
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Albert Memorial Hall, Ballater on 24th February 2006 at 10.30am

PRESENT

Eric Baird
Stuart Black
Duncan Bryden
Basil Dunlop
Douglas Glass
Angus Gordon
Lucy Grant
David Green
Bruce Luffman
Willie McKenna

Eleanor Mackintosh
Alastair MacLennan
Sandy Park
Andrew Rafferty
Gregor Rimell
David Selfridge
Richard Stroud
Andrew Thin
Bob Wilson

IN ATTENDANCE:

Don McKee
Mary Grier
Neil Stewart

Andrew Tait
Pip Mackie

APOLOGIES:

Sally Dowden
Marcus Humphrey
Anne McLean

Joyce Simpson
Sheena Slimon
Susan Walker

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, 10th February 2006, held at The Ben Mhor Hotel, Grantown on Spey were approved subject to an amendment to Item 46 to change the seconds name from 'Lucy Green' to 'Lucy Grant'.
4. There were no matters arising.

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

5. There were no declarations of interest.

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

6. 06/035/CP - No Call-in
7. 06/036/CP - No Call-in
8. 06/037/CP - No Call-in
9. 06/038/CP - No Call-in
10. 06/039/CP - No Call-in
11. 06/040/CP - No Call-in

12. 06/041/CP - The decision was to call-in the application for the following reason :

- The development represents the formation of a residential unit in a prominent countryside area at the south western entrance to the Cairngorms National Park. It is also located within a designated Area of Great Landscape Value. The proposal therefore raises issues in relation to housing in the countryside, the impact on the scenic amenities of the area and the associated landscape impact. As such it is viewed as being of general significance to the aims of the National Park.

13. 06/042/CP - No Call-in

14. 06/043/CP - The decision was to call-in the application for the following reason :

- The development represents the formation of a residential unit in a countryside area identified in the Badenoch and Stathspey Local Plan as being partially within a Restricted Countryside area. It is also located within a designated Area of Great Landscape Value. The proposal therefore raises issues in relation to housing in the countryside, impact on the scenic amenities of the area and precedent. As such it is viewed as being of general significance to the aims of the Cairngorms National Park.

15. 06/044/CP - No Call-in

16. 06/045/CP - No Call-in

17.06/046/CP - Duncan Bryden proposed a Motion to Call-in the application. This was seconded by Richard Stroud. Alastair MacLennan proposed an Amendment to not Call-in the application. This was seconded by David Selfridge. The vote was as follows:

NAME	MOTION (Call-in)	AMENDMENT (No Call-in)	ABSTAIN
Eric Baird	√		
Stuart Black	√		
Duncan Bryden	√		
Basil Dunlop	√		
Douglas Glass		√	
Angus Gordon		√	
Lucy Grant		√	
David Green	√		
Bruce Luffman		√	
Willie McKenna		√	
Eleanor Mackintosh	√		
Alastair MacLennan		√	
Sandy Park		√	
Andrew Rafferty			√
Gregor Rimell	√		
David Selfridge		√	
Richard Stroud	√		
Andrew Thin	√		
Bob Wilson	√		
TOTAL	10	8	1

The decision was to Call-in the application for the following reason:

- The proposed development involves the erection of a significant number of pens for game rearing activity in open countryside locations, within a designated Area of Great Landscape Value, and where a number of the proposed sites are in the immediate vicinity of the River Spey SAC and River Spey SSSI. The proposal therefore raises issues in relation to visual impact, impacts on the special qualities of the area, as well as potential impacts on the natural heritage of the area. The proposed development is therefore of general significance to the aims of the Cairngorms National Park.

18.06/047/CP - No Call-in
 19.06/048/CP - No Call-in
 20.06/049/CP - No Call-in
 21.06/050/CP - No Call-in
 22.06/051/CP - No Call-in

- 23.06/052/CP - No Call-in
24.06/053/CP - No Call-in
- 25.06/054/CP - The decision was to call-in the application for the following reason :
- The proposed development, although on land allocated in the Badenoch and Strathspey Local Plan for new development, is for a sizeable housing development in an elevated and predominantly wooded area. The development therefore raises issues in relation to the enhancement and conservation of the natural heritage of the area, social and economic development in the form of housing and affordable homes provision, and the impacts on existing developments. As such the proposal is of general significance to the collective aims of the National Park.
- 26.06/055/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

27. The Members wished to make comments to the Local Authorities on the following Planning Application No's 06/035/CP, 06/040/CP, 06/048/CP & 06/051/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 ERECTION OF TIMBER FOOTBRIDGE AT NORTH OF CLARACK FARM, DINNET (PAPER 1)

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 point was raised:
- a) The possibility of the Applicants having to agree the specific preservatives used on the footbridge with the CNPA to avoid possible contamination of the burn.
30. The Committee agreed to approve the application subject to the conditions stated in the report with an amendment to condition 2d to specify preservatives.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR DEMOLITION OF
BEDROOM WING AND ERECTION OF 4 DWELLING UNITS FOR HOLIDAY
ACCOMMODATION AT BOAT HOTEL, BOAT OF GARTEN
(PAPER 2)**

31. Andrew Thin advised the Committee that Mr Tatchell, Applicant, and Mrs Davison, representative for the Boat of Garten Community Council had requested to address the Committee. The Committee agreed the requests.
32. Andrew Tait presented a paper recommending that the Committee refuse the application for the reason stated in the report.
33. Mr Tatchell, Applicant, addressed the Committee.
34. Mrs Davison, representative for the Boat of Garten Community Council addressed the Committee.
35. Members were invited to ask questions of both speakers.
36. Andrew Thin thanked Mr Tatchell and Mrs Davison.
37. The Committee discussed the application and the following points were raised:
 - a) The roof ridge heights of neighbouring properties.
 - b) The possibility of moving the two housing blocks further east within the site and aligning housing units A and B with units C and D to improve neighbours residential amenity.
 - c) The distance between the windows of the proposed housing unit A and the windows of the nearest neighbour.
 - d) The limited number of windows to the rear of the nearest neighbouring property to the site for overlooking intrusion.
 - e) How the application relates to the aims of the CNP.
 - f) The nearest neighbour should have been made aware, by their Solicitor, of the live planning application when they purchased the property in 2005.
 - g) The economic viability of the number of proposed units.
 - h) Clarification of where staff will be housed if the staff accommodation wing is demolished.
 - i) The impact of the proposed units on the amenity of the hotel.
38. Bruce Luffman proposed a Motion that the application be deferred for further discussion with the Applicants to look at moving the proposed housing units further east within the site to improve the nearest neighbours residential amenity. This was seconded by Douglas Glass.
39. There was no amendment proposed.
40. The Committee agreed to defer the application for further discussion with the Applicants to look at moving the proposed housing units further east within the site to improve the nearest neighbours residential amenity.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF
DWELLINGHOUSE AT 10A, ABERGELDIE ROAD, BALLATER
(PAPER 3)**

41. Andrew Thin advised the Committee that Elaine Farquharson-Black, a representative for the applicant, had requested to address the Committee. David Gauld, Architect for the application did not wish to address the Committee but was available to answer any questions. Sheila Sedgewick, representative for the

- Ballater & Crathie Community Council did not wish to address the Committee but was available to answer any questions. The Committee agreed the requests.
42. Andrew Tait presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
 43. Elaine Farquharson-Black, representative for the applicant, addressed the Committee.
 44. Members were invited to ask questions of both Elaine Farquharson-Black, David Gauld and Sheila Sedgewick.
 45. Andrew Thin thanked Elaine Farquharson-Black, David Gauld and Sheila Sedgewick.
 46. The Committee discussed the application and the following points were raised:
 - a) Details contained in the tree survey report.
 - b) The importance of the Conservation Area to the amenity of Ballater.
 - c) Concern that if the application was approved, how the approval may impinge on ongoing legal action against the unauthorised tree felling which had taken place on the site.
 - d) Clarification of what, in planning terms, constitutes an infill site.
 - e) Concern that if the application was approved it would set a precedent for similar developments in other parts of Ballater.
 47. Douglas Glass proposed a Motion that the application be refused for the reasons stated in the report. This was seconded by Bruce Luffman.
 48. There was no amendment proposed.
 49. The Committee agreed to refuse the application for the reasons stated in the report.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR USE OF LAND FOR NATURAL BURIAL SITE, CONSTRUCTION OF ACCESS AND CAR PARK AT WOODLAND NORTH-EAST OF CNOCAN-A-BHEALIDH, DELLIFURE, GRANTOWN ON SPEY
(PAPER 4)**

50. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
51. The Committee discussed the application and the following points were raised:
 - a) Possible safety issues regarding the relatively narrow road used to gain access to the site.
 - b) Clarification of how many burial plots the site would be able to accommodate.
 - c) Clarification over how many years the burial site may take to reach full capacity.
 - d) Clarification of how the burial plots would be indicated on the site.
 - e) The possibility of future development on the site once the burial ground had reached full capacity.
 - f) The potential for planning gain.
 - g) The possibility of increasing the amount of car parking included in the proposal.
52. The Committee agreed to approve the application subject to the conditions stated in the report with an amendment to condition no. 10 to state that the car parking facilities should be monitored and reviewed once the development was in operation and an increase in provision made if necessary.

ANY OTHER BUSINESS

53. Bob Wilson informed the Committee that the Police had erected a security fence within the AHR boundary fence for the Political Party Conferences being held at AHR.

DATE OF NEXT MEETING

69. Friday, 10th March 2006, The Richmond Memorial Hall, Tomintoul.

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 13:15hrs.