
CAIRNGORMS NATIONAL PARK AUTHORITY

DRAFT MINUTES OF THE PLANNING COMMITTEE
held in Spey/ Dee Meeting rooms, CNPA HQ,
Grantown on Spey (hybrid)
on 24th June 2022 at 11am

Members Present:

Dr Gaener Rodger (Convener)	John Latham
Eleanor Mackintosh (Deputy Convener)	Xander McDade
Peter Argyle	Doug McAdam
Geva Blackett	Willie McKenna
Deirdre Falconer until 14:15pm	Ian McLaren
Carolyn Caddick	Dr Fiona McLean
Pippa Hadley	Willie Munro
Janet Hunter	Derek Ross
John Kirk	

In Attendance:

Gavin Miles, Head of Strategic Planning
Emma Bryce, Planning Manager, Development Management
Stephanie Wade, Planning Officer, Development Management
Peter Ferguson, Harper McLeod LLP
Nina Caudrey, Planning Officer (Development Planning and Environmental Advice)
Emma Greenlees, Planning Admin Support
Martin Johnson – Objector Agenda Item 5
David Cameron – Applicant Agenda Item 5
Greg Duncan - Agent Agenda Item 5
Ed Swales, Monitoring and Enforcement Officer – Agenda Item 10
Helen Mason, Minute-taker

Apologies: Anne Rae Macdonald Judith Webb

Agenda Items 1 & 2:
Welcome & Apologies

1. The Convener welcomed all present.

Agenda Item 3:
Minutes & Matters Arising from the Previous Meeting

2. The minutes of the previous meeting, 27 May 2022, held via video conferencing were approved subject to the following amendments:
 - At Para 7: Tessa Jones response to a question to be added.

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- Para 17d.: wording relating to Peter Ferguson's (Harper McLeod) contribution to be written out in full.
3. The Convener provided an update on the movement of actions since the last meeting:
- **Para 23 i) In Hand** – Confirmation of Service Priorities to be brought back to a future Committee Meeting.
 - **Para 23 ii) In Hand** – Format of future Service Priorities reports to be revised.

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

4. John Kirk declared a Financial Interest in Item No. 5
Reason: In relation to some of the properties affected by the application. Member will withdraw for this item.
5. Geva Blackett declared an Interest in Item No. 6
Reason: As part of the Steering Group and a member of Braemar Community Ltd. plus husband - Chair of Braemar Community Ltd. Member will withdraw for this item.
6. Douglas McAdam declared an interest in Item No. 10
Reason: As a Chair of South Grampian Deer Management Group as Glen Clova Estate is a member. Member will withdraw for this item.

Agenda Item 5:

Detailed Planning Permission 2021/0105/DET (21/01068/FUL)

Erection of 23 self-catering apartments, shops, hotel and underground parking At Land 80M SW of Mountain Café, 111 Grampian Road, Aviemore

RECOMMENDATION: Approve Subject to Conditions & Developer

John Kirk left the meeting.

7. The Convener noted that a Planning Committee site visit had been undertaken immediately prior to the committee meeting and advised that David Cameron (Applicant) and Greg Duncan (Agent) were present to answer any questions.
8. Gavin Miles, Head of Strategic Planning presented the paper to the Committee.
9. The Committee were invited to ask points of clarity, the following points were raised:
- a) Query relating to what was in place to stop the 23 self-catering apartments being sold off as second homes or something else? Head of Strategic Planning explained that a proposed condition required they stay as this kind of accommodation and that because they were flats, a planning application would be required to change the use to a residential property. If such applications were to be made in future, then relevant developer contributions, including those towards affordable housing, would be sought.
 - b) Concern expressed about increase in parking spaces. How are parking spaces allocated per apartment to be managed? Head of Strategic Planning explained parking was first come first served basis not just for residents. Developers

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- proposed an agreement with hotel that parking used by public during the day. No other management was proposed.
- c) Concern expressed about the public space area, back of main road, looks like just paved area with shrubs. Head of Strategic Planning confirmed that further detail would be required but that the sense of place was created by the development as a whole, not just one part of it.
 - d) Question about Developer Contributions relating to sustainable travel. Head of Strategic Planning explained the developer agreed in principle to make a payment towards sustainable travel, including proposals for the Active Aviemore project but that the detail was yet to be agreed.
 - e) Staff car parking and delivery bays. Head of Strategic Planning explained there was no explicit staff car parking. Confirmed there would be space for delivery vehicles to enter the site. Confirmed that the Tesco parking would remain customer parking.
 - f) Possibility of over-development of the site - had there been discussion with the developer of reducing the scale? Head of Strategic Planning confirmed that such discussions had taken place but that the applicant's position was that the hotel and apartments wouldn't be viable without this level of development.
 - g) Ref: para 54&55 of report relating to flood plain, underground car park and access ramp. Head of Strategic Planning explained that the site was not known to have flooded in the past but that if it did with the development in place, it would flood the hotel car park but not the functioning parts of the hotel. The hotel car park area, part under the hotel and part outside would need to be designed to potentially get wet.
 - h) It was confirmed that there were outstanding Objections by SEPA, and the Highland Council as the Flood Management Authority and as the Transport Planning Team. Head of Strategic Planning clarified that the Landscape Adviser had concerns about the scale of the development.
 - i) Regarding Point 6 the development would be the Hotel with 83 beds and ancillary accommodation. The Head of Strategic Planning explained the ancillary accommodation would be other parts of functioning hotel not staff housing. Concern was expressed about where staff would live.
10. Martin Johnson, objector, addressed the committee.
11. The Convener thanked the speaker.
12. The Committee were invited to discuss the report, the following points were raised:
- a) Concern expressed about new homes for workers.
 - b) Could there be a condition for 10 self-catering apartments for affordable housing or housing for key workers? Head of Strategic Planning explained that the requirement of affordable housing was triggered by the development of housing and not by this type of development so it would not be appropriate to add such a condition.
 - c) If the apartments were built but couldn't get the staff to maintain them, could they be let out for key workers? Head of Strategic Planning explained a change of use would have to be applied for.
 - d) Peter Ferguson, Legal Adviser, confirmed that it would not be appropriate to add the provision of affordable housing as a condition to this application, a short-

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- term letting proposal as it would fundamentally change the nature of the application.
- e) Concern expressed about possible overdevelopment with a concrete feel. There would need to be better use of space along the road and more bicycle parking. Viability of the development discussed. The development would be overpowering to be viable. Impact of landscape, siting and scale of design including height of hotel a concern.
 - f) The problem of parking was a concern. Management necessary to prevent chaos. Head of Strategic Planning pointed out that a condition can be added about a parking management plan to be submitted for approval. Plus, if conditions did address the committee's concerns, it would be appropriate to approve and recommend the application.
 - g) Traffic management issues discussed including the funnelling into Grampian Road. There would another access and egress issue bearing in mind the number of pedestrians & cyclists.
 - h) There was some support in principle of this kind of development but concerns about the scale of this application. It was noted that it was tourist traffic which allows Aviemore to be a viable place.
 - i) Note was made that at the Developers Forum there was expressed a huge need for affordable housing and housing for the workforce and accommodation for workers should have been built into this application.
 - j) Discussion about short term lets in general. Will we see a drop in numbers in the medium to long term? Head of Strategic Planning advised that this could not be predicted accurately at the current point in time but that it was unlikely to have a significant impact for many years.
13. Fiona Mclean proposed an amendment to the motion recommended in the planning paper, that the Planning Committee should refuse the application on the basis of siting, layout, landscape and design. Deirdre Faulkner seconded this.
14. There was a recess in the Committee business while proposer and seconder sought advice on the wording of an amendment from Peter Ferguson, legal adviser.
15. The Committee resumed and Fiona Mclean proposed an amendment to the motion:
- 'To refuse the application due to the scale, layout and design of this Application, specifically the height of the buildings and the number of self-catering units, the proposed development was over-development of the site and not sympathetic to the traditional pattern and character of the surrounding area, local vernacular and local distinctiveness and as such does not comply with part 3.3e of the Local Development Plan. With regard to the landscape and streetscape and concerns that were voiced by the landscape adviser, this conflicts with Policy 5.1 of the development plan. Supplementary to this, the level of parking was inadequate, and the level of traffic would exacerbate existing congestion on Grampian Road and would not comply with Policy 2.2a of the Local Development Plan. Also noted are the objections from SEPA and Highland Council and the potential flooding of the site.*
- Although the proposed development may comply with other provisions of the Local Development Plan, it does not comply with the Development Plan as a whole and there are no other material considerations which would indicate that planning permission should be granted.'* This was seconded by Deidre Falconer.

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16. Willie McKenna confirmed that he proposed the motion of the officers' recommendation. This was seconded by Carolyn Caddick, subject to the inclusion of a condition relating to traffic management as discussed with the Head of Strategic Planning earlier in the meeting.
17. The Committee proceeded to a vote. The result was as follows:

NAME	MOTION	AMENDMENT	ABSTAIN
Peter Argyle			
Geva Blackett			
Carolyn Caddick			
Deirdre Falconer			
Pippa Hadley			
Janet Hunter			
John Kirk			
John Latham			
Eleanor Mackintosh			
Douglas McAdam			
Xander McDade			
Willie McKenna			
Ian McLaren			
Fiona McLean			
Willie Munro			
Anne Rae Macdonald			
Gaener Rodger			
Derek Ross			
Judith Webb			
TOTAL	6	9	1

18. The Committee **REFUSED** Planning Permission for the application.
19. Action Point arising: **None.**

John Kirk returned to the meeting. Geva Blackett left the meeting.

**Agenda Item 6: Detailed Planning Permission 2021/0166/DET
(APP/2021/1044)**

Erection of 15 Dwellinghouses and Associated Infrastructure

At Site at Kindrochit Court, Mar Road, Braemar, Aberdeenshire

RECOMMENDATION: Approve Subject to Conditions & Developer Contributions

20. Stephanie Wade, Planning Officer, Development Management, presented the paper to the Committee.
21. The Committee were invited to ask points of clarity, the following points were raised:
 - a) Concern expressed about water gathering on the road on the SE corner of the site. The Planning Officer explained there had been a satisfactory flood risk survey on the site.
 - b) Was there need for new access into development when there was an existing access? Couldn't existing track be upgraded? The Planning Officer explained that existing road could not be used as it services a lot of properties already. The Head of Strategic Planning explained that the applicant doesn't control enough space to the sides of the existing access to make the existing track safe for all vehicles to use.
22. The Committee were invited to discuss the report, the following points were raised:
 - a) The Committee members generally supported the development.
 - b) There was discussion of the colour of the buildings. The Planning Officer explained the actual tone of the colours still had to be finalised.
 - c) The planning team will check that drying facilities had been considered and if not an informative on the application would be included.
 - d) The Planning Officer confirmed there was heating via ground source heat pump.
23. **The Committee approved the application as per the recommendation in the Officer's report.**
24. **Action Point arising:**
 - (i) **Informative to be included relating to drying facilities if this wasn't part of the application.**

The meeting broke for lunch at 1305hrs and resumed at 1345hrs.

Geva Blackett returned to the meeting.

Agenda Item 7:

Corriegarth 2 Windfarm Consultation (2021/0050/PAC) (ECU00002175)

RECOMMENDATION: NO OBJECTION

25. Nina Caudrey, Planning Officer (Development Planning and Environmental Advice) presented the paper to the Committee.
26. **The Committee agreed the decision of NO OBJECTION.**

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27. **Action Point arising: None**

Agenda Item 8:

Tom Nan Clach extension wind farm Consultation (2022/0135/PAC) (ECU00003453)

28. Nina Caudrey, Planning Officer (Development Planning and Environmental Advice) presented the paper to the Committee. The Planning Officer explained the conditional nature of this application.
29. The Committee were invited to ask points of clarity, the following points were raised:
a) The unusual conditional consent was discussed. What would happen if the Tom na Clach was approved before Lethen went through due process? Head of Strategic Planning explained that an adjustment would have to be made. The Planning Officer explained that conditional recommendations are made by other bodies and statutory consultees under these circumstances.
30. The Committee were invited to discuss the report, no points were raised.
31. **The Committee Agreed to approve the Tom Nan Clach in combination with existing and consented windfarms, however if Lethen Wind Farm gained consent, then the CNPA would object to Tom nan Clach Windfarm due to the cumulative negative significant adverse effects on the surrounding hills and wilderness and special landscape qualities that would arise as recommended by officers.**
32. **Action Point arising: None**

Agenda Item 9:

CNP Local Development Plan 2021 Supplementary Guidance: Housing

33. Gavin Miles, Head of Strategic Planning presented the paper to the Committee.
34. The Committee were invited to discuss the draft guidance, the following points were raised:
a) The Committee welcomed this paper, happy to support it going forward.
b) The Committee thanked the Officers for their work.
35. **The Planning Committee agreed and approved modifications to the Housing Supplementary Guidance for the Local Development Plan 2021 prior to approve submission to Scottish Ministers.**
36. **Action Point arising: None.**

Douglas McAdam left the meeting.

Agenda Item 10:

PRE/2022/0011 Proposal of Application

Formation of Forestry Tracks associated with woodland operations

Land at Glen Clova Estate, Glen Clova, Angus

37. Ed Swales, Monitoring and Enforcement Officer presented the paper to the Committee.
38. The Committee were invited to discuss the paper, the following point was raised:
 - a) The Monitoring and Enforcement Officer confirmed justification for the tracks was included in the proposal.
39. **The Committee noted the proposal of application and that the CNPA notes the officer's advice for the issues to address and also noted any relevant issues to be addressed in any future application.**
40. **Action Point arising: None.**

Doug McAdam returned to the meeting.

Agenda Item 11:

PRE/2022/0014 Proposal of Application

Development of holiday lodges and associated infrastructure

South of Macdonald Highland Hotel, Site of Dry Ski Slope, Grampian Road, Aviemore

41. Stephanie Wade, Planning Officer presented the paper to the Committee.
42. The Committee were invited to discuss the paper, the following points were raised:
 - a) Committee asked for access consideration. Noted by Officers.
 - b) Does environmental impact include the potential impact of the A9? Officers will consider this.
 - c) Could accommodation for key workers be considered? Planning Officer explained Item 12 on the agenda today was relevant to the comment.
43. **The Committee noted the proposal of application.**
44. **Action Point arising: None**

Agenda Item 12:

PRE/2022/0015 Proposal of Application

Residential development, including private/affordable residential and staff accommodation, with associated infrastructure

On Land southeast of Scandinavian village, Land 150M NW of Caravan Park, Grampian Road, Aviemore

45. Stephanie Wade, Planning Officer presented the paper to the Committee.

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46. The Committee were invited to discuss the paper, the following points were raised:
- a) Head of Strategic Planning confirmed staff accommodation was noted in the proposal.
 - b) Regarding staff accommodation, could the different types of seasonal workers be considered? Head of Strategic Planning explained it would depend on the detail of a future planning application.
47. **The Committee noted the proposal of application, the advice of the issues to be addressed and added any further issues to be addressed in any future application.**
48. **Action Point arising: None.**

Agenda Item 13: AOB

49. Gavin Miles, Head of Strategic Planning provided the Committee with the following Updates since the last Planning Committee Meeting:
- a) The CNPA has been notified of and responded to an appeal of the refusal of planning permission of the bothy/hut beside the River Tromie. Will send details of appeal to members following this meeting.
 - b) Breach of Condition Notice and Associated plans related to the Horsefield site in Aviemore had been served on Tulloch Homes. Staff hoped to meet Tulloch Homes staff next week.
 - c) Highland Council have this week started the consultation re. Short Term Let Licensing Proposals. Not proposing to respond to this but will check it for information.
 - d) Developers Forum meeting was held this Monday afternoon. Main point raised was how to get housing for local people as in short supply. How housing was allocated was discussed.
50. **Action Point arising:**
- (i) **Head of Strategic Planning will send details of the appeal against the CNPA decision refuse planning permission for the bothy/hut beside the River Tromie to Planning Committee Members following this meeting.**
51. The Convener presented a Motion to move into confidential session which was accepted by the Committee.

Agenda Item 14: Date of Next Meeting

52. The date of the next meeting is Friday 26th August 2022 at 10am via video/telephone conference.
53. The public business of the meeting concluded at 14:25 hours.