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# CAIRNGORMS NATIONAL PARK AUTHORITY

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## DRAFT MINUTES OF THE PLANNING COMMITTEE held at The Community Centre, Nethy Bridge on 27<sup>th</sup> June 2008 at 10.30am

### PRESENT

Eric Baird  
Stuart Black  
Duncan Bryden  
Jaci Douglas  
Dave Fallows  
Lucy Grant  
David Green  
Marcus Humphrey  
Bob Kinnaird

Bruce Luffman  
Mary McCafferty  
Willie McKenna  
Eleanor Mackintosh  
Ian Mackintosh  
Alastair MacLennan  
Fiona Murdoch  
Andrew Rafferty  
Susan Walker

### IN ATTENDANCE:

Don McKee  
Mary Grier  
Neil Stewart

Andrew Tait  
Pip Mackie

### APOLOGIES:

Geva Blackett  
Nonie Coulthard  
Drew Hendry  
Anne MacLean

Sandy Park  
Richard Stroud  
Ross Watson

### AGENDA ITEMS 1 & 2: WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from the above Members.

### AGENDA ITEM 3: MINUTES & MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting, 13<sup>th</sup> June 2008, held at Glenmore Lodge, Glenmore were approved.

4. There were no matters arising.

**AGENDA ITEM 4:  
DECLARATION OF INTEREST BY MEMBERS ON ANY ITEMS APPEARING ON THE  
AGENDA**

5. Willie McKenna declared an interest in Planning Application No. 08/238/CP.

**AGENDA ITEM 5:  
PLANNING APPLICATION CALL-IN DECISIONS  
(Oral Presentation, Mary Grier)**

6. 08/219/CP - No Call-in

7. 08/220/CP - No Call-in

8. 08/221/CP - No Call-in

9. 08/222/CP - Bruce Luffman proposed a Motion to Call-in the application. This was seconded by Marcus Humphrey. Lucy Grant proposed an Amendment Not to Call-in the application. This was seconded by Willie McKenna.

The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Eric Baird	√		
Stuart Black		√	
Duncan Bryden		√	
Jaci Douglas	√		
Dave Fallows	√		
Lucy Grant		√	
David Green	√		
Marcus Humphrey	√		
Bob Kinnaird		√	
Bruce Luffman	√		
Mary McCafferty	√		
Willie McKenna		√	
Eleanor Mackintosh	√		
Ian Mackintosh	√		
Alastair MacLennan		√	
Fiona Murdoch	√		
Andrew Rafferty		√	
Susan Walker	√		

<b>TOTAL</b>	<b>11</b>	<b>7</b>	<b>0</b>
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The decision was to call-in the application for the following reason :

- The development is in a prominent hillside location within an area of Landscape Significance. It raises issues in terms of landscape impact and natural heritage and is of general significance to the aims of the National Park.

10.08/223/CP - No Call-in  
 11.08/224/CP - No Call-in  
 12.08/225/CP - No Call-in

13.08/226/CP - The decision was to call-in the application for the following reason :

- The application is part of a proposal to upgrade the existing waste water treatment works at Boat of Garten. The proposal raises issues in relation to natural heritage, access and the sustainable social and economic development of the community of Boat of Garten and its planning into the future. The proposal therefore raises issues of general significance for the collective aims of the Cairngorms National Park.

14.08/227/CP - The decision was to call-in the application for the following reason :

- The application is part of a proposal to upgrade the existing waste water treatment works at Boat of Garten. The proposal raises issues in relation to natural heritage, cultural heritage, access and proposed core paths and the sustainable social and economic development of the community of Boat of Garten and its planning into the future. The proposal therefore raises issues of general significance for the collective aims of the Cairngorms National Park.

15.08/228/CP - The decision was to call-in the application for the following reason :

- The proposed development involves the demolition of a prominently located traditional steading which has already been proven capable of conversion to a dwelling house. The proposed development raises

issues in terms of natural and cultural heritage and is therefore of significance to the aims of the National Park.

16.08/229/CP - No Call-in  
17.08/230/CP - No Call-in  
18.08/231/CP - No Call-in  
19.08/232/CP - No Call-in  
20.08/233/CP - No Call-in  
21.08/234/CP - No Call-in  
22.08/235/CP - No Call-in  
23.08/236/CP - No Call-in  
24.08/237/CP - No Call-in

Willie McKenna declared an interest and left the room.

25.08/238/CP - The decision was to call-in the application for the following reason :

- The development is for the construction of a new forest track within an ancient woodland in the National Scenic Area and adjacent to land which has a number of environmental designations. The development raises issues in relation to landscape impact, nature conservation, access and recreation and is of general significance to the aims of the National Park.

Willie McKenna returned.

26.08/239/CP - No Call-in  
27.08/240/CP - No Call-in

28.08/241/CP - The decision was to call-in the application for the following reason :

- The proposed development is for a significant level of mixed use development, including retail, commercial, business, tourist, community and residential uses, on land within the centre of Aviemore. The proposal is considered to be of major significance to the future development of the centre of Aviemore and its relationship with the rest of the settlement. As such, it raises issues of general significance to the collective aims of the National Park.

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

29. The Members wished to make comments to the Local Authorities on the following Planning Application No's 08/219/CP, 08/221/CP, 08/223/CP, 08/232/CP, 08/234/CP, 08/236/CP & 08/237/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.

### **AGENDA ITEM 6: REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF HOUSE FOR ESTATE WORKER AT 20M NORTH EAST OF WOODEN HOUSE, TORCROY, KINGUSSIE (PAPER 1)**

30. Duncan Bryden informed the Committee that Michael Hone, Applicant, was available to answer any questions Members may have.

31. Mary Grier presented a paper recommending that the Committee approve the application subject to the submission of a revised site layout plan, a Section 75 Legal Agreement and the conditions stated in the report with amendments to the following:

- Paragraph 36 a – Replace the word 'west' with 'east'.
- Paragraph 36 b Condition 2 - Replace the word 'west' with 'east'.
- An additional condition requiring the removal of any permitted development rights for the development.

32. There were no questions for the applicant. Duncan Bryden thanked the applicant for attending.

33. The Committee discussed the application and the following points were raised:
- a) The applicant being content to revise the site boundaries.
  - b) The potential for future developments in the area.
  - c) Permitted development rights.
  - d) The water supply to the proposal should not interfere with the level of supply to existing properties.
  - e) The Section 75 including reference to retired estate workers.
  - f) Representees concerns being taken into account.
34. The Committee agreed to approve the application subject to the conditions stated in the report with amendments to the following:
- Paragraph 36 a – Replace the word 'west' with 'east'.
  - Paragraph 36 b Condition 2 - Replace the word 'west' with 'east'.
  - An additional condition requiring the removal of any permitted development rights for the development.
  - Condition 5 – inclusion that 'the water supply to the development should not interfere with the supply to the existing properties.'

**AGENDA ITEM 7:**

**REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF 8 FLATS;  
CONVERSION OF PART OF HOTEL TO HOUSE; ALTERATIONS AND EXTENSIONS TO  
HOTEL (RE-SUBMISSION) AT STRATHSPEY HOTEL, HIGH STREET, GRANTOWN ON  
SPEY  
(PAPER 2)**

35. Duncan Bryden informed the Committee that Douglas Stuart, Architect, was available to answer any questions Members may have.
36. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report with an amendment to Condition 4 to state that Highland Council Archaeology Dept. should be consulted not Aberdeenshire Council.
37. The Committee sought clarification from the Planning Officer on the following points:
- a) Any associated parking provision for customers of the hotel.
  - b) The open space associated with the flats.
  - c) The retention of mature trees.
  - d) The threshold for affordable housing.
  - e) The inclusion of staff accommodation in the development.
  - f) The entrance to the parking area and its junction with Spey Avenue.
  - g) The need for maintenance of the communal areas.

38. The Committee asked the Agent questions on the following points:
- a) Clarification of the inclusion of staff accommodation in the development.
  - b) The pricing level of the properties.
  - c) The possibility of local marketing and the properties being offered to local purchasers for a limited time.
39. Duncan Bryden thanked the Agent.
40. The Committee discussed the application and the following points were raised:
- a) The possibility of incorporating stone demolished from the site in the new development.
  - b) The colour of the harling of the new development and that it should reflect the colour of the properties opposite.
41. The Committee agreed to approve the application subject to the conditions stated in the report with amendments to the following:
- Condition 4 - stating that Highland Council Archaeology Dept. should be consulted not Aberdeenshire Council.
  - Additional Condition – Requiring the maintenance of the communal areas.
  - Additional Condition – Requiring the colour of the harling to reflect the colour of the properties opposite.
  - Additional Condition – Any extension to the garden wall should be stone built.
  - Additional Condition – Requiring local marketing and the properties being offered to local purchasers for an initial period of time.

**AGENDA ITEM 8:  
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF CLUBHOUSE  
(AMENDED PLANS) AT SITE OF PROPOSED GOLF CLUBHOUSE, DALFABER DRIVE,  
AVIEMORE  
(PAPER 3)**

42. Duncan Bryden informed the Committee that Alan Ogilvie, Agent, was available to answer any questions Members may have.
43. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report with an amendment to the following:
- Condition 9 – That the signage should extend to, through and beyond the site'.
44. The Committee agreed to approve the application subject to the conditions stated in the report with an amendment to the following:
- Condition 9 – That the signage should extend to, through and beyond the site'.
45. There were no questions for the Agent. Duncan Bryden thanked the Agent for attending.

**AGENDA ITEM 9:  
REPORT ON CALLED-IN PLANNING APPLICATION FOR DEMOLITION AND RE-  
ERECTION OF HOUSE AND OUTBUILDINGS AT THE YARD, KINCHURDY ROAD,  
BOAT OF GARTEN  
(PAPER 4)**

46. Duncan Bryden informed the Committee that Paul Devlin, Agent, was available to answer any questions Members may have.
47. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
48. The Committee asked the Agent questions on the following point:
- a) The potential for inclusion of wind generated power in the proposal.
49. Duncan Bryden thanked the Agent for attending.
50. The Committee discussed the application and the following points were raised:
- a) The reducing number of this type of 'sleeper' house in the CNP area and the potential for a Park wide audit.
  - b) The replacement house being of a good design.
51. The Committee agreed to approve the application subject to the conditions stated in the report.

**AGENDA ITEM 10:  
REPORT ON CALLED-IN PLANNING APPLICATION FOR DEMOLITION OF EXISTING  
BUILDING AND ERECTION OF HOUSE AT DERELICT BUILDING, 420M NORTH EAST  
OF KINCRAIG FARM, KINCRAIG  
(PAPER 5)**

52. Andrew Tait informed Members that the Applicant had contacted the CNPA earlier in the week and had subsequently withdrawn the application.

**AGENDA ITEM 11:  
REPORT ON CALLED-IN PLANNING APPLICATION FOR DEMOLITION OF HOUSE;  
ERECTION OF 6 FLATS AT KILA, 79 GRAMPIAN ROAD, AVIEMORE  
(PAPER 6)**

53. Andrew Tait presented a paper recommending that the Committee support approval of the siting and design of the scheme subject to the caveats / conditions stated in the report.

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

- a) Board Members prejudicing any final outcome by expressing an opinion on the development at this point.
- b) The rationale behind the age threshold being increased from 65 to 75.
- c) The competency of including an age limit on the occupancy of the properties.
- d) Concern that the age range the development may be aimed at people requiring to buy a property for downsizing.
- e) The need to consult occupational therapy professionals regarding the internal design of the properties.
- f) The potential for the inclusion of allotments in the outdoor space.
- g) Varied comments on the design of the proposed development including uninspiring and being content with the design in its context.
- h) The need for the cost of affordable housing to rise with inflation in order to provide an incentive for buyers to maintain the standards of their property and avoid the development falling into disrepair.
- i) The reasoning behind the development being proposed over 2 levels.
- j) The potential for the properties to be rented out at an affordable level instead of sold.
- k) Access round the site.
- l) Commending the applicant for bringing forward the development outwith planning gain.
- m) The number of outstanding issues to be resolved before the Committee could provide any means of support for the development.

55. The Committee raised concern regarding the following points:

- The application being an innovative approach to delivering affordable housing.
- Further discussion was required regarding the mechanism for ensuring the delivery of the affordable properties.
- Concern about the design of the development.
- The need for the involvement of an occupational therapist regarding the internal design of the properties.
- Concern regarding access to the site, particularly from the Aviemore Highland Resort lands.

56. The Committee agreed to defer the application in order for the above points to be raised with the Applicant.

**AGENDA ITEM**  
**ANY OTHER BUSINESS**

57. Neil Stewart advised that at the Planning Committee on 2<sup>nd</sup> May 2008, the Committee had refused an application for the erection of a house at Parkhead Croft, Skye of Curr Road, Dulnain Bridge (07/387/CP). He advised that the Applicant had subsequently appealed this decision and had opted for it to be dealt with through the local hearing process. Neil Stewart advised that since the Planning Officers recommendation to Committee had been one of approval, the Planning Officials had instructed Ledingham Chalmers to prepare the information for the hearing. Neil Stewart informed Members that this practice was usual in Local Authorities, although they would use their own in-house lawyers. Neil Stewart advised that this appeal process would require some involvement from Board Members and that he would keep them updated on the progress of the appeal.
58. Marcus Humphrey requested an update on the number of planning applications currently on the CNPA books. Don McKee responded that at the moment it was in the upper 40's.

**AGENDA ITEM**  
**DATE OF NEXT MEETING**

59. Friday, 11th July 2008 at The Village Hall, Braemar.
60. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
61. The meeting concluded at 13:05hrs.