
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at The Albert Hall, Ballater,
on 19th September 2008 at 10.30am

PRESENT

Eric Baird	Bob Kinnaird
Stuart Black	Willie McKenna
Geva Blackett	Ian Mackintosh
Duncan Bryden	Anne MacLean
Jaci Douglas	Alastair MacLennan
Dave Fallows	Sandy Park
Lucy Grant	Richard Stroud
Drew Hendry (arrived late)	Susan Walker
Marcus Humphrey	Ross Watson

IN ATTENDANCE:

Don McKee	Andrew Tait
Mary Grier	Pip Mackie
Hilary MacBean	

APOLOGIES:

Nonie Coulthard	Eleanor Mackintosh
David Green	Fiona Murdoch
Bruce Luffman	Andrew Rafferty
Mary McCafferty	

AGENDA ITEMS 1 & 2:

WELCOME AND APOLOGIES

1. The Convenor welcomed all present and introduced Hilary MacBean, Planning Consultant, who was currently assisting with the CNPA planning application workload. Duncan Bryden also introduced Sandra Holt, who was potentially going to be covering Pip Mackie's (Office Manager & Planning Technical Support Officer) maternity leave.
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, 5th September 2008, held at The Village Hall, Dalwhinnie 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 declared an interest in Planning Application No. 08/319/CP.
6. Bob Kinnaird and Willie McKenna declared an interest in Item No. 6 on the Agenda.

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

7. 08/310/CP - No Call-in
8. 08/311/CP - No Call-in
9. 08/312/CP - The decision was to call-in the application for the following reason :
 - This traditional cottage which lies adjacent to the Feshiebridge is considered to be a prominent feature in the local area. The proposed development is therefore considered to be of general significance to the aims of the National Park, particularly in terms of the conservation and enhancement of the cultural heritage of the area.
- 10.08/313/CP - No Call-in
- 11.08/314/CP - No Call-in
- 12.08/315/CP - No Call-in
- 13.08/316/CP - No Call-in
- 14.08/317/CP - No Call-in
- 15.08/318/CP - No Call-in
- 16.08/319/CP - Jaci Douglas declared an interest and left the room.
No Call-in
Jaci Douglas returned.
- 17.08/320/CP - No Call-in

18. Drew Hendry arrived at the meeting.

19.08/321/CP - No Call-in

20.08/322/CP - No Call-in

21.08/323/CP - The decision was to call-in the application for the following reason :

- The proposed development is on land which is part of a site area on which planning permission exists for a larger residential development. The proposal is of linked significance to the larger permitted residential development and is of significance to the aims of the National Park.

22.08/324/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 08/311/CP, 08/314/CP, 08/318/CP & 08/320/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 EXTENSION TO COIRE CAS TRAIL FOOTPATH AT CAIRNGORM SKI AREA, COIRE NA CISTE ROAD, AVIEMORE (PAPER 1)

24. Bob Kinnaird and Willie McKenna declared an interest and left the room.

25. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.

26. The Committee discussed the application and the following points were raised:

- a) A requirement for an additional condition requiring a maintenance plan for the development.
- b) Concern about the appropriateness of the material being proposed for the bridge abutments.
- c) A requirement for any reseeded and re-vegetation to be carried out using locally sourced products.
- d) The proposed path and its relation to existing desire lines at the site.
- e) Clarification for the need of culverts rather than open drains, particularly with regard to potential flood conditions.

- f) Clarification that the Heritage & Land Management Group's concern has been addressed.
 - g) Specific details regarding the proposed construction materials of the Bridge, particularly anti-slip footway materials.
27. The Committee agreed to approve the application subject to the conditions stated in the report with the following amendments:
- an additional condition requiring a maintenance plan for the development
 - an additional Advice Note regarding the construction materials for the Bridge, regarding the abutments and anti-slip footway materials.
 - an additional Advice Note requiring any reseeded / re-vegetation to use locally sourced products.
28. Bob Kinnaird and Willie McKenna returned.

**AGENDA ITEM 7:
REPORT ON CONSULTATION RESPONSE TO SCOTTISH GOVERNMENT:
WIND FARM COMPRISING 59 TURBINES, 126 METRES IN HEIGHT AND
ASSOCIATED INFRASTRUCTURE AT HILL OF DORENELL, MORAYSHIRE
(PAPER 2)**

29. Andrew Tait presented a paper recommending that the Committee support the recommendation in the report to object to the application.
30. The Committee discussed the report and the following points were raised:
- a) Where the proposed development fits in relation to the Preferred Search Area in the Moray Council's Wind Energy Policy Guidance.
 - b) The potential for collision mortality of Eagle's that use the area.
 - c) The report being a clear, competent piece of work.
 - d) The development being proposed in a remote and wild area.
 - e) The development being located close to significant hill walking routes (Ladder Hills) and the visual impact it would have on these users of the area.
 - f) The lack of visual assessment or reference to the importance of viewpoints looking to the site and west to the Park.
 - g) The cumulative impact of Wind Farms, particularly around the Huntly area.
 - h) The location of the transmission lines associated with the development, should the application be approved.
 - i) Changing the recommendation from 'object' to 'strongly object'.
31. The Committee agreed to support the recommendation in the report to object to the application with amendments to the following:
- The recommendation to be changed from 'object' to 'strongly object'.
 - Condition 3 - inclusion of reference for Eagle collision mortality.
 - Condition 4 - inclusion of the visual impact for hillwalkers using specific routes e.g. the Ladder Hills.
 - An additional Condition regarding the cumulative visual impact of Wind Farms on looking to the site and west to the Park.

**AGENDA ITEM 8:
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF HOUSE (RE-SUBMISSION) AT LAND TO WEST OF INSH HOUSE, INSH, KINGUSSIE
(PAPER 3)**

32. Duncan Bryden informed the Committee that Nick Thompson, Applicant was available to answer any questions Members may have.
33. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
34. The Committee were invited to ask the Applicant any questions and the following points were raised:
 - a) The size of the proposed garage.
 - b) The potential for 'slippage' of the proposed rubber roof tiles.
 - c) The reduction in the size of the Caravan site.
35. Duncan Bryden thanked the Applicant.
36. The Committee discussed the application and the following points were raised:
 - a) The potential for flood risk of the development site.
 - b) The omission of the caravan site being included in the conditions of the proposed development.
 - c) The distance from the proposed dwelling to the existing holiday cottages.
 - d) The potential for the holiday cottages to be managed by a person not living in the new dwelling.
 - e) The existing holiday cottages, at the moment, having no occupancy conditions restricting their use to holiday purposes only.
 - f) The submitted landscaping scheme.
 - g) The applicant's highly commendable approach to developing a proposal for a zero energy / low carbon dwelling.
 - h) The potential for a precedent to be set by the Committee approving a zero energy / low carbon dwelling in an area where this type of development could be considered contrary to policy in locational terms.
 - i) The new dwelling forming part of a group of dwellings in line with Highland Council policy 2.1.2.5.
 - j) There being a case to approve this application whilst potentially being more lenient to future applications of a similar nature.
 - k) The need to assess each application on its individual merits.
 - l) Clarification of the technical status of Condition 2.
 - m) The need to tidy up Condition 2, specifying that the new dwelling cannot be sold separately from the holiday cottages but also the holiday cottages should not be sold separately to the new dwelling.
37. Dave Fallows proposed a Motion to Approve the application with an amendment to Condition 2 - specifying that the new dwelling cannot be sold separately from the holiday cottages but also the holiday cottages

should not be sold separately to the new dwelling. This was seconded by Marcus Humphrey.

38. Lucy Grant proposed an Amendment to Refuse the Application as no sufficient justification had been made to go against Highland Council Policy 2.1.2.3, regarding development in a Restricted Countryside Area. This was seconded by Jaci Douglas.

The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Eric Baird	√		
Stuart Black	√		
Geva Blackett	√		
Duncan Bryden	√		
Jaci Douglas		√	
Dave Fallows	√		
Lucy Grant		√	
Drew Hendry	√		
Marcus Humphrey	√		
Bob Kinnaird	√		
Willie McKenna	√		
Ian Mackintosh	√		
Anne MacLean	√		
Alastair MacLennan		√	
Sandy Park	√		
Richard Stroud	√		
Susan Walker	√		
Ross Watson	√		
TOTAL	15	3	0

39. The Committee agreed to approve the application subject to the conditions stated in the report with an amendment to the following:

- Condition 2 - Specifying that the new dwelling cannot be sold separately from the holiday cottages but also the holiday cottages should not be sold separately to the new dwelling.

40. Sandy Park and Dave Fallows left the meeting.

**AGENDA ITEM 9:
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF HOUSE AT
GARDEN GROUND OF DELL COTTAGE, NETHY BRIDGE
(PAPER 5)**

41. Hilary MacBean presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
42. The Committee discussed the application and the following points were raised:
 - a) Clarification of the house plots associated with the new dwelling and Dell Cottage.
 - b) Concern regarding issues of overlooking from Dell Cottage.
 - c) The reduction in height of the beech hedge in front of Dell Cottage and its maintenance in perpetuity.
 - d) Had consideration been given to utilising the existing access to Dell Cottage to access the new dwelling, therefore retaining the beech hedge in its entirety.
 - e) The need for detailed plans to be submitted at a later stage.
 - f) The existing approved extension to Dell Cottage and how this may potentially be affected by the new dwelling.
 - g) Clarification of the term 2 storey (attic) dwelling.
 - h) Discussion regarding the building line of existing properties along Dell Road.
43. The Committee agreed to approve the application subject to the conditions stated in the report.

**AGENDA ITEM10:
ANY OTHER BUSINESS**

44. Don McKee advised Members that the Scottish Government had launched a Scottish Sustainable Communities Initiative and that communities had been invited to apply for funding through this scheme. The deadline for applications was 19th September 2008. He advised that Rothiemurchus Estate had applied to the scheme for An Camas Mor and were hopeful of wider recognition of the work that was being undertaken for the site. Don McKee stated that once he had received a copy of the An Camas Mor final submission he would circulate it to Members. He stated that if An Camas Mor were successful with their submission it would give the project a higher profile and recognition for a new community in a National Park.
45. Don McKee advised Members that there would be various Local Plan (LP) and Sustainable Design Guide (SDG) meetings over the coming weeks. He stated that in the next week there was due to be a LP process meeting to prepare a project plan and critical path leading up to the LP Inquiry. This would be followed by a LP Working Group on the 26 September 2008. It was hoped that a paper could be taken to the Board meeting on 31st October possible second modifications to the LP. Don McKee informed Members that Planning Officials were currently awaiting a response from the Reporters Unit regarding availability in their schedule to incorporate a LP Inquiry, however, given the amount of work involved it was now more

likely that any Inquiry could be held in April / May 2009. There would be a day workshop on the SDG to be held in October and Member's would receive further information shortly.

46. Marcus Humphrey queried if due to the current economic climate the housing allocations stated in the LP were still tenable. Don McKee responded that the Planning Officials needed to have total confidence in the housing needs assessment and ensure that the model had factored in the current financial situation. He stated that if required further information would be brought back to Members.
47. Anne MacLean informed Members that the Scottish Government had announced earlier in the week that, as from 2009, they were intending to revert to previous funding levels in a bid to stimulate the building of affordable housing.
48. Duncan Bryden informed Members that there were currently meetings being held, by SNH, in various locations concerning the extension to the southern CNP Boundary. Sue Walker had attended the meeting at Glenshee and found the event very informative and worthwhile. Sue Walker advised Members to make an effort to attend the meetings in order to answer questions from a Board Members perspective.
49. Richard Stroud raised the previously discussed idea of a design award for the CNP area, to reward innovative design and restoration projects in the Park area. He stated that it may be a good time to start taking the idea forward as the Park had been now been 5 years in existence.

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

50. Friday, 3rd October 2008 at The Lecht Ski Centre, Strathdon.
51. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
52. The meeting concluded at 12:30hrs.