
CAIRNGORMS NATIONAL PARK AUTHORITY

DRAFT MINUTES OF THE PLANNING COMMITTEE

held at The Community Hall, Nethybridge
on 15th September 2017 at 11.00am

Members Present

Peter Argyle
Rebecca Badger
Geva Blackett
Angela Douglas
Paul Easto
Dave Fallows
Kate Howie
Gregor Hutcheon
Janet Hunter

John Latham
Bill Lobban
Fiona Murdoch
Eleanor Mackintosh (Convener)
Willie McKenna
Gordon Riddler (Deputy Convener)
Gregor Rimell
Judith Webb
Brian Wood

In Attendance:

Gavin Miles, Head of Planning
Katherine Donnachie, Planning Officer, Development Management
Peter Ferguson, Legal Adviser Harper & MacLeod LLP
Alix Harkness, Clerk to the Board
Kirsty Mackenzie, Support Officer

Apologies: Jeanette Gaul

Agenda Items 1 & 2:

Welcome

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

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Agenda Item 3:

Minutes & Matters Arising from the Previous Meeting

2. The minutes of the previous meeting, 18 August 2018, held in the Community Hall, Nethybridge were approved with the following amendments:
 - a) At Para. 10) To be changed to the Committee were invited to ask questions of clarity not discussion
 - b) At Para. 14a) to be changed to “The Convener asked Stuart Benn if he was content that the Recreational Management Plan (that would be submitted to discharge the planning condition) would be consulted on. He confirmed he was.”
 - c) Generally in minutes to use the staff first and last names consistently throughout the minute.
3. There were no matters arising.
4. The Convener advised that there were no actions arising from the previous meeting.

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

5. The Convener advised that although the Cairngorms National Park Authority were the applicant for Item 7, none of the Planning Committee members had had any involvement in the development of the application.
6. Janet Hunter declared an interest in:
 - a) Item No. 7 – Indirect interest – Is a Board member of Outdoor Access Trust for Scotland

Agenda Item 5:

Application for Detailed Planning Permission (2016/0224/DET)

Proposed 30 flats and 8 terraced units

At Land 30M West of 31 Alt Mor, Aviemore

Recommendation: Approve subject to Conditions & Conclusion of Planning Obligation

7. The Convener informed the Committee that Angus Young (Agent) was present and would be available to answer questions should they wish.

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8. Katherine Donnachie, Planning Officer presented the paper to the Committee.
9. The Committee were invited to ask points of clarity, the following point was raised:
 - a) Why was the affordable element 9 and not 10? Gavin Miles advised that it was procedure to round down as opposed to upwards because the LDP policy was that generally no more than 25% affordable housing. He noted that 9 affordable units was considered reasonable for this development.
10. Angus Young (Agent) was invited to answer questions from the Committee:
 - a) Would the development only have four solar panels as the plans suggested? Katherine Donnachie advised that there was a planning condition that asks for more detailed plans of renewable energy provision. Angus Young advised that they were looking at ground source or solar heating options.
 - b) Query regarding the positioning of the units on site and why they were not oriented to face south or maximise the solar gain potential of southern elevations. Katherine Donnachie advised that the applicant was restricted in the way that the units could be positioned by other constraints on the site.
 - c) Were the white crosses at the gable end of the units going to be as stark as the pictures illustrate? Angus Young advised that they would not be and that the panels and sections less would be less dark.
 - d) Was there an opportunity to put in additional high level windows to help take advantage of the natural light on the southern gable end? Gavin advised that this was the design that had come forward and had to be appraised on its merits.
 - e) Would the affordable units be spaced around the site as opposed to being in one block? Angus Young confirmed that the affordable units were likely to be in two blocks on different parts site and that Albyn Housing Society had expressed an interest in them.
11. The Convener informed the Committee that Aviemore & Vicinity Community Council had submitted comments on the application and within those had said that they were pleased with the proposed upgrade of the section of Aviemore orbital path.
12. The Convener thanked the speakers and the Committee were invited to discuss the report, the following points were raised and made:
 - a) Good to see contemporary designs coming forward.
 - b) Could the stark white crosses be conditioned? Katherine Donnachie advised that it was already part of a condition to see samples of the finishes in advance of them being used.
 - c) Could an additional informative be added to ask them to install fibre optic cables while the development is in construction rather than waiting until afterwards? This was agreed.

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- d) Could an additional condition be added that ensures that they install water heating panels on the roofs? Gavin Miles noted that officers didn't consider it appropriate to specify the type of renewable energy or heat to be provided and Katherine Donnachie added that one of the conditions already required that further details be provided for approval.
- e) Could it be guaranteed that it would be the developer that builds the affordable units and not the housing association? Katherine Donnachie advised that condition 7 details the types of acceptable affordable units and that it was not possible to specify who constructs it.
- f) With reference to Condition 2 could some reassurance be provided that post development soil heaps on the site would not be left behind? Katherine Donnachie confirmed that this was part of the landscape scheme and would be monitored and enforced.
- g) Could an informative be added that asks the applicant to maximise the natural daylight on the south elevation? Gavin Miles advised that it would mean changing the design of the development so was not reasonable.

13. The Committee agreed to approve the application subject to conditions detailed in the report with the following additional informative:

- a) **To suggest that the applicant installs fibre optic cables to the buildings during construction to maximise the digital connection options for properties.**

14. Action Points arising:

- i. **Addition of an Informative.**

Agenda Item 6:

Application for Detailed Planning Permission (2016/0434/DET)

Development of 6 Affordable homes with associated access, car parking and landscaping

At Land South of Dellmhor, Rothiemurchus, Aviemore

Recommendation: Approve subject to Conditions & Conclusion of Planning Obligation

- 15. The Convener informed the Committee that Iain Livesley (Agent) and Yvonne Simpson of Albyn Housing Society were present and would be available to answer questions should they wish.
- 16. Gavin Miles presented the paper to the Committee.

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17. The Committee were invited to ask points of clarification, the following point was raised:
 - a) Question about the design of the units and why officers considered that they would fit into the area. Gavin Miles advised that the applicants were using a small site, reflecting the layout of existing development opposite, and fitting the development to the rear of the site with a woodland backdrop. The design of buildings reflected elements of other housing nearby as well as other vernacular buildings and the finishing materials and colours should help provide variation.
18. Iain Livesley (Agent) and Yvonne Simpson of Albyn Housing Society were invited to answer the Committee's question:
 - a) Would the housing be for sale or for rent? Yvonne Simpson confirmed that they were intended for rent.
19. Tessa Jones of Badenoch & Strathspey Conservation Group was invited to address the Committee and gave a presentation.
20. The Convener asked Tessa Jones if they were happy with the proposed fencing? Tessa Jones confirmed that they were not.
21. The Convener thanked the speakers and the Committee were invited to discuss the report, the following points were raised:
 - a) Could a condition be added that says which trees on the embankment can and cannot be removed? Gavin Miles confirmed that a condition required further detail on which trees would be retained and which would be removed as well as landscaping scheme to replace those that would be removed; he added that it would be possible to accommodate the development with as little tree loss as possible.
 - b) A general suggestion was made to make up and distribute an information pack for developers and eventual householders and tenants that raises awareness of the local species and how to efficiently deal with garden waste in an environmentally friendly way. This was noted.
 - c) How could it be ensured that the developers on the ground buy into the same vision as the applicant? Gavin Miles advised that there was no guarantee that a developer complied with the terms of a planning permission but that reasonable and sensible conditions as well as regular monitoring on the site during the development were the most sensible safeguards.
 - d) Could the types of plants being used in the landscaping scheme be specified? Gavin Miles confirmed that this was covered under the proposed conditions.
 - e) Could it be ensured that there is a passage under the fence for wildlife could get through? Gavin Miles confirmed that the design of the fence was to be finilased through a condition.

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- f) Request made to add the word 'providence' before trees and plants in condition 1 to ensure local trees and plants were used. This was agreed.
 - g) Informative 6 had a typo and request to address it before issuing. This was noted and agreed.
 - h) Suggestion made to add an informative to include an information pack to future tenants on capercaillie, garden waste and non-evasive plants. Gavin Miles advised that such issues were relevant to all development and existing properties so would be better tackled as part of preparing the next Local Development Plan rather than on a piecemeal basis.
 - i) With the carbon footprint of the development in mind could the applicant be persuaded to use wood instead of cement fibre? Gavin Miles confirmed that officers encourage applicants to consider use of timber but that different development will have different constraints and requirements and in this case the applicant preferred the use of cement fibre cladding than timber for ease and costs of maintenance.
 - j) Could reassurance be provided that the cladding would be durable and would be replaced if it deteriorates? Gavin Miles confirmed that Albyn Housing Society would be responsible for maintenance and if necessary replacement.
 - k) Reassurance sought that too many trees would not be removed behind the development. Gavin Miles confirmed that the approved landscaping scheme that would include retained trees was expected to be retained in perpetuity.
 - l) Rented accommodation in that area is welcomed.
22. **The Committee agreed to approve the application subject to conditions detailed in the report with the following amendments to the condition and informative:**
- a) **The word providence to be added before trees and plants in Condition 1.**
 - b) **Informative 6 to be amended.**
23. **Action Points arising:**
- i. **Amendments to condition 1 and informative 6 to be made.**
 - ii. **For the future the development of an information pack that can be distributed to developers and households containing information on capercaillie, garden waste and plants and trees.**

Agenda Item 7:

Application for Detailed Planning Permission (2017/0036/DET)

To construct as part of the Speyside Way Extension a 1.8km long, 2m width section of new path.

At Ardgeal, Nr Kincaig to Insh

Recommendation: Approve subject to Conditions

24. The Convener informed the Committee that Murray Swap (OATS) and Adam Streeter-Smith (Applicant) were present and would be available to answer questions should they wish.
25. Gavin Miles presented the paper to the Committee.
26. Murray Swap (OATS) and Adam Streeter-Smith (Applicant) were invited to answer the Committee's questions:
 - a) Was there a pot of money for path maintenance? Adam Streeter-Smith confirmed that the CNPA were committed to maintaining paths going forward.
 - b) What was proposed to make the paths look upgraded? Adam Streeter-Smith advised that an audit of the entire Speyside Way route had been done which identified the parts that needed built and those that needed upgraded. He explained that the current focus was on the sections that needed built and later would they be addressing those that needed upgraded.
 - c) Why was the southern end of the path not connected to the Badenoch Way? Gavin Miles confirmed that it was not part of this application.
 - d) It was confirmed that signage would be put in place as part of this development.
27. **The Committee agreed to approve the application subject to conditions detailed in the report.**
28. **Action Points arising:** None.

Agenda Item 8:

Any Other Business

29. The Convener announced that it was the last official Planning Committee meeting for Local Authority nominated Board members and thanked them for their contributions and said that she hoped that they would continue to be ambassadors for Cairngorms National Park Authority.
30. Gavin Miles advised that the Planning representative's network had met earlier in the week, had been asked to review the way the network operated and had responded positively that no changes were needed.

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31. Gavin Miles informed the Committee that the judging panel for the Scottish Awards for Quality in Planning had recently visited to view the shortlisted snow roads scenic routes project and enjoyed their visit to Still at Craighaulkie Quarry by Tomintoul. The winners would be announced in November.

Agenda Item 9:

Date of Next Meeting

32. 2pm on Friday 6 October 2017 at The Community Hall, Boat of Garten
33. Committee Members are requested to ensure that any Apologies for this meeting are submitted to the Clerk to the Board, Alix Harkness.
34. The public business of the meeting concluded at 12.45 hrs.