
CAIRNGORMS NATIONAL PARK AUTHORITY

DRAFT MINUTES OF THE PLANNING COMMITTEE

held at The Community Centre, Boat of Garten
on 16th September 2016 at 11.00am

Members Present

Peter Argyle	Gregor Hutcheon
Rebecca Badger	John Latham
Angela Douglas	Bill Lobban
Dave Fallows	Eleanor Mackintosh (Convener)
Katrina Farquhar	Willie McKenna
Dave Fallows	Fiona Murdoch
Jeanette Gaul	Gordon Riddler (Deputy Convener)
Janet Hunter	Judith Webb
Brain Wood	Kate Howie
Gregor Rimell	

In Attendance:

Gavin Miles, Head of Planning
Grant Moir, Chief Executive
Matthew Taylor, Planning Officer, Development Management
David Berry, Planning Manager, Forward Planning & Service Improvement
Dan Harris, Planning Officer, Development Planning
Matthew Hawkins, Landscapes and Ecology Manager
Dee Straw, Planning Administration and Systems Officer
Kirsty Mackenzie, Planning Support Officer

Apologies: Paul Easto

DRAFT COMMITTEE MINUTES

Agenda Items 1 & 2:

Welcome

1. The Convener welcomed all present and apologies were noted.

Agenda Item 3:

Minutes & Matters Arising from the Previous Meeting

2. The minutes of the previous meeting, 19th August 2016, held at The Community Centre, Nethy Bridge were approved with no amendments.
3. There were no matters arising.
4. The Convener provided an update on the Action Points from the previous meeting:
 - a) **Action at Para 1 i & ii): Resolved.** Staff confirmed that the approved landscape maintenance scheme requires that any planting failures over a five-year period (with annual inspection) are replaced (securing 100% replacement of any failed plants) and that a further five-year monitoring period identifies any further maintenance to the scheme.
 - b) **Action at Para 15i): Done.** The condition was changed.
 - c) **Action at Para 20i): Done.** This had been incorporated into the Construction Method Statement in consultation with SEPA.

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

5. Gordon Riddler declared an interest in:
 - a) Items No. 5 and 6 – Indirect Interest – Is a trustee of the Victoria and Albert Halls but has no direct link with the application.
6. Peter Argyle declared an interest in:
 - a) Items No. 5 and 6 – Direct Interest – Councillor for Aberdeenshire Council
7. John Latham declared an interest in:
 - a) Items No. 5 and 6 – Direct Interest – Councillor for Aberdeenshire Council
8. Katrina Farquhar declared an interest in:
 - a) Items No. 5 and 6 – Direct Interest – Councillor for Aberdeenshire Council
9. Rebecca Badger declared an interest in:
 - a) Items No. 9 – Direct Interest – Directly affected by Carrbridge HI

10. Peter Argyle, John Latham and Katrina Farquhar left the room.

Agenda Item 5 and 6:

Application for Detailed Planning Permission (2016/0195/DET) and Application for Listed Building Consent (2016/0196/LBC)

Reinstatement of Royal Station including a new internal layout and enhanced exhibition space to the platform side

At Aberdeen and Grampian Tourist Board, Tourist Information Centre, Station Square, Ballater

RECOMMENDATION: Approve Subject to Conditions

11. Matthew Taylor presented a paper to the Committee.
12. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
- a) Concern was expressed that the space proposed around the development might not be sufficient for the less mobile and catering companies. There was a request that Condition 2 be amended to require the agreement of users of the Victoria and Albert Halls to detailed design and technical specifications to be submitted for approval and a concern expressed about the potential for tree planting to obstruct access. Officers explained that it was the planning authority (CNPA in this case) and roads authority (Aberdeenshire Council) who must make this judgement, pointing out that Condition 3 requires further justification for suitable access arrangements.
 - b) A member asked that the tree planting be restricted to show native or appropriate species to the location. The officer agreed that it is important that the choice of species is properly considered for a number of reasons, and that condition 5 requires the submission of tree planting details.
 - c) A comment that a major drain runs through the middle of part of the site and concern that tree roots could damage the sewage connection. Matthew explained there was a standard informative to safeguard services.
 - d) Aberdeenshire Council were commended for their efforts with this development and it was acknowledged that there was still a challenge for the designers to accommodate the Tulloch stones in the building.
 - e) The reduction in car parking was welcomed but there was a strong need to address the limited disabled parking for the hall.
 - f) Concern at paragraph 28 relating to contamination and a query regarding whether Aberdeenshire Council have records of what happened with the garage and the contamination. Matthew confirmed there was an informative provided for a watching brief of the site.
 - g) The development was welcomed as an exceptional one.

DRAFT COMMITTEE MINUTES

13. The Committee agreed to approve both of the applications.
14. **Action Points arising:** **None.**
15. Peter Argyle, John Latham and Katrina Farquhar returned to the room.

Agenda Item 7:

Update on Kingussie Housing Development Actions (2015/0316/DET & 2015/0317/DET)

RECOMMENDATION: Continue to Approve

16. Gavin Miles presented a paper to the Committee and explained that the application was now making good progress. He proposed to provide an update report in November on this development and thereafter on a monthly basis. Members welcomed this approach.

17. **Action Point arising:** **None.**

Agenda Item 8:

A9 Crubenmore to Kincaig Consultation Response

RECOMMENDATION: Approve

18. Gavin Miles presented a paper to the Committee, noting that this consultation had the first section with very significantly different route options and potentially different impacts. It had shown that the terminology of “preferred options” that officers had used in reports to Committee could be misunderstood and that it was more accurate to describe the feedback that the CNPA gave to Transport Scotland in terms of “impacts on landscape and communities”. The CNPA is only providing advice to Transport Scotland on those matters and other bodies are providing advice on ecology, Natura, flooding etc.
19. The Convener asked the Planning Committee to note the proposed arrangements.
20. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
 - a) Clarification on section 5 and whether there was space for another option to be considered or whether no other options were possible at all. Gavin confirmed that Transport Scotland had looked for potential route options and there no others were proposed.
 - b) Would there be a further informal consultation with more information? Gavin explained that it would not come back for informal consultation. The next stage would be formal consultation on Transport Scotland’s preferred options.

DRAFT COMMITTEE MINUTES

- c) Clarification on the loss of ancient woodland in section 5 and observation that compensatory planting cannot replace this. Gavin explained that Transport Scotland were aware of problems and they were trying to identify the best and most beneficial sites for mitigation and planting enhancement in liaison with Scottish Natural Heritage and the CNPA.
- d) A member expressed concerns with option 4a being highlighted as the having the least landscape and visual impacts on Kingussie, when other options might have a range of other potential benefits. Should the CNPA choose an option or could the feedback simply be that that given the information available it was too difficult to make a decision? Gavin confirmed that the feedback was not about the CNPA's preferred option, just pointing out the options that would have the least significant impacts on landscape and the local community.

21. The Committee agreed to approve the Consultation response.

22. **Action Points arising:** **None**

23. Rebecca Badger left the room.

Agenda Item 9:

Carrbridge HI Draft Development Brief

RECOMMENDATION: Approve

24. David Berry presented a paper to the Committee.

25. The Committee were invited to ask the Planning Manager points of clarification, the following were raised:

- a) Concern was raised over the low number of responses to the questionnaire that was used to inform the Draft Development Brief. David agreed and explained that they had actively promoted the questionnaire at the 'Carr-Bridge Conversation' meeting that was attended by many of the community. Gavin agreed that relatively few people had responded, but reassured the committee officers would be liaising with Carr-Bridge community council to establish the best way of encouraging response to the draft development brief.
- b) Query on the development brief: Could it be challenged? Gavin confirmed that it would be non-statutory planning guidance that is a material consideration in planning decisions but does not carry the same weight as the development plan. However, a non-statutory development brief adopted by the CNPA would provide a developer with more certainty given the complicated history of the site.
- c) The following amendments to the draft brief were suggested and agreed:

DRAFT COMMITTEE MINUTES

- i. At Para 1 (Natural Heritage) on Page 5: the second sentence to read “The development of HI should complement and enhance this character and this could be achieved by a suitably laid out housing development which maintains and enhances the woodland setting”.
 - ii. At Para 1 (Natural Heritage) on Page 5: the third sentence to read “This can be achieved by ideally having no loss of existing woodland...plantation edge, by new woodland/ trees.”
 - iii. At Para 6 on Page 7: the final paragraph, the last sentence “Some small pockets of woodland could be removed...” to be deleted as it does not add any value.
- d) Had any response to the questionnaire been received online? David confirmed that was a mix of responses; online and on paper. Gavin added that copies were also given to the Community Council to hand out in person.
 - e) A suggestion was made that more narrative is given in the future consultation to encourage supporters as well as the opposition to respond. The narrative needs to explain in plain English that receiving a mixture of responses is the only way to ensuring the community needs are met.
 - f) During the questionnaire survey was it indicated to the community that it would only be the field that would be developed? David clarified that views were sought on the site allocated in the local development plan.
 - g) As it is an unusual site with an unusual planning history, if an applicant came forward with an application to develop the whole site and pushed it through to appeal how robust would the decision taken at the development brief be in that situation? Gavin explained that the landscape value and the importance of the woodland would be critical in any decision on a planning application
 - h) Could the woodland from the site be excluded from the next Local Development Plan? Gavin confirmed that it could.
 - i) A suggestion was made to run an article in the local newspaper to encourage people to respond to consultation. This was agreed.
26. The Committee agreed to approve the draft brief for public consultation subject to the following amendments:
- a) At Para 1 (Natural Heritage) on Page 5: the second sentence to read “The development of HI should complement and enhance this character and this could be achieved by a suitably laid out housing development which maintains and enhances the woodland setting”.
 - b) At Para 1 (Natural Heritage) on Page 5: the third sentence to read “This can be achieved by ideally having no loss of existing woodland...plantation edge, by new woodland/ trees.”
 - c) At Para 6 on Page 7: the final paragraph, the last sentence “Some small pockets of woodland could be removed...” to be deleted as it does not add any value.

27. Action Points arising:

- i. **Amendments to be made to the Development Brief as detailed in paragraph 26.**

28. Rebecca Badger returned to the meeting.

Agenda Item 10:

Local Development Plan 2 Update

29. David Berry presented a paper to the Committee.

30. The Committee were invited to ask the Planning Manager points of clarification, the following were raised:

- a) Convener asked that the Board can be more involved and be made aware of things like school visits.
- b) Planning Team to be commended on involving the local schools.
- c) With reference to paragraph 10 and paragraph 12 a suggestion was made to ask Scottish Environment Link to come forward with sites to enable a more constructive relationship with them.

30. The Committee noted the update.

31. Action Points arising: None.

Agenda Item 11:

Update on Cairngorm Mountain Developments and Enforcement

32. Gavin Miles gave an update to the Committee on monitoring of development and restoration at the Sheiling Tow, Cairngorm Mountain where a number of breaches of planning control have occurred. He explained that CNPA officers had been working to resolve the situation and in particular, to secure an acceptable restoration of the site following the works. Gavin explained that part of the resolution may be achieved through the retrospective planning application for an access track at the Sheiling Tow that the Planning Committee would be asked to determine in due course. He reminded members that they should not raise any points at this stage that would mean they could not take part in that future decision-making.

33. The Committee were invited to ask the Head of Planning points of clarification, no points were raised.

DRAFT COMMITTEE MINUTES

34. The Committee noted the update.

35. Action Points arising: None.

Agenda Item 12

Any Other Business

36. Gavin provided the Planning Committee with an update on Dornell windfarm. The CNPA had objected to the original application, which had been granted consent and more recently, had objected to an application to extend the windfarm. The application for the extension would now go to public inquiry where Scottish Natural Heritage, who also objected, would represent the CNPA.

37. Gavin provided an update on the CNPA's Social Impact Pledge and offer to local secondary schools of a visit to a Planning Committee meeting. He advised that the 18 November Planning Committee has been pencilled in. He advised that it would not affect the running of the Planning Committee. However the pupils would be given a briefing before the meeting and have an opportunity to ask questions about it and that there would be time set aside for questions from pupils after the Planning Committee meeting had concluded.

38. Gavin reported an update on the following Section 75's:

- a) The Section 75 for Meadowside Quarry was currently being signed.
- b) The Section 75 for the site at the Winking Owl in Aviemore was moving very quickly.

39. A Board Member highlighted that the Scottish Government had recently put out a consultation with regard to the future of forestry in Scotland. It was explained that the creation of a new agency was proposed named 'Forestry and Land Scotland' with the suggestion of the removal of Forestry Commission being restricted to works that are primarily related to woodland. The Chief Executive confirmed that the Authority would not be submitting a collective response to this consultation however this did not stop individuals doing so.

40. Action Points arising: None

Agenda Item 13:

Date of Next Meeting

41. Friday 21st October 2016, Grant Arms Hotel, Grantown-on-Spey.

DRAFT COMMITTEE MINUTES

42. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Clerk to the Board, Alix Harkness.
43. The public business of the meeting concluded at 12:40hrs.