
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE held at The Albert Memorial Hall, Ballater on 21st September 2007 at 10.30am

PRESENT

Eric Baird	Bruce Luffman
Stuart Black	Mary McCafferty
Duncan Bryden	Willie McKenna
Jaci Douglas	Eleanor Mackintosh
Dave Fallows	Ian Mackintosh
Lucy Grant	Alastair MacLennan
David Green	Richard Stroud
Marcus Humphrey	Susan Walker
Bob Kinnaird	

IN ATTENDANCE:

Don McKee	Andrew Tait
Neil Stewart	Wendy Mitchell

APOLOGIES:

Geva Blackett	Fiona Murdoch
Nonie Coulthard	Sandy Park
Drew Hendry	Andrew Rafferty
Anne MacLean	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, 7th September, held at The Lecht Ski Centre, The Lecht, Strathdon were approved.
4. Matters arising included:
 - a) Bruce Luffman sought clarification from Don McKee regarding the progress of the letter about the Galton Appeal being drafted to the Reporters Unit. Don McKee responded by advising the Committee that the letter had been drafted and was about to be posted.

- b) Bruce Luffman sought clarification regarding whether Members could object to the CNPA Deposit Local Plan. David Green advised the Committee that the advice of the Chief Executive had been that Members could not object to the CNPA Deposit Local Plan

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

5. There were no declarations of interest.

PLANNING APPLICATION CALL-IN DECISIONS (Oral Presentation, Andrew Tait)

6. 07/346/CP - No Call-in
7. 07/347/CP - The decision was to call-in the application for the following reason :
- **The proposal represents the retention/alteration of a gateway feature at the southern entrance to the site and a smaller feature at the northern end. While of limited scale the proposals have linked significance with the wider development of the site and in particular the issue that the southern gateway feature is on the site of the proposed roundabout for the link road for the site. The proposal therefore raises issues of general significance with regard to the collective aims of the Cairngorms National Park.**
8. 07/348/CP - The decision was to call-in the application for the following reason :
- **The application seeks consent for works to augment and upgrade the existing waste water treatment works at Glenmore. The site is close to a range of nature conservation designations and within the Cairngorms National Scenic Area. The vicinity of the site is also an important tourist area. Consequently, the proposal raises issues in relation to natural heritage and the sustainable social and economic development of the community of Glenmore and its planning into the future. The proposal therefore raises issues of general significance for the collective aims of the Cairngorms National Park.**
9. 07/349/CP - No Call-in
10. 07/350/CP - No Call-in
11. 07/351/CP - No Call-in

- 12.07/352/CP - No Call-in
13.07/353/CP - No Call-in
14.07/354/CP - No Call-in
15.07/355/CP - No Call-in
16.07/356/CP - No Call-in
17.07/357/CP - No Call-in
18.07/358/CP - No Call-in
19.07/359/CP - No Call-in
- 20.07/360/CP - The decision was to call-in the application for the following reason :
- **The proposal represents the erection of a new dwellinghouse and agricultural building in a countryside area where there are general restrictions on residential development unless there is a demonstrable justification. The site also lies within an Area of Landscape Significance. The proposal therefore generates considerations in relation to the principle of housing in countryside areas, precedent for other similar developments, and the cumulative visual and landscape impacts of single houses throughout the countryside of the National Park. As such the proposal is viewed as raising issues of general significance to the collective aims of the National Park.**
- 21.07/361/CP - No Call-in
22.07/362/CP - No Call-in
- 23.07/363/CP - The decision was to call-in the application for the following reason :
- **While recognizing that the proposal represents a replacement house in principle, the scheme involves the replacement of a traditional building with a larger contemporary dwelling. In addition, the site fronts directly onto the Speyside Way, Sustrans Cycle Route 7 and the Strathspey Steam Railway line, there are also a range of other paths in the vicinity of the site. The proposal raises a range of issues in relation to cultural heritage, building design, economic and social development and promoting understanding and enjoyment of the Park. Consequently, the proposal raises issues of general significance for the collective aims of the National Park.**
- 24.07/364/CP - No Call-in
25.07/365/CP - No Call-in

COMMENTING ON APPLICATIONS NOT CALLED-IN BY THE COMMITTEE

26. The Members wished to make comments to the Local Authorities on the following Planning Application No's 07/346/CP, 07/349/CP, 07/350/CP, 07/351/CP, 07/353/CP, 07/354/CP, 07/357/CP & 07/364/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.
27. The Convener advised the Committee that the application being discussed under Item 10 on the agenda had been withdrawn.

REPORT ON CALLED-IN PLANNING APPLICATION FOR DEMOLITION OF HOUSE; ERECTION OF REPLACEMENT DWELLING AND OUTBUILDING, AT BOXWOOD, STRAANRUIE, NETHYBRIDGE (PAPER 1)

28. The Convener advised that the Agent for the application, Mr Deveci was available for questions.
29. Andrew Tait presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
30. The Committee asked Andrew Tait questions and points of clarification on the following topics:
- SEPA comments.
 - Appropriateness of design.
 - Comparability of this application with a previous application.
 - Boundary treatment issues.
 - Whether the woodland setting was in commercial use.
31. The Committee asked Mr Deveci questions on the following subjects:
- Construction materials for the roof.
 - Mr Deveci responded to the earlier comments regarding design.
 - The water run-off from the roof.
 - Sustainability strategy.
 - Footprint calculation.
32. The Committee discussed the application and the following points were raised:
- General agreement with the design of the build.
 - Regret that a traditional building would have to be lost.
 - Boundary treatments to be compatible with the ambiance of the area, Andrew Tait responded by suggesting that this be built into Condition No. 2.
33. The Committee asked Andrew Tait more questions on the following subjects:
- Drainage and Run-off from roof.
 - Whether the water supply is a private supply, and is it sufficient for this property without having adverse impacts on other surrounding properties, Andrew Tait responded by suggesting that an extra condition be added to take account of this concern.
 - Whether the bridge could be upgraded to ensure safe access, Andrew Tait responded by stating that the bridge was out with the ownership of the applicants but suggested that a letter could be written to The Highland Council suggesting that the safety of the bridge be taken into account when dealing with Building Regulations.

- d) The Committee agreed to approve the application subject to the conditions stated in the report, with amendments to Condition No. 2 to take account of appropriate boundary treatments, an extra condition to take account of an appropriate water supply and a letter to be written to The Highland Council suggesting that the safety of the bridge be taken into account when dealing with building regulations.

34. David Green thanked Mr Deveci.

REPORT ON CALLED-IN PLANNING APPLICATION FOR REDEVELOPMENT AND AUGMENTATION OF WASTEWATER TREATMENT WORKS AT WASTEWATER TREATMENT WORKS, NEWTONMORE (PAPER 2)

35. The Convener advised the Committee that representatives of Scottish Water were present to answer any Members questions.

36. Neil Stewart presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.

37. The Committee asked Neil Stewart questions and points of clarification on the following topics:

- a) Concern over the last condition and that the “temporary construction yard” would look unsightly.
- b) Timing of construction.
- c) Whether the works proposed would mitigate any odour resulting from the nature of the compound, which was especially important due to the proximity to tourist facilities.
- d) Whether the adjacent Highland Folk Museum had been in discussions with the applicants.
- e) Storage of excavated material, Neil Stewart responded by suggesting that this issue could be covered by the addition of an extra condition.
- f) Lighting issues.
- g) Signage appropriateness.
- h) That the large rabbit population could be an issue as regards the landscaping plans.
- i) Whether there would be anything that could be done to mitigate the unsightliness of the fence which would be seen due to the removal of certain trees within the compound, Neil Stewart responded by explaining that this should be covered by the landscaping condition being maintained in perpetuity.
- j) Previous works carried out at the Ballater Waste Water Treatment Works and how odour was mitigated and how landscaping works have been very good.

38. The Convener invited Sharon Greene, a representative for Scottish Water to respond on some of the topics which had been discussed above. Sharon Greene responded on the following topics:

- a) Odour mitigation.
- b) Capacity & need for works.
- c) Loss of trees and landscaping proposals.
- d) Materials.
- e) Timing of construction period.
- f) Excavated material storage.

- g) Lighting.
39. The Committee asked Sharon Greene some more questions on the following topics:
- a) Construction material storage.
 - b) Sustainability of works and processes.
 - c) Replacement of trees planted that subsequently die.
 - d) Lack of capacity currently in Newtonmore and how Scottish Water proposed to allow for future growth as set out in the current Local Plan and the CNPA Deposit Local plan.
 - e) Tree planting and the need for removal of some of these in the future due to expansion.
40. The Convener asked Neil Stewart to clarify any new or amended conditions as a result of Members discussions.
41. Neil Stewart clarified to the Committee that as a result of Members discussions, Condition No. 4 was to be amended with reference to planting maintenance, Conditions No's. 5 & 6 were to be removed and a new condition to be added to take account of excavated material.
42. The Committee agreed to approve the application subject to the conditions stated in the report with amendments to Condition No. 4, removal of Conditions No's. 5 & 6 and an extra condition to be added to take account of excavated material.

REPORT ON CALLED-IN PLANNING APPLICATION FOR DEMOLITION OF STEADING AND ERECTION OF 3 HOUSES AT STEADING AND LAND ON WEST BOUNDARY OF THE OLD MANSE HOTEL, DUTHIL, CARRBRIDGE (PAPER 3)

43. The Convener asked Neil Stewart to clarify those available for questions and those wishing to address the committee on this application.
44. Neil Stewart advised the Committee that Ross Cairns, the Agent and the applicants, John Grover and Peter Holland were available for questions as were some objectors, Mr and Mrs Jones.
45. Neil Stewart advised the Committee that there were two additional letters that had been distributed to Members.
46. The Committee paused to read the additional letters.
47. Neil presented a paper recommending that the Committee approve the application subject to the conditions stated in the report.
48. The Committee asked Neil Stewart questions and points of clarification on the following topics:
- a) The Issue of the Hydro-Electric pole affecting the development including the type of planting on the bank.
 - b) Flood risk from the burn and SEPA's response.
 - c) Affordable Housing provision.
 - d) Cultural and historical significance of the steading.
 - e) Possible re-use of the old stone in the new building.
 - f) Should planting of the bank behind "Heather Bank" commence before the start of works. Neil Stewart responded by suggesting an amendment to Condition No. 8 to include ".....prior to commencement of work on plot 3"
 - g) Issues regarding the possible need for street lighting and the need to try to retain the rural character of the area.

- h) Whether the bank is man made or a natural feature.
 - i) Potential future problems with certain species of trees planted on bank.
49. Ross Cairns answered Members questions on the following topics:
- a) Re-use the old stone in the new building.
 - b) Design issues.
 - c) Re-use of slate.
50. David Green thanked Ross Cairns.
51. The Committee discussed the application and the following points were raised:
- a) The cultural and historic significance of the area and that at least the north elevation of the building should be faced with the old stone from the steading, however if the applicants could prove that this would cause problems, then other stone could be used.
 - b) The possibility of using the old stone from the steading to build stone dykes.
 - c) Whether there could be a condition to deal with the issue of street lighting on the site. Neil Stewart responded by advising that this would have to be discussed with the Roads department as part of the requirement to upgrade to adoptable standards.
 - d) The need for a photo record of the site prior to commencement of works. Neil Stewart responded by advising that this was included in Condition No. 3.
52. The Committee agreed to approve the application subject to the conditions stated in the report, with amendments to Condition No. 8 to include “.....prior to commencement of work on plot 3”, and to include an extra condition requiring the re-use of the stone from the down takings to face the north elevation of the new building, accommodating plots 2 & 3 if possible, or if not, an alternative stone finishing should be used, subject to the satisfaction of the CNPA acting as Planning Authority.

ANY OTHER BUSINESS

53. Bruce Luffman informed the Committee of a Planning and Sustainability course that he and Susan Walker had attended run by Howard Liddell. He wondered if the CNPA would be able to have him address the committee.
54. Susan Walker added that it would be necessary to have a reality check on the Sustainability and Design Guide before being discussed on a public platform.
55. Don McKee responded by explaining the progress of the contract for preparation of the Sustainability Checklist and the Sustainable Design Guide. He confirmed that it would be useful to secure some input from a variety of people working in this field before the CNPA adopt any guidance and any presentations should involve a number of architects.
56. Lucy Grant sought clarification from Don McKee regarding the Deposit Local Plan and if it was a material consideration when deciding planning applications and what weighting was to be given to it.
57. Don McKee responded by clarifying the distinction between “weight” and “material” and advised that the Deposit Draft Local Plan was a material consideration but carried little weight at present.

58. David Green advised the Committee that at the committee meeting on 2nd November, in Kincaig there would be an extended lunch session where the previous Board Members who recently left the Board would be invited, in order to thank them for their efforts.

DATE OF NEXT MEETING

69. Friday, 5th October in Braemar Village Hall.

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 12:55hrs.