
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at The Village Hall, Cromdale
on 26th January 2007 at 10.30am

PRESENT

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| Eric Baird | Eleanor Mackintosh |
| Stuart Black | Anne MacLean |
| Duncan Bryden | Alastair MacLennan |
| Basil Dunlop | Andrew Rafferty |
| Angus Gordon | Gregor Rimell |
| Lucy Grant | David Selfridge |
| David Green | Sheena Slimon |
| Marcus Humphrey | Richard Stroud |
| Bob Kinnaird | Susan Walker |
| Bruce Luffman | Ross Watson |
| Willie McKenna | |

IN ATTENDANCE:

| | |
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| Don McKee | Mary Grier |
| Pip Mackie | |

APOLOGIES:

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| Nonie Coulthard | Sandy Park |
| Douglas Glass | Bob Wilson |

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, 12th January 2007, held at The Ben Mhor Hotel, Grantown on Spey were approved.
4. There were no matters arising.

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

5. Ross Watson declared an interest in Planning Application No. 07/019/CP.
6. Bob Kinnaird declared an interest in Planning Application No. 07/022/CP.
7. Sheena Slimon declared an interest in Planning Application No. 07/027/CP.
8. Anne MacLean declared an interest in Item No. 10 on the Agenda.

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

9. 07/016/CP -
- 10.07/017/CP -
- 11.07/018/CP -

No Call-in

No Call-in

- 12.07/019/CP -
- Ross Watson declared an interest and left the room.
The decision was to call-in the application for the following reason :

- The proposal involves the demolition of a traditional steading and the erection of a new dwellinghouse in a countryside location which is designated as Restricted Countryside in the Badenoch and Strathspey Local Plan. This policy presumes against the development of new houses in such areas unless there is a land management justification. The site is also located within an area carrying several important natural heritage designations. The proposal therefore raises issues in relation to natural and cultural heritage, housing in the countryside policy, cumulative impact of housing in the countryside, and sustainable design. As such the proposal is considered to raise issues of general significance to the collective aims of the National Park.

Ross Watson returned.

- 13.07/020/CP -
- 14.07/021/CP -

No Call-in

No Call-in

- 15.07/022/CP -

Bob Kinnaird declared an interest and left the room.

No Call-in

Bob Kinnaird returned.

- 16.07/023/CP -

No Call-in

- 17.07/024/CP - The decision was to call-in the application for the following reason :
- The proposal is linked to a previous permission granted by the CNPA on the subject site, which raised issues in relation to natural heritage, landscape impact and social and economic development in particular. The current proposal is also considered to raise such issues and is of general significance to the aims of the National Park.
- 18.07/025/CP - The decision was to call-in the application for the following reason :
- Having regard to the overall scale of the structure which is proposed as an extension to an existing traditional steading, the nature of the facility proposed, and the fact that there are frequently used access points in the vicinity, it is considered that the development is of significance to the aims of the National Park, particularly in relation to cultural heritage, the promotion of the enjoyment and understanding of the special qualities of the area by the general public, as well as economic development.
- 19.07/026/CP - No Call-in
- 20.07/027/CP - Sheena Slimon declared an interest and left the room.
The decision was to call-in the application for the following reason :
- The proposed development is on land that is identified in the Badenoch and Strathspey Local Plan as a Forestry / Restraint area, where applicable policies support the safeguarding of a major 'park land' corridor comprising of the River Spey and Druie flood plains and surrounding lands and where it is also the policy to safeguard amenity and heritage areas on such allocated lands. The development therefore raises issues in relation to housing on the edge of the village and the development also has the potential to set a precedent for other similar developments within the National Park which cumulatively, would raise issues of general significance to the aims of the Cairngorms National Park, in particular in terms of the natural character, quality, and appearance of the area and the general landscape setting.
- Sheena Slimon returned.
- 21.07/028/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

22. The Members wished to make comments to the Local Authorities on the following Planning Application No's 07/016/CP, 07/021/CP, 07/022/CP & 07/026/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.

ANY OTHER BUSINESS

23. A request was reported from Johnnie Grant, Rothiemurchus that 'Cambusmore' should now be referred to as 'An Camus Mor'.
24. Highland Council were currently looking at changing the way Tree Preservation Orders (TPO's) were created, from via a line round an area (covering a number of trees) to designating TPO's on individual trees only. He requested that the Planning Officials look at further potential options for designating TPO's within the CNP. Don McKee advised that the Planning Officials were currently in dialogue with Local Authorities about TPO's, however, this issue would also be raised.
25. Don McKee advised Members that Angus Council had consulted the CNPA on a proposed Wind Farm development at Mountboy, near Montrose. He advised Members that due to the distance from the CNP boundary and the small scale of the development, comprising of 3 turbines, no formal report had been prepared for distribution to the Planning Committee. Don McKee requested that Members agree to submit a response to Angus Council that the CNPA had no objection to the proposed development but consideration should be given to the potential cumulative impact of Wind Farm developments in this area and the visual impact of such proposals when viewed from the South-Eastern hills in the CNP area.
26. It was requested that thanks be sent to Angus Council for consulting the CNP on the Mountboy Wind Farm proposal.

DATE OF NEXT MEETING

27. Friday, 9th February 2007 at The Albert Hall, Ballater.
28. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.

DALFABER NORTH, AVIEMORE

29. Anne MacLean declared an interest in Item No.s 9 & 10 and left the room.
30. Members agreed a formal resolution to exclude members of the public from the session on Item 9 as it involved advice from Counsel which if made public could prejudice current court action.
31. A formal report regarding the reporting of closed sessions was going to be brought to a Planning Committee for discussion in the near future. Pending that, Members agreed procedures for the current closed session, namely that the minute should record the decision reached, with reasons, and any vote should be recorded.
32. Don McKee advised that the Dalfaber Action Group (DAG) had appealed to the Court of Session against the decision of the Reporter to allow the Dalfaber North

appeal. The CNPA as Planning Authority had received a Petition requiring it if so advised to submit Answers to the Court of Session regarding DAG's challenge.

33. Don McKee distributed a paper briefing Members on DAG's grounds for appeal, highlighting issues arising from this challenge that required the CNPA to take a decision, and noting legal advice.
34. The decision taken by Members was not to lodge Answers in response to the DAG petition, as the DAG appeal did not raise issues in relation to the Aims of the National Park and any Answers lodged by CNPA would have to be restricted to dealing with the points raised by DAG.
35. Anne MacLean returned.
36. The meeting concluded at 11:45hrs.