
CAIRNGORMS NATIONAL PARK AUTHORITY

APPROVED MINUTES OF THE PLANNING COMMITTEE
held in Spey/ Dee Meeting rooms, CNPA HQ,
Grantown on Spey (hybrid)
on 27 May 2022 at 9.30am

Members Present:

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

In Attendance:

Murray Ferguson, Director of Planning & Place
Emma Bryce, Planning Manager, Development Management
Stephanie Wade, Planning Officer, Development Management
Peter Ferguson, Harper McLeod LLP
Gavin Miles, Head of Strategic Planning
Agent Brian Muir and Land Manager Jim Cornfoot – Agenda Item 5
Tessa Jones – Badenoch and Strathspey Conservation Group – Agenda Item 5

Apologies: Carolyn Caddick Willie Munro

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, 22 April 2022, held via video conferencing were approved subject to the following amendments:
 - At Para 15h on the 5th line the word 'the' be deleted from the sentence.
3. **Outstanding Actions from Previous Meetings**

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- **At Para 13i) – Closed** - The Planning Officer would include an informative note of the suggestion of a commemorative plaque/information board about the demolished building, to the Applicant on the formal decision of the committee.
- **At Para 13ii) – Closed** -The Planning Officer would make the Highland Council aware of the historic nature of the building to be demolished.
- **At Para 18i) – In Hand** - The forward planning team will undertake monitoring of commuted sums for affordable housing and report to Committee with monitoring of LDP.

Agenda Item 4:

Declaration of Interest by Members on Items Appearing on the Agenda

4. Doug McAdam declared an Interest in a Confidential Item b. under AOB.
Reason: Previously declared a conflict of interest. Leaving the meeting for this item.

Agenda Item 5:

Detailed Planning Permission 2022/0046/DET (22/00029/FLL)

Formation of bike track and related infrastructure

Ranger Base Office, Cairngorm Mountain, Glenmore, Aviemore

Recommendation: Approve Subject to Conditions & Developer Contributions

5. Stephanie Wade, Planning Officer, Development Management, presented the paper to the Committee.
6. The Committee were invited to ask points of clarity, the following points were raised:
 - a) Concern that bikers and walkers would be using the same path, was it wide enough that there would not be any conflict? The planning officer confirmed that this would be for the bike ascent trail only, so speed would remain low, and the path would be a minimum of 2m in width.
 - b) Discussion about this and other development on the site. Increase in driving to this facility a concern, especially in view of climate change. Head of Strategic Planning confirmed that in the longer term the Heritage Horizons Cairngorms 2030 project was working to provide better public transport in the area but that there was also no current plan to stop vehicles using the public road.
 - c) Discussion around two other mountain bike trails in the Park, if these are not used to capacity should we be creating a new one? Had there been a 'needs assessment done?' Head of Strategic Planning explained Cairngorms Mountains (CMSL) was working with the organisation Developing Mountain Biking in Scotland (DMBS) and had carried out market assessments. This was an easy family market with more supervision than other locations catering for a different part of the market. Peter Ferguson, Harper McLeod noted that 'needs assessment' was rarely a consideration in planning applications.
 - d) Concern about e-bikes expressed? There was no plan to use electric vehicles as far as the CNPA was aware, but if there was a problem with speeding the applicant will need to manage this. Noted this was not an open facility but was paid for which means greater level of care and duty than other cycle tracks.

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- e) What would happen when it was a ski area not a bike area? It would be under snow in the winter. It was confirmed that it would remain part of the ski area in winter conditions.
7. Tessa Jones spoke on behalf of the Badenoch and Spey Conservation Group objecting to the Application. She answered the following point of clarity that was posed to her by the Committee as a result of her presentation:
 - a) The mention of the grouse foraging time at dusk was in relation to the construction traffic not any increased use by bikers and their access vehicles.
8. The Convener thanked Tessa Jones for her presentation.
9. The Committee were invited to discuss the report, the following points were raised:
 - a) Concern expressed over the relationship with HIE's Cairngorm Masterplan. Head of Strategic Planning confirmed that the masterplan provides a background and rationale for proposals that come forward as planning applications, but that it wasn't a formal planning document adopted by the CNPA.
 - b) It was noted that there was also a plan for it to be an educational facility accommodating young people using trails. Head of Strategic Planning advised this was not part of this application but was part of CMSL's approach to explaining the reasons that different parts of the area are managed differently to protect the most special areas. Head of Strategic Planning advised that the planning application needs to be assessed against planning policy and that officers considered the proposals acceptable. He noted that the applicant had worked with the CNPA and NatureScot to create a proposal that would did not have impacts on the protected sites in the vicinity but still provided a diversification opportunity for the business on the hill.
 - c) Other concerns about the effect on the environment of the application discussed.
 - d) Was this the right environment for a starter facility for young people in such an exposed site? Concerns about Health & Safety at this height.
 - e) The following were noted; there was no designation on this site; if the weather was bad people would not use the site; one of the aims of the National Park was to promote recreational activity, benefit to 1000s of young people; mountain biking as an Olympian sport.
10. Eleanor Mackintosh proposed an amendment to refuse this application on the grounds of Landscape Impact:

“This development does not improve or enhance the landscape therefore was contrary to Policy 5.1 and part of policy 2.3 which supports tourism but states this should have no adverse impact on the landscape. Therefore, this application does not support or comply with the local development plan as a whole.”
11. This was Seconded by Xander McDade.
12. Gaener Rodger proposed the motion in the officers' recommendation, seconded by Peter Argyle.
13. The Committee proceeded to a vote. The results were as follows:

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NAME	MOTION	AMENDMENT	ABSTAIN
Peter Argyle			
Geva Blackett			
Deirdre Falconer			
Pippa Hadley			
Janet Hunter			
John Kirk			
John Latham			
Eleanor Mackintosh			
Douglas McAdam			
Xander McDade			
Willie McKenna			
Ian McLaren			
Fiona McLean			
Anne Rae Macdonald			
Gaener Rodger			
Derek Ross			
Judith Webb			
TOTAL	9	7	1

14. The Committee approved the application as per the recommendation in the Officer's report.

15. Action Point arising: None

**Agenda Item 6: Detailed Planning Permission 2021/0407/DET (21/05682/FUL)
Change of use of land to form 3 staff (replacement), farmhouses including associated access, drainage, landscape, ground works, services and the demolition of Lynvoan Cottage and outbuildings
At Land 795M West of Garden Cottage, Kingussie
Recommendation: Approve Subject to Conditions**

16. Stephanie Wade, Planning Officer, Development Management, presented the paper to the Committee.

17. The Committee were invited to ask points of clarity, the following points were raised:
a) Would the CNPA be creating a precedent by allowing the demolition of a cottage? Head of Strategic Planning explained it does not create a precedent in terms of planning decisions; that every decision was take on its merits; and that there were criteria in planning policy on which to base decisions.

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- b) Was this being forced on the estate by the new A9 dualling? Planning Officer confirmed the occupants were planning to move dwellings further from the A9 and that the farm was moving as a result of the A9 dualling programme.
 - c) As the preference for this type of cottage was usually restoration, why was it being demolished? Planning Officer explained that in its current state it would not meet the standards for letting a property, the cost was a consideration, and the new cottages would be more comfortable.
 - d) With reference to Housing development and Policy 1.3 other housing in the countryside para 34a, was there any way we can ensure through condition that it would not be sold as non-workers accommodation in the future? Peter Ferguson, Harper McLeod explained the reason this has action has reduced since significant change in policy in 2011.
 - e) It was confirmed there will be no impact to existing access through the property.
 - f) Question about the use of concrete in the farm/access tracks. Head of Planning and Place explained that concrete was proposed because of steep gradients to be used by heavy agricultural vehicles, which would damage softer surfaces.
18. The Committee were invited to discuss the report, the following comment was made:
- a) Good to see agricultural houses built to a standard.
19. **The Committee approved the application as per the recommendation in the Officer's report.**
20. **Action Point arising: None**

Agenda Item 7: FOR INFORMATION Planning Service Performance Update Report

21. Gavin Miles, Head of Strategic Planning presented the paper to the Committee and explained
- a) They will be coming back to committee to confirm service priorities for this year.
 - b) Looking at changing the format to including some more informative points to make it more inciteful for future reports.
22. The Committee were invited to discuss the report, the following points were raised:
- a) a good report, praise given for a complicated set of reports and comment made that a simpler way of presentation would be good.
 - b) The Convener expressed thanks to Head of Strategic Planning and his team.
23. **Action Points arising:**
- (i) Confirmation of Service Priorities to be brought back to a future Committee meeting.**
 - (ii) Change the format of future reports.**

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Agenda Item 8: AOB

24. Motion to take two items in confidential session which was accepted by the Committee.

Agenda Item 9:

Date of Next Meeting

25. The date of the next meeting is Friday 24th June 2022 at 10am via video/telephone conference.
26. The public business of the meeting concluded at 11.30 hours.