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# CAIRNGORMS NATIONAL PARK AUTHORITY

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## DRAFT MINUTES OF THE PLANNING COMMITTEE held at The Ben Mhor Hotel, Grantown on Spey on 20<sup>th</sup> October 2006 at 10.30am

### PRESENT

Eric Baird  
Duncan Bryden  
Nonie Coulthard  
Basil Dunlop  
Angus Gordon  
David Green  
Bruce Luffman  
Eleanor Mackintosh

Anne MacLean  
Alastair MacLennan  
Sandy Park  
Andrew Rafferty  
David Selfridge  
Sheena Slimon  
Richard Stroud

### IN ATTENDANCE:

Andrew Tait  
Mary Grier

Pip Mackie

### APOLOGIES:

Stuart Black  
Douglas Glass  
Lucy Grant  
Marcus Humphrey  
Willie McKenna

Alastair MacLennan  
Gregor Rimell  
Susan Walker  
Ross Watson  
Bob Wilson

### 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, 6<sup>th</sup> October 2006, held at The Village Hall, Braemar were approved.
4. There were no matters arising.

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

5. Sheena Slimon wished it noted that she was mentioned in a letter submitted in support of Planning Paper 3 (Lochbuie Croft), however, this related to a previous application on the site. Sheena Slimon wished to remain for the determination of the Application.

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

6. The Committee paused to read a letter which had been submitted requesting the Call-in of Application 06/420/CP.

7. 06/406/CP - No Call-in
8. 06/407/CP - No Call-in
9. 06/408/CP - No Call-in

10. 06/409/CP - The decision was to call-in the application for the following reason :

- The proposed pathway is on land which is part of the Muir of Dinnet SSSI and is also a National Nature Reserve. In addition it involves crossing a burn which is part of the River Dee SAC. The proposal is therefore of significance to the collective aims of the National Park particularly in relation to access, recreation, landscape impact and natural heritage.

11. 06/410/CP - No Call-in
12. 06/411/CP - No Call-in
13. 06/412/CP - No Call-in
14. 06/413/CP - No Call-in
15. 06/414/CP - No Call-in
16. 06/415/CP - No Call-in
17. 06/416/CP - No Call-in
18. 06/417/CP - No Call-in
19. 06/418/CP - No Call-in
20. 06/419/CP - No Call-in

21. 06/420/CP - The decision was to call-in the application for the following reason :

- The proposed development involves significant extensions to a traditional bothy in order to create a new commercial facility associated with the established tourism / recreation based business. The proposal represents a further consolidation of the established business which is sited within a National Scenic Area and close to sites designated for their natural heritage value. In the interests of

consistency, the proposal continues to raise issues relating to nature conservation, promotion of recreation and tourism and social and economic development, all of which are significant to the collective aims of the National Park.

- 22.06/421/CP - No Call-in  
23.06/422/CP - No Call-in  
24.06/423/CP - No Call-in  
25.06/424/CP - No Call-in
- 26.06/425/CP - The decision was to call-in the application for the following reason :
- The proposed works relate to Category A listed buildings, which are situated in a prominent upland location. The proposal is therefore considered to be of general significance to the aims of the Cairngorms National Park, and in particular is of significance to the aim to conserve and enhance the cultural heritage of the area.
- 27.06/426/CP - The decision was to call-in the application for the following reason :
- The proposed works relate to Category A listed buildings, which are situated in a prominent upland location. The proposal is therefore considered to be of general significance to the aims of the Cairngorms National Park, and in particular is of significance to the aim to conserve and enhance the cultural heritage of the area.
- 28.06/427/CP - No Call-in  
29.06/428/CP - No Call-in
- 30.06/429/CP - The decision was to call-in the application for the following reason :
- The proposal represents the erection of a new dwellinghouse in a countryside area where there are general restrictions on residential development unless there is a demonstrable justification. The proposal therefore generates considerations in relation to the principle of housing in countryside areas, precedent for other similar developments, and the cumulative visual and landscape impacts of single houses throughout the countryside of the National Park. As such the proposal raises issues of general significance to the collective aims of the National Park.
- 31.06/430/CP - No Call-in

32.06/431/CP - The decision was to call-in the application for the following reason :

- The proposal is for the construction of a retail development which is of a scale which may have impacts on the Aviemore town centre and the commercial areas of other settlements within the National Park. The proposal by reason of its scale and type raises issues of general significance to the collective aims of the National Park.

33.06/432/CP - No Call-in

### **COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE**

34. The Members wished to make comments to the Local Authorities on the following Planning Application No's 06/410/CP, 06/413/CP, 06/414/CP, 06/417/CP, 06/422/CP, 06/423/CP & 06/428/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 DEMOLITION OF STEDADING & REPLACEMENT WITH DWELLING, SEPTIC TANK & SOAKAWAY AT BLAIRNAMARROW, TOMINTOUL (PAPER 1)**

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

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

- a) The prominence of the site when viewed from the direction of the Lecht.
- b) Concern regarding the perceived independence of the details of the structural survey.
- c) Concern about the demolition of the Steading due to it having architectural features specific to the area.
- d) The apparent conflict of planning policies and National Park aims allowing the demolition of the steading, whilst another requires the need to preserve cultural heritage.
- e) Concern over the removal of trees from the site in order for an access road to be attained.
- f) Concern that the access issues should be resolved prior to determination.
- g) The suitability of the design of the proposed replacement house.
- h) Concern that no details had been provided stating a need case for the proposal.
- i) Clarification if Moray Council employed a Conservation Architect.
- j) Concern that no comments had been requested from SEPA regarding the proposed Septic Tank and Soakaway given the clay substance of the ground.

37. Bruce Luffman proposed a Motion to defer the Application for further discussion with the Applicant regarding the proposed loss of trees in the creation of the access, the preparation of an independent structural survey, the resolution of conflict between planning policies and National Park aims and further investigation of septic tank and soakaway proposals. This was seconded by Eleanor Mackintosh.
38. There was no Amendment proposed.
39. The Committee agreed to defer the application for further discussion with the Applicants.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR ALTERATIONS TO EXISTING DWELLING & EXTENSION INTO COTTAGE & ERECTION OF DOUBLE GARAGE AT REAR OF HAWTHORN HOUSE & COTTAGE, MAIN STREET, TOMINTOUL  
(PAPER 2)**

40. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
41. The Committee discussed the application and the following points were raised:
  - a) Congratulations were to be passed on to the Agent and Applicant regarding retaining the original stone features of the steading wall.
  - b) The possibility of the Agent / Applicant submitting specific details of how the Gable and Steading Wall are to be retained to ensure they are watertight and to prevent potential deterioration in the future.
  - c) The loss of the Steading as part of the cultural heritage of the area.
42. The Committee agreed to approve the application subject to the conditions stated in the report and an additional condition requiring the submission of specific details of how the Gable and Steading Wall are to be retained to ensure they are watertight and to prevent potential deterioration in the future.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF DWELLING AT LOCHBUIE CROFT, NEWTONMORE  
(PAPER 3)**

43. David Green advised that Ross Cairns, Agent, had requested to address the Committee.
44. The Committee agreed to this request.
45. The Committee paused for a couple of minutes in order to read a letter of support submitted by the Applicant, Mr D Mackenzie.
46. Andrew Tait presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
47. Ross Cairns addressed the Committee.
48. Members were given the opportunity to ask questions of Ross Cairns.
49. David Green thanked Ross Cairns.
50. The Committee discussed the application and the following points were raised:
  - a) The Applicant offering to enter a Section 75 Legal Agreement tying his property, Strone Cottage, to the croft land.
  - b) The site having a history of lapsed planning applications.

- c) The area of Newtonmore around the site having more housing than detailed on the Ordnance Survey site map shown in the Committee presentation, therefore this proposal could potentially be classed as an in-fill development.
  - d) The Council having adopted the top half of the Strone Road but not the bottom half where the site was located.
  - e) The possibility of assessing this area of Newtonmore for potential development in the forthcoming CNPA Local Plan.
  - f) The recent housing needs study carried out by the Highland Small Communities Housing Trust for Newtonmore.
  - g) The fact that a need case had not been provided which could be assessed as a planning concern.
  - h) The proposal being against planning policy and the problems associated with approving adhoc applications.
  - i) The possibility of the Applicant talking to Housing Associations to look at the potential for affordable housing sites.
51. Bruce Luffman proposed a Motion to Refuse the Application for the reasons stated in the report. This was seconded by David Selfridge.
52. There was no Amendment proposed.
53. The Committee agreed to refuse the application for the reasons stated in the report.

#### **ANY OTHER BUSINESS**

54. Eric Baird raised concern of the number of recent applications which had been received by Local Authorities for the conversion of Outdoor Centres into residential dwellings and the potential cumulative impact of the loss of these Centres.
55. Andrew Tait advised that each application would be assessed on the individual merits of the proposal and that CNPA Officers would take account of any comments provided by the Visitor Services & Recreation Group regarding this issue.
56. Richard Stroud was concerned that there seemed to be a UK wide reduction in the number of residential Outdoor facilities, possibly due to the increase in associated Health & Safety regulations and the Local Authorities disposing of the facilities. Richard Stroud queried if a study could be conducted to establish the type and level of Outdoor Centre facilities within the CNP.
57. Duncan Bryden advised that he felt there had been a recent growth in the amount of independent hostels, Youth Hostels and hotels branching out into the Outdoor pursuits area. Duncan Bryden advised that a possible way forward was for the private sector to provide more of the Outdoor pursuit opportunities instead of the Local Authorities.

#### **DATE OF NEXT MEETING**

69. Friday, 3<sup>rd</sup> November 2006 at The Albert Memorial Hall, Ballater.
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 12:25hrs.