

**CAIRNGORMS NATIONAL PARK AUTHORITY**

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**DRAFT MINUTES OF THE PLANNING COMMITTEE**

held via Video Conference  
on 26<sup>th</sup> February 2021 at 10am

**Members Present:**

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

**In Attendance:**

Gavin Miles, Head of Planning and Communities  
Stephanie Wade, Planning Officer, Development Management  
Dee Straw, Planning Administrator and Systems Officer, Development Management  
Peter Ferguson, Harper McLeod LLP

**Apologies:** Geva Blackett

**Agenda Items 1 & 2:**

**Welcome & Apologies**

- I. The Convener welcomed all present and thanked Eleanor Mackintosh as previous Convener and all her hard work while on the Planning Committee. Apologies were noted.

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### **Agenda Item 3:**

#### **Minutes & Matters Arising from the Previous Meeting**

2. The minutes of the previous meeting, 11 December 2020, held by video conferencing were approved with no amendments.
3. The Convener provided an updated on the actions arising from the minutes of 11 December 2020:
  - a) **At Para 5(i): Closed** – Head of Planning wrote to Cairngorm Mountain Scotland Ltd
4. There were no matters arising.

### **Agenda Item 4:**

#### **Declaration of Interest by Members on Items Appearing on the Agenda**

5. Deirdre Falconer declared a Direct Interest in Items 5 and 6.  
Reason: Sits on Kincaig and Vicinity Community Council who had previously discussed this during the original application.
6. John Kirk declared an Indirect Interest in Items 5 and 6.  
Reason: Through his business, John Kirk Contracts, sometimes carries out works at Balavil Farm.
7. Janet Hunter declared an Indirect Interest in Item 7.  
Reason: On occasion, sometimes works at Glenshee Ski Centre.
8. Deirdre Falconer and John Kirk left the room for the duration of Items 5 and 6.

### **Agenda Item 5:**

#### **Application for Matters Specified in Conditions 2020/0077/MS (20/00834/MS)**

#### **Erection of farm buildings, associated works and formation of access**

#### **At Land 100MM East of Lynovoan, Lynchat, Kingussie**

#### **Recommendation: Approve Subject to Conditions**

9. The Convener informed the Committee that Andrew Bayne (Agent) and Gary Culpan (Applicant) were present to answer questions.
10. Stephanie Wade, Planning Officer presented the paper to the Committee.

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11. The Committee were invited to ask points of clarity, the following points were raised:
  - a) A member queried why the application under item 6 had not requested the same 7 year duration as application under agenda item 7. It was confirmed that the works for this application would not be affected by the A9 in the same way and could be implemented within the normal three-year duration of planning permission.
  
12. The Committee were invited to discuss the report, the following points were raised:
  - a) A member commented this is a very detailed report and assessment and they fully supported the application.
  
13. **The Committee agreed to approve the application as per the Officer's recommendation.**
  
14. **Action Point arising:           None.**

### **Agenda Item 6:**

#### **Detailed Planning Permission 2020/0236/DET (20/03724/FUL)**

**Conversion of farm buildings to visitor facilities and commercial use, extensions, formation of café and parking (renewal of planning permission 2016/0153/DET)**

**And**

#### **Listed Building Consent 2020/0241/LBC (20/03726/LBC)**

**Conversion of farm buildings to visitor facilities and commercial use, extensions, formation of café and parking (renewal of planning permission 2016/0143/LBC)**

**Both at Steading, Balavil Mains Farmhouse, Kingussie**

**Recommendation: Approve Subject to Conditions and Direction**

15. Members Deirdre Falconer and John Kirk remained out of the room.
  
16. The Convener informed the Committee that Andrew Bayne (Agent) and Gary Culpan (Applicant) were present to answer questions.
  
17. Stephanie Wade, Planning Officer presented the paper to the Committee.
  
18. The Committee were invited to ask points of clarity, the following points were raised:
  - a) A Member queried the proposed duration of planning permission as 7 years. It was confirmed that planning authorities can extend the duration of planning permission and that the justification in this case was linked to the delivery

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programme for the A9. The Agent, Andrew Bayne, confirmed the use of a similar direction related to development beside a Trunk road at Laurencekirk in Aberdeenshire.

19. The Committee were invited to discuss the report, the following points were raised:
  - a) A Member commented this was the second time the Committee were considering the application. The access was the previous concern, but the Member was confident this would be dealt with by Transport Scotland. This is a high quality development, would enhance the area and would be complimentary to local businesses.
  - b) A Member commented this is a good scheme and would support the visitor economy of the area.
20. **The Committee agreed to approve the application as per the Officer's recommendation subject to the conditions and the direction stated in the report.**
21. **Action Point arising:None.**
22. Deirdre Falconer and John Kirk returned to the meeting.
23. The Convener thanked the Agent, Andrew Bayne and the Applicant, Gary Culpan. They left the room.
24. Janet Hunter left the room for the duration of Item 7.

### **Agenda Item 7:**

#### **Detailed Planning Permission 2020/0254/DET (APP/2020/2089)**

#### **Erection of Zipwire Platforms and Landing Platforms and Installation of 3 Double Zipwires**

#### **At Glenshee Ski Centre, Braemar, Aberdeenshire, AB35 5XU**

#### **Recommendation: Approve Subject to Conditions**

25. The Convener informed the Committee that David Farquharson (Applicant) was present to address the Committee and to answer any questions.
26. Gavin Miles, Head of Planning and Communities, presented the paper to the Committee.
27. The Committee were invited to ask points of clarity, the following points were raised:

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- a) A Member voiced initial concerns and lack of information on bird strike. Head of Planning noted there was little evidence of bird strike having a significant impact on populations of birds at ski areas so was not considered to be significant issue.
  - b) A Member queried if a condition could be added, requesting recording of information on bird strike. Head of Planning confirmed this could be done if necessary.
28. David Farquharson addressed the committee.
29. The Committee were invited to ask points of clarity, the following points were raised:
- a) A Member queried the 5 or 6 new employees and would they be year round. The applicant confirmed they would be year round, and undertake other work within the ski during the winter months.
  - b) A Member queried if this development would be out of operation during the winter, then resumed in the spring. This was confirmed by the applicant.
  - c) A Member queried how customers would get from the roadside to the zipwire. The applicant confirmed they would use the existing chairlift.
30. The Committee were invited to discuss the report, the following points were raised:
- a) A Member stated sustainability is very important for tourism, especially in this part of Aberdeenshire.
  - b) A Member queried if the infrastructure was out of use for say 5 years, could it be decommissioned by way of a condition being added? Head of Planning confirmed this should be done but suggested that a period of three years was more appropriate.
  - c) A Member stated this application was indeed an innovative diversification, a good use of the uplift, viable and a good source of additional employment, all year round. Very supportive and in agreement in regards the addition of the decommissioning condition.
  - d) A discussion on potential bird strike data and whether it would affect the development, bearing in mind that an informative note was already proposed to highlight NatureScot's best practice advice on developments with potential bird strike. Members agreed that a further condition was not necessary and that the advisory note proposed would be sufficient to deal with the issue.
  - e) The Convener agreed with Members in terms of tourism, diversification and giving support to the application. Agreeing an advisory in terms of the bird strike is an appropriate way to address that point.
31. Peter Ferguson, Harper McLeod LLP, clarified in regards to non-operation, a time period could be added, stating for example solar project will contain such a

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conditions. Head of Planning recommended a period of 3 years would be a reasonable period.

32. **The Committee agreed to approve the application as per the Officer's recommendation subject to the conditions stated in the report and the addition of a further condition on decommissioning if not used in 3 years and an informative on bird strike.**

33. **Action Point arising: None.**

34. Janet Hunter returned to the room.

### **Agenda Item 8:**

#### **AOB**

35. Gavin Miles reported on the following matters:

- a) Post Committee application Spey House Phase 2, Aviemore, is almost concluded. Delay in paying the developer contribution remained a delay in securing the final contract for the development with affordable housing providers, but 50% of the site was now covered by a contract. Once the Developer Contribution for education provision was provided, the Decision Notice would be issued.
- b) Post Committee application Former Filling Station, Aviemore – there has been a change of ownership on site, this had delayed the concluding of the Section 75. This will be signed very soon, thereafter the Decision Notice would be issued.
- c) The Scottish Government's proposals for licencing of short term let properties has been delayed until after Scottish election.
- d) Scottish Government has laid an extension to the emergency Covid legislation that extends the duration of planning permission. It has been proposed that permission that would otherwise expire before 30 September 2021 will now run to 31 March 2022.
- e) The Minecraft engagement project, led by Dan Harris, involving the Cairngorms Youth Action Team, was being covered in the press. The Convener suggested that the Youth Action Team could give a talk to the Committee in future on their use of it.

36. A Member enquired if there was any update on the LDP. Head of Planning, Gavin Miles stated Scottish Ministers confirmed we could adopt the LDP after making changes. These changes being to give text explaining on the settlement maps including the A9, to go to the Transport Scotland site to see the detail. Once the changes have been made, the LDP will be taken back to Committee on 26 March

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2021. Head of Planning, Gavin Miles, to recirculate the email to members giving the Direction from Scottish Ministers.

37. The Deputy Convener informed Members that Jane Angus, a regular visitor to Planning Committee meetings in Ballater, had sadly passed away. She had volunteered in support the community extensively and over a long period of time and he thought it was appropriate to mention and give condolences to the family.

38. **Action Points arising:                      None.**

### **Agenda Item 9:**

#### **Date of Next Meeting**

39. Friday 26 March 2021 at 10am via video/telephone conference.

40. The public business of the meeting concluded at 11.25am.