
CAIRNGORMS NATIONAL PARK AUTHORITY

DRAFT MINUTES OF THE PLANNING COMMITTEE **held Virtually and Cairngorm National Park HQ, Grantown On** **Spey** **on 9th December 2022 at 09.30 am**

Members Present:

Dr Gaener Rodger (Convener)	Xander McDade
Eleanor Mackintosh (Deputy Convener)	Doug McAdam
Chris Beattie	Willie McKenna
Fiona McLean	Ann Ross
Bill Lobban	Willie Munro
Derek Ross	Judith Webb
John Kirk	Deirdre Falconer
Janet Hunter	Geva Blackett
Anne Rae Macdonald	

In Attendance:

Emma Bryce, Planning Manager, Development Management
Stephanie Wade, Planning Officer, Development Management
Gavin Miles, Head of Strategic Planning
Dan Harris, Planning Manager, Forward Planning & Service Improvement
Ed Swales, Monitoring and Enforcement Officer
Nasim Mehrabi, Graduate Planner
Peter Ferguson, Harper McLeod LLP
Alan Atkins, Planning Officer, Development Management
Emma Greenlees, Planning Support Officer
Mariaan Pita, Executive Support Manager

Apologies: Russell Jones

Agenda Items 1 & 2:

Welcome & Apologies

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

Agenda Item 3:

Declaration of Interest by Members on Items Appearing on the Agenda

2. Bill Lobban declared an interest in Item 5
Reason: Had previously objected to the wider housing development and would withdraw from this item.

3. Derek Ross declared an interest in item 6
Reason: He sits on the Moray Council planning committee local review body and declared for reasons of transparency and would still take part in discussions.
4. John Kirk declared an interest in item 5
Reason: His company undertakes snow clearing for Scottish Water and declared this for reason of transparency but would still take part in discussions.
5. Chris Beattie declared an interest in item 6
Reason: He sits on the Angus Council planning committee local review body and declared for reasons of transparency and would still take part in discussions.

Agenda Item 4:

Minutes & Matters Arising from the Previous Meeting

6. The Committee approved the minutes of the previous meeting of 9 November 2022.
7. There were no Matters Arising from the Previous Meeting.

Bill Lobban left the meeting at 9:39am

Agenda Item 5:

Detailed Planning Permission 2022/0167/DET (22/01893/FUL)

Re-location of sewer pumping station

At Land Northwest of Dalfaber Farm, Dalfaber Drive, Aviemore

8. Emma Bryce, Planning Manager (Development Management), presented the paper to the committee.
9. The Committee were invited to ask points of clarity, the following points were raised:
 - a) A member asked why the red line includes down to Corrou Drive.
 - b) Head of Strategic Planning confirmed that the red line in the planning application linked to the existing public road network rather than the road network that would be present once the housing development was completed.
10. The Committee were invited to discuss the report, the following points were raised:
 - a) A member noted this was a necessary part of the development.
11. **The Committee APPROVED Planning Permission for the application as per the recommendation in the Officer's report and subject to conditions.**
12. **Action Point arising: None.**

Agenda Item 6:

FOR DECISION: Planning Enforcement Charter Review

13. Edward Swales, Monitoring and Enforcement officer presented the paper to the Committee and explained it was improved in September 2020 and is still fit for purpose.

Bill Lobban joined at 10:00

14. The Committee were invited to discuss the report, the following points were raised:
- a) A members asked if all six planning authorities within the park, are all the local authorities consistent or doing something different. Does the Enforcement Charter need to be reviewed every three years?
 - b) Head of Planning confirmed that the Enforcement Charter is brought to committee every year. All enforcement is a discretion depending on the authority and properties case work differently. A lot of enforcement comes down to bigger more controversial sites, process the same across Scotland.
 - c) A member comments that the Charter service us well we have enforcement cases frequently and would have received feedback if amendments were needed.

Recommendation

That the Planning Committee approve the Planning Enforcement Charter for the Cairngorms National Park Authority.

15. **The Committee Agreed the enforcement charter.**

16. **Action Point arising: None.**

Agenda Item 7:

FOR INFORMATION

Planning Service Performance Update

17. Gavin Miles, Head of Strategic Planning presented the paper to update and inform the Committee on the statistical performance of the CNPA planning service to Quarter 2 of 2022/23 for CNPA statistics, enforcement activity, and wider planning service improvement work.
18. The Committee were invited to discuss the report, the following points were raised:
- a) A member asked whether there were timescales for completion of the actions described in the table on page 4.
 - b) Head of Strategic Planning replied that officers would discuss at Conveners meetings and schedule an update for the committee in the 2023.

Recommendation

That the Committee:

- i. **Note the internal planning service monitoring results outlined in this report.**

19. The committee noted the paper, and that update will be made in 2023.

20. **Action Point arising:** **None.**

Agenda Item 8

FOR INFORMATION: National Planning Framework 4 Update

21. Dan Harris, Planning Manager presented the paper to update and inform the Committee on the current status of National Planning Framework 4¹ (NPF4).
22. The Committee were invited to discuss the report, the following points were raised:
- a) A member asked about rural revitalisation against the 10-year minimum housing requirement and what does this mean for CNPA for land requirements and looks a greater than the previous number.
 - b) The Planning Manager responded that it is not a great increase in numbers as the timeframe had increased from 5 years to 10 years.
 - c) A member asked if Scottish Government had more support for local accountability and democracy in the planning system.
 - d) Planning Manager responded that there was no big change in representation on planning authorities or support for community councils but that NPF4 provided a framework for Local Place Plans.
 - e) A member noted para twelve highlighted five areas of National development and wondered how proactive the CNPA should be on them and how they linked to the National Park's economic strategy.
 - f) Planning Manager noted that the LDP would be expected to provide support if any of those topics were identified as being particularly relevant by the agencies responsible for leading on them. Head of Strategic Planning added that the National Park Partnership Plan provided the economic strategy for the National Park.
 - g) A member noted that Para 28 mentions policy thirty strengthens the position on Short Term Lets. They asked if NPF4 provided any support to convert existing buildings for long term residential rent.
 - h) Planning Manager noted that within context of the Local Development Plan there was a requirement for the CNPA to set out a statement how the planning authority have considered these things but that there didn't appear to be any resource identified within NPF4 to enable such conversion
 - i) Planning Manager concluded that officers would provide an update on NPF4 once adopted – expected to be around March 2023.
 - j) Head of Strategic Planning confirmed that once adopted NPF4 becomes part of Local Development Plan and that Planning Committee reports would reflect the changed policy.
23. The committee noted the paper
24. **Action Point arising:** **None.**

Agenda Item 9: AOB

25. Head of Strategic Planning noted that the Scottish Government were planning to delay the date on which existing properties can apply for their Short Term Let Licences. The requirement had been set at April 2023 but was expected to be delayed for 6 months end of October 2023. This would not change the requirements for new operators to apply for the licence.
26. Head of Strategic Planning noted that at the November 2022 Planning Committee meeting, members had discussed planning enforcement matters in relation to a housing development at Carrbridge and construction traffic related to it. Officers had undertaken further monitoring and identified clear breaches of the approved Construction Traffic Management Plan. Officers had been in contact with the developer on these issues frequently and considered that unless the matters improved quickly, a formal notice to require compliance would be appropriate in early 2023. He noted that he had attended the Carrbridge Community Council earlier in the week and that they had been very clear in their concerns about the construction traffic.

Agenda Item 10: Date of Next Meeting

27. The date of the next meeting is Friday 27 January 2023 and will be online.
28. The public business of the meeting concluded at 10.15 hours.