
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Community Hall, Boat of Garten on 22nd August 2008 at 10.30am

PRESENT

Eric Baird	Mary McCafferty
Stuart Black	Willie McKenna
Duncan Bryden	Eleanor Mackintosh
Nonie Coulthard	Ian Mackintosh
Dave Fallows	Anne MacLean
Lucy Grant	Alastair MacLennan
David Green	Sandy Park
Bob Kinnaird	Andrew Rafferty
Bruce Luffman	Susan Walker

IN ATTENDANCE:

Don McKee	Andrew Tait
Neil Stewart	Pip Mackie

APOLOGIES:

Geva Blackett	Fiona Murdoch
Jaci Douglas	Richard Stroud
Marcus Humphrey	Ross Watson

AGENDA ITEMS 1 & 2: WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
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, 8th August 2008, held at Mar Lodge, Braemar were approved.
4. There were matters arising regarding the following items:

Para. 30 - David Green advised that a party of delegates from the Harris initiative for a Harris National Park were due to arrive at today's Planning Committee at 12:30hrs.

Para. 31 - Bruce Luffman advised Members that he had spoken to Karen Major, Local Plan Officer, about proposing a new date for the Sustainable Design Workshop to take place.

AGENDA ITEM 4:

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

5. Anne MacLean declared an interest in Planning Application No. 08/293/CP and Item No. 7 on the Agenda. Anne MacLean wished it noted that during the past 5 years she had declared an interest in any application which had an association with Albyn Housing Ltd as she had been on the Board of Directors. However on the 19th August 2008 she had stood down from this position. She advised Members that she had looked at CNPA Members Code of Conduct, The Standards Commission Guidance for Devolved Public Bodies and their Members and 'On Board' for guidance detailing a period of time that a Member should still declare an interest once their interest has ceased in any organisation. Anne MacLean informed Members that there was no such guidance available, therefore, after discussions with Jane Hope, Chief Executive and Duncan Bryden, Convener, she stated that she intended to take part in any discussions for Calling-in applications but would not take part in any determination decisions for applications which had been called-in whilst she was still a Director of Albyn Housing Ltd.
6. Duncan Bryden stated that he was happy with this position and asked the other Board Members if they also agreed with this arrangement. Members agreed that they were also happy with this position.

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

Anne MacLean declared an interest and left the room.

7. 08/293/CP - The decision was to call-in the application for the following reason :

- The proposal is to construct a series of formal mountain bike trails and associated skills area, in the Free Church Wood in Grantown-on-Spey which is a designated Ancient Woodland and is a popular woodland area for informal recreational pursuits. There is also a proposed Core Path adjacent to the site. The proposal raises issues in relation to the conservation of the natural and cultural heritage of the area, the promotion of the enjoyment in the form of recreation of the special qualities of the area, and the promotion of the economic and social development of the area. As such, it is considered to raise issues of general significance to the collective aims of the National Park.

8. 08/294/CP - No Call-in

9. 08/295/CP - No Call-in

10.08/296/CP - No Call-in

11.08/297/CP - No Call-in

12.08/298/CP - No Call-in

13.08/299/CP - No Call-in

14.08/300/CP - No Call-in

15.08/301/CP - No Call-in

16.08/302/CP - No Call-in

17.08/303/CP - No Call-in

18.08/304/CP - The decision was to call-in the application for the following reason :

- The proposal is to construct a sizeable HGV passing place with associated engineering operations related to the potential construction works for the Beauldy-Denny Overhead Line Upgrade Project which has not yet received formal consent. The site lies in a sensitive location in an open landscape, and in a position adjacent to the Spey SAC and SSSI designations, proposed Core Paths and promoted routes, and features of historical and cultural significance. The issues raised therefore relate to, need for the development, conservation of natural and cultural

heritage, impacts on recreational uses, landscape impact, and related economic development. The proposal is therefore considered to raise issues of general significance to the collective aims of the National Park.

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

19. The Members wished to make comments to the Local Authorities on the following Planning Application No's 08/296/CP, 08/297/CP & 08/298/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 CONVERSION OF, AND ALTERATIONS AND EXTENSION TO HOTEL TO FORM 5 DWELLINGHOUSES AT STRUAN HOUSE HOTEL, CARRBRIDGE (PAPER 1)

20. The Committee paused to read a late letter of representation.
21. Duncan Bryden advised that Neil Rothnie, Architect, and James Ross & Fiona McAdam, Representees, were available to answer any questions Members may have.
22. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report. He also advised that the required Bat Survey had been received and showed that there were no sign of bats in the building.
23. The Committee were invited to ask questions of Neil Rothnie, Architect, and the following points were raised:
- a) The possibility of the developers acknowledging the history, via a plaque on the outside of the building, in discussion with the Community Council.
 - b) The sustainability and energy efficiency of the proposed development.
 - c) The proposed name of the complex.
 - d) The working hours being proposed.
24. James Ross & Fiona McAdam, Representees, indicated that they were happy for the application not to have a condition specifying working hours during the development process, as they wished the works to be carried out and therefore finished as soon as possible.
25. Duncan Bryden thanked the interested parties for their contributions.
26. The Committee discussed the application and the following points were raised:
- a) The importance of recognising the history of the building particularly with regard to previous owners bringing skiing to the area and the

internal features of the building (murals) which the Community Council have indicated they wish to record for cultural heritage purposes. The possibility of including a plaque on the outside of the building was also discussed.

- b) The proposed sympathetic design of the building.
 - c) Welcoming the proposed landscaping scheme.
 - d) The need for minimal amount of street lighting around the development.
 - e) The proposed hours of working.
27. The Committee agreed to approve the application subject to the conditions stated in the report with amendments to the following:
- Condition 2 - The requirement for a sustainability statement.
 - Condition 11 - The proposed scheme for street lighting to be agreed by the CNPA and the Roads Authority.

AGENDA ITEM 7:

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF 81 HOUSES AND CONSTRUCTION OF ACCESS ROADS AT LAND BETWEEN PERTH ROAD AND STATION ROAD, NEWTONMORE (PAPER 2)

28. Mary McCafferty left the room.

29. Anne MacLean declared an interest and left the room.

30. Duncan Bryden informed Members that Bill Hepburn, Agent, and Mr Robertson, Representee, had both requested to address the Committee. The Committee agreed to the requests.

31. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report with additional requirements for planning contribution towards a community sports pitch and / or a cultural arts project and the re-orientation of the houses at the entrance to Perth Road.

32. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:

- a) Had SEPA been specifically consulted regarding flood risk at the site. AT clarified that the site was outwith any of SEPA's flood risk areas and therefore would not have been consulted on this aspect, however, the Highland Council would have been.
- b) Would the proposed new access at Station Road encourage heavy traffic to travel through the site.
- c) The solar panels referred to were not shown on any of the elevation drawings.
- d) The possibility of sites to the east of the site, as designated in the existing Badenoch & Strathspey (B&S) Local Plan, to be developed in the future and the potential for these allocated residential sites to be used for non residential development.

- e) The inclusion of play areas in the development.
 - f) The realignment of Station Road at its junction with Perth Road.
 - g) The capacity at the local schools for an influx of pupils by these family homes being built.
 - h) The requirement for a development brief for the site and concern that this had not been produced by Highland Council.
33. Bill Hepburn, Agent, addressed the Committee.
34. The Committee were invited to ask questions of the speaker and the following points were raised:
- a) The phasing of the development, particularly with regard to the affordable housing element.
 - b) The need for discussions to take place with the Community Council regarding play areas / a community sports pitch.
 - c) The inclusion of recycling facilities in the development.
 - d) The increased density of housing being proposed in the development compared to the numbers in the existing B&S Local Plan and emerging CNPA Local Plan.
 - e) The feasibility of a community heating system.
 - f) The proposed affordable housing element just falling short of the target of 25% of the total housing numbers for a development.
 - g) The location of the distributor road through the site and the potential for the for it to be used by heavy traffic during the construction of any development to the east of the site.
 - h) How the requirement for the level of mixed housing at the site had been assessed.
35. Mr Robertson, Representee, addressed the Committee.
36. The Committee were invited to ask questions of the speaker. No questions were asked.
37. Duncan Bryden thanked the speakers.
38. The Committee discussed the application and the following points were raised:
- a) The traffic flow around Newtonmore on the existing roads and the potential for a new distributor road linking to the A86 as detailed in the B&S Local Plan.
 - b) The lack of production of a development brief for Newtonmore by Highland Council.
39. Dave Fallows proposed a Motion that the application be deferred to allow Members to make a Site Visit. This was seconded by Lucy Grant.
40. There was no Amendment proposed.
41. The Committee agreed to defer the application to allow Members to attend a Site Visit. Members requested that a Highland Council Roads Engineer also be in attendance at the Site Visit. Prior to the site visit discussion should be held with SEPA regarding the localised flooding issues.
42. Anne MacLean returned.

43. The Committee paused for lunch at 13:00hrs.

44. The Committee reconvened at 13:45hrs.

45. Mary McCafferty returned.

AGENDA ITEM 8:

**REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF HOLIDAY CHALET AND STORAGE BUILDING AT WESTERTON, SITE NORTH WEST OF EASTERTON, GLENBUCHAT, STRATHDON
(PAPER 3)**

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

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

- a) The possibility of a condition requiring the chalet to be sustained by a carbon neutral system.
- b) The Aberdeenshire Council's Policy Officers consultation response to the application.
- c) The exposed location of the chalet and the surrounding landscape being thought of as wild land.
- d) The majority of the Applicants shooting taking place at relatively distant locations from the proposed site.
- e) Concern that approving the application may set a precedent for the whole Park area for developments of this type in relatively wild land areas.
- f) Other accommodation being available in the nearby settlement of Strathdon.
- g) The access to the site being on a narrow, twisty, steep inclined road.
- h) The increase in heavy traffic movements to and from the area for the collection of carcasses.

48. Bruce Luffman proposed a Motion to Refuse the application for the reasons that:

- The need case proposed was not strong enough given the number of days shooting in the Glenbuchat area compared to the Applicants days at other locations.
- The difficult access to the site from both the A944 and Glenbuchat directions.
- Non compliance with ABC Local Plan Policy 9.
- Non compliance with ABC Local Plan Policy Gen 1 & 2 regarding sustainability and siting.

49. This was seconded by Sue Walker.

50. The Committee agreed to refuse the application for the reasons stated above.

**AGENDA ITEM 9:
ANY OTHER BUSINESS**

51. Duncan Bryden informed Members that he had attended and helped deliver a small scale hydro seminar organised by the Land Based Business Training Scheme. It had been very successful and a point to come out of it was the need for CNPA to have a role in facilitating a route through the wider process for those interested in pursuing such schemes.
52. Drew Hendry concurred and said it was exciting that such schemes had a high start up cost, but also a high payback.
53. It was agreed that the LBBT scheme should organise further courses as this had been well over subscribed.

54. Lucy Grant stated that due to the increase in fuel costs consideration should be given to the inclusion of chimneys on developments to allow 'real' fires. She asked if this could be included in the Sustainable Design Guide.
55. Drew Hendry felt that this issue should be discussed further as chimneys also created drafts. He suggested that a discussion should take place on this point prior to the Sustainable Design Guide being finalised. Drew Hendry also advised that developers should provide recycling facilities for developments over a certain level of units.
56. Eric Baird wished consideration to be given to the options for including renewable energy sources in developments.

57. Duncan Bryden advised Members that it had been intended to bring an update on the CNPA Local Plan to the meeting on 5th September 2008, however, this had been delayed due to a few issues still requiring to be sorted out. He advised that an update for Board Members was now likely in October.

**AGENDA ITEM 10:
DATE OF NEXT MEETING**

58. Friday, 5th September 2008 at The Village Hall, Dalwhinnie.
59. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
60. The meeting concluded at 2:25hrs.