
CAIRNGORMS NATIONAL PARK AUTHORITY

DRAFT MINUTES OF THE PLANNING COMMITTEE

**held via Video Conference
on 23rd April 2021 at 10am**

Members Present:

Gaener Rodger (Convener)	Anne Rae Macdonald
Peter Argyle (Deputy Convener)	Eleanor Mackintosh
Geva Blackett	Douglas McAdam
Carolyn Caddick	Xander McDade
Deirdre Falconer	Willie McKenna
Pippa Hadley	Ian McLaren
Janet Hunter from Item 3	Dr Fiona McLean
John Kirk	William Munro
John Latham	Derek Ross

In Attendance:

Gavin Miles, Head of Strategic Planning
Murray Ferguson, Director of Planning & Place
Dan Harris, Planning Manager, Development Planning
Nina Caudrey, Planning Officer, Development Planning
Peter Ferguson, Harper McLeod LLP
Liam McAllan, Cairngorms Youth Action Group
Emily Blackmore, Cairngorms Youth Action Group
Ellie Moore, Cairngorms Youth Action Group

Apologies: Judith Webb

**Agenda Items 1 & 2:
Welcome & Apologies**

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, 26 March 2021, held video conferencing were approved with no amendments.
3. There were no actions arising from the minutes of the last meeting.
4. **Action Points arising: None.**

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5. There were no matters arising.

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

6. Willie Munro declared an Indirect Interest in Item 7.
Reason: Member of Mountaineering Scotland but has not had any involvement in any representations given by this organisation.

Agenda Item 5:

WITHDRAWN

7. The Convener advised that this item had been withdrawn from the agenda due to a technical error in the application and that it was hoped the application would return in the future.

Agenda Item 6:

Garbet Wind Farm Consultation

Recommendation: No Objection

8. Nina Caudrey, Planning Officer presented the paper to the Committee.
9. The Committee were invited to ask points of clarity, the following points were raised:
 - a) General clarification sought around the meaning of the word 'significant' as detailed in Policy 3.3a of the National Park Partnership Plan: had it the same meaning as NatureScot's in their advice to CNPA on the landscape effects? The Planning Officer confirmed that this was the case.
 - b) Comment made that the term 'significant' was subjective.
10. The Committee were invited to discuss the report, the following points were raised:
 - a) Comments made in support of the recommendation, the development would not add significant visibility of a wind farm from within the National Park, nor have a significant visual impact visual and therefore they were happy to support the recommendation.
 - b) Comment made on potential impacts of the windfarm on things that did not affect the National Park.
 - c) Agreement that this development was not significant to the National Park and therefore in agreement with the recommendation.

11. **The Committee agreed the Officer's recommendation of No Objection.**

12. **Action Point arising: None.**

Agenda Item 7:

Corriegarth 2 Wind Farm Consultation

Recommendation: No Objection

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13. Nina Caudrey, Planning Officer presented the paper to the Committee.
14. The Committee were invited to ask points of clarity, the following points were raised:
 - a) Were there any other photomontages available as it was felt that the ones provided with the meeting papers and on the presentation gives the illusion of the landscape being flat? Planning Officer advised that the visualisations used were of Scottish Government and industry standard as set out in the Nature Scot guidance in conjunction with Scottish Government and other parties. She added that she was aware that Highland Council have separate guidance. However all visualisations are available from the link in the report.
 - b) Comment made that on the Energy Consent website, some visualisations are annotated to show the 50mm lens view.
 - c) Clarification sought as to whether the proposed taller turbines were intended to be placed on higher ground thus making them considerably taller in height and if so how much higher would the tips be from what was in existence? Planning Officer advised that she would need to look at the Environmental Report to provide specific detail for each turbine, but that she understood that the turbines were on higher ground than the existing Corriegarth wind farm turbines. NatureScot had noted this point in their advice to CNPA but this had not resulted in them recommending any mitigation or amendments.
 - d) With regards to the height difference between existing and proposed, would it be possible for the Planning Committee request that the new turbines are the same height as the existing ones? Planning Officer advised that although it could be requested, such a change had not been suggested as mitigation by NatureScot in their advice so would be unlikely to result in a significant change in the level of effects.
 - e) Comment made that there would be no reason to object and that the officer's recommendation was correct.
 - f) Comment made that the move towards green energy in order to meet targets was a Government led movement and an increase in wind farms would be a consequence.
 - g) Comment made that having had a look at the consultant's report which had noted a moderate impact, useful to follow through methodology, interestingly they said moderate impacts could be resolved when wind turbines were decommissioned.
 - h) Comment made that there was a degree of subjectivity of the assessment, viewpoint 5, Monadhliath, these mountains have attracted visitors over the years and but that there would not be a noticeable difference between going up there now and seeing existing wind farms, and then seeing the same with the proposed wind farm added.
 - i) Comment made that they did not feel comfortable simply not objecting as there were landscape and visual effects, and question asked as to whether a condition could be added to ensure that the wind farm was removed on decommissioning and not repowered. The Planning Officer advised that in Scottish Planning Policy, when a wind farm is consented, the land and use of the ground is considered suitable for wind farm use in perpetuity, and although each new application would be judged on its merits at the time, conditions on future use cannot be put on. She added that it was also standard practise for all wind farms to have a decommissioning condition for the land to be put back to its original condition.

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- j) Peter Ferguson, Legal Advisor added that the effect of Scottish Planning Policy is that when the effects of a development are being assessed it should be assumed that the development is permanent not temporary.
- k) Comment made that many of these wind farms and others which were at the end of their life were highly likely to repower in the future.
- l) Comment made by a member that it was difficult to understand the National Park Authority's role in commenting on applications outside the National Park on such limited grounds. They considered this hypocritical and that the CNPA should be able to comment on a wider range of impacts on areas outside the National Park Boundary and were concerned that eventually there would be windfarms all around the National Park.
- m) Disagreement in the comment made that the Committee were hypocritical in their decision making. Comment made that the development was outside the National Park and therefore outwith the jurisdiction of this Planning Committee. Head of Strategic Planning asked to give his point of view. Head of Strategic Planning advised that while there could be grounds for objecting to developments outside the National Park that significantly affected the National Park, the Committee needed to be specific on the adverse effect which was most likely to be on its landscape. With regards to the other effects of wind farms outside the National Park such as on peat, this was a relevant consideration to the decision makers (Scottish Ministers or the Local Authority) but not relevant to the CNPA Committee. If a wind farm was proposed within the National Park then the effects of it would be assessed under the Local Development Plan policies. However the proposed development was not in the National Park so there were no grounds for considering other effects on areas outside.
- n) Comment made that it would be useful to have a future workshop/ discussion on the topic providing a refresher on what the Committee can object to and what they can't.
- o) Comment made the National Park policy was clear, large scale wind farms are not appropriate in the National Park and this was deemed acceptable by Scottish Government. The CNPA had relatively little influence on applications outside the National Park, but could put forward objection if it had a significant effect on the National Park's special landscape qualities.

15. **The Committee agreed the Officer's recommendation of No Objection.**

16. **Action Point arising:**

- i. Planning Committee training session on wind farms to be scheduled.

Agenda Item 8: Aberdeenshire Design Awards

17. Gavin Miles, Head of Strategic Planning presented the paper to the Committee which provides an update on the recently completed Aberdeenshire Architectural and Landscaping Design Awards 2020 and category winners located in the Cairngorms National Park.

18. **The Committee noted the award winners, commended entries and shortlists containing good examples of design within the Cairngorms National Park.**
19. **Action Point arising: None.**

Agenda Item 9:

Youth Action Engagement Group – Cairngorms Minecraft Project

20. Dan Harris, Planning Manager summarised the background to the Minecraft pilot project. Members of the Cairngorms Youth Action Group (Ellie Moore, Liam McAllan, Emily Blackmore) gave a presentation to the Committee on their activities and experiences.
21. The Convener thanked the speakers and commented on how they had remarked how they had all felt it was accessible like many young people across UK, it was one thing sitting on computer listening to presentations but learning in this way had made planning fun.
22. The Committee were invited to discuss the update and the following points were raised:
 - a) The Board Convener thanked the speakers for coming along, stated that it had been really interesting, he had seen a lot of publicity but did not fully appreciate the extent of it until he had seen their presentation. The Board Convener added that it would be a good opportunity to reach people who have not usually engaged with planning and the Park. He praised the CYAG and the Planning Manager who led the project.
 - b) Praise for the presentation comment made that they really enjoyed it and that it was impressive. .
 - c) Comment made that they were interested to hear of the innovative ideas for enforcement action developed by the group, what steps did had they taken to have illegal buildings removed? Liam McAllan advised that first they debated on whether it was against the aims, and next what to do about it. It could be broken down and instantly turned into something beneficial to the community.
 - d) Comment that it was a good resource for the National Park and other planning authorities providing opportunities for learning and engaging of young people. Have the authority been approached by other bodies? The planning manager advised that the CNPA had been speaking to a number of organisations on the map use and were open to other organisations coming forward if they want to use it.
 - e) Suggestion made that Board Members take part in a session as part of continuous development.
 - f) Comment made that it was impressive at how much they managed to get out of the experience.
23. **The Convener thanked Ellie, Liam and Emily for coming and to the rest of the team for being guinea pigs. The Committee noted the paper.**

24. **Action Point arising: None.**

Agenda Item 10: AOB

25. Gavin Miles, Head of Strategic Planning provided the Committee with the following updates:

- a) Spey House Phase 2, Aviemore, the developer contribution for education provision had been paid and Decision Notice issued
- b) Former Filling Station, Aviemore, S75 legal agreement was now registered and Decision Notice issued.

26. Members were invited to raise items, the following were raised:

- a) Campsites for campervans, had applications been received would they be pushed through planning so that they could be in place for when people head to the area? Head of Strategic Planning confirmed that there were 4 planning applications in the system that would be brought to committee when they were ready to be determined. Some required further information and detail.
- b) Suggestion made to direct any constituents who were considering opening up a field to campers, to direct them to the Camping and Caravan Club website where it details planning law and provided good information and direction.
- c) Director of Planning and Place added that the Authority were being proactive through the Green Recovery Fund they had funded the CBP to produce an online map guiding people to the best locations. The Authority were moving fast to strengthen the staff resource on the ground.

27. **The Planning Committee noted the updates.**

28. **Action Points arising: None.**

Agenda Item 11: Date of Next Meeting

29. Friday 14th May 2021 at 10am via video/telephone conference.

30. The public business of the meeting concluded at 11.52 hours.