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**CAIRNGORMS NATIONAL PARK AUTHORITY**

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**DRAFT MINUTES OF THE PLANNING COMMITTEE**

held at The Community Hall, Boat of Garten  
on 18<sup>th</sup> November 2016 at 10.45am

**Members Present**

Peter Argyle	John Latham
Rebecca Badger	Bill Lobban
Angela Douglas	Eleanor Mackintosh (Convener)
Dave Fallows	Willie McKenna
Jeanette Gaul	Gregor Rimell
Kate Howie	Judith Webb
Janet Hunter	Brian Wood
Gregor Hutcheon	

**In Attendance:**

Murray Ferguson, Director of Planning & Rural Development  
Gavin Miles, Head of Planning  
Sandra Middleton, Head of Rural Development  
Matthew Taylor, Planning Officer, Development Management  
Katherine Donnachie, Planning Officer, Development Management  
Matthew Hawkins, Landscapes & Ecology Manager  
Hayley Wiswell, Natural Heritage Officer  
Frances Thin, Landscape Adviser  
Peter Ferguson, Legal Adviser Harper & MacLeod LLP  
Alix Harkness, Clerk to the Board  
Kirsty Mackenzie, Planning Support Officer

**Apologies:** Paul Easto Katrina Farquhar  
Fiona Murdoch Gordon Riddler (Deputy Convener)

**Agenda Items 1 & 2:**

**Welcome**

1. The Convener welcomed all present and apologies were noted.

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2. The Convener reminded Members that young people from Grantown Grammar and Kingussie High schools were attending the meeting as part of the Cairngorms National Park Authority's Social Impact Pledge. Following the decision on each paper there would be a five minute opportunity for the school pupils to ask questions to improve their understanding of that item
3. The Convener presented the winners of the recent Design Awards to the Committee and the Board Convener; Peter Argyle shared his thoughts on the event.

### **Agenda Item 3:**

#### **Minutes & Matters Arising from the Previous Meeting**

4. The minutes of the previous meeting, 21 October 2016, held at the Grant Arms, Grantown-on-Spey were approved with no amendments.
5. There were no matters arising.
6. The Convener provided an update on the Action Points from the previous meetings:
  - a) **Action point at Para 28i & ii: Discharged** – Decision notice has been issued with modified conditions
  - b) **Action point at Para 34i: Discharged** – Update on Dinnet Hill Tracks is on the Agenda

### **Agenda Item 4:**

#### **Declaration of Interest by Members on Items Appearing on the Agenda**

7. Willie McKenna declared an interest in:
  - a) Item No. 5 – Direct interest – Family connected to the application.
8. Peter Argyle, Gregor Rimell, Angela Douglas and Brian Wood declared an interest in:
  - a) Item No. 6 –Indirect interest – Member of National Trust of Scotland
9. Kate Howie declared an interest in:
  - a) Item No. 8 –Indirect interest – Councillor on Perth & Kinross Council but does not sit on the Perth & Kinross Planning Committee and has not had any dealings with this application.
10. Willie McKenna left the room.

## **Agenda Item 5:**

### **Application for Detailed Planning Permission (2016/0158/DET)**

**Erection of 6 dwelling, upgrade current access point and a new access track formed; private drainage (shared treatment plant and soakaway) At Land 175m SE of Heatherbank, Rothiemurchus**

**Recommendation: Approve Subject to Conditions**

11. The Convener advised that a visit to the application site had taken place prior to the Planning Committee meeting starting.
12. Gavin Miles presented the paper to the Committee. He proposed the following additional amendments to the Conditions stated in the Paper:
  - Change to condition 1, to add an alternative option of “evidence that the rural housing burden has been attached to the plots”.
  - Change to Condition 8 to qualify the southern extent of the visibility splay.
13. The Committee were invited to discuss the report, the following points were raised:
  - a) Had there been a treatment plant on the sawmill site for treating timber products? Gavin advised that the Highland Council’s contaminated land team did not think so but required a watching brief on the site.
  - b) Was the onus on the applicant to provide the additional passing place and the widening of the road? Gavin confirmed that was the case and that Condition 5 required the details of the road improvements to be submitted for approval in consultation with the Highland Council Transport Planning Team.
14. Dave Fallows joined the meeting at this point.
15. Euan Baxter and Iain Cornfoot of the Inverdrue Sawmill Cooperative (the Applicant) and Andrew Tate, the applicant’s Architect were invited to address the Committee.
16. The Convener asked the applicant if they were happy with the rural burden. The Applicant confirmed they were and understood that this would make the properties affordable in perpetuity.
17. Tessa Jones, Badenoch & Strathspey Conservation Group (Objector) was invited to address the Committee.

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18. The Convener thanked the speakers and the Committee were invited to discuss the report, the following points were raised:

- a) Support that the application could be an exemplar for affordable housing and hope that the model could be replicated in other locations.
- b) Acknowledgement that the site was a former sawmill site.
- c) Appreciation that finding sites for development in the National Park was always challenging.
- d) Clarification on the quality of the survey work carried out. Gavin advised that decisions on planning applications are based on the best information available at the time, and that there was enough information to make a decision.
- e) Suggestion to amend conditions to put measures in place to ensure that features on the site would be safeguarded. Gavin confirmed that this was already included in conditions.
- f) Question about whether the applicants should be asked to create woodland elsewhere off site to compensate for the woodland loss. Gavin advised that most of the land around the site was either covered by a natural heritage designation or was already woodland or regenerating woodland so he did not think this would be reasonable in this case.
- g) Clarification sought as to whether Condition 4 could be amended to include mention of intermediate winter green and fungi? Matthew advised that these types of species could not be moved.
- h) Resounding comment that the proposal was as innovative approach to providing affordable housing that was welcomed.
- i) Suggestion to amend the wording under Condition 4 to agree the scope of species protection plans with CNPA. This was agreed.
- j) Request to include reference to lighting in Condition 2. This was agreed.

19. **The Committee agreed to approve the application subject to conditions detailed in the report with the following amendments to conditions 1, 2, 4, and 8.**

20. **Action Points arising:**

- i. **Condition 1 to include additional method for demonstrating the application of the Rural Housing burden;**
- ii. **Condition 2 to include reference to lighting;**
- iii. **Condition 4 to include agreement of the scope of the species protection plan; and**
- iv. **Condition 8 to define the extent of the southern visibility splay at the boundary with neighbouring designated sites.**

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21. The Convener agreed that the application would make a good future case study.
22. Rebecca Badger re-joined the meeting.
23. The Convener invited the school pupils to ask any questions to which the Planning Committee answered.

### **Agenda Items 6 & 7:**

#### **Application for Detailed Planning Permission (2016/0227/DET)**

**Change of Use of existing derelict shooting lodge to form tourist hostel accommodation (including staff accommodation), existing games larder/ hay barn to biomass plant room/ store and siting of wood chip store at Derry Lodge, Braemar**

**And**

#### **Application for Listed Building Consent (2016/0228/LBC)**

**Change of Use of existing derelict shooting lodge to form tourist hostel accommodation (including staff accommodation) at Derry Lodge, Braemar,  
Recommendation: Approve subject to Conditions**

24. Willie McKenna returned to the meeting.
25. The Convener advised the Committee that Susan Burness of Bell Ingram (the Agent) and Catherine Newton, Planning Consultant were present to answer any questions the Committee may have.
26. Katherine Donnachie presented the paper to the Committee.
27. The Committee were invited to ask the Agent questions, the following points were raised:
  - a) Was the intention that the Hostel Accommodation would be staffed all the time? Susan Burness confirmed that the hostel would accommodate staff.
  - b) What were the issues with wild campers? Susan advised that there were problems of human waste left behind from day walkers and wild campers. She explained that they would not be providing a water supply for wild camping and that the toilet facilities provided for visitors/campers would be gel only. The intention would be to address the problem without encouraging it.
  - c) With reference to the Visitor Management Plan only welcoming guests on a pre-booked basis, how was it intended to work? Susan advised that people would

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phone to book in advance to avoid the expectation that there was open accommodation available without notice.

- d) Was it intended to allow bookings from people with disabilities? Susan confirmed that the ground floor would be suitable for disabled users and designed to accommodate the visually and/ or hearing impaired. Susan added that it would give the less-abled an equal opportunity to visit somewhere remote.
- e) Concern was raised regarding the effect the escaping light may have on the wild location especially in winter and at night. Susan explained that all the windows would have wooden shutters, be suitably dressed and be fitted with good quality curtains.
- f) Clarity was sought on what the relationship with the Bob Scott bothy would be and how would they work together? Susan advised that they had a slightly different clientele - the bothy is free and basic accommodation with potential for crowding or disappointment, whereas the Hostel would be provide more comfort and through the booking system, a guaranteed bed.

28. The Convener thanked the speakers and invited the Committee to discuss the report, the following points were raised:

- a) Praise that the application would address visitor management issues.
- b) Comment that the representations made were supportive and positive about the proposed development.
- c) Comment that Derry Lodge had been a challenging building that had seen different owners over the years and that this proposal was a good solution.
- d) Concern regarding the noise that the generator would make during the night. Katherine advised that Condition 11 addresses the containment of noise at night by requesting that a sound proof structure is put in place.
- e) Agreement that it was an excellent application that would give disabled people the opportunity to access adventure in remote and wild locations.
- f) Suggestion to amend Condition 9 to include escaping internal lighting. This was agreed.

28. **The Committee agreed to approve the application subject to conditions detailed in the report with the addition of the word 'internal lighting' to Condition 9.**

29. **Action Points arising:**

- i. Addition of the words 'internal lighting' to Condition 9.**

31. The Convener invited the school pupils to ask any questions to which the Planning Committee answered.

32. Gregor Hutcheon left the meeting.

**Agenda Item 8:**

**Report on Consultation from Perth and Kinross Council (2016/0386/PAC)**

**At Green Burn Wind Farm,**

**Land 1200 Metres West Of Drumderg Wind Farm, Bridge Of Cally**

**Recommendation: Objection**

30. Matthew Taylor presented the paper to the Committee.

31. The Committee stated that they had objected to it originally and that the revision proposed did not change their original thinking.

32. **The Committee agreed to approve Consultation response.**

33. **Action Points arising: None.**

**Agenda Item 9:**

**Dalraddy to Slochd A9 Consultation Response**

34. Sandra Middleton presented the paper to the Committee.

35. The Committee were invited to discuss the report, the following points were raised:

- a) Disappointment in relation to the proposed roads that did not lead to homes as detailed in the proposed junction options.
- b) Concern was raised in relation to the unrealistic expectations of the capabilities of the 3 tonnes limit bridge at the Black Mount junction.
- c) Strong agreement that the section between Dalraddy and the Slochd needs to be split into further sections as had been done on other sections of the A9 Dualling project. There is too great a risk to too many dwellings in the current options provided.
- d) Agreement that not enough options had been presented and that the priority roads that lead to nowhere did not make sense.
- e) Comment made that the proposals gave the impression that only the quickest options have been considered.
- f) Concern that the heavy goods vehicles transporting whisky and timber turning off the A9 at the Granish had not been taken into consideration.
- g) Strong steer from the Committee that they were not in support of the proposed priority junction at Carrbridge.

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36. The Committee agreed to approve the Consultation response with additions as described above.
37. The Convener took the opportunity on behalf of the Committee to record their thanks to Sandra Middleton for her hard work done not only on this project but on many others. She thank her for work on the Tomintoul & Glenlivet regeneration project and noted that she would be sadly missed but wished her all the best as she leaves the CNPA and moves to Shetland.
38. **Action Points arising:           None.**

### **Agenda Item 10:**

#### **Dinnet Tracks Update**

39. Matthew Taylor presented the paper to the Committee. He explained that shortly before the Planning Committee meeting, the required schedule of the works had been provided by the applicant. CNPA staff were now looking at the detail of that schedule of works before working with Scottish Natural Heritage (SNH) and Scottish Environment Protection Agency (SEPA).
40. The Committee were invited to discuss the report, the following points were raised:
  - a) Concern was raised that the applicant seemed to wait till the last possible moment before providing information or details. The Convener noted that the applicant had been working more positively and that was now satisfactory progress.
41. The Committee noted the progress.
42. **Action Points arising:           None.**

### **Agenda Item 11:**

#### **Any Other Business**

43. Murray Fergusson provided an update on the planning application for housing at Kingussie that had been considered by the Planning Committee in April 2016. He advised that while the decision notice could not yet be issued, the Applicant had recently appointed a legal agent to deal with the S75 agreement and that progress was still being made.
44. Murray provided an update on the Scottish Awards for Quality in Planning event where the CNPA had won an award for the Speyside Way. He also explained that at a recent



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Heads of Planning meeting it was advised that the white paper on the Planning review was expected just after Christmas.

45. Murray provided an update on the Dorenell windfarm proposal. He advised that it was now going to proceed to Public Inquiry and the intention would be to participate in some form but the extent had not yet been decided. He reported that the initial meeting dates would be this side of Christmas.
46. **Action Point arising:               None.**

### **Agenda Item 13:**

#### **Date of Next Meeting**

47. Friday 16 December 2016 at The Grant Arms Hotel, Grantown-on-Spey.
48. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Clerk to the Board, Alix Harkness.
49. The public business of the meeting concluded at 14.30 hrs.