
CAIRNGORMS NATIONAL PARK AUTHORITY

APPROVED MINUTES OF THE PLANNING COMMITTEE

held at The Community Hall, Boat of Garten

on 24th March 2017 at 11.00am

Members Present

Peter Argyle

Rebecca Badger

Angela Douglas

Dave Fallows

Janet Hunter

Gregor Hutcheon

John Latham

Bill Lobban

Eleanor Mackintosh (Convener)

Willie McKenna

Fiona Murdoch

Gordon Riddler (Deputy Convener)

Judith Webb

Brian Wood

In Attendance:

Gavin Miles, Head of Planning

Murray Ferguson, Director of Planning & Rural Development

Jane Shepherd, Planning Manager, Development Management

David Berry, Planning Manager, Forward Planning & Service Improvement

Dan Harris, Planning Officer, Forward Planning & Service Improvement

Alix Harkness, Clerk to the Board

Apologies:

Paul Easto Jeanette Gaul

Kate Howie Gregor Rimell

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, 27 January 2017, held in the Community Hall, Boat of Garten were approved with no amendments.

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3. There were no matters arising.
4. The Convener provided an update on the Action Points from the previous meetings:
 - a) **Action point at Para 14i) - Closed** - Letters sent to Natural Retreats and Highlands and Islands Enterprise (HIE) as the land owners. Acknowledgement letter received from HIE.
 - b) **Action point at Para 14ii) – Closed** – Used as examples in Scottish Government planning response.
 - c) **Action point at Para 14iii) – In hand** – Cairngorm Mountain Update scheduled for Autumn 2017 unless there is an issue meantime.
 - d) **Action Point at Para 18i) – Closed** – Letter sent to applicant.
 - e) **Action Point at Para 21i) – Closed** – On today's Agenda. Item 7.
 - f) **Action Point at Para 28i) – Closed** – On today's Agenda. Item 10.
 - g) **Action Point at Para 28ii) – Closed** – Links to current consultations circulated to Planning Committee Members.

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

5. No interested declared.

Agenda Item 5:

Update on Kingussie Housing Development Application (2015/0317/DET)

At Land to North and East and West Of Dunbarry Terrace and Kerrow Drive Kingussie, Highland

6. Gavin Miles, Head of Planning presented the paper to the Committee.
7. The Committee were invited to discuss the report, the following points were raised:
 - a) Would there be a chance that open market housing would be built ahead of the affordable housing? Gavin confirmed that the affordable housing could be built within each phase or in a phase of its own.
 - b) Could the Committee be as confident with the use of conditions as opposed to a legal agreement? Gavin confirmed that tying conditions to consent would be simpler all round than tying a legal agreement to the land.
 - c) The location of the proposed bus shelter was queried given that a new bus stop had already recently been put in. Gavin agreed to double check with the Highland Council Transport team.
 - d) Suggestion made to not have included the previous Committee report or the past minutes as Annexes to the Paper as it was deemed unnecessary. Gavin noted this for future reference.

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- e) Would Kingussie & Vicinity Community Council have any concerns with the removal of the legal agreement? Gavin responded that developer obligations could only be tied to the impacts of the development. The community had benefited from the transfer of land at the Gynack Burn under the original S75 agreement, would still have access to woodland and had not wanted to take ownership of the playing field land.
 - f) Confirmation was sought that the conditions relating to the compound and haul road would still remain. Gavin confirmed.
8. **The Committee agreed to approve the application subject to conditions detailed in the report.**
9. A member suggested that the applicant might make a make a donation to Kingussie & Vicinity Community Council as a gesture of goodwill. The Applicant volunteered to donate £2,500 to the Kingussie & Vicinity Community Council as a gesture of goodwill.
10. **Action Points arising:**
- i. **To check the location of bus stops and bus shelters with Highland Council Transport team proposed.**

Agenda Item 6:

Application for Detailed Planning Permission (2017/0008/DET)

Retain existing established 10. No. wigwam accommodation and associated landscaping (Renewal of permission 2015/0375/DET)

At Speyside Trust. Badaguish Outdoor Centre. Glenmore, Aviemore

11. Gavin Miles presented the paper to the Committee.
12. The Committee were invited to discuss the report, the following points were raised:
- a) Were there any outstanding issues requiring compliance? Gavin advised that the landscape scheme was ongoing and that the CNPA Natural Heritage team was working with the applicant on this. He added that the annual monitoring meeting with the Applicant were proving valuable to both parties.
 - b) Concern was raised regarding the frequent applications to extend the temporary permissions. Gavin noted that the full development (that would replace the existing wigwams) was clearly taking longer to implement than the applicant had originally anticipated. The existing wigwams therefore still played a legitimate role in the operations.
13. **The Committee agreed to approve the application subject to conditions detailed in the report.**

14. **Action Points arising:** **None.**

Agenda Item 7:

CNPA Response to Consultation on “People, Places and Planning”

15. Gavin Miles presented the paper to the Committee.
16. The Convener suggested that something needed to be added regarding the need to look at reviewing procedures at appeals to reinforce a message that legal involvement can reduce the ability of communities to participate fully in the process. Gavin agreed to add in something about that.
17. The Committee were invited to discuss the paper, the following points were raised:
- a) The need to improve connection with communities by identifying what is currently in place and where the gaps are.
 - b) The need to highlight the issue where the Scottish Government are encouraging their involvement but the current system can work against them. The need for communities to be provided with financial resources and skills.
 - c) Suggestion made to use digital technology more by way of 3D modelling at Planning Committee meetings to give a clearer picture of what a proposed development would look like in the context of its surrounds.
 - d) Strong feeling that there should be recognition that it should not be consistent across Scotland, that it should be different in rural and designated areas such as the National Park.
 - e) Suggestion made to remove the word ‘majority’ from the first sentence of answer A. This was agreed.
 - f) Confirmation requested that the reference to agricultural and private roads in paragraph 20 of the paper did not include forestry tracks. Gavin confirmed that it did not and that was why it had not been referenced.
 - g) The need to provide a degree of flexibility surrounding local needs and that policy differs from process.
18. **The Planning Committee agreed that the consultation response be redrafted to include the points above and be circulated to the Planning Committee Convener, Deputy Convener and Board Convener and Deputy Convener before being submitted.**
19. **Action Points arising:**

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- i. **Amendments to be made to the draft Consultation report and circulated to the Planning Committee Convener and Deputy Convener and Board Convener and Deputy Convener before being submitted.**

Agenda Item 8:

Development Plan Scheme 2017/18

20. David Berry, Planning Manager (Forward Planning & Service Improvement) presented the paper to the Committee. He advised that there was a typo on page 3 of Appendix one, the Proposed Plan would be available in September 2018 and not August 2018 as the paper suggested. He advised that this would be amended before being published.
21. The Committee were invited to discuss the paper, the following points were raised:
 - a) How was the review/monitoring of the existing Local Development Plan feeding into the development of the new one? David advised that it would be picked up through the Monitoring Statement that will be published alongside the Main Issues Report for the new Local Development Plan.
 - b) Confirmation sought as to who the development plan scheme was intended for. David advised that it provides information for anyone who is interested in getting involved in the production of the next Local Development Plan. It had been drafted in newsletter format to make it easy to understand for members of the public who want to take part in the process. He added that it would be available online and distributed widely. It was suggested that Board Members take it along to Community Council meetings. David agreed that this would be very useful if Members wanted to do that.
 - c) Suggestion made to shorten the hyperlinks in the paper copies of the Development Plan Scheme. David agreed to this.
22. **The Committee approved the Development Plan Scheme for 2017/18.**

23. Action Points arising:

- i. **Typo on page 3 of Appendix I to be amended before being published.**
- ii. **The hyperlinks in Appendix I to be shortened before being published.**

Agenda Item 9:

Planning Service Priorities 2017/18

24. Gavin Miles presented the paper to the Committee.
25. The Committee were invited to discuss the paper, the following points were raised:

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- a) Suggestion made to make a statement saying that going forward enforcement will be more of a priority.
 - b) Suggestion made to add an eleventh priority to review how engagement with communities is working or not. This was agreed.
 - c) Had any feedback been received from the young people who had attended the November 2016 Planning Committee meeting? Gavin advised that it had been relayed to the Committee at their January Committee meeting; he added that the young people had reported that they had thoroughly enjoyed the experience.
26. **The Committee approved the service priorities for 2017/18 subject to addition of a further eleventh priority around the reviewing of community engagement practises.**
27. **Action Points arising: None.**

Agenda Item 10: Beaully-Denny Restoration

28. Gavin Miles presented the paper to the Committee.
29. The Convener asked Gavin to provide clarity on where the enforcement powers lay under the Electricity Act and Section 37 consents. Gavin responded that the restoration of the Beaully to Denny works was explicitly conditioned under the Section 37 consent granted by Scottish Ministers. Enforcement was therefore a matter for Scottish Government. The monitoring scheme that SSE agreed to undertake with the CNPA to ensure appropriate restoration is a voluntary scheme.
30. The Committee were invited to discuss the paper, the following points were raised:
- a) Some ongoing concerns were raised around the lack of regeneration of the grounds and what the level being aimed for was. Gavin agreed that it was not tightly defined but advised that Matthew Hawkins, Landscape Manager was keeping a close eye on it.
 - b) It was confirmed that the next update would be in October 2017 unless further information was forthcoming before then.
31. **The Committee noted the update.**

Action Points arising:

- i. **Update Report on Beaully-Denny Restoration to be brought to Committee at October 2017 meeting.**

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Agenda Item 11:

A9 Dualling Update

32. Gavin Miles presented an oral update to the Committee. He ran through the options Transport Scotland had decided to go ahead with in the following two sections:
- Crubenmore to Kincaig
 - Dalraddy to Slochd.
33. The Committee were invited to discuss the paper, the following points were raised:
- a) Suggestion made to read Aviemore and Vicinity Community Council's consultation response which was very critical with regards to the junctions and the road options. The Member agreed to circulate the response to the Committee for information.
34. **The Committee noted the update.**

Action Points arising:

- i. **Aviemore & Vicinity Community Council consultation response to be circulated to the Committee.**

Agenda Item 12:

Any Other Business

35. The Convener advised that she had attended the Dorenell Windfarm Public Inquiry all week. She added that it was scheduled to end today with the conditions session. She praised CNPA Planning Officer Katherine Donnachie and Landscape Advisor Francis Thin on their hard work.
36. Gavin advised that Perth & Kinross council had taken the decision to refuse the Greenburn windfarm application and reported that they had given considerable weight to the National Park Authority Planning Committee's objection. He went on to advise that they had undertaken an independent review of the impact of the landscape which had found that it would have had a significant impact on other parts of Perthshire too.
37. Gavin provided an update on the progress of the Beachen Court planning application. He advised that he had a meeting with the developer this Monday to work out any outstanding issues and how they could be resolved to allow the conditions to be discharged to allow it to be progressed.
38. **Action Point arising: None.**

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Agenda Item 13:

Date of Next Meeting

39. Friday 28 April 2017 at The Albert Hall, Ballater.
40. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Clerk to the Board, Alix Harkness.
41. The public business of the meeting concluded at 13.05 hrs.