

APPROVED COMMITTEE MINUTES

CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at The Community Hall, Boat of Garten
on 28 March 2013 at 10.30am

Members Present

Peter Argyle

Dave Fallows

David Green

Gregor Hutcheon

Bill Lobban

Eleanor Mackintosh

Mary McCafferty

Willie McKenna

Martin Price

Gordon Riddler

Gregor Rimell

Brian Wood

In Attendance:

Don McKee, Head Planner

Katherine Donnachie, Senior Planning Officer, Development Management

Murray Ferguson, Sustainable Rural Development Director

Apologies:

Duncan Bryden

Angela Douglas

Katrina Farquhar

Jeanette Gaul

John Latham

Kate Howie

Fiona Murdoch

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Agenda Items 1 & 2:

Welcome & Apologies

1. The Convenor welcomed all present and specially welcomed the return of Mary McCafferty. The Convenor also welcomed Grant Moir the new CEO of the CNPA to his first Planning Committee meeting.
2. Apologies were received from the above Members. The Convenor noted that Duncan Bryden was away on CNPA business.

Agenda Item 3:

Minutes & Matters Arising from the Previous Meeting

3. The minutes of the previous meeting, 1 March 2013, held at The Albert Memorial Hall, Ballater were approved.
4. Para 5: The Scottish Government has decided not to call in the Granish Caravan Park and a Decision Notice will be issued once all developer contributions have been paid.
5. Para 6: The Local Development Plan is proceeding to publication and the public consultation will be scheduled for April 15 2013.
6. Para 34: SEPA have now agreed to withdraw their objection once Tesco have formally submitted plans. Katherine Donnachie is still awaiting receipt of the plans from Tesco to enable this to happen.

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

- There were no declarations of interest.

Agenda Item 5:

Report on called in planning application for the demolition of existing agricultural shed and ancillary buildings. Construct new replacement steading building, ancillary buildings, retention of existing stone wall and additional tree planting(amended proposal) at Carnachuin, Glenfeshie, Kingussie (Paper I)(2013/0042/DET)

7. Don McKee presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.

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8. The Committee were invited to ask general points of clarification in the first instance: there were no questions
9. The Committee agreed to approve the application subject to the conditions stated in the report.
10. **Action Points arising: None**

Agenda Item 6:

**Report on Called-In Planning Application for Erection of dog kennels, alterations and extension of existing stone walls, landscaping, construction of new bridge and new access road at Carnachuin, Glenfeshie
(Paper 2) (2013/0048/DET)**

11. Don McKee presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
12. The Committee were invited to ask the Head Planner points of clarification, the following were raised:
 - a) There is a war monument on the site, could there be assurances that this would not be disturbed? Don McKee referred to the application plan and it was ascertained that it would not be affected.
 - b) The report states that Scotch Slate roof would be used, is this reclaimed slate? Also the plans seem to show that the building would be only part natural stone is this the case? Don McKee clarified that the building would be all natural stone and the Scotch Slate is reclaimed slate.
 - c) The old road is being decommissioned, does this mean the hard surface will be taken up? Don McKee said that the intention was that the road in front of the cottages would be removed to extend the garden area.
13. The Committee agreed to approve the application subject the conditions stated in the report and withdrawal of the existing objection from SEPA.
14. **Action Points arising: None**

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Agenda Item 7:

Report on Called-In Planning Application for Construction of new vehicular access bridge with link track to estate facility at Pitmain Estate, Kingussie. (Paper 3) (2012/0402/DET)

15. The Convener informed Members that a request to address the Committee had been received, within the given timescale, from: the agent Mr Ogilvie
16. Katherine Donnachie presented a paper recommending that the Committee approve the application subject to the conditions stated in the report and SEPA comments on flood prevention being received and incorporated as conditions.
17. The Committee were invited to ask the Senior Planning Officer points of clarification, the following were raised:
 - a) It was noted that although this site runs through the golf course, no golf course traffic would use the road.
 - b) Will the existing bridge be retained? Katherine Donnachie clarified that it would be retained and highlighted it is a right of way. Additional signage for walkers will be provided.
18. The Agent, Alan Ogilvie was invited to address the Committee. The presentation covered the following points:
 - The proposal is part of the continued commitment of the application to improve the management of the Pitmain Estate.
 - The pre-commencement conditions outlined in the report are welcomed and they will be liaising with the CNPA and SEPA to ensure they are carried out.
19. The Committee were invited to ask questions of the speaker, there were no questions.
20. The Convenor asked whether there was a problem with SEPA as this is the second application awaiting their comments. Katherine Donnachie said she did not consider there was an issue with speed of SEPA responses.
21. The Committee agreed to approve the application subject to the conditions stated in the report.
22. **Action Points arising: None**

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Agenda Item 8:

Any Other Business

23. An update was requested on the replacement bridge at Glen Feshie as there was a concern that it may not go ahead. Murray Ferguson said that there is no new information at the moment but he will request an update.
24. The house at Cromdale that was refused permission in late 2012 has gone to appeal but the Planning Department have not been notified by the applicant of the grounds for appeal. Katherine Donnachie is chasing this up and as soon as there are more details Members will be notified.
25. The Kingussie Master Plan is being processed, there were some early IT issues with members of the public being unable to access the CNPA and Highland Council websites and the consultation period was extended by one week as a result. Katherine Donnachie is pulling all the consultation responses together and she and Don McKee are meeting the Community Council next week. After which an indication can be given as to when this will come to Committee.
26. There is an issue with the site at Walzing Waters over a ventilation grill which is adjoining a B&B business. The grill is venting noise and smells from the in store bakery to the B & B and it was not on the original plans. Bruce Luffman has been in discussions with the owners since June 2012 to move the ventilation grill but negotiations have broken down and now the CNPA is seeking to issue an enforcement notice. The Committee agreed to the notice being issued.
27. David Green recently chaired a forum entitled 'Planning: enabling or disabling?' which worked very well, there are some good things happening on the Continent that we do not always hear about and perhaps CNPA could hold a similar forum with speakers from other countries such as Denmark incorporated to challenge us. He suggested the time may be right, as the Government is about to run a further consultation on National Planning Framework, to run a similar public forum or workshop to raise our profile and engage with a wider audience.
28. Murray Ferguson reported on the recent Developers Forum meeting:
 - There were 16 developers present and it was a positive meeting, chaired by Eleanor Mackintosh.
 - There are two meetings a year and not enough time for everything on the agenda. It was suggested that in between meetings specially themed workshops could be run.

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This could be done to bring in the other forum of the Community Council planning representatives and get both forums working together discussing specific topics

- Design issues were discussed and the Service Improvement Plan proposal for a Design Panel was raised. It was suggested that the first topic for a special workshop should be design, in order that a discussion could be had on a proposed Design Panel and then reported back to Committee for ratification.
- It was suggested that an unelected Design Panel could subvert the planning process by making broad decisions at an early stage with no Planning Committee involvement.
- It was suggested that a workshop to bring together the Developers Forum and the Community Councils should be an open workshop for public to attend.

29. Murray Ferguson reported that Highland Council have approved a planning application for a small bridge on the Kinrara Estate. The work will see a Path Order that the CNPA placed on the Kinrara Estate to extend the Speyside Way from Aviemore to Newtonmore being implemented. The first phase of the work is the bridge and work is due to start next week. Briefing material will be going out to relevant parties locally when work commences, and Members will be copied in.

Agenda Item 11:

Date of Next Meeting

30. The next meeting is Friday 26 April in Aviemore.

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

32. The public business of the meeting concluded at 11.22