
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at Talla nan Ros, Kingussie
on 14 Nov 2008 at 10.30am

PRESENT

Eric Baird
Stuart Black
Duncan Bryden
Nonie Coulthard
Dave Fallows
Lucy Grant
David Green
Drew Hendry
Marcus Humphrey

Bob Kinnaird
Bruce Luffman
Mary McCafferty
Willie McKenna
Eleanor Mackintosh
Alastair MacLennan
Sandy Park
Andrew Rafferty

IN ATTENDANCE:

Don McKee
Mary Grier
Neil Stewart
Marie Duncan

Andrew Tait
Hilary MacBean
Pip Mackie

APOLOGIES:

Geva Blackett
Ian Mackintosh
Fiona Murdoch
Susan Walker

Jaci Douglas
Anne McLean
Richard Stroud

**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, 31st October 2008, held at The Lonach Hall, Strathdon, were approved.
4. There were no matters arising.

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

5. Marcus Humphrey declared an interest in Planning Application No. 08/378/CP.
6. Bob Kinnaird declared an interest in Item No.6, 7 & 8 on the Agenda.
7. Willie McKenna declared an interest in Item No.13 on the Agenda.

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

8. 08/361/CP - No Call-in
9. 08/362/CP - No Call-in
- 10.08/363/CP - No Call-in

- 11.08/364/CP - The decision was to call-in the application for the following reason :

The proposal is for engineering operations for a realignment of an existing road within the Braemar Conservation Area and which is associated with a proposal for 30 houses at a site which has received CNPA Committee approval. It is considered that the proposal raises issues in relation to the conservation and enhancement of the natural and cultural heritage of the area, and the economic and social development of Braemar. As such, and to be consistent, it is therefore considered to have general and linked significance to the aims of the National Park.

- 12.08/365/CP - No Call-in

13.08/366/CP - No Call-in

14.08/367/CP - The decision was to call-in the application for the following reason :

The proposal is for the erection of 6 flats on a site within the curtilage of a Listed Building and within the central core of the Grantown-on-Spey Conservation Area. It forms part of a larger development which includes affordable housing, and which has received CNPA Committee Outline approval. It is considered that the proposal raises issues in relation to siting and design, the conservation and enhancement of the cultural heritage of Grantown-on-Spey, and the social and economic development of the area, in relation to the timing and provision of affordable housing. As such, and to be consistent, the proposal is considered to raise issues of general and linked significance to the aims of the National Park.

15.08/368/CP - No Call-in

16.08/369/CP - No Call-in

17.08/370/CP - No Call-in

18.08/371/CP - No Call-in

19.08/372/CP - No Call-in

20.08/373/CP - No Call-in

21.08/374/CP - Withdrawn by Local Authority prior to Planning Committee

22.08/375/CP - No Call-in

23.08/376/CP - No Call-in

24.08/377/CP - No Call-in

25.08/377/CP - No Call-in

26.08/378/CP - Marcus Humphrey declared an interest and left the room.
The decision was to call-in the application for the following reason :

The proposal is for the creation of a cheese making dairy business with the erection of associated buildings and facilities, in a countryside area characterised by birch woodland. It is located adjacent to the River Dee SAC, the main A93 tourist route and promoted public access route of the Deeside Way, and close to an area at risk from flooding. The proposal is considered to raise issues in relation to planning policy, economic development in countryside areas, conservation and enhancement of natural and cultural heritage, impacts on promoted public access and potential flooding. It is therefore considered to

be of general significance to the collective aims of the National Park.

Marcus Humphrey returned.

27.08/379/CP - No Call-in
28.08/380/CP - No Call-in
29.08/381/CP - No Call-in
30.08/382/CP - No Call-in
31.08/383/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

32. The Members wished to make comments to the Local Authorities on the following Planning Application No's 08/368/CP, 08/369/CP, 08/370/CP, 08/375/CP, 08/377/CP, 08/380/CP & 08/381/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 AT WOODLAND NORTH OF WEST TERRACE, KINGUSSIE

(PAPER 1)

AGENDA ITEM 7

REPORT ON CALLED-IN PLANNING APPLICATION FOR FORMATION OF 4 HOUSE PLOTS AND ACCESS ROAD AT LAND 150M SOUTH OF ST VINCENTS HOSPITAL, GYNACK ROAD, KINGUSSIE

(PAPER 2)

AGENDA ITEM 8

REPORT ON CALLED-IN PLANNING APPLICATION FOR CONSTRUCTION OF ACCESS ROAD AND DEVELOPMENT OF 18 HOUSE PLOTS AT WOODLAND NORTH OF WEST TERRACE, KINGUSSIE

(PAPER 3)

33. Bob Kinnaird declared an interest and left the room.

34. Duncan Bryden referred to the mornings site visit in Kingussie for Papers 1, 2 & 3 and to an unscheduled change in the agenda.

35. Andrew Tait pointed out that squirrel activity had been noted on the site visit, as had a squirrel drey on one site. SNH had pointed out that there can be squirrel activity within Birch woodland. Andrew Tait stated that a squirrel survey was being prepared and that applications 08/183/CP, 08/183/CP & 06/054/CP should be deferred until such time the information was available.
36. The Committee discussed the situation and the following points were raised:
- a) Clarification of the implications of the applications being approved with conditions regarding squirrels.
 - b) The time scale for the submission of the survey.
 - c) Why the survey had not been highlighted beforehand.
 - d) Clarification of the applicant's right to appeal due to non determination.
 - e) Clarification of the quality of the squirrel survey.
 - f) Which applications are to be deferred.
 - g) When the applications would be brought to Committee for Determination.
 - h) Due to the level of public interest, the applications should be determined at venue close to Kingussie.
37. Alan Ogilvie, Agent, clarified that the survey had been carried out although the report was not yet available. He agreed all 3 applications should be deferred.
38. The Committee agreed to defer all 3 applications, until the squirrel survey information had been submitted and the reports reviewed accordingly.
39. The Committee indicated a wish for the applications to be brought back for determination at the next Planning Committee, due to be held in Kincaig. Planning Officials stated that they would try to ensure this happened.
40. Bob Kinnaird returned.

AGENDA ITEM 9:

REPORT ON CALLED-IN PLANNING APPLICATION FOR REFURBISHMENT OF EXISTING SITE AND SITING OF 38 ADDITIONAL HOLIDAY LODGES AT GLENMORE CAMPING & CARAVAN SITE AVIEMORE (PAPER 4)

41. Duncan Bryden informed members the Applicants had not yet arrived at the meeting and the paper should be deferred until later in the meeting. The Committee agreed.

AGENDA ITEM 10:

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF 2 DWELLINGHOUSES AT PLOTS 12 AND 13 INVERCAULD GARDENS GLENSHEE ROAD, BRAEMAR (PAPER 5)

42. Duncan Bryden informed Members that David Hagen, of Northbank Services, was available to answer any questions members may have.
43. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
44. The Committee were invited to ask David Hagen any questions they may have. No questions were asked.
45. Duncan Bryden thanked David Hagen for attending.
46. The Committee had an opportunity to discuss the application. No points were raised.
47. The Committee agreed to approve the application subject to the conditions stated in the report.

AGENDA ITEM 11:

REPORT ON CALLED-IN PLANNING APPLICATION FOR DISPLAY OF ADVERTISEMENTS AT LAND AT HIGH BURNSIDE, AVIEMORE (PAPER 6)

48. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report and an additional condition requiring the removal of the supporting poles within 14 days of the determination being issued.
49. Dave Fallows informed Members that he had recently attended a meeting of Aviemore Community Council where the application had been discussed. Aviemore Community Council wished to maintain their objection regarding the development, due to road safety concerns and that the application may set a precedent for further similar developments in the area.

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

- a) The need to take the Aviemore Community Council comments into account.
- b) The potential for further signage in the local area for the High Burnside development.
- c) The approval of the application setting precedent for similar developments in the area.
- d) The revised proposal being a more sensible approach.
- e) The signs being detrimental to the natural heritage of the CNP.
- f) Clarification of permitted development rights regarding signage.

51. David Green proposed a motion to approve the application subject to the conditions as stated in the report. This was seconded by Drew Hendry.

52. Willie McKenna proposed an amendment that the application be refused due to the impact on landscape, visual impact and the potential to set a precedent for future applications. This was seconded by Mary McCafferty.

53. The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Eric Baird	√		
Stuart Black		√	
Duncan Bryden	√		
Nonie Coulthard	√		
Dave Fallows		√	
Lucy Grant	√		
David Green	√		
Drew Hendry	√		
Marcus Humphrey	√		
Bob Kinnaird	√		
Bruce Luffman	√		
Mary McCafferty		√	
Willie McKenna		√	
Eleanor Mackintosh		√	
Alastair MacLennan	√		
Sandy Park	√		
Andrew Rafferty	√		
TOTAL	12	5	

54. The Committee agreed to approve the application subject to the conditions stated in the report and an additional condition requiring the

removal of the supporting poles within 14 days of the determination being issued.

AGENDA ITEM 12:

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF BOTTLING HALL AND STORAGE BUILDING AS PHASE 1 OF REDEVELOPMENT OF SITE AND TEMPORARY SITE OF 2 No. PORTAKABINS FOR OFFICIAL USE (PAPER 7)

62. Duncan Bryden advised Members that Hilary MacBean, Planning Officer, had not yet arrived at the meeting and suggested the paper be deferred until later in the meeting.

63. The Committee agreed.

AGENDA ITEM 13:

REPORT ON PRINCIPLES FOR AN CAMAS MOR (PAPER 8)

55. Willie McKenna declared an interest and left the room.

56. David Green asked for it to be noted that his brother in law worked for a company that was doing some work for both An Camas Mor and Aviemore Highland Resort.

57. Don McKee presented a paper recommending that the Committee agree the principles for An Camas Mor as set out in Appendix 1 of the report.

58. The Committee discussed the report and the following points were raised:

- a) The inclusion of use of space for office or retail in the Employment/Jobs section.
- b) Clarification on the means of achieving a 'real' community.
- c) Clarification of the footbridge/cycle bridge and the connection with Aviemore.
- d) Clarification of the definition of adoptable informality regarding roads in the development.
- e) Acknowledging the relationship of An Camas Mor with Aviemore.
- f) The potential to include renewable energy sources, sustainable materials and the possibility of district heating scheme.
- g) The report should refer to international examples.
- h) An Camas Mor being a community in its own right.
- i) Clarification of development pattern and phases, and its relationship with the Local Plan.
- j) Clarification of road development.
- k) The inclusion of a section on climate change and best practise.
- l) The issue of waste management.

59. The Committee accepted the principles for An Camas Mor as a first draft but resolved that a revised version be brought to a future meeting taking into account the issues raised during the discussion. It was agreed the revised version should be presented at a future committee.
60. Willie McKenna returned.

AGENDA ITEM 9:

REPORT ON CALLED-IN PLANNING APPLICATION FOR REFURBISHMENT OF EXISTING SITE AND SITING OF 38 ADDITIONAL HOLIDAY LODGES AT GLENMORE CAMPING & CARAVAN SITE AVIEMORE (PAPER 4)

61. The Committee paused to read letters of representation which had been received within the required deadline. It was advised that a further two late letters of representation had been received outwith the required deadline. The Committee agreed not to consider these late letters.
62. Duncan Bryden informed Members that Adrian Burn, of Forest Holidays LLP, and David Jardine from the Forestry Commission, were available to answer any questions members have.
63. Mary Grier presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
64. The Committee were invited to ask Adrian Burn and David Jardine points of clarification, the following were raised:
- a) The absence of a business plan.
 - b) Clarification on use of green space.
 - c) Availability of a servicing plan.
 - d) Clarification of car parking & safety.
 - e) Provision for lower income visitors.
 - f) Disability access.
 - g) Number of camping pitches being lost.
 - h) Concerns on losing informality of camping.
 - i) Concerns on the number of lodges.
 - j) Clarification on use of public money and land.
 - k) Size of caravan hard standing.
 - l) Green tourism business standard.
65. Duncan Bryden thanked Adrian Burn and David Jardine.
66. The Committee discussed the application and the following points were raised:
- a) The issue of displacement.
 - b) Phasing of the development.
 - c) Informality issue.
 - d) Reducing vehicles to increase safety.
 - e) Informality issue and losing the camping ambience.
 - f) Economic and seasonality situation.
 - g) The possibility of re-investment on the site.
 - h) Land ownership concerns.
 - i) The need for a business plan.

j) Difference between a business plan and an economic impact assessment.

67. Bruce Luffman proposed a Motion to defer the application to require the applicants to submit a business plan/economic impact assessment and also address issues regarding car parking and provision of informal camping. This was seconded by Dave Fallows.

68. Drew Hendry proposed an Amendment that the application be approved subject to the recommended conditions and additional conditions regarding car parking phasing and the provision of a revised site layout to show a greater available space for informal camping. This was seconded by Sandy Park.

The vote was as follows:

	MOTION	AMENDMENT	ABSTAIN
Eric Baird	√		
Stuart Black	√		
Duncan Bryden		√	
Nonie Coulthard		√	
Dave Fallows		√	
Lucy Grant	√		
David Green	√		
Drew Hendry		√	
Marcus Humphrey		√	
Bob Kinnaird		√	
Bruce Luffman	√		
Mary McCafferty	√		
Willie McKenna	√		
Eleanor Mackintosh	√		
Alastair MacLennan	√		
Sandy Park		√	
Andrew Rafferty		√	
TOTAL	9	8	0

69.. The Committee agreed to defer the application subject to further information to be submitted from the Applicants.

AGENDA ITEM 12

REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF BOTTLING HALL AND STORAGE BUILDING AS PHASE 1 OF REDEVELOPMENT OF SITE AND TEMPORARY SITE OF 2 No. PORTAKABINS FOR OFFICIAL USE (PAPER 7)

70. Hilary MacBean presented a paper recommending that the Committee approve the application subject to the conditions stated in the report and two additional conditions concerning noise levels and hours of business.
71. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
- a) Use of renewable energy.
 - b) Clarification of conditions concerning noise levels and hours of business.
72. The Committee agreed to approve the application subject to the conditions stated in the report plus the two additional conditions relating to noise levels and hours of business.

AGENDA ITEM 14

REPORT ON SUSTAINABLE DESIGN GUIDE-THE NEXT STEPS (PAPER 9)

73. Don McKee presented a paper on behalf of Alison Lax, Local Plan/Policy Officer recommending that the Committee approve the purpose, principles and audience of Sustainable Design Guide.
74. The Committee discussed the report and the following points were raised:
- a) It should "assist" not "get" applications through the planning process.
 - b) It should be a guide that "truly makes a difference".
 - c) The purpose should relate to "development in the park" not just "new".
 - d) There should be reference to involvement of partners.
 - e) Clarification of the "audience", prefer "customers" and it should cover architects etc
 - f) Proposal of a Social Plan in the guide
 - g) The requirements that the document must be defensible and capable, if used as basis for conditions attached to planning applications.
75. The Committee asked that the comments raised should be taken into consideration and a revised paper be brought back to a future Planning Committee.

AGENDA ITEM 15

ANY OTHER BUSINES

76. Duncan Bryden reminded Members of the site visits on the 28th November 2008 to Aviemore Highland Resort and Dalfaber and the possibility of extra planning papers for determination. Officers would advise of any revisions to arrangements.
77. Duncan Bryden informed members that an appeal decision had been made for planning application 07/387/CP for the Erection of House at Land 62 M South West of Parkhead Croft, Skye of Curr. Duncan Bryden advised members that Bruce Luffman had represented the CNPA at the hearing and that the appeal had been dismissed.

AGENDA ITEM 16

DATE OF NEXT MEETING

78. 9:30am Friday 28th November at .The Community Hall, Kincaig
79. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Planning Office in Ballater.
80. The meeting concluded at 13:45hrs.