
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Albert Memorial Hall, Ballater on 28th July 2006 at 10.30am

PRESENT

Eric Baird
Stuart Black
Duncan Bryden
Basil Dunlop
Douglas Glass
David Green
Marcus Humphrey
Bruce Luffman

Willie McKenna
Eleanor Mackintosh
Anne MacLean
Alastair MacLennan
Richard Stroud
Andrew Thin
Susan Walker
Bob Wilson

IN ATTENDANCE:

Don McKee
Mary Grier

Andrew Tait
Pip Mackie

APOLOGIES:

Nonie Coulthard
Angus Gordon
Lucy Grant
Sandy Park
Andrew Rafferty

Gregor Rimell
David Selfridge
Sheena Slimon
Ross Watson

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, 14th July 2006, held at The Nethy Bridge Hotel, Nethy Bridge were approved.
4. There were no matters arising.

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

5. Marcus Humphrey declared an interest in Planning Application No. 06/271/CP.
6. The Highland Councillors declared an interest in Item No. 7 on the Agenda.

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

7. 06/260/CP - No Call-in
8. 06/261/CP - No Call-in
9. 06/262/CP - No Call-in
10. 06/263/CP - No Call-in
11. 06/264/CP - No Call-in
12. 06/265/CP - No Call-in
13. 06/266/CP - No Call-in
14. 06/267/CP - No Call-in
15. 06/268/CP - No Call-in

16. 06/269/CP - Richard Stroud proposed a Motion to Call-in the application. This was seconded by Bruce Luffman.
Alastair MacLennan proposed an Amendment to Not Call-in the application. This was seconded by Duncan Bryden

The vote was as follows:

| | MOTION | AMENDMENT | ABSTAIN |
|--------------------|----------|-----------|----------|
| Eric Baird | √ | | |
| Stuart Black | √ | | |
| Duncan Bryden | | √ | |
| Basil Dunlop | √ | | |
| Douglas Glass | | √ | |
| David Green | √ | | |
| Marcus Humphrey | | √ | |
| Bruce Luffman | √ | | |
| Willie McKenna | | √ | |
| Eleanor Mackintosh | | √ | |
| Anne McLean | | √ | |
| Alastair MacLennan | | √ | |
| Richard Stroud | √ | | |
| Andrew Thin | | √ | |
| Susan Walker | √ | | |
| Bob Wilson | √ | | |
| TOTAL | 8 | 8 | 0 |

As the result was tied the Convener cast the deciding vote which was in favour of the Amendment. The decision was to Not Call-in the application.

17.06/270/CP - The decision was to call-in the application for the following reason :

- The development is proposed on garden ground of an existing dwelling house, where part of the garden area is identified in the Badenoch and Strathspey Local Plan as amenity woodland. In addition the proposed development could result in the loss of a number of trees on the site. The proposed development is therefore of significance to the aims of the National Park, particularly in respect of the conservation and enhancement of the natural heritage of the area.

18.06/271/CP - Marcus Humphrey declared an interest and left the room.
No Call-in
Marcus Humphrey returned.

19.06/272/CP - No Call-in

20.06/273/CP - No Call-in

21.06/274/CP - No Call-in

22.06/275/CP - No Call-in

23.06/276/CP - No Call-in

24.06/277/CP - No Call-in

25.06/278/CP - No Call-in

26.06/279/CP - No Call-in

27.06/280/CP - 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 there is a presumption against development on open land adjoining Newtonmore. 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.

28.06/281/CP - No Call-in

29.06/282/CP - No Call-in

30.06/283/CP - No Call-in

31.06/284/CP - No Call-in

- 32. 06/285/CP - No Call-in
- 33. 06/286/CP - No Call-in
- 34. 06/287/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

- 35. The Members wished to make comments to the Local Authorities on the following Planning Application No's 06/266/CP, 06/268/CP, 06/269/CP, 06/275/CP, 06/282/CP, 06/283/CP, 06/285/CP, 06/286/CP & 06/287/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.
- 36. Members also agreed for the Planning Officers to send letters to the Applicants of the following Planning Application No's expressing concern that the planning applications appeared to be retrospective: 06/265/CP, 06/269/CP & 06/274/CP.

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF TWO DWELLING HOUSES (SEMI DETACHED), UPGRADING OF ACCESS AND FORMATION OF CAR PARKING AT LAND ADJOINING NO. 4 CHURCH PLACE, DULNAIN BRIDGE (PAPER 1)

- 37. The Highland Councillors declared an interest and left the room.
- 38. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
- 39. The Committee discussed the application and the following points were raised:
 - a) Clarification of the indicative site layout.
 - b) The possibility of including the replanting of native tree species on the site.
 - c) Possible safeguards for the proposed development to remain as affordable housing in perpetuity if it is sold on.
 - d) Clarification of the system for people being able to buy housing under the control of a Registered Social Landlord.
- 40. The Committee agreed to approve the application subject to the conditions stated in the report.
- 41. The Highland Councillors returned.

REPORT ON CALLED-IN PLANNING APPLICATION FOR CONSTRUCTION OF NEW LINK SECTION OF ALL ABILITIES PATH NETWORK AT CAIRNGORM SKI AREA, AVIEMORE (PAPER 2)

- 42. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
- 43. The Committee discussed the application and the following points were raised:
 - a) The proposal being an improvement to the current status of the site.
 - b) The application being a positive step to providing further all abilities access in the area.
 - c) Clarification of the restorative works to the surrounding area of the site.

44. The Committee agreed to approve the application subject to the conditions stated in the report.

ANY OTHER BUSINESS

45. Andrew Tait provided an update on the progress of the Aviemore Fence appeal. Andrew Tait advised Members that the CNPA had recently received a letter stating that the Aviemore Highland Resort appeal had been quashed in the Court of Session this was due to a technical problem with the Decision Notice issued by the Scottish Executive Reporter. The Appeal would now be referred back to the Scottish Executive Reporters Unit for re-determination.

46. Andrew Thin thanked the Members who had sponsored the CNPA Highland Cross team and advised them that the CNPA had raised over £400 in sponsorship from taking part in this event.

47. Andrew Thin thanked Members for using the Car Park to the rear of the Station Square building in Ballater as it kept the Station Square car park free for visitors to the area.

48. Eleanor Mackintosh advised that she had been informed by Glenlivet Community Council and Community Association and Tomintoul Community Council that they had stopped being notified by Moray Council of any planning applications in their areas. Eleanor Mackintosh asked if the CNPA could write a letter to Moray Council expressing concern about this. Bob Wilson, Moray Councillor, stated that he was not aware that this had happened but would take it up at the next meeting at Moray Council. Andrew Thin asked Members to agree that Bob Wilson investigate this issue in the first instance and should the problem continue then the CNPA would write a letter to Moray Council. Members agreed this course of action.

DATE OF NEXT MEETING

69. Friday, 11th August 2006 at The Ben Mhor Hotel, Grantown on Spey.

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

71. The meeting concluded at 12:00hrs.