



Draft minutes of the Planning Committee meeting

**Held at Cairngorms National Park Authority office, Grantown-on-Spey
Hybrid**

12 December 2025 at 10.00am

Present in person

Russell Jones (Convener)
Sandy Bremner
Kenny Deans
Lauren MacCallum
Steve Micklewright
Derek Ross

Paul Gibb (Deputy Convener)
Dr Peter Cosgrove
John Kirk
Eleanor Mackintosh
Duncan Miller
Michael Williamson

Virtual

Geva Blackett
Dr Hannah Grist
Ian McLaren
Ann Ross

Jackie Brierton
Eleanor Mackintosh (until 10.49 am)
Dr Fiona McLean

Apologies Bill Lobban

In Attendance

Gavin Miles, Director of Planning and Place
David Berry, Head of Planning and Chief Planning Officer
Peter Ferguson, Harper MacLeod LLP
Emma Bryce, Planning Manager (Development Manager)
Katherine Donnachie, Planning Officer, Development Management
Ed Swales, Monitoring and Enforcement Officer
Dee Straw, Planning Administrator and Systems Officer



Emma Greenlees, Planning Systems Support
Alix Harkness, Clerk to the Board

Agenda Item 1

Welcome and apologies

1. The Planning Convener welcomed all present including members of the public and apologies were noted.

Agenda Items 2 and 3

Approval of minutes of previous meetings and Matters arising

2. The minutes of the previous meeting on 14 November 2025 held at Cairngorms National Park Authority, Grantown on Spey, were approved with no amendments.
3. There were no matters arising.

Agenda Item 4

Declarations of interest

4. Derek Ross declared an interest in Item 6 as he has previously made comments in national press about the cumulative effect and impact of wind farms on the landscape.
5. Dr Pete Cosgrove declared an interest in Item 5 and Item 12 as he and his company (Alba Ecology) have undertaken ecological surveys and provided ecological advice in relation to these applications and so would leave the meeting for the duration of these items.

Dr Peter Cosgrove left the room at 10.05 am



Agenda Item 5

Application for Detailed Planning Permission 2024/0272/MS

Erection of 4 No. houses

At Land 35M south of The Snipe, 3 Deshar Court, Boat of Barten

Recommendation: Approve subject to conditions

6. Katherine Donnachie, Planning Officer presented the paper to the committee.
7. The Committee were invited to ask the Planning Officer for clarity, and the following points were raised:
 - a) A member queried whether the arboriculture assessment would need to be revised as it was dated 2020. Planning Officer advised that it was not necessary.
 - b) A member asked for clarification about the route of the core path that runs through the site. Planning Officer provided this information.
8. The agent Iain Livesley and Rob Humphrey (developer) were present to answer questions, and the following point was raised:
 - a) Member asked if the two open market houses could be advertised to locals first? Rob Humphrey confirmed that would be the intention.
9. The objector's representative Ms Sheena Wilson addressed the committee. Ms Mary Wilson was available to answer questions.
10. The Committee were invited to ask for clarity. The following points were raised:
 - a) A member asked what they would like to see the developer do with regards to ensuring the suds pond was adequate to cope with the water infiltration? Ms S Wilson advised that it needed further testing and potentially moving to avoid a boggy area between the two back gardens.
 - b) Member noted the mention of capercaillie breeding not far away and asked if they felt they would be disturbed by this development? Ms Wilson confirmed that the site was very close to the village hall and fairy hill area and advised that new activity had not been recorded by the capercaillie project.
 - c) A member suggested moving the path a couple of meters back to create a 'French drain'? Mr Livesley clarified that the initial proposal was to retain the path in its current location, however in discussion with the Planning Officer was thought it wouldn't be pleasant to walk between the two fences and it



was therefore proposed to re-route it. He went on to explain that a lot of work had been carried out to assess the drainage.

- d) A member asked for clarity that the Objector would like the path retained. Ms Wilson confirmed that this was so, she explained that it was the shortest route up through the village to the football pitch and well used by the community and by children going to school.

Eleanor Mackintosh joined the meeting in person at 10.49 am

11. The Planning officer was invited to come back on points raised during the speakers' presentations:

- a) Planning Officer advised that a Habitats Regulations Appraisal had been carried out at the time of the planning permission in principle and determined that the development would not have a detrimental effect on capercaillie in the area. Director of Planning and Place further advised that the proposed application does not alter the existing impacts on capercaillie. Although capercaillie are thriving in Boat of Garten woods, this occurs despite the area being very busy, with features like a popular mountain bike pump track and numerous promoted paths. The woods are actively managed by RSPB and rangers to minimize disturbance, which likely contributes to the birds' success, alongside other factors.
- b) Planning Officer advised that the applicant's engineers confirmed that drainage impacts on properties to the north have been fully considered and this has been approved by the Highland Council flood management and roads teams.

12. The Committee were invited to discuss the report. The following points were raised:

- a) A member asked if it was realistic that the ongoing responsibility for the drainage would lie with the occupants of the affordable rented properties. Mr Livesly confirmed that the responsibility would lie with the Communities Housing Trust.
- b) A member sought clarification of their understanding that the drainage systems to be installed were intended to capture surface water from hardstanding surfaces and roofs, and had the developers exceeded what is required of them? Planning Officer advised that developers would be meeting their obligations by providing drainage for hardstanding areas and roof water via soakaways in individual gardens, and separate drainage for the new access road through a SUDS feature.



- c) A member questioned the size of the garden at the rear of the properties. Planning Officer advised that there was no minimum garden size set out in the Local Development Plan.
- d) Member sought clarity that the tenants would not be responsible for drainage but the owners of the properties. Planning Officer agreed this was her understanding.

13. The Committee approved the application as per the officer's recommendation, subject to the conditions detailed in the report.

14. Action Point arising: None

Peter Cosgrove returned to the meeting at 11.00 am

Derek Ross left the meeting at 11.00 am

Agenda Item 6

For decision

Kyllachy Wind Farm 2025/0240/PAC (ECU00005153)

Recommendation: No objection

15. Emma Bryce Planning Manager, Development Management presented the paper to the committee.

16. The Committee were invited to ask for clarity, and the following points were raised:

- a) Given our commitment to the Tomintoul & Glenlivet Dark Skies, do we have a duty to safeguard dark skies, and should the mitigation for aviation lighting be strengthened? Planning Manager advised that the recommendation could be strengthened. The proposed consultation response could be amended to state that there is no objection subject to the developer undertaking an investigation into significantly reducing turbine lighting.
- b) A member questioned whether the Park Authority should object to the proposal as submitted (150m turbines with lighting), rather than not objecting subject to mitigation, since the current application does not include reduced lighting or other changes? Planning Manager advised that the committee typically follows NatureScot's advice, as they conduct a thorough assessment of impacts. While it's possible to take a different position, strong justification



would be required. The committee can signal concern by requesting mitigation, but ultimately the decision rests with the committee.

- c) A member commented that the NatureScot report did not mention the Dark Skies status in Tomintoul and Glenlivet. Head of Planning and Chief Planning Officer advised that it was likely not specifically referenced given the distance from the application. He added that it was important to note that NatureScot had not objected to the proposal themselves and suggested the Committee consider alternative wording. For example, no objection, subject to the applicant being strongly recommended to consider the mitigation measures or words to that effect.
- d) A member asked if the Committee was not satisfied with the application, what were the implications of moving toward refusal? Head of Planning and Chief Planning Officer supported by Peter Ferguson, CNPA Legal Adviser explained that the Park Authority was not the determining authority for this application; the Energy Consents Unit (ECU) would ultimately determine it. As a consultee, the Park Authority cannot approve or refuse it - it can only submit views (object or not object).
 - i. An objection from the local planning authority (Highland Council) would trigger a mandatory public inquiry.
 - ii. Objections from other parties (including the Park Authority) do not automatically trigger an inquiry; they may lead to a discretionary public inquiry at the Scottish Ministers' discretion.
 - iii. Highland Council's position was not yet determined at the time of the discussion.

17. The Committee were invited to discuss the report. The following points were raised:

- a) A member noted that the current application includes very tall turbine towers with aviation lighting that would result in significant landscape and visual impacts on the SLQS of the Park. Recommending a reduction in height, rather than objecting outright, may be insufficient. There would be no certainty that turbine heights would be reduced without a clear objection, and therefore an objection was a more appropriate response.
- b) A member with experience of working with wind farms warned that developers rarely agree to reduce turbine heights, as current industry standards dictate specific models and sizes.



- c) Director of Planning and Place advised that the proposed wind farm lies outside the National Park but introduces aviation lighting, creating significant night-time visual impacts on special landscape qualities from high points near the boundary. NatureScot does not consider this a threat to National Park integrity. Any objection should focus solely on night-time lighting impacts.
- d) Member emphasized the need to take a strong stance and object to this application as a matter of principle.

18. Lauren McCallum proposed an objection to the application, and this was seconded by Steve Micklewright. They left the room to work up the wording for the objection with the Park Authority Legal Adviser.

Paused for comfort break at 11.27 am

The meeting resumed at 11.40 am

19. Peter Ferguson on behalf of Lauren McCallum explained the proposed amendment: NatureScot concluded that the proposal would cause significant adverse effects on Special Landscape Qualities of the National Park and assessed these against NPF Policy 4, which sets a high bar regarding National Park integrity. The National Park Partnership Plan states that wind farms outside the National Park are inappropriate if they significantly harm its landscape character or special qualities. Therefore, the proposed amendment is to object to the application on the grounds that these negative effects breach Policy C2 a) of the National Park Partnership Plan.

20. The Committee proceeded to a vote. The results were as follows:

	MOTION	AMENDMENT	ABSTAIN
Geva Blackett		√	
Sandy Bremner		√	
Jackie Brierton		√	
Peter Cosgrove		√	
Kenny Deans		√	
Paul Gibb		√	
Hannah Grist		√	
Russell Jones		√	



John Kirk		√	
Lauren MacCallum		√	
Eleanor Mackintosh		√	
Ian McLaren		√	
Fiona McLean		√	
Steve Micklewright		√	
Duncan Miller		√	
Ann Ross		√	
Michael Williamson		√	
TOTAL	0	17	0

21. The Committee unanimously agreed to **Object** to the proposed development on the basis that its height and the requirement for aviation lighting would result in significant adverse effects on special landscape qualities 28 and 32 of the National Park. When assessed against policy C2 a) of the partnership plan the proposal would significantly affect landscape, character and special landscape qualities of the National Park.

22. Action Points arising: None.

Derek Ross returned to the room at 11.45 am

Agenda Item 7

For decision

Update on Planning Enforcement Charter

23. Ed Swales, Monitoring and Enforcement Officer presented the paper to the committee.

24. The Committee approved the updated Enforcement Charter.

25. Action Points arising: None.



Agenda Item 8

For information

Consultation on compulsory purchase reform in Scotland

26. Gavin Miles, Director of Planning and Place presented the paper to the committee.

27. The Committee were invited to ask the Director for clarity, and the following point was raised:

- a) A member questioned whether the Park Authority had powers of compulsory purchase and had understood that the Park Authority would have to approach the relevant local council. Director of Planning and Place advised that it often makes more sense for other local authorities to exercise their powers, as they may be better placed to take ownership, but confirmed that the National Park Authority does have wide ranging powers, however there were financial implications in using them.

28. The Committee noted the consultation and potential for the use of CPO powers by the Park Authority and other public bodies; and noted the approach proposed by officers to responding to the consultation

29. Action Point arising: None.

Agenda Item 9

For information

Update of Planning Call-In criteria

30. David Berry, Head of Planning and Chief Planning Officer presented the paper to the committee.

31. The Committee noted the amended planning call-in criteria and updated Planning Advice Note on Applying for Planning Permission in the Cairngorms National Park.

32. Action Point arising: None.



Agenda Item 10

AOCB

33. David Berry, Head of Planning and Chief Planning Officer gave the following updates:

- a) Laurel Bank planning application - an agreement has been reached with the applicant to secure a contribution towards active travel improvements in the vicinity of the development. Scottish Ministers have confirmed their agreement to the details. The contribution has been paid by way of an upfront contribution, and Scottish Ministers have been informed in order that they can release the planning permission.
- b) Lynstock Park at Nethy Bridge - concluded legal agreement, now issued planning permission.

34. The Committee Convener raised a motion to move to a confidential session.

Date of next meeting

35. The public business of the meeting concluded at 12.04 pm

36. Date of next meeting 23 January 2026