
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held within Ben Mhor Hotel, Grantown-on-Spey on 24th March 2005 at 10.30am

PRESENT

Eric Baird	Eleanor Mackintosh
Duncan Bryden	Anne MacLean
Sally Dowden	Alastair MacLennan
Basil Dunlop	Sandy Park
Douglas Glass	Andrew Rafferty
Angus Gordon	David Selfridge
Lucy Grant	Sheena Slimon
Marcus Humphrey	Andrew Thin
Bruce Luffman	Susan Walker
Willie McKenna	Bob Wilson

IN ATTENDANCE:

Don McKee	Andrew Tait	Mary Grier
Neil Stewart	Pip Mackie	

APOLOGIES:

Stuart Black	Joyce Simpson
David Green	Richard Stroud
Gregor Rimell	

WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from Stuart Black, David Green, Gregor Rimell, Joyce Simpson & Richard Stroud.

MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 11th March 2005, held in Newtonmore were approved.
4. There were no matters arising.

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

5. Sheena Slimon declared an interest in Planning Application No.'s 05/104/CP & 05/118/CP.
6. Alastair MacLennan declared an interest in Planning Application No. 05/106/CP and Item No. 10 on the Agenda (Paper 4).

PLANNING APPLICATION CALL-IN DECISIONS (Oral Presentation, Neil Stewart)

7. 05/103/CP - No Call-in

Sheena Slimon declared an interest but chose not to leave the room.

8. 05/104/CP - No Call-in

9. 05/105/CP - No Call-in

Alastair MacLennan declared an interest but chose not to leave the room.

10. 05/106/CP - No Call-in

11. 05/107/CP - No Call-in

12. 05/108/CP - No Call-in

13. 05/109/CP - No Call-in

14. 05/110/CP - No Call-in

15. 05/111/CP - No Call-in

16. 05/112/CP - No Call-in

17. 05/113/CP - No Call-in

18. 05/114/CP - No Call-in

19. 05/115/CP - No Call-in

20. 05/116/CP - The decision was to Call-in this application for the following reason:

- The development is for the construction of a new vehicle track in an open countryside area which also involves the crossing of a watercourse. The development therefore raises issues in relation to landscape impact, nature conservation and precedent and therefore is deemed to be generally significant to the collective aims of the National Park.

21.05/117/CP - The decision was to Call-in this application for the following reason:

- The development represents the formation of a residential unit in a Restricted Countryside Area in proximity to Listed Buildings and associated with an existing holiday/tourism based business. The proposal therefore raises issues relating social and economic development, housing in the countryside, cultural heritage and precedent. As such it is viewed, as being of general significance to the collective aims of the National Park.

22.05/118/CP - Sheena Slimon declared an interest and left the room. The decision was to Call-in this application for the following reason:

- The development, although modest in scale, represents the establishment of commercial type development outwith a settlement and in proximity to the A9, where national, structure and local plan policies, although under review, provide a presumption against this type of development. The proposal therefore raises issues in relation to planning policy, economic development, sustainable business, development, and precedent on a main route through the National Park. It is therefore deemed to be significant to the collective aims of the National Park.

Sheena Slimon returned.

23.05/119/CP - The decision was to Call-in this application for the following reason:

- The development is for a residential development adjoining Nethy Bridge but located within an area safeguarded as amenity woodland where extensive informal recreation uses, in particular walking routes, exist. It is known that capacity at the Nethy Bridge Waste Water Treatment Works is restricted. The development therefore raises issues in relation to, social and economic development in the form of housing and affordable homes provision, natural heritage in respect of trees, habitats, and potential for pollution and impacts on existing recreational uses. As such the proposal is deemed to be generally significant to the collective aims of the National Park.

24.05/120/CP - The decision was to Call-in this application for the following reason:

- The development is for a sizeable residential development on land in Nethy Bridge which is partly allocated for housing but also includes an area of open space which is safeguarded in the Badenoch and Strathspey Local Plan. It is known that capacity at the Nethy Bridge Waste Water Treatment Works is restricted. The development therefore raises issues in relation to social and economic development, in the form of housing and affordable homes provision, and natural heritage in the form of landscape character and potential for pollution. As such the proposal is deemed to be generally significant to the collective aims of the National Park.

25.05/121/CP - No Call-in

26.05/122/CP - No Call-in

27.05/123/CP &
05/124/CP - No Call-in

28.05/125/CP - The decision was to Call-in this application for the following reason:

- The development is to extend the time period of this existing peat extraction operation. The site is in an open exposed landscape within a wider Area of Great Landscape Value. There are also natural heritage designations in the area. The proposal therefore raises issues in relation to nature conservation, sustainable use of resources, sustainable economic development, and landscape impact. As such it is deemed to be of general significance to the collective aims of the National Park.

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

29. It was agreed that comments be made to the Local Authorities on Planning Application No's 05/106/CP, 05/107/CP & 05/115/CP.

30. The Highland Councillors declared an interest and left the room.

31. It was agreed to submit the following comments to Highland Council on Planning Application No. 05/106/CP & 05/107/CP:

In the interests of conserving and enhancing the natural and cultural heritage of this area, the CNPA suggests that, if acceptable at all, the siting and scale of the house is carefully considered in relation to the Badenoch and Strathspey Local Plan Policies which recognise the importance of the location for its character and as a local amenity, recreational and natural resource for the Nethy Bridge community. In

this respect, the susceptibility of the site to flooding should also be a consideration. In addition, the Council should be aware that in the recent approved upgrade of the Waste Water Treatment Plant at Nethy Bridge, no additional capacity is provided for developments which do not already have approval. This development should therefore not prejudice the provision of infrastructure to serve existing and future local housing needs.

32. It was agreed to submit the following comments to Highland Council on Planning Application No. 05/115/CP:

The CNPA does not object to this proposal. However, in the interests of conserving the natural and cultural heritage of this part of the National Park, the CNPA wish to ensure that the development which lies in a remote location, does not have any adverse landscape impacts or adverse effects on the cultural heritage of the building. In this respect, the CNPA suggests that the thatched roof may be considered as inappropriate as an extension to this building. It is suggested that slate or traditionally profiled corrugated iron would be more appropriate in this instance.

33. The Highland Councillors returned.

REPORT ON APPEAL AGAINST NON-DETERMINATION OF CALLED-IN PLANNING APPLICATION FOR ERECTION OF DWELLINGHOUSE AT LAND AT CORNER OF A86 AND BALGOWAN ROAD, BALGOWAN, NEWTONMORE (Paper 1)

34. Don McKee advised the Committee that the Applicants had decided to withdraw their Appeal from the Scottish Executive and return to negotiations with the CNP planners to try and achieve a mutual satisfactory outcome.

35. The Committee briefly discussed the application and the following point was raised:

- a) Confirmation was sought that works had not already started on site.
- b) What were the applicants intentions for the house, e.g. bed and breakfast or guest house?

36. The Committee agreed to defer the application to allow for further discussion with the Applicants.

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF DWELLINGHOUSE AT LAND ADJOINING COYLUM HOUSE, COYLUMBRIDGE, AVIEMORE (PAPER 2)

37. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.

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

- a) Sightlines from the proposed access.

- b) Cumulative impact of houses along river sides and possible contamination from fertilisers etc. used on the attached garden ground.
 - c) The possibility of including an opportunity for planning gain.
39. The Committee agreed to approve the application subject to the conditions stated in the report.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR CONSTRUCTION OF MOUNTAIN BIKE TRAIL AT GLENMORE LODGE NATIONAL OUTDOOR TRAINING CENTRE, GLENMORE
(Paper 3)**

40. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
41. The Committee approved the application subject to the conditions stated in the report.

42. Sheena Slimon left the meeting.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF DWELLING AT LAND OPPOSITE EASTER CULREACH, NETHY BRIDGE
(Paper 4)**

43. Alastair MacLennan declared an interest and left the room.
44. Andrew Tait presented a paper recommending that the Committee refuse the application for the reasons stated in the report.
45. Andrew Thin advised that requests to address the Committee had been received from the applicants, Mr & Mrs Barnett and from a representee, Mr Lawson. The Committee granted their requests.
46. Mrs Barnett addressed the Committee.
47. Mr Lawson addressed the Committee.
48. Questions were invited from Members. Mrs Barnett and Mr Lawson answered the Members questions.
49. Mrs Barnett and Mr Lawson were given the opportunity to question each other.
50. Andrew Thin thanked Mrs Barnett and Mr Lawson.
51. The Committee discussed the report and following points were made:
- a) The importance of affordable local housing for local people.
 - b) The visibility splay sightline to the south.
 - c) The prominence of the proposed house.
 - d) The setting of a precedent for future in-fill development in the same area.
 - e) The restrictiveness of a Section 75 Legal Agreement.
 - f) The porosity of the site.
52. Andrew Rafferty proposed a Motion to Approve the application subject to a Section 75 Legal Agreement. This was seconded by Willie McKenna. Bruce Luffman proposed an Amendment to Refuse the application for the reasons stated in the report. This was seconded by Bob Wilson.

The vote was as follows:

NAME	MOTION (Approve)	AMENDMENT (Refuse)	ABSTAIN
Eric Baird		√	
Duncan Bryden		√	
Sally Dowden	√		
Basil Dunlop	√		
Douglas Glass		√	
Angus Gordon	√		
Lucy Grant	√		
Marcus Humphrey		√	
Bruce Luffman		√	
Willie McKenna	√		
Eleanor Mackintosh	√		
Anne MacLean	√		
Sandy Park		√	
Andrew Rafferty	√		
David Selfridge	√		
Andrew Thin		√	
Susan Walker		√	
Bob Wilson		√	
TOTAL	9	9	0

53. As the vote was tied Andrew Thin, Convenor, cast a deciding vote. This was in favour of the Amendment.

54. The Committee refused the Application for the reasons stated in the report.

ANY OTHER BUSINESS

55. There was no other business.

DATE OF NEXT MEETING

56. Friday 8th April, Carrbridge.

57. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.

58. The meeting concluded at 12:30hrs.