
 - e) The scale of the development and the number of units proposed.
 - f) The height of the adjoining neighbouring buildings.
 - g) The existing precedent for commercial development in Aviemore centre, particularly regarding the expansion to the neighbouring Allt na Craig Hotel.
 - h) Commending the applicant's intentions for expanding their business in the current economic climate, however, the scale of the development is too large.
33. The Committee agreed to refuse the application for the reasons stated in the report.
34. The Committee agreed that the recommendation in Paragraph 43 should be amended in order that; no enforcement action should take place, provided, the hardstanding areas are redesigned to be softened with some appropriate landscaping all to the satisfaction of the CNPA.

**AGENDA ITEM 7:
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF HOUSE AT
LAND 20 METRES NORTH WEST OF DUACK LODGE, NETHY BRIDGE
(PAPER 2)**

35. The Committee paused to read a late letter of representation.
36. Duncan Bryden informed Members that Ronnie Dunn - Applicant, Joyce Hartley - Agent, Tim Collins - Representee (Objector), Callum Scott - Representee - Supporter and Andrew Young - Community Council Representative had requested to address the Committee. The Committee agreed to the requests.
37. Andrew Tait presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
38. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
- a) The status of amenity woodland in the Badenoch & Strathspey Local Plan.
 - b) Whether the trees in Figs 3 & 4 had been felled or windblown.
 - c) The comments the Highland Council Forestry Officer had submitted on the application.
39. Eleanor Mackintosh left the meeting.

40. Ronnie Dunn, Applicant & Joyce Hartley Agent, addressed the Committee.
41. The Committee were invited to ask questions of the speaker and the following points were raised:
- a) The reason behind applying for outline planning permission instead of full planning permission.
 - b) The full impact on trees at the site being assessed once further survey information had been submitted for the site.
 - c) The potential for the site to accommodate a high quality development.
 - d) The visual impact of any development as viewed from the B970.
 - e) Clarification why previously granted planning permission had not been taken forward.
 - f) The potential for selling part of the land in the future and a requirement for the entire site to be tied to any development on the site.
 - g) Clarification why tree felling had previously taken place on the site.
42. Tim Collins, Representee (Objector) addressed the Committee.
43. The Committee were invited to ask questions of the speaker, no questions were asked.
44. Andrew Young, Representative of the Community Council, was invited to address the Committee. However, due to time issues and other commitments he had left the meeting early.
45. Callum Scott, Representee (Supporter) addressed the Committee.
46. The Committee were invited to ask questions of the speaker and the following points were raised:
- a) Clarification if the speaker had seen any indicative designs of the proposed development.
 - b) A query relating to best practice regarding TPO's.
47. Duncan Bryden thanked the speakers.
48. The Committee discussed the application and the following points were raised:
- a) The forest setting and the established building pattern in wooded areas of the village.
 - b) The additional survey work already carried out by the applicants - Tree survey and ecological reports.
 - c) The potential for the site to accommodate a dwelling.
 - d) Greater local support for the development than objection.
 - e) The number of trees requiring to be felled being a matter for a full planning application.
 - f) The potential to enhance the woodland setting by requiring a management plan for the woodland and the cyclical nature of trees.
 - g) The existing TPO covering the site.
 - h) The potential for an impromptu site visit.
 - i) Lack of knowledge at this stage regarding the proposed design, amount of tree felling required, drainage and access issues.
 - j) The proposal being an opportunity to meet some of the aims of the Park.

k) The implications of deferring the application and potential costs to the applicant.

49. Dave Fallows proposed a Motion to Approve the application subject to conditions including minimisation of tree feeling on the site, a management plan for the woodland - full conditions would be brought to the next Planning Committee for approval. This was seconded by Mary McCafferty.

50. Bruce Luffman proposed an Amendment that the application for Outline Planning Permission be Deferred in order for it to be converted to Full Planning Permission, with the applicants agreement, requiring detailed plans and further information to be submitted. This was seconded by Eric Baird.

The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Eric Baird		√	
Stuart Black	√		
Duncan Bryden		√	
Nonie Coulthard		√	
Jaci Douglas		√	
Dave Fallows	√		
Lucy Grant		√	
Marcus Humphrey		√	
Bob Kinnaird	√		
Bruce Luffman		√	
Mary McCafferty	√		
Willie McKenna	√		
Ian Mackintosh		√	
Anne MacLean		√	
Alastair MacLennan		√	
Fiona Murdoch		√	
Sandy Park		√	
Andrew Rafferty	√		
Ross Watson	√		
TOTAL	7	12	0

51. The Committee agreed to defer the application, in order for it to be converted to Full Planning Permission, with the applicants agreement, requiring detailed plans and further information to be submitted.

AGENDA ITEM 8:

**REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF A DETACHED GARAGE, MENAGE, TWO HORSE SHELTERS, A FEED STORE AND CHANGE OF USE FROM AGRICULTURAL LAND TO HORSE GRAZING ON LAND AT NEWTON, GLENBUCHAT, STRATHDON
(PAPER 3)**

52. Duncan Bryden informed Members that Mr Newman, Applicant, was available to answer questions regarding the application.
53. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
54. The Committee were invited to ask questions of the Applicant and the following point was raised:
- a) The landscaping for the walkway by the ménage.
55. Duncan Bryden thanked the Applicant.
56. The Committee discussed the application and the following points were raised:
- a) The scale of development undertaken without planning permission and concern that the application was retrospective.
 - b) The effect of the development on neighbouring properties.
 - c) Landscaping already undertaken at the site.
 - d) The proximity of the entrance to the garage area to the nearby road junction.
 - e) The level of the walkway adjacent to the ménage.
 - f) Clarification of horse shelters / ménages requiring planning permission.
 - g) The possibility of native landscape planting at the site.
57. The Committee agreed to approve the application subject to the conditions stated in the report, with delegation given to the Planning Officer for the resolution of issues regarding the walkway to the satisfaction of the CNPA.

AGENDA ITEM 9:

**REPORT ON CALLED-IN PLANNING APPLICATION FOR DISPLAY OF ADVERTISEMENTS AT LAND AT HIGH BURNSIDE, AVIEMORE
(PAPER 4)**

58. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
59. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
- a) Clarification if signage proposals were included in the original planning application for the housing development.
 - b) The landscaping required along the A9 under the previously granted permission.
 - c) Accepted text size / reading standards for signage located on 60mph roads.

- d) Clarification why Highland Council Roads Authority had removed previous signs on the A9 in the interests of traffic safety.
60. The Committee discussed the application and the following points were raised:
- a) Concern about the level of signage and the potential to reduce the number of signs being proposed.
 - b) Concern about the consultation response from Transport Scotland.
 - c) Potential impacts on the traffic flow, vehicles may slow to read the signs.
 - d) The potential to approve a reduced amount of signage for a longer period of time.
 - e) The applicant's right to reapply for planning permission once the temporary period had expired.
 - f) The need to send a message supporting development in the current economic climate.
61. Bob Kinnaird proposed a Motion to Approve the application subject to the conditions in the report. This was seconded by Andrew Rafferty.
62. Ian Mackintosh proposed an Amendment to Defer the application in order for negotiation to take place with the applicants to reduce the number of signs proposed. This was seconded by Dave Fallows.

The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Eric Baird		√	
Stuart Black		√	
Duncan Bryden	√		
Nonie Coulthard		√	
Jaci Douglas		√	
Dave Fallows		√	
Lucy Grant		√	
Marcus Humphrey		√	
Bob Kinnaird	√		
Bruce Luffman		√	
Mary McCafferty		√	
Willie McKenna			√
Ian Mackintosh		√	
Anne MacLean		√	
Alastair MacLennan		√	
Fiona Murdoch		√	
Sandy Park		√	
Andrew Rafferty	√		
Ross Watson		√	
TOTAL	3	15	1

63. The Committee agreed to defer the application in order for negotiation to take place with the applicants to reduce the number of signs proposed.

**AGENDA ITEM 10:
ANY OTHER BUSINESS**

64. Don McKee advised Members that he had circulated an update paper for information regarding the AHR development, Aviemore (08/241/CP). He urged Members not to comment on the application content but only on the information paper. Don McKee provided Members with an update on the progress of the application and that there would potentially be a site visit on 28 November, prior to the application going to a determination Planning Committee.

65. Bruce Luffman requested that a briefing paper be issued stating what was granted for the development site at the outline planning permission stage. He also queried if it would be possible for Members to receive the determination report prior to the site visit.

66. Don McKee responded that a briefing paper would be issued, however, Members may have to receive a report only detailing the current status of the application prior to the site visit.

67. Mary Grier asked if Members wished to attend a site visit for the housing applications at Dalfaber, Aviemore (07/144 & 145/CP), she advised that it was potentially going to be determined at the Planning Committee on 14 November 2008.

68. Members agreed that they wished to attend a site visit, however, after discussion, it became apparent there were difficulties in scheduling a site visit prior to the 14 November meeting. It was agreed to try and arrange both the AHR and Dalfaber site visits on 28 November 2008.

69. Duncan Bryden advised Members that following the recent site visit to the housing application site at Newtonmore (07/230/CP, Planning Officials were to revisit the Site Visit protocol, including investigating what other Local Authorities procedures were, and present a paper back to the Planning Committee.

70. Duncan Bryden informed Members that today's meeting was to be Ross Watson's last as a Board Member. Duncan Bryden advised that Ross Watson was to move to a new job based in Northern Ireland. Members wished Ross Watson and his family all the best for the future.

71. Duncan Bryden informed Members that May Duncan, Anne MacLean's assistant, was also leaving. Members wished her the best for the future.

**AGENDA ITEM 11:
DATE OF NEXT MEETING**

- 72. Friday, 31st October 2008 at The Lonach Hall, Strathdon.
- 73. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
- 74. The meeting concluded at 13:50hrs.