
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held within Ben Mhor Hotel, Grantown-on-Spey on 17th December 2004 at 10.30am

PRESENT

Eric Baird	Eleanor Mackintosh
Stuart Black	Anne MacLean
Duncan Bryden	Alastair MacLennan
Sally Dowden	Sandy Park
Basil Dunlop	Andrew Rafferty
Douglas Glass	Gregor Rimell
Angus Gordon	David Selfridge
Lucy Grant	Joyce Simpson
David Green	Sheena Slimon
Marcus Humphrey	Andrew Thin
Bruce Luffman	Bob Wilson
Willie McKenna	

IN ATTENDANCE:

Don McKee	Andrew Tait
Neil Stewart	Pip Mackie

APOLOGIES:

Richard Stroud	Susan Walker
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WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from Richard Stroud and Susan Walker.

MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 3rd December 2004, held at Dalwhinnie were approved subject to amendments to items 45 and 75.

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

4. Alastair MacLennan declared an interest in Planning Application No. 04/555/CP.
5. Lucy Grant declared an interest in Planning Application No. 04/560/CP.
6. Sheena Slimon declared an interest in Planning Application No. 04/561/CP.
7. Andrew Rafferty declared an interest in Item 7 on the Agenda (Paper 1).
8. Sally Dowden declared an interest in Item 8 on the Agenda (Paper 2).

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

9. 04/554/CP - No Call-in

Alastair MacLennan declared an interest and left the room.

10. 04/555/CP - No Call-in

Alastair MacLennan returned.

11. 04/556/CP - No Call-in

12. 04/557/CP - No Call-in

13. 04/558/CP - No Call-in

14. 04/559/CP - No Call-in

Lucy Grant declared an interest and left the room.

15. 04/560/CP - The decision was to Call-in this application for the following reason:

- The development involves an upgrade and extension of the existing water treatment works which is located in a prominent position in the landscape and the formation of access tracks and associated structures close to and crossing the Gergask Burn which is a tributary of the River Spey candidate Special Area of Conservation. As such the proposal raises issues in relation to the sustainable social and economic development of the Laggan community and the conservation and enhancement of the natural heritage of this part of the National Park.

Lucy Grant returned.

16. 04/561/CP - Sheena Slimon declared an interest and left the room.

No Call-in

Sheena Slimon returned.

17. 04/562/CP - No Call-in

18. 04/563/CP - No Call-in

19. 04/564/CP - No Call-in

20. 04/565/CP - The decision was to Call-in this application for the following reason:

- The application represents new housing development in a countryside area which is designated as an Area of Great Landscape Value in the Moray Local Plan and which may involve significant tree felling. The proposal therefore raises issues in relation to the principle of housing in countryside areas, precedent, impact on natural resources, and social and economic development of rural communities within the Park. It is therefore deemed to be significant to the collective aims of the National Park.

21. 04/566/CP - The decision was to Call-in this application for the following reason:

- The application represents new housing development in a countryside area which is designated as an Area of Great Landscape Value in the Moray Local Plan and which may involve significant tree felling. The proposal therefore raises issues in relation to the principle of housing in countryside areas, precedent, impact on natural resources, and social and economic development of rural communities within the Park. It is therefore deemed to be significant to the collective aims of the National Park.

22. 04/567/CP - No Call-in

23. 04/568/CP - No Call-in

24. 04/569/CP - No Call-in

25. 04/570/CP - No Call-in

26. 04/571/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

27. It was agreed that comments be made to the Local Authorities on Planning Application No's 04/554/CP, 04/557/CP, 04/562/CP, 04/563/CP, 04/569/CP & 04/570/CP.

28. The Moray Councillor declared an interest and left the room.

29. It was agreed to submit the following comments to Moray Council on Planning Application No. 04/554/CP:

In the interests of conserving and enhancing the cultural and built heritage of Tomintoul, the CNPA suggests that amendments be sought to the finishing materials of the house, in particular to the proposed roofing material. It is suggested that slate or a good quality slate look-alike roof tile be used.

30. The Moray Councillor returned.

31. The Highland Councillors declared an interest and left the room.
32. It was agreed to submit the following comments to Highland Council on Planning Application No. 04/557/CP:

In determining the previous application and giving a further one year period the CNPA emphasised the need to provide permanent staff accommodation on the site. The CNPA therefore acknowledge the applicants proposals for providing this permanent staff accommodation and the fact that the caravans are now in a more discreet position on the site. Nevertheless, the CNPA wish to emphasise again that the permanent accommodation requires to be provided within the timescales stated by the applicant and that, if found acceptable, permission for the continued siting of the caravans is given for a period of one year only.

33. It was agreed to submit the following comments to Highland Council on Planning Application No. 04/562/CP:

In determining the previous application and giving a further one year period, the CNPA emphasised that this structure was temporary in nature and that there was a need to provide permanent storage accommodation on the site. It is noted that the applicants are now seeking a permanent permission. The CNPA do not feel that it is appropriate, in this instance, to grant a permanent permission and that if acceptable at all, permission should only be given for one further year and the applicants should be advised that they should make every effort to create permanent storage accommodation on the site.

34. It was agreed to submit the following comments to Highland Council on Planning Application No. 04/563/CP:

In the interests of conserving and enhancing the cultural heritage of this part of the National Park, the CNPA wishes to question the appropriateness of the proposed extension in terms of its scale, design and appearance in relation to the design and character of the existing traditional house.

35. It was agreed to submit the following comments to Highland Council on Planning Application No. 04/569/CP:

The CNPA acknowledges the existence of an outline planning permission for a house on this site. However, in the interests of conserving the cultural and natural heritage of this part of the National Park, the CNPA suggests that amendments are sought to the design and finishing materials of the proposed house to achieve a more traditional and less suburban appearance.

36. It was agreed to submit the following comments to Highland Council on Planning Application No. 04/570/CP:

While not raising an objection to the proposal, in the interests of visual amenity and conserving the landscape setting of this approach to Aviemore, the CNPA suggests that consideration be given to the following:-

1. setting back the sign from the public road, preferably to be within the actual development site.
2. reducing the size and height of the sign.
3. limiting the permission to a maximum of three years.

37. The Highland Councillors returned.

REPORT ON CALLED-IN PLANNING APPLICATION FOR THE ERECTION OF DWELLINGHOUSE AT LAND OPPOSITE FASAGH, BLAIRGORM, NETHY BRIDGE

(Paper 1)

38. Andrew Rafferty declared an interest and left the room.
39. Andrew Thin advised the Committee that the planning officials had received a written request from Mr Donald, representative for the applicant, to address the Committee. The Committee granted the request.
40. Neil Stewart presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
41. Mr Donald addressed the Committee and questions were invited from the Members.
42. In response to questions, Mr Donald clarified that the applicant was self-employed and worked from home in Edinburgh and that the applicant wished a house in the location to be near family who lived in the area.
43. Andrew Thin thanked Mr Donald.
44. Bob Wilson informed the Committee that whilst having sympathy for the applicants situation he felt that the planners recommendation was based on sound planning policy and that there was no land management justification for the proposal.
45. Marcus Humphrey advised that if the application were approved it would set an extremely awkward precedent for future developments.
46. Bruce Luffman raised the subject of looking at employment criteria in the future for housing, outwith agriculture and forestry, to perhaps include employment such as childcare in dispersed communities.
47. Stuart Black spoke in favour of the application stating that the Highland Council Planning Committee had had good reasons for granting the previous permission as the boundary between the open countryside area and the dispersed community area was very close to the site. He suggested deferring the application until the first draft of the CNPA Local Plan had been prepared to see if the zoning of the area would change.
48. Don McKee informed the Committee that the planners had not yet finalised which approach was to be taken to designating areas for development/non-development and that it would be advisable for the Board Members to make a firm decision rather than defer the application as the Local Plan process would take some months yet.
49. Bob Wilson proposed a Motion to refuse the application for the reasons stated in the report. This was seconded by David Selfridge.
50. Stuart Black proposed an Amendment to defer the application until the first draft of the CNPA Local Plan had been prepared. This was seconded by Alastair MacLennan.

51. The vote was as follows:

NAME	MOTION (Refuse)	AMENDMENT (Defer)	ABSTAIN
Eric Baird	√		
Duncan Bryden	√		
Stuart Black		√	
Sally Dowden	√		
Basil Dunlop	√		
Douglas Glass	√		
Angus Gordon		√	
Lucy Grant	√		
David Green	√		
Marcus Humphrey	√		
Bruce Luffman	√		
Willie McKenna		√	
Eleanor Mackintosh	√		
Anne McLean	√		
Alastair MacLennan		√	
Sandy Park		√	
Gregor Rimell	√		
David Selfridge	√		
Joyce Simpson			√
Sheena Slimon		√	
Andrew Thin	√		
Bob Wilson	√		
TOTAL	15	6	1

52. The application was refused for the reasons stated in the report.

53. Andrew Rafferty returned.

REPORT ON CALLED-IN PLANNING APPLICATION FOR THE AMENDED DESIGN OF THREE STOREY STAF ACCOMMODATION BLOCK, AVIEMORE CENTRE, AVIEMORE (PAPER 2)

54. Sally Dowden declared an interest and left the room.

55. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.

56. Andrew Tait confirmed that this application was effectively retrospective as building work had already been carried out at the site however the applicants had been advised that this work had been undertaken at their own risk. He also confirmed that a large amount of cycle parking was to be provided at the site.

57. Duncan Bryden welcomed the addition of a lift to the building.

58. Andrew Tait suggested that an amendment could be made to condition 2 requiring the disabled parking spaces to be close to the building.

59. The Committee approved the application subject to the conditions in the report and the amendment to condition 2.
60. Sally Dowden returned.

**REPORT ON CALLED-IN APPLICATION FOR THE ERECTION OF FOOTBRIDGE AT CLUNIEBANK ROAD, BRAEMAR
(Paper 3)**

61. Andrew Tait advised that his attention had been brought to a letter, submitted to the Local Plan section of the Planning Office, from a resident of Braemar living close to the site regarding Otters.
62. AT advised that due to information about Otter activity at the site, as a precautionary measure, he proposed to defer the determination of the application for further surveys to be carried out on the impacts of the Otter populations at the site.
63. The Committee agreed to defer the application.

ANY OTHER BUSINESS

64. There was no other business.

DATE OF NEXT MEETING

65. Thursday 30th December, Ballater.
66. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
67. The meeting concluded at 12.15hrs.