
CAIRNGORMS NATIONAL PARK AUTHORITY

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

PRESENT

Eric Baird	Anne McLean
Stuart Black	Alastair MacLennan
Duncan Bryden	Sandy Park
Basil Dunlop	Andrew Rafferty
Lucy Grant	Gregor Rimell
David Green	Sheena Slimon
Marcus Humphrey	Richard Stroud
Bruce Luffman	Andrew Thin
Willie McKenna	Susan Walker
Eleanor Mackintosh	Bob Wilson

IN ATTENDANCE:

Don McKee	Andrew Tait
Mary Grier	Pip Mackie

APOLOGIES:

Sally Dowden	David Selfridge
Douglas Glass	Joyce Simpson
Angus Gordon	

WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from the above Members.
3. Andrew Thin advised Members that this was the last day that Sally Dowden and Joyce Simpson were Members of the CNPA Board. Andrew Thin advised that an announcement would be made shortly regarding their replacements.
4. Andrew Thin informed Members that he had written a letter to Fergus Ewing MSP, offering the Board's condolences on the recent death of his wife, Margaret Ewing.

MATTERS ARISING FROM THE PREVIOUS MEETING

5. The minutes of the previous meeting, 10th March 2006, held at The Richmond Memorial Hall, Tomintoul were approved.
6. There were no matters arising.

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

7. Andrew Rafferty declared an interest in Planning Application No. 06/089/CP.

PLANNING APPLICATION CALL-IN DECISIONS (Oral Presentation, Andrew Tait)

8. 06/076/CP - No Call-in
9. 06/077/CP - No Call-in
- 10.06/078/CP - No Call-in
- 11.06/079/CP - No Call-in

- 12.06/080/CP - The decision was to call-in the application for the following reason :
 - The proposal represents a significant redevelopment of a brownfield site, including a bar restaurant and staff accommodation. The site is located at a prominent key entrance point to the village of Newtonmore. The application raises issues relating to economic development, tourism, housing and landscape. The proposal therefore raises issues of general significance for the collective aims of the Cairngorms National Park.

- 13.06/081/CP - No Call-in
- 14.06/082/CP - No Call-in
- 15.06/083/CP - No Call-in
- 16.06/084/CP - No Call-in
- 17.06/085/CP - No Call-in

- 18.06/086/CP - The decision was to call-in the application for the following reason :
 - This reserved matters proposal represents a mixed use development on a prominent brownfield site situated near to the southern entrance to Aviemore. It raises issues relating to social and economic development, provision of affordable housing, visual impact, design, and impacts on mature trees. As such, it is viewed as raising issues of general significance to the collective aims of the National Park.

19.06/087/CP - No Call-in
20.06/088/CP - No Call-in

21.06/089/CP - Andrew Rafferty declared an interest and left the room.
No Call-in
Andrew Rafferty returned.

22.06/090/CP - No Call-in
23.06/091/CP - No Call-in
24.06/092/CP - No Call-in

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 06/077/CP, 06/090/CP & 06/092/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 DESIGN REVISION TO PROPOSED BUILDING GRANTED PLANNING PERMISSION UNDER BS/02/119 LAND BETWEEN A889 AND RIVER TRUIM, NEAR DALWHINNIE JUNCTION, A9, DALWHINNIE (PAPER 1)

26. Andrew Thin advised that Philip Flockhart, Agent, had requested to address the Committee and that the Applicant, Stuart Hutton, was available for questions.

27. The Committee agreed to the request.

28. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report with an additional condition stating that the proposed development should be connected to the existing public water supply as per Scottish Water's recommendation and the addition of an Advice Note to the Applicant also regarding the water supply.

29. Philip Flockhart addressed the Committee.

30. Members were invited to ask questions of Philip Flockhart and Stuart Hutton.

31. Andrew Thin thanked Philip Flockhart and Stuart Hutton.

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

- a) The aesthetics of the 'unclimbable fence' as requested by Trunk Roads.
- b) The proposed development being a significant improvement on the previously submitted design.
- c) Concern over the 'spine' on the roof of the proposed building and the possibility of it being too harsh a contrast against the contours of the local landform.
- d) The possibility of the 'spine' on the roof of the proposed building being amended to a more curved appearance.
- e) The apparent urban background of members on the Architecture & Design Scotland advisory panel.
- f) The proposed development being at the gateway to the Park.
- g) The possibility of including Scots Pine in the proposed landscaping plan.
- h) Concern regarding the signage associated with the development.

- i) The possibility of takeaway food from the café having an impact on existing local businesses.
 - j) The open landscape of the surrounding area.
 - k) Circular designed structures playing an important part in Highland building history.
 - l) The durability of the proposed building.
 - m) The possibility of including more sustainable elements in the proposed development.
 - n) Clarification on how the proposed development may impact on visitor services in the local area.
 - o) The possibility of agreeing a management scheme regarding the tourism information section of the development.
 - p) The earthworks that will take place on the site when building commences, should the building be approved.
 - q) The proximity of the proposed development to the nearby Wade Bridge.
33. Sandy Park proposed a Motion to approve the application subject to the conditions stated in the report and an amendment to condition no. 11 to specify 'all' signage. This was seconded by Anne MacLean.
34. Richard Stroud proposed an Amendment to approve the application subject to the conditions stated in the report and an amendment to condition no. 11 to specify 'all' signage and to seek amendments to the visual appearance of the 'spine' ridge wall on the roof of the proposed building to the satisfaction of the CNPA Officials. This was seconded by Bruce Luffman.
- The vote was as follows:

NAME	MOTION	AMENDMENT	ABSTAIN
Eric Baird		√	
Stuart Black		√	
Duncan Bryden	√		
Basil Dunlop		√	
Lucy Grant		√	
David Green	√		
Marcus Humphrey		√	
Bruce Luffman		√	
Willie McKenna		√	
Eleanor Mackintosh	√		
Anne MacLean	√		
Alastair MacLennan	√		
Sandy Park	√		
Andrew Rafferty	√		
Gregor Rimell	√		
Sheena Slimon	√		
Richard Stroud		√	
Andrew Thin	√		
Susan Walker	√		
Bob Wilson	√		
TOTAL	12	8	0

35. The Committee agreed to approve the application subject to the conditions stated in the report, with an additional condition stating that the proposed development should be connected to the existing public water supply as per Scottish Water's recommendation and the addition of an Advice Note to the Applicant also regarding the water supply and an amendment to condition no. 11 to specify 'all' signage.

ANY OTHER BUSINESS

36. Andrew Rafferty sought clarification if there were any planning controls over the outside illumination of a domestic dwelling, with reference to a property in the Drumochter Pass. Don McKee informed the Committee that it may depend if it were a business premises. Members advised that the property operated as a Bed & Breakfast. Don McKee advised the Committee that CNPA staff would investigate the matter in liaison with Highland Council.
37. Willie McKenna queried if there had been any progress made regarding the issue of unauthorised Pylons signage along the A9. Andrew Tait replied that the CNPA had been working with Highland Council to try and resolve the matter. Andrew Tait advised that the next step was to issue a letter to Cairngorms Revolt Against Pylons and the landowner.
38. Bruce Luffman requested an update on the timeframe for the CNP Local Plan. Don McKee advised that the consultation period on the draft Local Plan had closed at the end of February 2006. CNPA staff were currently working on the consultation report which should be available at the end of May, followed by a finalised version of the Local Plan to the Committee for approval in July, with a view to the finalised version going on deposit in October/November. After the finalised version had gone on deposit there would then be another round of public consultation, which under statutory regulations should last for 6 weeks, however the CNPA would probably allow 10 – 12 weeks for this consultation period.
39. Sheena Slimon sought clarification over which authority was responsible for monitoring and enforcing planning permissions. Don McKee responded that under the protocol agreement, the CNPA were responsible for monitoring and enforcing any planning permissions decided by the CNPA and the Local Authorities were responsible for the applications they had decided.
40. Bruce Luffman advised that there was currently a venture between Aberdeenshire Council and Aberdeen City Council to train someone in the area of Planning Gain for the Aberdeen City Council (Aberdeenshire Council already have an Officer to cover this field) and wondered if this was an area of training that the CNPA may be interested in. Don McKee responded that Planning Gain would have to be a policy decision and need to be applied Park wide. Don McKee advised that this subject could be discussed at the next protocol meeting with the Local Authorities.
41. Andrew Thin advised that the Pylons site visit and discussion would take place on 21st April 2006 and asked for Members agreement to the following arrangements. The Finance Committee due to be held on this date would be postponed. The Planning Committee would be held in the Dalwhinnie Village Hall, starting at 9:30am and would only deal with the Call-in report. After the Planning Committee, Members would attend a site visit from 10:30 until 1pm to see particular points along the proposed Pylons route. Andrew Thin advised

Members that 4 wheel drive vehicles would be necessary for this site visit. Once the site visit had concluded, lunch would be available in the Laggan Village Hall from 1pm. The Pylon hearing would then take place in the Laggan Village Hall from 1:45pm, where someone from SSE would be present to answer any questions Members may have. Andrew Thin requested that for the Pylons hearing Members agree to suspend Standing Orders regarding the length of time people were allowed to address the Committee and allow the Applicant 20 minutes to speak, the Representees 20 minutes to speak and the 2 Community Councils involved 10 minutes each. Andrew Thin advised Members that the days activities were to be split over the two locations due to the anticipated numbers of members of the public expected at the Pylons hearing in the afternoon which would require a larger venue. Bob Wilson advised that it may be helpful to receive a briefing paper on how pylons transmit electricity. Sandy Park queried how Representees would be attending the site visit. Don McKee advised that Planning Officials would notify the Representees of the site visit but it would then be their responsibility to arrange for transport etc. to attend the visit. Members agreed to the above requests.

DATE OF NEXT MEETING

69. Friday, 7th April 2006, Newtonmore, to be chaired by Eric Baird, Board Vice-Convenor.

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 12:35hrs.