

CAIRNGORMS NATIONAL PARK AUTHORITY

DRAFT MINUTES OF THE PLANNING COMMITTEE

held at The Community Hall, Nethy Bridge
on 26 April 2019 at 11.00am

Members Present

Peter Argyle (Vice Convener)	Douglas McAdam
Geva Blackett	Xander McDade
Carolyn Caddick	Willie McKenna
Deirdre Falconer	Ian McLaren
Pippa Hadley	Fiona McLean
Janet Hunter	Anne Rae Macdonald
John Kirk	William Munro
John Latham	Gaener Rodger
Eleanor Mackintosh (Convener)	Judith Webb

In Attendance:

Gavin Miles, Head of Planning & Communities
Emma Wilson, Planning Manager (Development Management)
Katherine Donnachie, Planning Officer
Stephanie Wade, Planning Officer
Peter Ferguson, Legal Adviser, Harper MacLeod LLP
Margaret Smith, PA to CEO and Convener
Dot Harris, Planning Administration & Systems Officer

Apologies: Derek Ross

Agenda Items 1 & 2:

Welcome & Apologies

- I. The Convener welcomed all present especially John Kirk and Deirdre Falconer new Board Members who were both attending their first Planning Committee meeting.

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Agenda Item 3:

Minutes & Matters Arising from the Previous Meeting

2. The minutes of the previous meeting, 22 March 2019, held in the Community Hall, Boat of Garten, were approved with the following amendments.
 - a) **Item 6** - minute does not reflect nature of discussion. Gavin Miles to insert a paragraph to indicate that member put forward motion for the application to be refused which was seconded.
 - b) **Item 5 Para 15** – (applicant) and (architect) to be changed around as they refer to the wrong people.
3. There were no matters arising.
4. The Convener provided an update on the Action Points from the previous meeting:
 - a) **Action Point at Para 5i) In Hand** – Planning Committee Convener to write to Dave Fallows to thank him for his contribution to the Planning Committee over the years.
 - b) **Action Point at Para 34i) Closed** – site visit in Corgarff to be programmed for the next Planning Committee on 24th May 2019, to be held in or near Strathdon. Meeting will take place at the Lecht.
5. **Action Point Arising: None.**

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

6. Geva Blackett declared a Direct interest in:
Item No. 5 Reason: Local Councillor and involved with members of the public so should leave the room.
7. William Munro declared an Indirect interest in:
Item No 5 – Reason: Employee of Aberdeenshire Council which formerly owned site but had no part in this application.
Item No. 7 Reason: His son lives nearby.
7. Eleanor Mackintosh declared an Direct interest in:
Item No. 6 Reason: Sits on Tomintoul & Glenlivet Partnership Board.
8. All Members declared an Direct interest in:
Item No. 6 Reason: The Cairngorms National Park Authority are the lead partner in the T&G Landscape Partnership Project.

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9. Geva Blackett left the meeting room.

Agenda Item 5:

Application for Detailed Planning Permission (2019/0003/DET) & Application for Listed Building Consent (2019/0006/LBC)

Conversion of School to 10 Dwellinghouses, Reinstatement of Schoolhouses to form 2 Dwellinghouses, Erection of 1 Dwellinghouse and 11 Flats (Affordable Houses), Formation of Car Park, Access and Alterations to Boundary Walls At Ballater Old School, Abergeldie Road, Ballater, Aberdeenshire, AB35 5RR Recommendation: Approve Subject to Conditions

10. The Convener advised that the applicant, Grampian Housing Association's Neil Clapperton had expected to attend the meeting but was not present. The Convener informed Members that Fiona Presslie of Ballater & Vicinity Community Council was present to address the Committee.
11. Katherine Donnachie, Planning Officer presented the paper to the Committee.
12. The Committee were invited to ask points of clarity. The following point was raised:
 - a) In the new application the planned layout of trees in bottom left corner of the landscape plan was different to original application. Would the silver birch be retained? KC to check the tree survey plan and get back to committee.
 - b) Car parking on the street is available to any members of the public and will not allocated parking for the new houses.
 - c) Snow clearing in the car park will prove difficult as nowhere to put snow. Suggestion of an in/out to the car park to assist with this put forward. Committee were told that the applicants will be responsible for the upkeep of the car parks. The car park will not be adopted by the Council.
 - d) Conservation – condition 10: Have existing swift nest locations been catalogued to protect against loss of nests? Survey for birds and bats had been done by the applications. Swift Protection Plan and a Bat Protection Plan have been provided.
13. Fiona Presslie, Ballater & Vicinity Community Council gave a presentation.
 - a) Community Council objected to original application.
 - b) Alternative Plan for the site supported by local residents.
 - c) Petition signed by local residents was given to Community Council and after discussion with Grampian Housing the alternative plan was put forward and supported by Community Council.
14. The Convener thanked the speaker.
15. The Committee were invited to discuss the report, the following points were raised:

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- a) Grampian Housing was thanked for taking community concerns into account and putting in an alternative design plan.
- b) Members put forward that they totally supported the development.
- c) Visualisations were extremely helpful.

16. **The Committee agreed to approve the application as per the Officer's recommendation.**

17. **Action Point arising:**

- i. **Condition 1 to be removed.**
- ii. **KD to investigate Tree Survey and see if silver birch can be saved.**
- iii. **EM to write to Grampian Housing thanking them for taking community concerns on board and revising their application to reflect the concerns.**

18. Eleanor Mackintosh left room, Geva Blackett came back.

Agenda Item 6:

Application for Detailed Planning Permission (2019/0005/DET) & Application for Listed Building Consent (2019/0018/LBC)

Restoration and repair of mill buildings including formation of access paths and one car parking space

At Scalan North and South Mill, Chapelton, Ballindalloch, Moray

Recommendation: Approve Subject to Conditions

19. Stephanie Wade, Planning Officer presented the paper to the Committee.
20. The Committee were invited to ask the Planning Officer points of clarity. The following was raised:
 - a) Condition 5 – seeding mix needs to be in keeping with local grassland rather than a mix of robust grasslands to ensure the visual aspect is kept as it is. Applicant looking to have seeding mix to blend in to the local landscape but Condition will ensure that nothing inappropriate is used.
21. The Vice-Convenor invited the Committee to discuss the report, the following point was raised:
 - a) Buildings were of considerable cultural heritage value both locally and nationally and members agreed that the application was excellent with regards to conserving the cultural and built heritage and was commended by Members.
22. **The Committee agreed to the application subject to the conditions stated in the report.**

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23. **Action Point arising: None.**

24. Eleanor Mackintosh returned to room.

Agenda Item 7:

Application for Matters Specified in Conditions (2019/0040/MS) Installation of half barriers to Dalfaber Level Crossing in accordance with condition 20 of 07/00093/OUTBS (as amended by 14/03676/S42) at Level Crossing Dalfaber Drive, Aviemore

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Application for Matters Specified in Conditions (2019/0041/MS) Installation of half barriers to Dalfaber Level Crossing in accordance with condition 21 of 07/00094/OUTBS (as amended by 14/03675/S42) at Level Crossing, Dalfaber Drive, Aviemore

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Application for Matters Specified in Conditions (2019/0011/MS) Allocation of affordable housing units in accordance with condition 21 of 07/00093/OUTBS (as amended by 14/03676/S42) in conjunction with application reference 18/05859/MS at Land North West of Dalfaber Farm, Dalfaber Drive, Aviemore, Highland

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Application for Matters Specified in Conditions (2019/0042/MS) Allocation of affordable housing units in accordance with condition 22 of 07/00094/OUTBS (as amended by 14/03675/S42) in conjunction with application reference 18/05857/MS at Land North West and South Of Former Steadings, Dalfaber Farm, Dalfaber Drive, Aviemore

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**Application for Matters Specified in Conditions (2019/0012/MS) Restoration of dwelling in accordance with condition 23 of 07/00094/OUTBS (as amended by 14/03675/S42) at Dalfaber Farm, Dalfaber Drive, Aviemore, Highland
Recommendation: Approve Subject to Conditions**

25. Emma Wilson, Planning Manager presented the paper to the Committee.

26. The Committee were invited to ask the Planning Officer points of clarity. The following were raised:

- a) Legal agreement – are applicants aware of this agreement – yes
- b) Plot 75 objection from Heather Cottage regarding privacy – this point had been addressed previously and it was established that there was no material concern regarding the privacy.

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- c) Could the Dalfaber Farm House name be kept? It was noted that this was not something that could be enforced through the planning system. The applicants noted they were happy to do so voluntarily.
27. The Convener invited the Committee to discuss the report.
28. **The Committee agreed to the discharge of conditions referred to in the application subject to the conditions stated in the report.**
29. **Action Point arising:** None.

Agenda Item 8:

Planning Service Priorities 2019/20

30. Gavin Miles, Head of Planning and Communities presented the paper to the Committee.
- a) Priority 6 for next year to be removed from the list as this is something which is done routinely.
 - b) Amber's marks on previous year's update were mainly due to staff shortages during the year.
31. The Convener invited the Committee to discuss the report, the following points were raised:
- a) Recruitment underway at the moment and hopefully once recruitment finished then the priorities should be met during the next year.
 - b) Replacing staff who move can be difficult.
 - c) Table 2, Number 4 – Need to be aware that short-term letting is good for communities and brings in money. A member noted that it was important not to criticise second homes, short term letting or holiday accommodation providers general but that the CNPA should also be aware that second homes are causing a real issue in some communities.
 - d) It was difficult to get accurate data on Air B&B letting but the planning team hoped to get more accurate data over time.
 - e) Data collection is very important so good to see that this is getting done.
 - f) Monitoring hill tracks also taken into account.
 - g) Learning from where things did not take place.
 - h) Size of houses being built – could this be restricted as often houses are replaced by very large ones which are beyond the reach of local people.
 - i) Hill tracks – a member explained that they were needed to help extinguish fires on moors.
 - j) Arial photography – this has been very useful as it helps provide evidence if there is an issue on what has been done.

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- k) CUAG group looking at hill tracks issues as well and investigating whether there needs to be a code - further information will be put to the Board at a later date.
 - l) Good to see ideas about the training programme. Previous the Board discussed the negative impact of motor homes etc. This is an increasing issue so might need some discussion/training. This will be brought back to the Board at an appropriate time.
 - m) Electricity - The way businesses and tourism property interact with electricity networks is changing. Should a pilot scheme be set up in the Park to help manage this process? CNPA will have discussions with Scottish and Southern to see if anything can be set up.
 - n) Good to see a legacy moving on from last year's young people inclusion. This a corporate commitment and not just a planning one.
32. The Committee considered and approved the proposed planning service priorities for 2019/20.
33. **Action Point arising: None.**

Item 9:

Any Other Business

34. Gavin Miles provided the following updates:
- a) **Pitmain Right of Way Hearing.** Appeal had been taken forward with Reporter visiting site. Waiting for results.
 - b) **Carrbridge Hotel Car Park Appeal.** CNPA provided information and our own statement to Appeal Board.
 - c) **ACM** - decision notice will be issued next week – legal agreement has been signed, registered and necessary checks been done.
 - d) **Spittal of Glenshee Hotel** was cleaned up by end of March – Gavin has a few photos. Site had been improved by removal of rubbish. Still work to be done on site.
 - e) **LDP consultation** closed last Friday – 207 proposals. Team working through that at the moment. Feedback over summer months.
 - f) **Sustainable Renovation Event** held last night in boat of Garten – Pebble Trust produced report and hosted event.
 - i. Good mix of attendees including planners, architects, and members of the community.
 - ii. This was about gathering people together to talk about planning issues along with climate change issues.

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- iii. Main messages were that it was a really important issue – 50% of Scotland's carbon issues tied up with how we heat our houses. This not an easy issue to be resolved.
 - iv. Showed the need for partners to work together to try to solve problem.
 - v. Might be potential to have discussions with Scot Gov to try and bring in new money to help improve the existing housing stock.
 - vi. Organisers have further funding to set up similar events in other parts of Scotland so hopefully one nearer Aberdeen.
 - vii. Bigger public message needs to be put out regarding quality of work.
 - viii. Private rented sector looking at EPC requirements which will put a lot of pressure on private renters.
 - ix. If a house is being renovated then building control will not be involved to the same extent as for new houses. Building standards are not as strict as for a new house. Should building control be more involved, possibly but also builders need to know how to do the work properly and also owners need to know what is necessary.
 - x. Need to work out how to get the message out there – possibly through more engagement events.
 - xi. Health issues are a major concern, especially with damp housing.
 - xii. Heat Project funded by Scottish Climate change used in the Glenshee area – aimed at trying to persuade people to upgrade houses worth looking at. Janet to circulate link to this report.
 - xiii. Key message if you are going to upgrade your home then take the time to get expert advice. Talk to builders merchants for advice.
- g) Nethy newsletter distributed to Members.
 - h) Cairngorms Nature Big Weekend over 11/12 May.

35. **Action Point arising: None**

Agenda Item 10:

Date of Next Meeting

36. Friday 24th May 2019 at The Lecht.

37. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Clerk to the Board, Alix Harkness.

38. The public business of the meeting concluded at 12.50.