
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held within the Village Hall, Carrbridge

on 26th March 2004 at 10.30am

PRESENT

Mr Peter Argyle	Ms Anne MacLean
Mr Eric Baird	Mr Andrew Rafferty
Mr Duncan Bryden	Mr Gregor Rimmell
Mr Stuart Black	Mr Robert Severn
Mr Basil Dunlop	Ms Joyce Simpson
Mr Douglas Glass	Mrs Sheena Slimon
Mr Angus Gordon	Mr Richard Stroud
Mrs Lucy Grant	Mrs Susan Walker
Mr Willie MacKenna	Mr Bob Wilson
Ms Eleanor Mackintosh	
Mr Alastair MacLennan	

IN ATTENDANCE:

Neil Stewart Denis Munro
Sandra Middleton

APOLOGIES:

Ms Sally Dowden Mr David Green
Mr Bruce Luffman Mr David Selfridge
Mr Andrew Thin

WELCOME AND APOLOGIES

1. The Vice Chairman welcomed all present.
2. Apologies were received from Sally Dowden, David Green, Bruce Luffman, David Selfridge and Andrew Thin.

MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting were approved with one amendment to Item 41 to read that Sheen Slimon declared an interest in the item but chose not to leave the room.
4. Denis Munro advised the committee that matters arising from the Report on Code of Conduct/Conflict of Interests, Paper number 2 from the previous committee were progressing.

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

5. Eleanor Mackintosh declared an interest in Planning Application No. 04/134/CP.
6. Andrew Rafferty declared an interest in Planning Application No. 04/146/CP.
7. Douglas Glass declared an interest in Planning Application No. 04/135/CP.
8. Angus Gordon declared an interest in Planning Application No. 04/127/CP.

PLANNING APPLICATION CALL-IN DECISIONS

9. 04/123/CP - No Call-in
10. 04/124/CP - No Call-in
11. 04/125/CP - No Call-in
Richard Stroud made a general point that this type of application had a linkage with licensing arrangements in terms of hours of operation.
12. 04/126/CP - The decision was to Call-In this application for the following reason:
 - The proposal represents an application to extend the time limit for the development of a new house in a visually prominent countryside location. To permit the proposed extension of time to allow a house to be built in this location may be contrary to countryside policy and it has the potential to establish a precedent for other similar developments within the Cairngorms National Park which cumulatively, may raise issues of general significance to the Park's aims.
13. 04/127/CP - Angus Gordon declared an interest and left the room.
No Call-in
Angus Gordon returned.
14. 04/128/CP - No Call-in
15. 04/129/CP - No Call-in
16. 04/130/CP - The decision was to Call-In this application for the following reason:
 - The proposal is for the erection of an additional chalet outwith the established boundaries of the Badaguish Outdoor Centre. The site is located within a mature woodland area within a National Scenic Area and in an area close to SPA and SAC designations. The development appears to be recreation-based and within a sensitive location. As such, it may raise issues of general significance to the collective aims of the National Park.
17. 04/131/CP - No Call-in
18. 04/132/CP - No Call-in

19. 04/133/CP - No Call-in
20. 04/134/CP - Eleanor Mackintosh declared an interest and left the room.
The decision was to Call-In this application for the following reason:
- The proposal is for the development of a house on land immediately adjacent to a disused garage within the settlement of Tomintoul. The development may raise issues in relation to amenity, contaminated land and conflict of uses. To permit a house may also impede the possibility of bringing the garage use back into operation which may have negative social and economic development implications for the community. As such, the proposal may raise issues of general significance to the collective aims of the National Park.
- Eleanor Mackintosh returned.
21. 04/135/CP - Douglas Glass declared an interest and left the room.
No Call-in
Douglas Glass returned.
22. 04/136/CP - No Call-in
23. 04/137/CP - No Call-in
24. 04/138/CP - No Call-in
25. 04/139/CP - The decision was to Call-In this application for the following reason:
- The proposal represents the erection of a new house in a countryside location where planning policies would seem to restrict such development. There is the potential to establish a precedent for other similar developments which cumulatively may impact on the quality of the landscape of the National Park. The site is also within a wooded area and on bogland where water drains to a tributary of the River Spey which is a cSAC. The development may therefore have localised implications for landscape impact and nature conservation. As such the proposal may raise issues of general significance for the collective aims of the Park.
26. 04/140/CP - No Call-in
27. 04/141/CP - Sue Walker proposed a Motion to Call-in this application, this was seconded by Sheen Slimon. Doug Glass proposed an amendment not to Call-in the application, this was seconded by Bob Severn.
The vote was as follows;

NAME	MOTION (Call-in)	AMENDMENT (No Call-in)	ABSTAIN
Peter Argyle		✓	
Eric Baird	✓		
Duncan Bryden	✓		
Stuart Black	✓		
Basil Dunlop		✓	
Douglas Glass		✓	
Angus Gordon		✓	
Lucy Grant	✓		
Willie McKenna	✓		
Eleanor Mackintosh	✓		
Alistair MacLennan	✓		
Anne MacLean	✓		
Andrew Rafferty	✓		
Gregor Rimmell		✓	
Robert Severn		✓	
Joyce Simpson			✓
Sheena Slimon	✓		
Richard Stroud	✓		
Susan Walker	✓		
Bob Wilson	✓		
TOTAL	13	6	1

The decision was to Call-In this application for the following reason:

- The proposal relates to a development which may have implications for the visual and landscape amenity of a countryside location. As such, the development may raise issues of general significance to the collective aims of the National Park, in particular the first aim which is to conserve and enhance the cultural and natural heritage of the area.

28. 04/142/CP - No Call-in
29. 04/143/CP - No Call-in
30. 04/144/CP - No Call-in
31. 04/145/CP - No Call-in

32. 04/146/CP - Andrew Rafferty declared an interest and left the room.
No Call-in
Andrew Rafferty returned.

33. 04/147/CP - No Call-in
34. 04/148/CP - No Call-in

35. 04/149/CP - No Call-in
36. 04/150/CP - No Call-in
37. 04/151/CP - No Call-in
38. 04/152/CP - The decision was to Call-In this application for the following reason:
- The proposal represents the creation of a rural land-based business in a countryside area and the construction of an associated house within an area where planning policy restricts new housebuilding. The site is also located in a wooded area and the development may require tree felling which may have localised landscape impact implications. As such the development may raise issues of general significance to the collective aims of the National Park.
39. Susan Walker asked for clarification on whether or not a Call-in decision could be deferred to a later meeting where insufficient information had been supplied. Neil Stewart advised the committee that decisions could be deferred provided that the decision could be taken within the 21 day timescale. He expressed concern, however, that deferring a decision may cause unnecessary delays in the determination of an application, by the relevant Authority.

DECISION ON CALLED-IN APPLICATION 04/152/CP FOR DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING AT ALLT DRUIDH, INVERDRUIE, AVIEMORE (Paper 1)

40. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated. NS advised the committee that this application should be assessed in two stages, firstly to decide the architectural worth of the original house and the potential loss of this house and secondly the quality of the new house and its design as an adequate replacement
41. NS said that as a National Park Authority, the CNPA aims to improve design standards in the Park. NS advised the Committee that as such an amended design had been sought for the proposed replacement house in an attempt to improve the architectural quality of the building.
42. Stuart Black considered that the built quality of the Cairngorms National Park would be poorer for the loss of this building and that the proposed house was not an architecturally adequate replacement. He moved that the application be refused on this basis.
43. Willie McKenna proposed a Motion to Approve the application subject to the recommended conditions. This was seconded by Bob Severn.
44. Richard Stroud proposed an amendment, that decision on the application be deferred until the committee had undertaken their discussion on design in the Park. This was seconded by Lucy Grant. Stuart Black withdrew his motion.

45. The vote was as follows;

NAME	MOTION (Approve)	AMENDMENT (Defer)	ABSTAIN
Peter Argyle		✓	
Eric Baird	✓		
Duncan Bryden	✓		
Stuart Black		✓	
Basil Dunlop	✓		
Douglas Glass	✓		
Lucy Grant		✓	
Willie McKenna	✓		
Eleanor Mackintosh	✓		
Alistair MacLennan	✓		
Anne MacLean	✓		
Andrew Rafferty	✓		
Gregor Rimmell	✓		
Robert Severn	✓		
Joyce Simpson	✓		
Sheena Slimon	✓		
Richard Stroud		✓	
Susan Walker	✓		
Bob Wilson	✓		
TOTAL	15	4	0

46. The Decision was to Approve the application subject to the conditions stated in the report and an amendment to condition 7 to indicate that any replacement trees should be of local origin, preferably Scots Pine. The Committee also agreed that further discussions should take place with the applicant to try and achieve some further minor improvements such as an additional chimney and painting the external timberwork a colour to match that of the existing house. This was delegated to the officers.

DECISION ON CALLED-IN APPLICATION 03/129/CP ERECTION OF DWELLING/GARAGE/OFFICE, LAND AT UVIE FARM, SOUTH WEST OF CRAIG DHU LODGE, NEWTONMORE (Paper 2)

- 47. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated.
- 48. The committee praised the design of the building for being contemporary and thoughtfully designed to fit the site.
- 49. Willie McKenna noted that whilst this kind of high quality design was important in the park, not all applicants may be able to afford this level of quality and that this should be kept in mind when considering other housing developments.

50. The application was approved subject to the conditions stated in the report.

ANY OTHER BUSINESS

44. There was no other business.

DATE OF NEXT MEETING

51. **Thursday** 8th April, Aviemore Village Hall, Aviemore.

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