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# CAIRNGORMS NATIONAL PARK AUTHORITY

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## MINUTES OF THE PLANNING COMMITTEE held within The YMCA, High Street, Grantown-on-Spey on 30th January 2004 at 10.30am

### PRESENT

Mr Peter Argyle	Ms Anne MacLean
Mr Duncan Bryden	Mr Andrew Rafferty
Mr Stuart Black	Mr Gregor Rimmell
Ms Sally Dowden	Mr David Selfridge
Mr Basil Dunlop	Mr Robert Severn
Mr Angus Gordon	Ms Joyce Simpson
Mrs Lucy Grant	Mr Richard Stroud
Mr David Green	Mr Andrew Thin
Mr Willie MacKenna	Mr Bob Wilson
Ms Eleanor Mackintosh	
Mr Alastair MacLennan	

### IN ATTENDANCE:

Denis Munro  
Neil Stewart  
Norman Brockie  
Sandra Middleton

### APOLOGIES:

Mr Eric Baird  
Mr Douglas Glass  
Mr Bruce Luffman  
Mrs Sheena Slimon  
Ms Susan Walker

### WELCOME AND APOLOGIES

1. The Convenor welcomed all present.
2. Apologies were received from Eric Baird, Douglas Glass, Bruce Luffman, Sheena Slimon and Susan Walker

### MATTERS ARISING FROM THE PREVIOUS MEETING

3. The minutes of the previous meeting were approved.
4. The proposed paper laying out the Cairngorms National Park Authority's stance on enforcement and retrospective action is to be brought to a future committee.

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

5. Alistair MacLennan declared an interest in Item 7 of the Agenda.

## **PLANNING APPLICATION CALL-IN DECISIONS**

6. 04/010/CP - No Call-in
7. 04/011/CP - No Call-in
8. 04/012/CP - No Call-in
9. 04/013/CP - No Call-in
10. 04/014/CP - No Call-in
11. 04/015/CP - No Call-in
12. 04/016/CP - No Call-in
13. 04/017/CP - No Call-in
14. 04/018/CP - No Call-in
15. 04/019/CP - No Call-in
16. 04/020/CP - No Call-in
17. 04/021/CP - No Call-in
18. 04/022/CP - No Call-in
19. 04/023/CP - No Call-in
20. 04/024/CP - No Call-in
21. 04/025/CP - No Call-in
22. 04/026/CP - No Call-in
23. 04/027/CP - No Call-in
24. 04/028/CP - No Call-in
25. 04/029/CP - No Call-in
26. 04/030/CP - No Call-in
27. 04/031/CP - No Call-in
28. 04/032/CP - No Call-in
29. 04/033/CP - No Call-in
30. 04/034/CP - No Call-in
31. 04/035/CP - No Call-in
32. 04/036/CP - No Call-in
33. 04/037/CP - No Call-in
34. 04/038/CP - No Call-in
35. 04/039/CP - No Call-in
36. 04/040/CP - No Call-in
37. 04/041/CP - No Call-in
38. 04/042/CP - No Call-in
39. 04/043/CP - No Call-in

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

40. It was agreed that comments be made to the local Authorities on application 04/020/CP and application 04/041/CP, the Highland Councillors declared an interest in both applications and left the room.

41. The Committee agreed to submit the following comments to the Highland Council on application 04/020/CP;

The CNPA recognises that the proposed house lies within a Restricted Countryside Area where new housing is restricted, unless in certain circumstances. However, it is located immediately adjacent to a group of existing houses and therefore not in an isolated location. It is also immediately adjacent to an area of Fragile Countryside where this type of development is generally encouraged. In this instance therefore, the CNPA does not feel that the development raises issues of significance to the aims of the National Park which would merit a call-in of the application. However, the CNPA would wish to request that the applicant is asked to consider alternative sites within the Fragile Countryside Area. In addition, if the principle of the development is found to be acceptable, the house should be conditioned to be appropriate to its rural surroundings, in terms of its scale, appearance, detailing and finishing materials. Also, any new access track proposals should be designed to have a minimum impact on the character of the locality. The development should also be augmented by appropriate tree planting and landscaping.

42. The Committee agreed to submit the following comments to the Highland Council on application 04/041/CP;

The CNPA recognises that this proposal fails to comply with the Badenoch and Strathspey Local Plan in that it does not involve the upgrading or redevelopment of tourist related facilities on the site. However, with the existence of previous approvals for similar types of development and the fact that the hotel has been unused for several years and as such can only cause further harm to the visual amenity of the area, the CNPA accepts the principle of residential development on this brownfield site. It may provide an opportunity to provide growth in the settlement without detriment to the natural setting and cultural heritage of the area. However, the CNPA feels that the provision of 12 house plots may form a pattern, scale and density of housing development that may be inappropriate in comparison to existing development in Dalwhinnie. This may cause localised problems of residential and visual amenity as a result of overdevelopment. The CNPA therefore suggests that the number of house plots be reduced. In addition, the CNPA also suggests that in order to ensure the timeous development of the whole site, it may be appropriate to seek a phasing plan including a programme for the completion of the houses, open spaces, landscaping, roads and footpaths. In order to achieve a consistent approach to design it may also be appropriate to seek a design brief, which would also encourage, in the interests of sustainable economic development, home-based working opportunities. Finally, the CNPA would wish to see, in line with Highland Council policy, an adequate level of affordable housing being provided in relation to the eventual size of the development.

43. The Highland Councillors returned.

#### **DECISION ON PLANNING APPLICATION 03/048/CP – LAND AT BOAT OF BALLIEFURTH (Paper 1)**

44. Alistair MacLennan as the applicant declared an interest and left the room.

45. Neil Stewart presented a paper recommending that the Committee approve the application subject to Conditions. It was stressed that the recommendation was made on the basis that a previous Outline consent already exists for the site.
46. The Paper was agreed, and Outline Planning Permission was therefore granted.
47. Alistair MacLennan returned.

### **INTERIM PLANNING POLICY No. 2: RADIO TELECOMMUNICATIONS (Paper 2)**

48. Norman Brockie presented a paper proposing a Preliminary Draft Interim Planning Policy on Radio Telecommunications Masts.
49. The Paper was agreed subject to the following amendments;
  - Paragraph 1.4 should be amended to show that where there is conflict between the four aims, greater weight should be given to the first aim only where this conflict cannot be resolved.
  - Paragraph 5.3 should be amended to include careful siting in relation to entry points within the park.
  - Paragraph 16.1, where bullet point 3 relates to the Natural Environment, should be amended to include impacts on drainage, hydrology and ecology.
  - Paragraph 16.1, where bullet point 6 relates to Pollution, ‘shadow flicker’ should be deleted.
  - Policy RT1: Paragraph a) be amended to insert the word ‘significant’ prior to the words ‘adverse impact’.
  - Policy RT1: Paragraph b) be amended to insert the word ‘significant’ prior to the words ‘adverse environmental impact’ and also to include impacts on designated sites subject to rigorous siting and design..
  - Policy RT1: Paragraph d) be amended to show that a cumulative strategy for the park should be developed between telecom developers within the park and the Park Authority to avoid the requirement for new masts and excessive mast sharing within the Park.
  - Policy RT1: Paragraph l) be amended to include provision for a reinstatement bond which will include telecom mast access tracks and a reinstatement timescale.

### **INTERIM PLANNING POLICY No. 3: VEHICLE HILL TRACKS (Paper 3)**

50. Norman Brockie presented a paper proposing a Preliminary Draft Interim Planning Policy on Vehicle Hill Tracks.
51. Concern was raised in relation to tracks that are formed without permission or those that are formed through use and erosion rather than through construction. Concern was also raised in relation to damage/alterations that may affect original military and drove roads. It was agreed that some of these issues be addressed through the future paper on enforcement.
52. The Paper was agreed subject to the following amendments;
  - Paragraph 1.2, 7.3 and 16.1 should be amended to include mention of potential impacts on hydrology, water courses and peat.
  - Paragraph 5.1, should be amended to refer to the implications of National Scenic Areas for Permitted Development rights.
  - Paragraph 7.1 should be amended to include a definition of a Vehicle Hill Track.

- Paragraph 7.3 should be modified to indicate that all river crossing should be constructed in such a way as to minimise erosion impact.
- Paragraph 7.4 should be amended to include the importance of construction techniques and the colour and quality of materials.
- Paragraph 7.5 should be amended to remove ‘natural fertilisers’ in relation to maintenance.
- The correct terminology for the techniques used for construction of Vehicle Hill Tracks is to be investigated by Norman Brockie and the paper modified accordingly.
- Policy VHT1: Paragraph b) be amended to insert the word ‘significant’ prior to the words ‘adverse environmental’.
- Policy VHT1: Paragraph e) be modified to read ‘It would not adversely affect the amenity and public access’.

### **ANY OTHER BUSINESS**

53. Andrew Thin advised the committee that he is in the process of organising a meeting with those interested parties in relation to the deer culling that occurred in Glen Feshie earlier in the week.
54. Peter Argyle advised the committee that the Aberdeen and Grampian Tourist Board are now aware of 30 Wind farm applications within their area.
55. The Committee were advised that Don McKee has now been appointed as the new Head of Planning for the Cairngorms National Park.

### **DATE OF NEXT MEETING**

56. 13<sup>th</sup> February 2004, Duke of Gordon Hotel, Kingussie.
57. Committee Members were requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.