
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Community Centre, Nethy Bridge on 19th October 2007 at 10.30am

PRESENT

Eric Baird	Bob Kinnaird
Stuart Black	Bruce Luffman
Duncan Bryden	Willie McKenna
Nonie Coulthard	Eleanor Mackintosh
Jaci Douglas	Ian Mackintosh
Dave Fallows	Anne MacLean
Lucy Grant	Alastair MacLennan
David Green	Richard Stroud (arrived late)
Drew Hendry	Ross Watson

IN ATTENDANCE:

Andrew Tait	Pip Mackie
Mary Grier	

APOLOGIES:

Geva Blackett	Sandy Park
Marcus Humphrey	Andrew Rafferty
Mary McCafferty	Susan Walker
Fiona Murdoch	

WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from the above Members.

MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 5th October 2007, held at The Village Hall, Braemar were approved subject to the following amendments:
 - a) Paragraph 30 – clarification that Aberdeenshire Council were currently working on a sustainable design guide.
 - b) Paragraph 32 – clarification that the meeting with MSP's had been to discuss the CNPA Local Plan and housing.
4. There were no matters arising.

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

5. Willie McKenna wished it noted that Planning Application No. 07/394/CP was not located on Rothiemurchus Estate.
6. Stuart Black declared an interest in Item No.'s 7 & 8 on the Agenda, due to being a tenant of Dorback Estate.
7. The Highland Councillors declared an interest in Item No. 10 on the Agenda.

PLANNING APPLICATION CALL-IN DECISIONS (Oral Presentation, Mary Grier)

8. 07/384/CP - No Call-in
9. 07/385/CP - No Call-in
- 10.07/386/CP - No Call-in

- 11.07/387/CP - The decision was to call-in the application for the following reason :
 - The development represents the erection of a house in a countryside area where existing planning policy provides safeguards against development affecting inbye and forestry land adjoining the Skye of Curr Road community. As such, the proposal raises issues in terms of the principle of houses in such areas, precedent, and the potential for cumulative visual and landscape impacts. It is therefore of general significance to the collective aims of the National Park.

- 12.07/388/CP - No Call-in
- 13.07/389/CP - No Call-in
- 14.07/390/CP - No Call-in
- 15.07/391/CP - No Call-in
- 16.07/392/CP - No Call-in

- 17.07/393/CP - The decision was to call-in the application for the following reason :
 - While recognising that the site is identified for new development in the existing Local Plan, the scale of the proposal, the existence of birch woodland within the site, and the potential new crossing over the Aviemore Burn raise issues in relation to natural heritage. The proposal also raises issues in relation to the enjoyment of the area by the general public particularly due to the existence of the Aviemore Orbital Path through the site. It also raises issues in relation to the provision of affordable housing and would be of significance to the social and economic development of the area. The proposal is therefore of general significance to the aims of the National Park.

- 18.07/394/CP - No Call-in
 19.07/395/CP - No Call-in
 20.07/396/CP - No Call-in
- 21.07/397/CP - The decision was to call-in the application for the following reason :
- The proposal is for a residential redevelopment of a site within the commercial core of Aviemore. It is also related to wider commercial redevelopment proposals in the immediate vicinity which are currently being assessed by the CNPA. Although recognising that outline permission has already been granted, this application for approval of reserved matters nonetheless raises issues in relation to affordable housing, land use planning policy, design and townscape, impact on trees and built heritage and the general economic and social redevelopment of the centre of Aviemore. As such, the proposal raises issues of general significance to the collective aims of the National Park.
- 22.07/398/CP - No Call-in
- 23.07/399/CP - The decision was to call-in the application for the following reason :
- The proposal is for tourist based accommodation outside of any recognized settlement in a relatively remote countryside area and on land which is the subject of a number of natural heritage designations, including Kinveachy Forest SAC, SPA and SSSI. As such the proposal raises issues of general significance to the collective aims of the National Park.
- 24.07/400/CP - The decision was to call-in the application for the following reason :
- The application is directly associated with an application for a large scale housing proposal in Carrbridge which is currently being assessed by the CNPA. Given its linkages to that application the proposal is considered to raise issues of general significance to the collective aims of the Cairngorms National Park.

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

25. The Members wished to make comments to the Local Authorities on the following Planning Application No's 07/389/CP, 07/390/CP, 07/391/CP, 07/392/CP & 07/398/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 CONSTRUCTION OF 3 PONDS AT LAND 50M EAST OF LAINCHOIL FARMHOUSE, DORBACK ESTATE, NETHY BRIDGE (PAPER 1)

26. Stuart Black declared an interest and left the room.
27. David Green advised that Duncan Barrie, representative from the Agent, CKD Galbraith, was available to answer any questions Members may have on this and the next application to be determined.
28. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
29. The Committee discussed the application and the following points were raised:
 - a) Clarification that the submitted construction statement had taken account of SEPA's comments.
 - b) Clarification of why the brown trout could not be sourced from the Spey catchment.
30. Richard Stroud arrived at the meeting.
31. David Hetherington, representative of CNPA Natural Heritage Group arrived at the meeting.
32. David Hetherington advised Members that the Spey Fishery Board were concerned that stocking the ponds from the Spey catchment area would involve wild fish (including Brown Trout and potentially non-native fish) becoming captive.
33. Clarification was sought as to why the Brown Trout could not be sourced locally e.g. from Delfour Hatchery.
34. Duncan Barrie confirmed that the Estate were prepared to source local Brown Trout where possible.
35. Mary Grier confirmed that the source of stocking the ponds could be covered by an Advice Note to the Applicant.
36. Clarification was sought as to whether the Trout at Delfour Hatchery were sourced from local genetic stock. Alastair MacLennan informed Members that he had been led to believe that they were.
37. The Committee discussed the application and the following point was raised:
 - a) It was noted that the ponds were to be used to attract wildfowl, clarification was sought as to whether ornamental ducks etc. were to be introduced to the area. It was clarified that they were not, the ponds were purely to attract wildfowl to the area.
38. The Committee agreed to approve the application subject to the conditions stated in the report and an Advice Note regarding the need for good practice regarding pond construction and a local source of Brown Trout for stocking the ponds where possible.

REPORT ON CALLED-IN PLANNING APPLICATION FOR CONSTRUCTION OF PONDS AT LAND ADJOINING DORBACK BURN, 1KM SOUTH OF MUCKRACH, DORBACK ESTATE, NETHY BRIDGE (PAPER 2)

39. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report and an extra condition requiring the excavated materials to be removed from the site and the same

advice note regarding the local sourcing of Brown Trout, as per the previous application.

40. The Committee discussed the application and the following points were raised:
 - a) Clarification of whether or not there were to be inlet / outlet pipes to the ponds.
 - b) A requirement to keep the fish screens clear, to avoid build up in the ponds.
41. Duncan Barrie confirmed that the screens could be maintained as part of the regular Estate work.
42. The Committee discussed the application and the following points were raised:
 - a) How the ponds were to be accessed. It was stated that a nearby estates vehicle access track was to be used.
43. Duncan Barrie confirmed that the track was only to be used during the construction period and for the maintenance work required to upkeep the ponds.
44. Members enquired if the use of the track for these purposes only could be conditioned.
45. The Committee discussed the application and the following points were raised:
 - a) Concern was raised as to whether during flood events the inlet / outlets were large enough to cope with the potential raised water level.
 - b) The issue of fish swimming habits during flood events was also raised.
46. Duncan Barrie responded that they had sought advice regarding flood events in the area.
47. The Committee agreed to approve the application subject to the conditions stated in the report and extra conditions covering access to the ponds and requiring the excavated materials to be removed from the site. An advice note was also required regarding the local sourcing of Brown Trout, as per the previous application.
48. Stuart Black returned.

REPORT ON CALLED-IN PLANNING APPLICATION FOR CONSTRUCTION OF WILDLIFE POND AT MARYFIELD, GLENBUCHAT, STRATHDON (PAPER 3)

49. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
50. The Committee discussed the application and the following points were raised:
 - a) The possibility of including pond guidelines (including sizing) in the CNPA Local Plan, as Aberdeenshire Council did. Planning Officials agreed to raise this issue with the CNPA Local Plan Officials.
 - b) Clarification if there were inlets / outlets to the pond. It was clarified that there were.
 - c) Information was sought on any proposed landscaping for the development. It was confirmed that a landscaping proposals had been submitted.
51. The Committee agreed to approve the application subject to the conditions stated in the report with an additional condition regarding the landscaping proposals for the development.

CONSULTATION RESPONSE TO HIGHLAND COUNCIL: CONSTRUCTION OF 20 TURBINE (49 MW) WIND FARM AT CORRIEGARTH ESTATE, MONADLIATH MOUNTAINS, NORTH EAST OF FORT AUGUSTUS (PAPER 4)

52. The Highland Councillors declared an interest and left the room.
53. Andrew Tait presented a paper recommending that the Committee approve the consultation response for submission to Highland Council.
54. The Committee discussed the application and the following points were raised:
- a) Concern was raised that the report stated that the Wind Farm would contribute positively to the issue of climate change, however, no regard had been given to the carbon footprint created during the construction and installation period.
 - b) The need for a thorough carbon footprint assessment to be carried out for the development, including when the carbon footprint and energy production would balance out.
 - c) Concern was raised that the grid connection for the Wind Farm would be made to the Beaully – Denny Transmission Line, in which PLI the CNPA had been involved.
 - d) Concern that there could be a potential overload on the grid connection due to the new hydro-power scheme also being connected.
 - e) The potential for Golden Eagle which live in the CNP but hunt in the surrounding area to be affected.
 - f) Clarification of whether the matt white colour being proposed for the turbines was the most appropriate choice.
55. The Committee agreed to approve the consultation response for submission to Highland Council with additional points covering:
- a) the need for thorough carbon footprint assessment to be carried out for the development
 - b) the need for further work to be carried out on Golden Eagle flight paths in the area
 - c) concern about how the development would connect to the Grid
56. The Highland Councillors returned.

ANY OTHER BUSINESS

57. Bruce Luffman informed Members that he had recently become aware of a new acronym regarding potential new developments, as well as 'NIMBY' (Not In My Back Yard) there was also 'NOTE', which stood for 'Not Over There Either!'
58. David Green advised that Planning Officials were currently working on a timetable for the Local Plan and it would be circulated to Members shortly.

DATE OF NEXT MEETING

69. Friday, 2nd November 2007 at The Village Hall, Kincaig.
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 11:55hrs.