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# CAIRNGORMS NATIONAL PARK AUTHORITY

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## MINUTES OF THE PLANNING COMMITTEE held at The Community Hall, Kincaig on 28 Nov 08 2008 at 9.30am

### PRESENT

Stuart Black	Bruce Luffman
Duncan Bryden	Mary McCafferty
Nonie Coulthard (arrived late)	Willie McKenna
Jaci Douglas	Eleanor Mackintosh
Dave Fallows	Ian Mackintosh (arrived late)
Lucy Grant	Anne MacLean
David Green	Alastair MacLennan
Drew Hendry	Fiona Murdoch
Marcus Humphrey (arrived late)	Sandy Park
Duncan Bryden	Richard Stroud
Bruce Luffman	Susan Walker

### IN ATTENDANCE:

Don McKee	Andrew Tait
Mary Grier	Marie Duncan
Pip Mackie	Julie Millman

### APOLOGIES:

Eric Baird    Geva Blackett  
Bob Kinnaird    Andrew Rafferty

### 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, 14 Nov 2008, held at Talla nan Ros, Kingussie 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. 08/398/CP.

**AGENDA ITEM 5:**

**PLANNING APPLICATION CALL-IN DECISIONS**

**(Oral Presentation, Mary Grier)**

- 6. 08/384/CP - No Call-in
- 7. 08/385/CP - No Call-in
- 8. 08/386/CP - No Call-in
- 9. 08/387/CP - No Call-in
- 10.08/388/CP - No Call-in
- 11.08/389/CP - No Call-in
- 12.08/390/CP - No Call-in
- Nonie Coulthard arrived at the meeting
- 13.08/391/CP - No Call-in
- 14.08/392/CP - No Call-in
- 15.08/393/CP - No Call-in
- 16.08/394/CP - No Call-in
- 17.08/395/CP - No Call-in
- 18.08/396/CP - No Call-in
- 19.08/397/CP - No Call-in
- Willie McKenna declared an interest and left the room.
- 20.08/398/CP - No Call-in
- Willie McKenna returned
- 21.08/399/CP - No Call-in
- 22.08/400/CP - The decision was to call-in the application for the following reason :

- The proposal is part of a larger project to provide new water treatment works and associated works. The proposal raises a range issues with regard to natural heritage, landscape, recreation, as well as strategic issues with regard to the future development of Strathspey. Consequently, the proposal is of general significance to the collective aims of the Cairngorms National Park.

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

23.The Members wished to make comments to the Local Authorities on the following Planning Application No's 08/386/CP, 08/388/CP, 08/389/CP,

08/391/CP, 08/393/CP, & 08/398/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 FORMATION OF 4 HOUSE PLOTS AND ACCESS ROAD (AMENDED PROPOSAL) LAND 150M SOUTH OF ST VINCENTS HOSPITAL, GYNACK ROAD, KINGUSSIE (PAPER 1)**

24. Andrew Tait explained that the applications 06/054/CP & 08/183/CP had been withdrawn by the applicant.
25. The Committee paused to read recent letters of representation that had been received within the timescale.
26. The Committee were asked if they wanted to receive a late letter of representation, members declined.
27. Duncan Bryden informed Members that Alan Ogilvie (Agent), Tessa Jones, Representee (Objector) & David Duncan Representee (Objector) had requested to address the Committee. The Committee agreed to the requests.
28. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
29. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
  - a) Clarification of plots and access location.
  - b) The weight to be given to the new deposit local plan.
  - c) Clarification of any objections from individuals regarding the local plan.
30. Alan Ogilvie, Agent, addressed the Committee.
31. The Committee were invited to ask questions of the speaker and the following points were raised:
  - a) Clarification that the site is considered to be a constrained site.
  - b) Clarification of the type of housing and the implications on the constraints.
  - c) Clarification on footpath and drey location.

Ian Mackintosh arrived at the meeting.

- d) The Gynack Road access options.
  - e) The possibility of re-aligning the site boundary to exclude dreys.
- Marcus Humphrey arrived at the meeting

32. Tessa Jones, Representative of Badenoch & Strathspey Conservation Group, addressed the Committee.
33. The Committee were invited to ask questions of the speaker and the following points were raised:

- a) Clarification of past land use.
- b) The presence of domestic animals on the site and implications.
- c) The amount of available open space on the site.
- d) The importance of conservation of this site over others.
- e) The conservation issue with regards to the local plan.
- f) Clarification of results on the survey that are actually within the site boundary.
- g) The inclusion of dreys in the survey.
- h) Clarification on the dreys within the site boundary.
- i) The possibility of categorisation of the dreys.
- j) Clarification of the AWI within the site.

34. David Duncan, Representee, addressed the Committee.

35. The Committee were invited to ask questions of the speaker and the following points were raised:

- a) Clarification of West Terrace and Gynack in relation to sewage/pipe connection.
- b) Inclusion of allotments in place of housing and implications.
- c) Increase of activity/traffic over the site in relation to use of land.
- d) Clarification of survey decision requests and decision making process.

36. Duncan Bryden thanked the speakers.

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

- a) Concerns over the two access arrangements.
- b) Concerns over plot allocations.
- c) The issue of the AWI being within the site
- d) Consideration of boundaries of the garden plots.
- e) Issues of biodiversity and compliance on surveys.
- f) The issue of affordability and querying this particular type of housing.
- g) Confirmation on the drainage issues.
- h) Clarification on the location of the footpath.

38. Bruce Luffman proposed a motion to refuse the application due to the concerns over access arrangements, the need for the housing, biodiversity issues and loss of amenity land. This was seconded by Lucy Grant.

39. Sandy Park proposed an amendment that the application be agreed subject to the recommended conditions in the report also subject to the site boundary being amended to exclude the AWI. This was seconded by Susan Walker.

40. The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Stuart Black	√		
Duncan Bryden	√		
Nonie Coulthard		√	
Jaci Douglas	√		
Dave Fallows	√		
Lucy Grant	√		
David Green	√		
Drew Hendry		√	
Marcus Humphrey		√	
Bruce Luffman	√		
Mary McCafferty		√	
Willie McKenna		√	
Eleanor Mackintosh	√		
Ian Mackintosh		√	
Anne MacLean	√		
Alastair MacLennan	√		
Fiona Murdoch	√		
Sandy Park		√	
Richard Stroud	√		
Susan Walker		√	
<b>TOTAL</b>	<b>12</b>	<b>8</b>	<b>0</b>

41. The Committee agreed to refuse the application because of the lack of a case for this housing, the access issues, the impact on biodiversity especially squirrels and the loss of amenities for the community.
42. It was agreed that the precise reasons for refusal should be brought back before the Committee for ratification.

### **ANY OTHER BUSINESS**

43. Duncan Bryden reminded members of office closure on Monday 1<sup>st</sup> Dec due to the St Andrews public holiday.
44. Anne Maclean declared an interest on the Dalfaber site visit which was scheduled for later that afternoon.

### **DATE OF NEXT MEETING**

45. 10:00am Friday 12 December 2008 at The Community Hall, The Boat of Garten.
46. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
47. The meeting concluded at 11:20hrs.