

CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

2023/0380/DET – Extension to caravan site with 16 No. static holiday caravans at Grantown on Spey Caravan and Motorhome Club, Seafield Avenue, Grantown on Spey

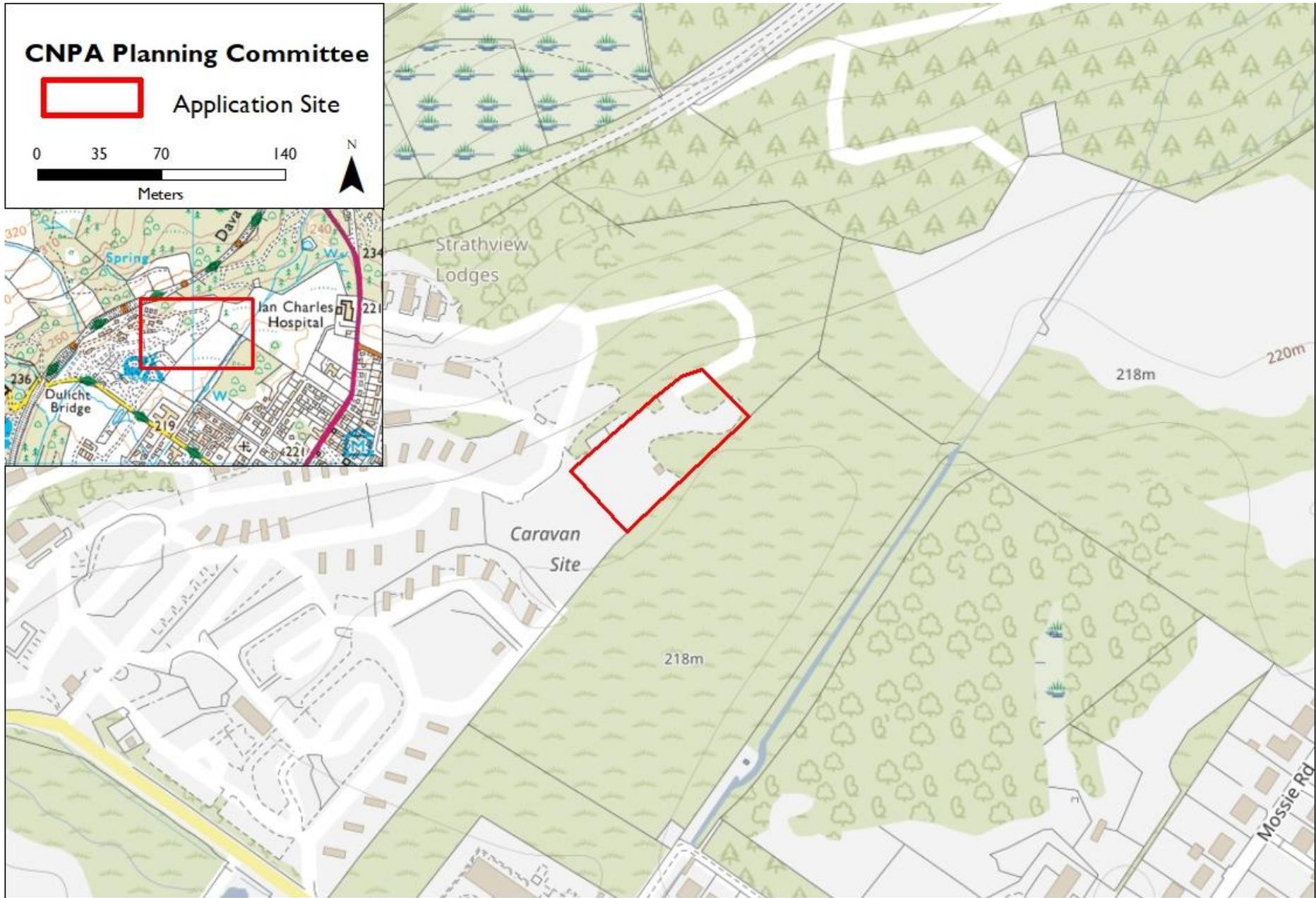
REFERENCE: 2023/0380/DET

APPLICANT: Austen Durant

DATE CALLED-IN: 2 October 2023

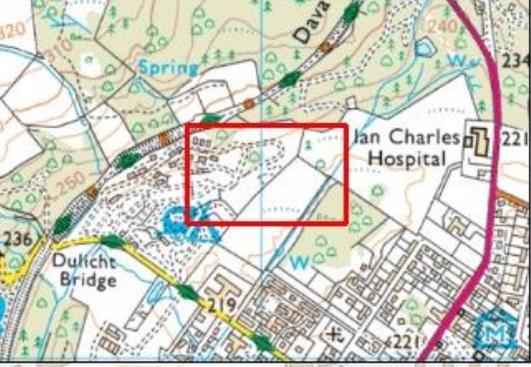
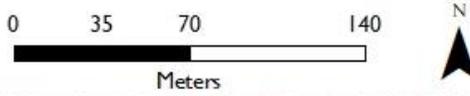
RECOMMENDATION: APPROVE subject to conditions

CASE OFFICER: Katie Crerar Planning Officer



CNPA Planning Committee

 Application Site



SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The development site lies adjacent to the north-eastern boundary of the long-established Grantown Caravan Park, forming an extension to the existing operation.
2. The development site is part of the setting of the existing Caravan Park along a relatively flat section adjacent to a boggy area of grassland/fields known as 'the Mossie'.
3. This application is part retrospective and as such, the development site currently comprises a tarmacked road extending from the south west of the development site through to a turning head in the north-east. There are 16 gravelled caravan pitches on either side of the new road with parking bays. The remainder of the site is finished in grass between the road and pitches.

Proposal

4. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S2H06USI0CP00>

Title	Drawing Number	Date on Plan*	Date Received
Plan – Location Plan	L(Ex)002	01/08/2023	29/09/2023
Plan – Existing Site Layout Plan	L(Ex)001	01/08/2023	29/09/2024
Plan – Proposed Site Layout / Proposed Extension of Park	L(PL)001	01/08/2023	01/03/2024
Plan – Floor Elevation Plan: Typical Proposed Caravan	L(PL)002	01/08/2023	29/09/2023
Other – Visual Information: Typical Holiday Caravan unit	L(PL)002	01/08/2023	20/09/2023

*Where no specific day of month has been provided on the plan, the system defaults to the 1st of the month.

5. This proposal seeks partial retrospective planning permission for an extension to the existing Grantown Caravan Park to accommodate an

additional 16 static holiday caravans, access road and associated landscaping.

6. The development site lies adjacent to the north-eastern boundary of the existing Grantown Caravan Park and forms part of a wider allocation for Tourism (T1: Caravan Park).
7. The proposal comprises extending the Caravan Park's existing internal road from the south-western boundary of the development site, centrally through to the north where it will terminate with a turning head. The road has been completed and is 3.7 metres wide and finished in tarmac consistent with the other internal roads in the Caravan Park.
8. The Caravan pitches are positioned either side of the new internal road (8 to the north of the road and 8 to the south) and are approximately 6 metres apart. The caravan units (See **Appendix 2: Visual Information**) will be situated a minimum of 2 metres from the internal road and 3 metres from the site boundary. Each Caravan pitch will have an associated parking bay formed with permeable concrete pavours. The area around the pitches and road has been laid with grass.
9. There will also be a grassed recreation area in the north-east corner of the site (**See Appendix 1: Site Layout Plan / Proposed Extension of Park**).
10. There will be no defined boundaries to the south-west, north-west and north-east of the development site as they integrate with the existing surrounding Caravan Park. The south-eastern boundary of the site is also part of the boundary of the wider Caravan Park and as such will have screen planting (formed with native species rowan, alder and hazel) extending up to 3 metres in depth along this boundary where space allows. This screening is also proposed to be continued to the north-east and south-west of the development site (**See Appendix 1: Proposed Extension of Park**) however that lies outwith the scope of this application.

History

11. There is no recent planning history on the proposed development site.

HABITATS REGULATIONS APPRAISAL

12. An Habitats Regulations Appraisal (HRA) has been undertaken to consider the potential effects of the development upon the

conservation objectives of the Natura sites listed within the HRA document which is attached as **Appendix 3**.

13. The Natura site in this case is the River Spey Special Area of Conservation (SAC) which is designated for its Atlantic salmon, sea lamprey, freshwater pearl mussel (FWPM) and otter interests.
14. The HRA considers that there are no likely significant effects on Atlantic salmon, sea lamprey or FWPM as the construction will not involve further significant ground works reducing the potential for any pollution events which may impact on the Kyntra Burn (which feeds directly into the River Spey). In terms of otter, there are again no likely significant effects due to the distance from the development site to the Kyntra Burn (>100m) would limit the likelihood of disturbance.
15. Also of importance is the Anagach Woods Special Protection Area (SPA) which is designated for its Capercaillie interests and in this case, there is the potential for likely significant effects as a result of increased human activity by the addition of occupants from the proposed development.
16. An Appropriate Assessment was undertaken, and this concluded there would be no additional disturbance to capercaillie over and above what is already occurring through use of existing routes in capercaillie woods closest to the development site - A, B, D & H (**see Habitats Regulations Appraisal**). Therefore, this conservation objective can be met and there will be no adverse effect on the site integrity of Anagach SPA.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	National Planning Framework 4 (NPF4) Scotland 2045	
POLICY 1	Tackling the Climate and Nature Crises	
POLICY 2	Climate Mitigation and Adaptation	
POLICY 3	Biodiversity	
POLICY 4	Natural Places	
POLICY 5	Soils	
POLICY 14	Design, Quality and Place	
POLICY 22	Flood Risk and Water Management	
POLICY 30	Tourism	

Strategic Policy	Cairngorms National Park Partnership Plan 2022 – 2027	
Local Plan Policy	Cairngorms National Park Local Development Plan (2021) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	X
POLICY 3	DESIGN AND PLACEMAKING	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	OPEN SPACE, SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER OBLIGATIONS	

17. All new development proposals require to be assessed in relation to policies contained in the adopted Development Plan which comprises National Planning Framework 4 (NPF4) and the Cairngorms National Park Local Development Plan 2021. The full wording of policies can be found at:

<https://www.gov.scot/publications/national-planning-framework-4/documents/>

and at:

<https://cairngorms.co.uk/wp-content/uploads/2021/03/CNPA-LDP-2021-web.pdf>

Planning Guidance

18. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	Housing Supplementary Guidance	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	X
Policy 3	Design and Placemaking Non-Statutory Guidance	X
Policy 4	Natural Heritage Non-Statutory Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X

Policy 7	Renewable Energy Non-Statutory Guidance	
Policy 8	Open Space, Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Obligations Supplementary Guidance	

CONSULTATIONS

19. A summary of the main issues raised by consultees now follows:
20. **The Highland Council’s Flooding Risk Management Team** are satisfied that whilst there are areas of predicted surface water flood risk on the site, they are small and isolated and can be satisfactorily managed through the site drainage. They have no objection to the application on the grounds of flood risk.
21. **The Highland Council’s Transport Planning Team** have no objection to the application but require a condition for a Construction Traffic Management Plan (CTMP) for the erection of the caravans to be applied to any permission granted. As a minimum, the CTMP should set out the access arrangements for construction traffic, the type and volume of construction traffic, working hours, traffic management proposals and requirements for mitigation especially for abnormal loads in the form of static caravans. A swept path analysis for any abnormal loads may also be requested. Depending on the type and volume of construction traffic, the applicant may need to enter into a Section 96 Wear and Tear Agreement with the Council that may require a Road Bond.
22. The CTMP must be approved by the Transport Planning Team and implemented before any work commences on site.
23. **The Highland Council’s Environmental Health team** requested further information in relation to the previous use (and potential contamination) of the site. This was provided by the applicant and the Officer confirmed they have no concerns regarding contamination for this application.
24. **The Highland Council’s Environmental Advice and Consultancy Team** were consulted in respect of archaeology and the confirm there are no sensitive issues and no mitigation is necessary.
25. **CNPA Ecology Advisor** highlights the proximity of the site to the River Spey SAC and SSSI (connected by Kylvetra Burn) and Anagach Woods

SPA (and associated capercaillie woods). However, as set out in the HRA, it is concluded that there are no likely significant effects on these designations.

26. As the site consists of mainly hardstanding and amenity grassland, it has limited habitat potential to support breeding birds and protected species. As such, potential impacts on protected species, breeding birds and CNPA habitats or species is low.
27. The Officer highlights the historical evidence that the site is potentially situated on deep peat. However, as the hardstanding is already down, no further excavations are likely and the impacts on the peatland are negligible.
28. The Ecology Advisor also welcomes the planting of a screen comprising of native species: hazel, rowan and alder, as it will enhance the proposed site. They recommend a condition for a landscaping plan which should include a maintenance schedule for the planting and maintaining the planted species.
29. **CNPA Landscape Advisor** highlights the location of the site adjacent to the fields known as the Mossie and states that this proposal will have a locally significant adverse visual effect upon the amenity of the area, for visitors, residents and recreational users. The mitigation provided by the screen planting (although ideally not including copper beech) is welcomed however the 3m width 'where possible' is very open and not acceptable. If there are sections where the applicant does not consider 3m wide is possible then they should identify these on the plan.
30. It is advised that a scale planting plan should be submitted and approved before any development takes place and must include full planting details of plant material, size and location as well as soils preparation, planting operations and maintenance specifications. These plants must be protected from deer, rabbits and domestic stock on the Mossie.
31. **CNPA's Access Team** were consulted however have no comments to make.
32. **Scottish Water** has no objection to the proposals, but suggest the applicant completes a Pre-Development Enquiry (PDE) form ensuring the development can be serviced. There is currently capacity in the Aviemore Water Treatment Works to service the proposed development. The proposed development is within the Grantown Waste Water Treatment Works catchment area but suggest the

applicant completes a Pre-Development Enquiry (PDE) form ensuring the development can be serviced.

REPRESENTATIONS

33. The application was advertised and there was one representation from the Badenoch and Strathspey Conservation Group. A copy of these comments is attached in **Appendix 4**.

34. Key issues raised in the representation are summarised as follows:

- a) Landscape – the proposal is visible from various locations including from the south-east, north-east, north-west and north which will have cumulative impacts with other nearby developments such as Beachen Court and the Care Home.
- b) The wet and dry grassland on the Mossie is exceptional and stripping this area and pre-profiling the adjacent field is a loss of the habitats and biodiversity. There is species rich grassland and fen directly adjacent to the site.
- c) The proposal could increase disturbance of the Mossie which is also important habitat for waders.
- d) The wet grassland habitat adjacent to the site provides suitable habitat for frog and toad spawn which has been found in the area.
- e) A number of invertebrate species have been found in the Mossie and cumulative impacts on biodiversity should be taken into account.
- f) The proposal will reduce the quality of experience and enjoyment of the countryside through further development encroaching on the Mossie.
- g) There is potential for pollution emanating from the site which could cause long-term pollution of the Mossie.
- h) The proposal will not protect biodiversity and does not comply with National Planning Framework 4.

APPRAISAL

35. Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the Development Plan i.e. National Planning Framework 4 and the adopted Cairngorms National Park Local Development Plan 2021 unless material considerations indicate otherwise. Where there is conflict between policies, National Planning Framework 4 policies will be used.

36. The main planning issues are considered below:

Principle

37. This proposal relates to the extension of an already established Caravan Park. National Planning Framework 4 **Policy 30: Tourism** supports development proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the LDP (part a). It adds that proposals for tourism related development will take into account (amongst others) “compatibility with the surrounding area in terms of nature and scale of the activity and impacts of increased visitors” (part b i)).
38. The proposal site forms an extension to the existing Caravan Park in Grantown and lies within the **T1: Caravan Park allocation for Tourism** within the Cairngorms Local Development Plan 2021. The Settlement Statement sets out that within the allocation “there is some capacity for further development, particularly in the north-eastern part of the site. Any future development on the site must be for tourism uses and compatible with the existing operational business”.
39. The development site lies within the north-eastern part of the T1 allocation which is identified as having capacity for further development. The proposal is for 16 static pitches which is consistent and compatible with the existing operational business and the layout of the caravan pitches and the caravans themselves will be in keeping with those already on the Caravan Park. Therefore, the principle of this proposal complies with Policy 30 of National Planning Framework 4 and also meets the provisions of the T1 allocation contained within the Cairngorms Local Development Plan 2021.

Environmental Impacts

40. National Planning Framework 4 **Policy 3: Biodiversity** requires development proposals to contribute to the enhancement of biodiversity and **Policy 4: Natural places** seeks to ensure that development will not have an unacceptable impact on the natural environment, or any significant effect on European Site designations including Special Areas of Conservation.
41. In addition, **Policy 4: Natural Heritage** of the Cairngorms Local Development Plan 2021 requires new development to have no adverse effects on the integrity of designated sites, the National Park or on protected species or habitats.
42. The area which lies adjacent to the proposed development site (known as the Mossie to the east/south-east) is marshy with drainage

connecting to the Kylintra Burn. The Kylintra Burn, feeds directly into the River Spey which is a Special Area of Conservation (SCA) and Site of Special Scientific Interest (SSSI). In addition, the site is also relatively close to Anagach Woods Special Protection Area (SPA), specifically some of the associated capercaillie woods, and as such consideration has been given to the potential impacts. However, as set out in the HRA it is concluded that there are no likely significant effects on these designations.

43. Whilst the application is proposing screen planting to support landscape integration, there is no mention of biodiversity or habitat enhancements. Policy 3 of National Planning Framework 4 requires proposals to enhance biodiversity as well as building and strengthening nature networks and connections between them. Proposals should integrate nature-based solutions where possible.
44. The development site forms a small part of a wider Caravan Park operation which overall due to its operations has limited biodiversity value. There are opportunities to enhance biodiversity by creating and improving habitats and nature networks within the land under the applicant's control. As such, it should be conditioned that details of biodiversity enhancements for the wider Caravan Park – which includes the application site - must be provided and agreed by CNPA prior to any further development taking place.
45. Finally, as raised through the representation, there are concerns about the impact of the proposal on the biodiversity interests of the Mossie adjacent to the site. Whilst it is understood that there is biodiversity value in this area, the proposal would not create a significant increase in the number of people who would use the Mossie. The Caravan Park and development site itself is fenced from the Mossie and is well connected to the existing road and path routes around the area which the majority of visitors would utilise. However, as highlighted above, there is an opportunity and a requirement under National Planning Framework 4 to improve biodiversity habitats and nature connections within the site.
46. Overall, this proposal would not result in any significant environmental impacts and therefore, with the inclusion of conditions, complies with National Planning Framework 4 Policies 3 and 4 as well as Policies 4 and 10 of the Cairngorms Local Development Plan.

Landscape

47. National Planning Framework **Policy 4: Natural Places** sets out that development proposals which affect a National Park will only be supported where the objectives of designation and the overall integrity of the area will not be compromised and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.
48. **Policy 5: Landscape** of the Cairngorms Local Development Plan 2021 sets out that there will be a presumption against any development that does not conserve or enhance the landscape character or special landscape qualities of the Cairngorms National Park. Proposals that do not completely or enhance the landscape character of the National Park will only be permitted where they are outweighed by social, environmental or economic benefits of national importance and all adverse effects on the setting have been minimised and mitigated.
49. This proposal forms a small addition to a substantial existing Caravan Park however it is acknowledged that the new caravans will increase the visual impact of the whole park by lengthening its location along this most visible boundary. This part of the existing site is highly visible to the recreation users of the Mossie as well as users of Seafield Avenue. Of particular importance is the high visibility of the whole site for residents of Seafield Court and the users of the footpath that runs from the church and around to Seafield Avenue which is popular with walkers and runners. The remainder of the existing Caravan Park is mitigated through planting along the boundary as well as the internal landscaping presenting a more attractive landscape.
50. However, this proposal includes screen planting along the visible southern/south-eastern boundary, and which will mitigate the visual effect of the proposal. Whilst the screening is already proposed as part of the application, a condition will be included for a planting plan to be submitted and approved before any further development takes place or caravans are installed and occupied and must include full planting details of plant material, size and location as well as soils preparation, planting operations and maintenance specifications. These plants must be protected from deer, rabbits and domestic stock on the Mossie.
51. Subject to the inclusion of the condition and with the screen planting which will minimise the visual impact of the caravans, this proposal complies with National Planning Framework 4 Policy 4 and Policy 5 of the Cairngorms Local Development Plan 2021.

Roads

52. **Policy 3: Design and Placemaking**, part 3.3 j) requires proposals to be designed to “include appropriate means of access, egress, levels of private amenity ground and space for off street parking”. Whilst this primarily relates to housing, the principles for ensuring appropriate site access and parking are relevant for all proposals. National Planning Framework 4 **Policy 13: Sustainable Transport** also seeks to encourage, promote and facilitate proposals that prioritise active travel.
53. There is an existing established access to the Caravan Park which will remain unaltered and the internal access road has been extended to the site to provide access. Each caravan pitch has parking for one car.
54. It is unlikely that the additional cars from 16 caravans will have a detrimental effect on the existing road infrastructure. The Highland Councils Transport Planning Team have however requested a condition requiring a Construction Traffic Management Plan for the caravans which should be approved by the Transport Planning Team prior to any work on site.
55. The development site is well connected to the surrounding area with good connections for active travel.
56. Overall, this proposal does not present any significant access or road issues and as such complies with National Planning Framework 4 Policy 13 and the relevant provisions of the Cairngorms Local Development Plan Policy 3.

Other Issues Raised in Consultations and Representations

57. The representation received highlighted concerns about access in the general area including routes from the Mossie to the former railway path. They are of the view that cumulative impacts on access need to be taken into account whilst reducing access on the Mossie. Whilst these comments are noted and appear somewhat conflicted, this is not a material consideration in so far as this proposal will not impact – either by providing or restricting access around or through the site.

CONCLUSION

58. This proposal comprises the extension of an existing established Caravan Park on a site that is allocated for tourism within the Local Development Plan. The proposal is compatible with its neighbouring

use and whilst will result in some visual impacts as a result of the caravans, suitable screen planting has been proposed and conditions implemented to ensure the proposed planting will be sufficient. There are no likely environmental impacts – whilst some concerns have been raised, the scale of the proposal will not result in any adverse impacts on the surrounding area and conditions are proposed relating to landscape mitigation and biodiversity enhancement. Overall, this proposal complies with the relevant National Planning Framework 4 and Local Development Plan policies and there are no material considerations which would warrant the refusal of planning permission. Approval is therefore recommended subject to appropriate planning conditions.

RECOMMENDATION

That Members of the Committee support a recommendation to APPROVE the extension to caravan site with 16 No. static holiday caravans at Grantown on Spey Caravan and Motorhome Club, Seafield Avenue, Grantown on Spey, subject to the following conditions:

Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.

Conditions

1. The development to which this permission relates must begin not later than the expiration of 3 years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.

Reason: To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. **No further operations relating to the development hereby approved - including the siting of caravans - shall be undertaken until a Construction Traffic Management Plan (CTMP) for the erection of the caravans has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority in consultation with the Highland Council's Transport Planning Team. The CTMP must be implemented before any further works commence on site.**

The CTMP shall include but not be limited to, the following:

- a) the access arrangements for construction traffic;
- b) the type and volume of construction traffic;
- c) working hours;
- d) traffic management proposals;
- e) requirements for mitigation especially for abnormal loads in the form of static caravans;
- f) A swept path analysis for any abnormal loads may also be required;
- g) Depending on the type and volume of construction traffic, the applicant may need to enter into a Section 96 Wear and Tear Agreement with the Council that may require a Road Bond.

Reason: To ensure that the amenity of the surrounding area is preserved and there is appropriate access during the transporting and siting of the caravans in line with Policy 3: Design and Placemaking of the Cairngorms Local Development Plan 2021.

3. **No further development shall commence on site – including the siting of caravans - until a landscape planting and maintenance plan has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. This plan shall include but not be limited to the following information:**
- a) Full planting details of plant species of local provenance, size and location as well as soils preparation, planting operations and maintenance specifications. These plants must be protected from deer, rabbits and domestic stock on the Mossie; and
 - b) Details of any associated lighting proposed on site to minimise upward lighting.

The approved landscape scheme shall be implemented in accordance with the approved details in the first planting season following the development being brought into use and maintained thereafter in accordance with the approved plans and details throughout the lifetime of the development hereby approved.

Reason: To ensure the long-term retention of screen planting and to ensure the development complements and enhances the landscape in accordance with Policy 3: Biodiversity, Policy 4: Natural Places of the National Planning Framework 4 and Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

4. **No further development shall commence on site – including the siting of caravans - until a Biodiversity Enhancement Plan covering the**

land within the applicant's control has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. This plan shall include but not be limited to the following information:

- c) Details of tree and woodland management to protect existing trees and woodland areas on the site;
- d) Details of management of species rich grassland areas on the land.
- e) Details of bird and bat boxes to be installed on the land.
- f) A timetable for implementation of all measures.

The approved Biodiversity Enhancement Plan landscape scheme shall be implemented and managed thereafter in accordance with the approved details throughout the lifetime of the development hereby approved.

Reason: To ensure that biodiversity is enhanced in accordance with Policy 3: Biodiversity and Policy 4: Natural Places of the National Planning Framework 4 and Policy 4: Natural Heritage of the Cairngorms National Park Authority Local Development Plan 2021.

Informatives

1. The development hereby approved must commence within 3 years of the date of this decision notice. If development has not commenced within this period then this planning permission will lapse.
2. The person undertaking the development is required to give the Planning Authority prior written notification of the date which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.
3. Following completion of the development, a notification of completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and

Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.

4. In order for Scottish Water to conduct a full appraisal of the proposals, the applicant should complete a Pre- Development Enquiry (P.D.E.) Form, and submit to Scottish Water via the customer portal, or contact Development Services.

The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.