

---

# CAIRNGORMS NATIONAL PARK AUTHORITY

---

## MINUTES OF THE PLANNING COMMITTEE

held within Village Hall, Braemar  
on 24<sup>th</sup> September 2004 at 10.30am

### PRESENT

Mr Peter Argyle	Ms Anne MacLean
Mr Eric Baird	Mrs Eleanor Mackintosh
Mr Stuart Black	Mr Alastair MacLennan
Mr Duncan Bryden	Mr David Selfridge
Ms Sally Dowden	Mrs Joyce Simpson
Mr Basil Dunlop	Mrs Sheena Slimon
Mr Douglas Glass	Mr Richard Stroud
Mr Angus Gordon	Mr Andrew Thin
Mrs Lucy Grant	Mrs Susan Walker
Mr Bruce Luffman	Mr Bob Wilson
Mr Willie McKenna	

### IN ATTENDANCE:

Don McKee	Andrew Tait
Neil Stewart	Fiona Munro
Pip Mackie	Sandra Middleton

### APOLOGIES:

Mr David Green	Mr Gregor Rimell
Mr Andrew Rafferty	

### WELCOME AND APOLOGIES

1. The Convenor welcomed all present
2. Apologies were received from David Green, Andrew Rafferty and Gregor Rimell.

### MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 10th September 2004, held at Cromdale were approved subject to item 69 being amended.

4. Andrew Thin advised the Committee that he had written to BT to ask that the CNPA receive a formal consultation request regarding the proposal to remove telephone boxes at various locations. BT had confirmed that the CNPA would be consulted and that there would be 42 days in which to respond from the date of receiving the consultation.

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

5. Willie McKenna declared an interest in Item 7 (Paper 1) on the Agenda.
6. Basil Dunlop declared an interest in Item 7 (Paper 1) on the Agenda and stated he would remain for the discussion but not take part in any vote.

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

7. 04/454/CP - No Call-in
8. 04/455/CP - No Call-in
9. 04/456/CP - No Call-in
10. 04/457/CP - No Call-in
11. 04/458/CP - No Call-in
12. 04/459/CP - No Call-in
  
13. 04/460/CP - The decision was to Call-in this application for the following reason:
  - The proposal represents the erection of single new house in an area designated as Restricted Countryside in the Badenoch and Strathspey Local Plan where there is a presumption against new houses unless justified for land management purposes. The site is located adjacent to the Inch Marshes National Nature Reserve and in a position close to a public road and tourist route. For these reasons and because of the potential cumulative impact of single houses on the landscape of the National Park it is a proposal which is deemed to raise issues of general significance to the collective aims of the Park.
  
14. 04/461/CP - No Call-in

#### **COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE**

15. It was agreed that comments be made to the Local Authorities on applications 04/458/CP and 04/461/CP.

16. The Highland Councillors declared an interest in both applications No.'s 04/458/CP and 04/461/CP and left the room.

17. The Committee agreed to submit the following comments to the Highland Council on application 04/458/CP;

The CNPA raises no objection to the provision of this small scale recreation based development. However, it is noted that the site is located in proximity to a site of archaeological importance. In the interests of conserving the cultural heritage of this part of the National Park, it is suggested that measures are taken during the process of determination of this application, to ensure that the integrity of these archaeological remains are not adversely affected. It is also suggested that the applicants are required to remove the structures if and when they are no longer required.

18. The Committee agreed to submit the following comments to the Highland Council on application 04/461/CP;

The CNPA accepts the principle of temporary signage to advertise this new residential development but suggests that, in the interests of reducing visual and landscape impacts along this busy public road, the number of signs be reduced to one signboard located near to the entrance to the site and that conditions are attached to ensure that the signs are removed on completion of the development and maintained in a neat and tidy condition at all times.

The Highland Councillors returned.

**REPORT ON CALLED-IN PLANNING APPLICATION FOR THE LANDSCAPE PROPOSALS FOR CAIRNGORM MOUNTAIN CAR PARK AT CAIRNGORM SKI AREA, AVIEMORE  
(Paper 1)**

19. Willie McKenna declared an interest and left the room.

20. Basil Dunlop declared an interest but chose to remain for the discussion whilst not taking part in any vote.

21. Stuart Black and Susan Walker advised the Committee that although SNH had provided comments on this application they had not been involved in this process.

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

23. Joyce Simpson queried who would be responsible for approving the materials used for the dry stone dyking in the proposal. Andrew Tait responded that it would be the CNPA Planning Officers and that Joyce Simpson could be involved in this process if she so wished. JS confirmed that she would like to be involved with the process.

24. Richard Stroud queried if the conditions could specifically include the need for locally sourced vegetation and seeds to be used in the planting process. Andrew Tait confirmed

that this would be possible and that the applicant could be pointed towards the CNPA Natural Resources Group and SNH for further guidance.

25. Sue Walker queried if the Advices incorporated at the end of the planning paper were standard practice, and if so, should they be included for all applications dealt with by the CNPA. Andrew Tait responded that it was good practice to include these where attention had been drawn to specific information by the consultees, especially when they included specific contact details.
26. Duncan Bryden asked if a monitoring and maintenance programme could be included in the conditions. Andrew Tait replied that a method statement had already been requested but that a condition for a monitoring and maintenance programme, as agreed by the CNPA as Planning Authority, could also be included.
27. Alastair MacLennan questioned if excavations were necessary from the rear bank in the Car Park, as the vegetation was slow growing and would take time to recover from the earthworks.
28. Andrew Tait clarified that the bank earthworks were necessary for the formation of the track to the all abilities path.
29. Peter Argyle felt that once the earthworks were complete the bank would blend in more naturally with the surrounding area.
30. The application was approved subject to the plants and seeds being sourced locally, a monitoring and maintenance programme being agreed with the CNPA and the conditions stated in the report.
31. Willie McKenna returned.

**CONSULTATION RESPONSE TO PAYING FOR WATER SERVICES 2006-2014  
(Paper 2) & CONSULTATION RESPONSE TO INVESTING IN WATER SERVICES  
2006-2014 THE QUALITY & STANDARDS III PROJECT  
(Paper 3)**

32. Fiona Munro presented two draft consultation papers recommending that the Committee agree the responses for submission to the Scottish Executive.
33. Andrew Thin advised the Committee that since the subjects of the consultation drafts were quite intricate the discussion should concentrate on the basic points and core values. Members would then be given until Tuesday evening, 28th September, in which to submit more detailed points directly to Fiona Munro.
34. General discussion arose and the main issues raised were:
  - The Committee wished the responses and the tone of language used to be more robust.
  - The responses should be strong about the fairness of charging including metering.
  - The responses should emphasise the need to spread the capital charges throughout those people who benefited from the services, but not so that it became unviable.
  - The public required more education and awareness of water and water conservation.
  - Public and private drinking water standards should be maintained.
  - The provision of water should relate closely to community planning and Scottish Water should be part of the community planning process.

- How to service and achieve long term investment in water services within the short timescales allocated, planning for the long term makes it easier to raise the capital requested.
  - Concern that the consultation papers focussed on water services for housing whilst excluding businesses.
  - Highlight water conservation.
  - Basis of charging - significant proportion should be out of general taxation.
  - To emphasise the importance of environmental issues within the National Park.
35. Fiona Munro agreed, once the Members had submitted more detailed comments, to redraft the responses and bring the papers back to the Planning Committee on 8th October 2004.

#### **ANY OTHER BUSINESS**

36. Basil Dunlop raised concern that the section of the A939, between Tomintoul and Bridge of Avon, had been closed for roadworks but that this action had completely closed the road to traffic including the touring holiday coaches. He advised that he had spoken to Bob Wilson, as the local Moray Councillor, and that perhaps the CNPA should have a policy against the complete closure of any road.
37. Bob Wilson responded that Moray Council had written to Tomintoul Community Association and that unfortunately due to lack of communication the letter had not been acted upon. If the Community Association had replied, the works could have possibly been delayed until the end of the holiday period. BW also stated that although Tomintoul Community Association had been informed of the closure it may have been useful for the surrounding Community Council's to have received this information as well and it was vital that these lines of communication were kept open. He also advised that due to technical and health and safety reasons, there was no other option but to close the road.
38. Richard Stroud advised that there was a Rangers meeting taking place in the afternoon in the Braemar Village Hall and that any Members who wished to attend would be welcome.
39. Andrew Thin advised the Committee that this meeting would be Peter Argyle's last meeting. AT thanked Peter Argyle for his contribution to the CNPA Board over the past 18 months and advised that he would be missed.
40. Andrew Thin informed the Committee that at the next meeting there would be two new Board Members, Marcus Humphrey and Sandy Park.

#### **DATE OF NEXT MEETING**

41. Friday 8<sup>th</sup> October, Glen Tanar.
42. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
43. The meeting concluded at 12.40pm.