



# **Draft Planning Committee Meeting**

## **Minutes**

**Held at Cairngorms National Park Authority HQ, Grantown on Spey at 10.00am**

### **In person**

Present in person

Chris Beattie (Convener)  
Geva Blackett  
Jackie Brierton  
Kenny Deans  
John Kirk  
Eleanor Mackintosh  
Duncan Miller  
Derek Ross

Paul Gibb (Deputy Convener)  
Sandy Bremner  
Dr Peter Cosgrove  
Russell Jones  
Lauren MacCallum  
Dr Fiona McLean  
Ann Ross

### **Apologies**

Hannah Grist  
Steve Micklewright

Bill Lobban  
Mike Williamson

### **In Attendance**

Gavin Miles, Director of Planning and Place  
David Berry, Head of Planning and Chief Planning Officer  
Emma Bryce, Planning Manager, Development Manager  
Katie Crerar, Planning Officer, Development Management  
Edward Swales, Monitoring and Enforcement Officer  
Peter Ferguson, Harper MacLeod LLP  
Emma Greenlees, Planning Support Officer  
Dee Straw, Planning Administrator and Systems Officer  
Karen Johnstone, Clerk to the Board



## **Agenda Item 1**

### **Welcome and Apologies**

1. The Planning Convener welcomed all present including members of the public and apologies were noted.

## **Agenda Item 2**

### **Minutes of previous meeting**

2. The minutes of the previous meeting on 14 March 2025 held at Cairngorms National Park Authority, Grantown on Spey and Hybrid were approved with no amendments.

## **Agenda Item 3**

### **Matters Arising**

3. There were no matters arising from previous meetings.

## **Agenda Item 4**

### **Declarations of Interest**

4. There were no declarations of interest.

## **Agenda Item 5**

### **Application for Detailed Planning Permission 2023/0406/DET (23/01733/FLL)**

Erection of warehouse building (class 6), formation of access track, parking area, and associated works

At Land 130 meters Southeast of House of Bruar, Pitagowan, Blair Atholl, Pitlochry, PH18 5TW

5. Katie Crerar, Planning Officer presented the paper to the committee.
6. The Committee were invited to ask for clarity, and the following points were raised:
  - a) Clarity was sought on what more could be done for the application to be acceptable to fit with climate change designs. Planning Officer noted that as the site is located in a flood risk location this does not comply with National Planning Framework 4 (NPF4) Policy 22, or NPF4 Policy 2 requirements on



being sited to adapt to climate change risks, and the application was therefore recommended for refusal.

- b) A question was raised on the water depth on the location site (figure 3-3 on the slides). Planning Officer explained that the plan was extracted from the Flood Risk Assessment and does not have a legend but noted that flood levels have been considered as part of the Flood Risk Assessment.
- c) A Board member asked for clarity on the climate change allowance used in the flood risk assessment being 53%. Planning Officer clarified that the percentage is defined in Scottish Environment Protection Agency's (SEPA) guidance, and that the required allowance varies in different areas and also depends on the size of the catchment.
- d) Clarity was sought that the location of the application was not on SEPA's flood risk map, but it was identified as being at risk in the flood risk assessment. Planning Officer confirmed it was not on SEPA's map but noted that SEPA's mapping is of a more strategic nature, whereas the applicant's flood risk assessment gives a more detailed assessment of flood risk on the site.
- e) A question was asked if the applicants considered alternative locations. Planning Officer explained the understanding was this site was the last location option for the applicant within their ownership.

7. Agent Mark Richardson and Applicant Patrick Birkbeck were present and invited to address the Committee. They gave a presentation.

8. The Committee were invited to ask the speakers points of clarity. The following points were raised:

- a) Clarity was sought on the peer review carried out by Jacobs in regard to Policy 22. Mark Richardson explained Jacobs have carried out flood risk modelling for the A9 dualling, and they confirmed the site would be at risk in a 1:1000-year flood. The peer review was carried out to verify that the flood risk modelling for the site was consistent with that done by Jacobs.
- b) A question was raised if this application was not approved, would this create a loss of jobs. Patrick Birkbeck confirmed this would affect the number of jobs available in the future.
- c) Clarity was sought on the concern raised from the community council regarding the access road. Mark Richardson confirmed that the footpath



would not be affected; the access road would run through the current and future car park.

- d) A Board member questioned the flood water height on the site. Mark Richardson confirmed ground level is 147.3, modelled flood level is 147.4, free board level is 147.7 and floor level would be 148.2. It was noted that all the information has been shared with SEPA, and they have not raised any concerns about the detailed mitigation proposals.
- e) Concern was raised regarding what plans are in place for the worst-case scenario if there was to be flooding. Mark Richardson said there would only be staff in the building, not public, and noted there were not properties downstream of the catchment that would be affected.

9. The Committee discussed the report. The following points were raised:

- a) A Board Member noted that SEPA and Perth and Kinross Council maintain a firm objection on flood risk grounds due to the application not complying with NPF4 Policy 22, but that in all other respects, the application is satisfactory and other minor issues could be conditioned.
- b) A Board member commented that they accept that the application does not meet Policy 22, however highlighted that this proposal brings positive aspects to the National Park, and the applicant has proposed mitigation measures to address the risk to climate change and flood risk. It was suggested that the application be deferred to come back to the Planning Committee with proposed conditions before being referred to Scottish Ministers (given the SEPA objection).
- c) Other board members were happy to support this action, noting this application was investing in business and providing rural jobs within the National Park.
- d) Discussions were had around the option of the conditions being brought back to the Planning Convener and Deputy Planning Convener or being brought to the full Planning Committee. An agreement was reached that the full Planning Committee should have sight of the proposed conditions prior to any referral to Scottish Ministers.
- e) Clarity was sought on the timescale for bringing proposed conditions back to members. Head of Planning and Chief Planning Officer clarified that conditions could be brought back to the next Planning Committee meeting in June.



- f) A question was raised if the applicants could have sight of these conditions ahead of them coming back to Planning Committee. Head of Planning and Chief Planning Officer agreed this would be possible.
- g) Members requested a breakout to discuss the possibilities for a motion for amendment to the officer recommendation of refusal.

*The Planning Committee broke at 11.24am for members to discuss the motion for an amendment.*

*Members return from the breakout at 11.45am*

- 10. A Board Member noted that they were happy with the discussions that took place in the breakout room and support the amendment that was coming forward.
- 11. A Board Member read out the discussed amendment, putting forward to the Planning Committee an amendment for approval in principle subject to a full suite of conditions coming forward at the next Planning Committee meeting in June. The reason is that, although the application does not comply fully with the NPF4 Policy 22, it can when looking at mitigation requirements. It is a strong application and complies with a lot of the Local Development Plan (LDP) policies and other policies contained within NPF4. When assessed overall, the application complies with the development plan as a whole.

- 12. The Planning Committee voted on the amendment:

	MOTION	AMENDMENT	ABSTAIN
Chris Beattie		✓	
Geva Blackett		✓	
Sandy Bremner		✓	
Jackie Brierton		✓	
Peter Cosgrove		✓	
Kenny Deans		✓	
Paul Gibb		✓	
Russell Jones		✓	
John Kirk		✓	



Lauren MacCallum		✓	
Eleanor Mackintosh		✓	
Fiona McLean		✓	
Duncan Miller		✓	
Ann Ross		✓	
Derek Ross		✓	
<b>Total</b>	<b>0</b>	<b>15</b>	<b>0</b>

13. Planning Convener confirmed that the amendment has carried, and a suite of conditions will come back to the next Planning Committee.
14. Action Points arising:
  - i. Conditions to be brought back to the next Planning Committee in June.

## **Agenda Item 6**

### **Application for Detailed Planning Permission 2025/0008/DET (24/01903/APP)**

Proposed telecommunications installation comprising of a new 15.0m high lattice tower on new concrete base, three shared antennas, two dishes, four cabinets, two 9m (hub height) micro turbines, a solar array, one generator compound and ancillary development

At Land at Geal Charn Lower, Glenavon Estate, Inchory Lodge, Tomintoul, Ballindalloch, Moray, AB37 9HX

15. Katie Crerar, Planning Officer (Development Management) presented the paper to the committee.
16. The Committee were invited to ask for clarity, and the following points were raised:
  - a) A Board member questioned if the mast was being put in place as a link for emergency services. Planning Officer noted that this was for general communications.
  - b) A Board member commented that the photos in the slide do not do the area justice, noting there is good mobile coverage in that area already and therefore support the recommendation to refuse.



- c) Clarity was sought that the application has not provided a list of alternative locations. Planning Officer confirmed that the applicant did not provide a list of alternative locations.
- d) A Board member questioned whether the applicants have considered sharing with other companies. Planning Officer explained they have had difficulty engaging with the applicants, however, have explained that sharing of a mast should be utilised where possible.
- e) A Board member noted that at paragraph 22 it stated that officers consulted with Glenlivet and Inveravon Community Council, which is incorrect, highlighting that there are no community councils in this area and that it should have been Kirkmichael and Tomintoul Community Association. Board Member expressed the need for a correction in the system. Planning Officer apologised and agreed to look into this.

17. The Committee were invited to discuss the report. The following points were raised:

- a) Board members agreed with the officer's recommendations to refuse the application.

18. The Committee refused the application.

19. Action Points arising: None.

## **Agenda Item 7**

### **AOCB**

- 20. David Berry, Head of Planning and Chief Planning Officer advised that Energy Consents Unit (ECU) decisions on three energy infrastructure developments located outside the Cairngorms National Park had been received. He added that they had all been approved:
  - a) Rothes III Windfarm Variation
  - b) Earba Pumped Storage Hydro
  - c) Ourack Wind Farm
- 21. The Planning Committee were reminded that they had not objected to any of these developments, and it was agreed to circulate the ECU decision notices to Members for information after the meeting.



22. Action Points arising: ECU decision notices to be circulated to Committee Members for information

*The Committee Convener raised a motion to move to a confidential session.*

### **Date of next meeting**

23. The public business of the meeting concluded at 12.11pm
24. Date of the next meeting is 13 June 2025.