

Agenda Item	<b>6.7</b>
Report No	<b>PLS/42/26</b>

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee  
**Date:** 17 June 2026  
**Report Title:** 26/00426/FUL: Ms Chrissy Curbishley  
1A Grampian Court, Aviemore PH22 1TB  
**Report By:** Area Planning Manager - South

### Purpose/Executive Summary

**Description:** Use of property as short term letting unit

**Ward:** 20 – Badenoch and Strathspey

**Development category:** Local

**Reason referred to Committee:** Ward Member referral

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

### Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in section 11 of the report.

## 1. PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for the use of the property as a short term letting unit. The property is a two bedroomed ground floor. The flat has been operational as a short term let since 2015. However, the applicant can only provide evidence back to 2017. No physical changes are proposed to the property as part of this application.
- 1.3 Pre-Application Consultation: None
- 1.4 Supporting Information: Letting history, Photographs
- 1.5 Variations: None

## 2. SITE DESCRIPTION

- 2.1 The property is located at Grampian Court, Aviemore which consists of four blocks of flats, located within communal grounds. It is accessed off Grampian Road, within the centre of Aviemore. The ground floor flat has 2no. bedrooms.
- 2.2 The property will utilise existing services such as parking, water supply and waste disposal. Parking is communal for all the flats.

## 3. PLANNING HISTORY

- 3.1 None

## 4. PUBLIC PARTICIPATION

- 4.1 Advertised: Date Advertised:  
Strathspey and Badenoch Herald - Schedule 3 development (14 days) 12.03.2026  
Representation deadline: 1 April 2026  
Timeous representations: 0  
Late representations 0

- 4.2 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam).

## 5. CONSULTATIONS

- 5.1 **Aviemore and Vicinity Community Council:** In May 2024 Aviemore and Vicinity Community Council agreed to object to all new applications for short term lets within the Community Council boundary. We feel that the need for accommodation for people to live and work permanently in our community greatly outstrips the need for further holiday accommodation, which the local economy cannot currently adequately support.
- 5.2 **Cairngorms National Park Authority:** No call-in required.

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **6.1 National Planning Framework 4 (NPF4) (2023)**

Policy 1 - Tackling the Climate and Nature Crises

Policy 2 - Climate Mitigation and Adaptation

Policy 3 - Biodiversity

Policy 14 - Design Quality and Place

Policy 16 - Quality Homes

Policy 30 - Tourism

### **6.2 Cairngorms National Park Local Development Plan (CNPLDP) (2021)**

3 - Design and Placemaking

### **6.3 Cairngorm National Park Guidance**

3 - Sustainable Design, Non-statutory Guidance

## **7. OTHER MATERIAL CONSIDERATIONS**

### **7.1 Scottish Government Planning Policy and Guidance**

Planning Circular 1/2023: short-term lets and planning

### **7.2 The Highland Council guidance and advice**

Highland Council Non-Statutory Short-Term Let Control Area Planning Policy (2023)

## **8. PLANNING APPRAISAL**

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

### **Determining Issues**

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### **Planning Considerations**

8.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) impact of loss of residential use
- c) impact on amenity and character of the area
- d) impact on infrastructure and services and proposed mitigation
- e) any other material considerations

### **Development plan/other planning policy**

- 8.4 Planning permission is sought for the use of this property as a short term letting unit.
- 8.5 The property has been utilised as a short term let prior to the establishment of Ward 20 as a STLCA. However, due to the scale of the property, the number of bedrooms and anticipated occupancy, the change is deemed to be material.
- 8.6 The Cairngorms National Park Local Development Plan (CNPLDP) has policies that support tourism development, including provision of tourist accommodation, but does not have a specific policy on the use of existing residential buildings for short term lets. The principal policy that this proposal must be considered against is therefore NPF4 Policy 30 Tourism.
- 8.7 NPF4 Policy 30 e) Tourism sets out that for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:
- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
  - ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.
- 8.8 The Council's Non-Statutory Short-term Lets within a Control Area Planning Policy was introduced in 2023. It does not form part of the Development Plan but is a material consideration in the determination of applications for this type of use.
- 8.9 This states that, within a Control Area, the Council will support the use of an existing dwellinghouse as a short-term let that falls within one of the following categories:
1. It is a long-term empty dwellinghouse that will be brought back into active use. Supporting evidence will be required to be submitted to demonstrate this; or
  2. The dwellinghouse is located above a commercial unit within a City, Town or Village centre; or
  3. The dwellinghouse has no fewer than four bedrooms, as it existed at the date of the establishment of the Control Area or, if constructed after the designation of the Control Area, as originally built.
- 8.10 Providing that the loss of the residential property to short term let can be justified on the grounds of supporting the local economy and that the proposal would not lead to an unacceptable impact on local amenity or the character of the neighbourhood or area, it could be considered to comply with the development plan.

### **Impact of loss of residential use**

- 8.11 The property has been used as short term let since 2017 and anecdotally from 2015. Whilst the proposal would result in a property not being available for permanent residential use, it has not been available as a permanent residential house since at least 2017.
- 8.12 The property has two bedrooms, which is of a size where a change of use to short term let would in principle not be acceptable under the Council's Non-Statutory Short-Term Lets within a Control Area Planning Policy. THC's Non-Statutory Short Term Let Control Area Planning Policy is considered to apply only to new short term let proposals in a control area, based on advice from the Council's Legal Services team.

This application relates to an existing short term let.

### **Impact on amenity and character of the area**

- 8.13 The property is a ground floor flat within Aviemore, just outwith the southern extent of the defined town centre. The flat is accessed via a shared entrance and communal areas where there is the potential for increased disturbance. However, the property has been operational as a short term let since 2017 with no complaints raised. Therefore, there are no concerns regarding impact on amenity or the character of the area.

### **Impact on infrastructure and services and proposed mitigation**

- 8.14 Parking is provided by means of unallocated parking spaces within Grampian Court at a ratio of 39no. spaces per 31no. flats. Cycle parking is available. No physical alterations are proposed as part of this application.
- 8.15 It is considered in this case that the use of the property for short term letting is acceptable in that the impact on residential amenity and the character of the area is not considered significant and therefore complies with NPF4 Policy 30 e) (i).

### **Other material considerations**

- 8.16 There are no other material considerations.

### **Non-material considerations**

- 8.17 None.

## **9. CONCLUSION**

- 9.1 Planning permission is sought for the use of an existing property as a short term let. It is not considered to have an unacceptable impact on either the character or the amenity of the area and therefore meets with the requirements of NPF4 Policy 30 e) part (i).
- 9.2 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## **10. IMPLICATIONS**

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

## 11. RECOMMENDATION

It is recommended that the application is **GRANTED** subject to conditions for the following reasons:

### Conditions and Reasons

None.

Signature: Bob Robertson

Designation: Area Planning Manager South

Author: Julie-Ann Bain

Background Papers: Documents referred to in report and in case file.

Relevant Plans:

Plan 1 – 000002 Location Plan

Plan 2 – P894.26.01 Ground Floor Plan Existing

Plan 3 - P894.26.02 Location Plan

Plan 4 - P894.26.03 Site Layout Plan

# 1A GRAMPIAN COURT, AVIEMORE, PH22 1TB

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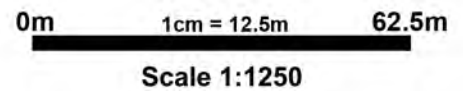
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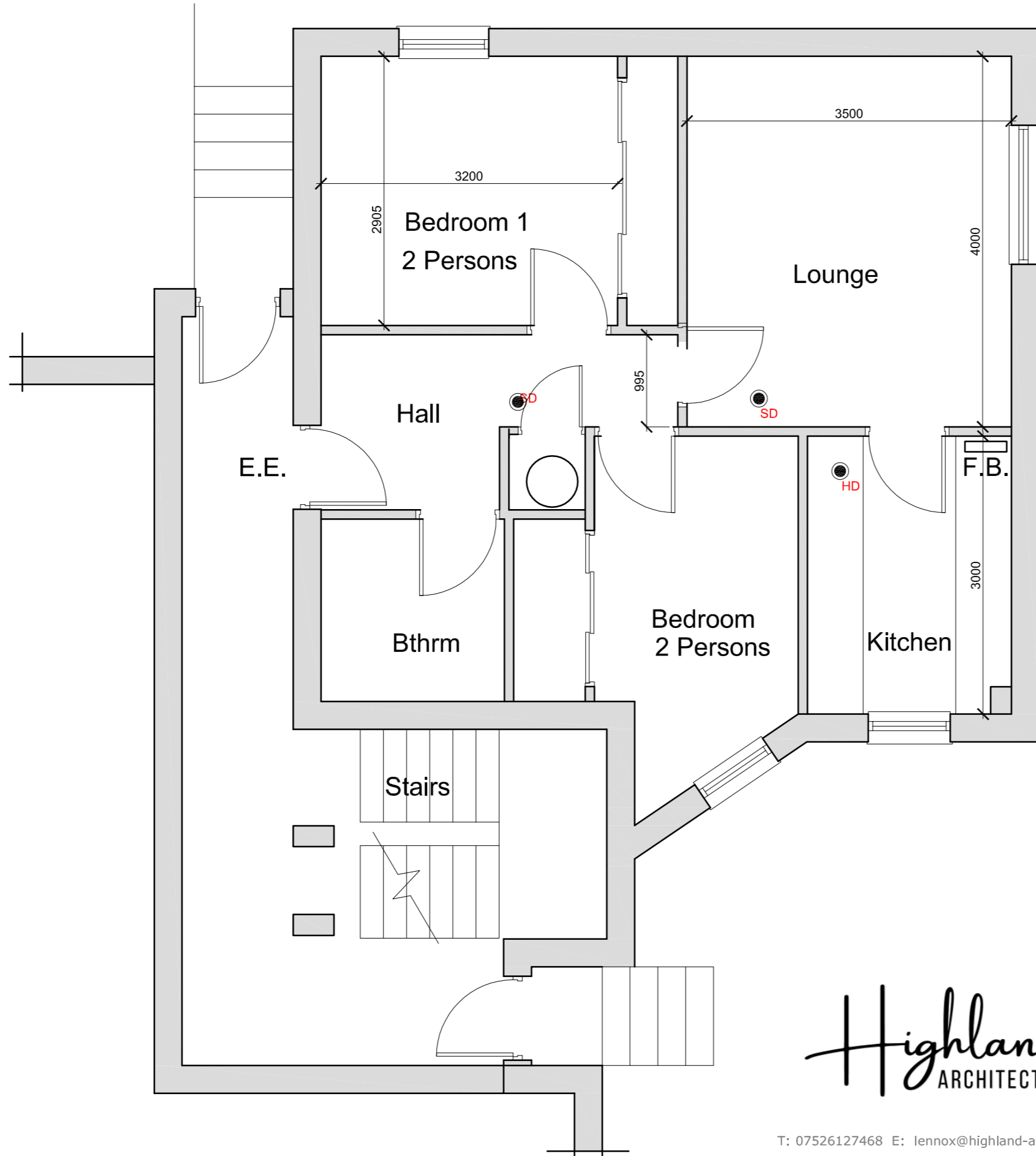


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Key:  
CP - Communal Parking

0 1 2 3 4 5 6 7 8 9 10 Metres



MAX 4 PERSON OCCUPANCY

Legend

- Smoke alarm, connected into mains with battery back up all in accordance with BS 5446:Part 1:2000 and to comply with Safety Standard 2.11.2 See Spec for correct positioning.
- Carbon Monoxide Alarm, Detectors are to be ceiling mounted and positioned at least 300mm from walls and be sited between 1m and 3m from appliance.
- Heat Detector, located in kitchen, installed in accordance with manufacturers instructions

E.E. Emergency escape

F.B. Fire Blanket

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project  
Proposed Application for Short term letting  
1A Grampian Court Aviemore PH22 1TB  
C Curby

drawing Floor Plan

scale 1:50 - A3 date March 2026

status PLANNING APP

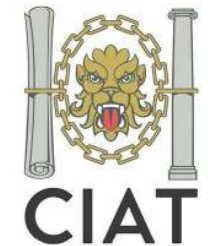
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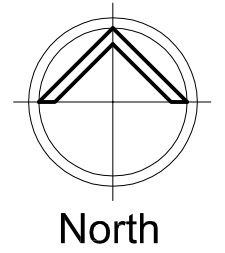
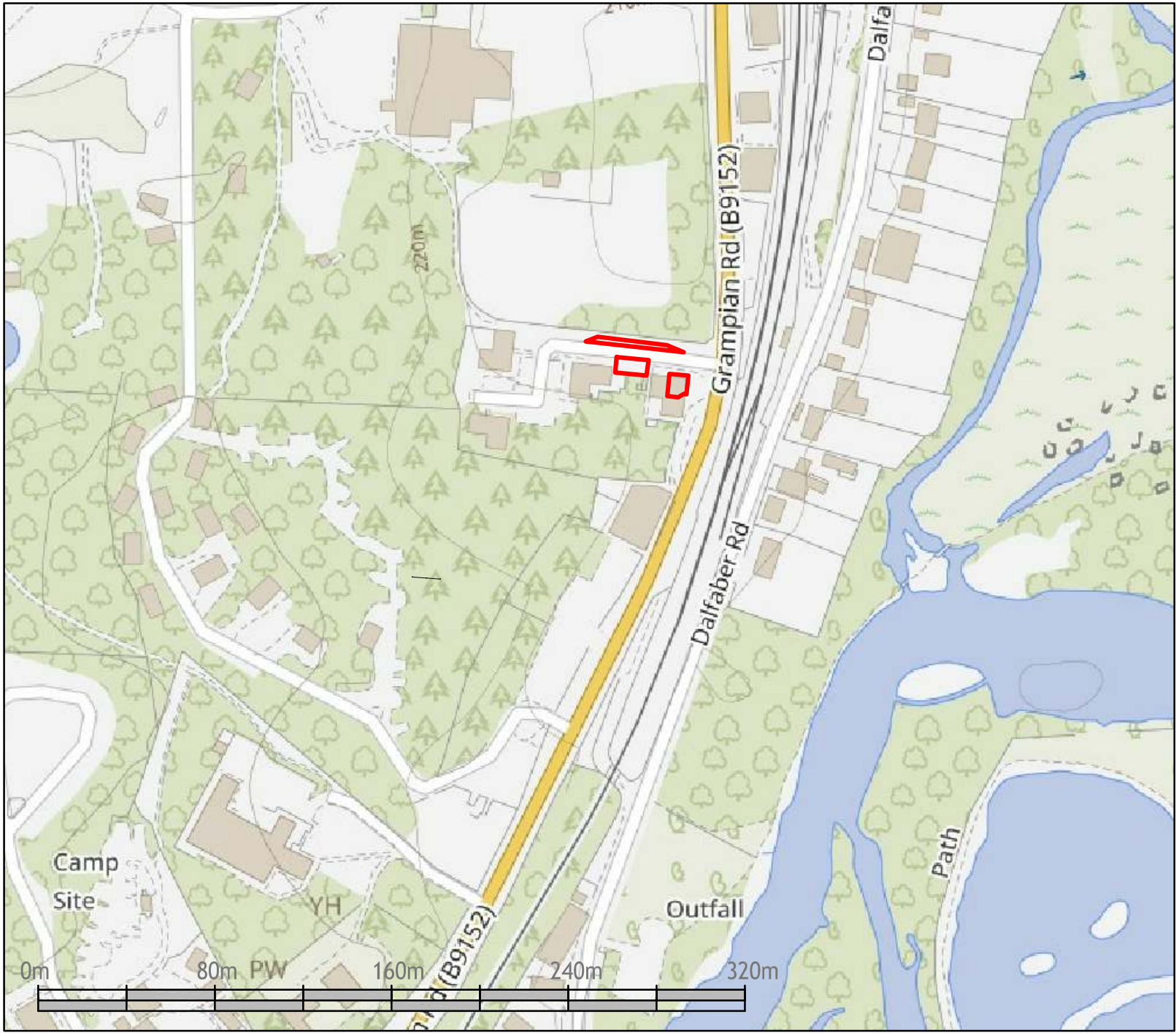
drawn L Boyd

drg no P894.26.01

rev



Ground Floor Plan  
(existing - no changes)



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project

Proposed Application for Short term letting  
1A Grampian Court Aviemore PH22 1TB  
C Curby

drawing Location Plan

drawn L Boyd

scale 1:2500 - A4 date March 2026

drg no P894.26.02

status PLANNING APP

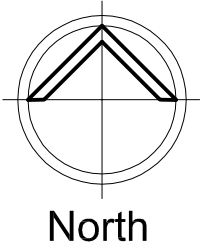
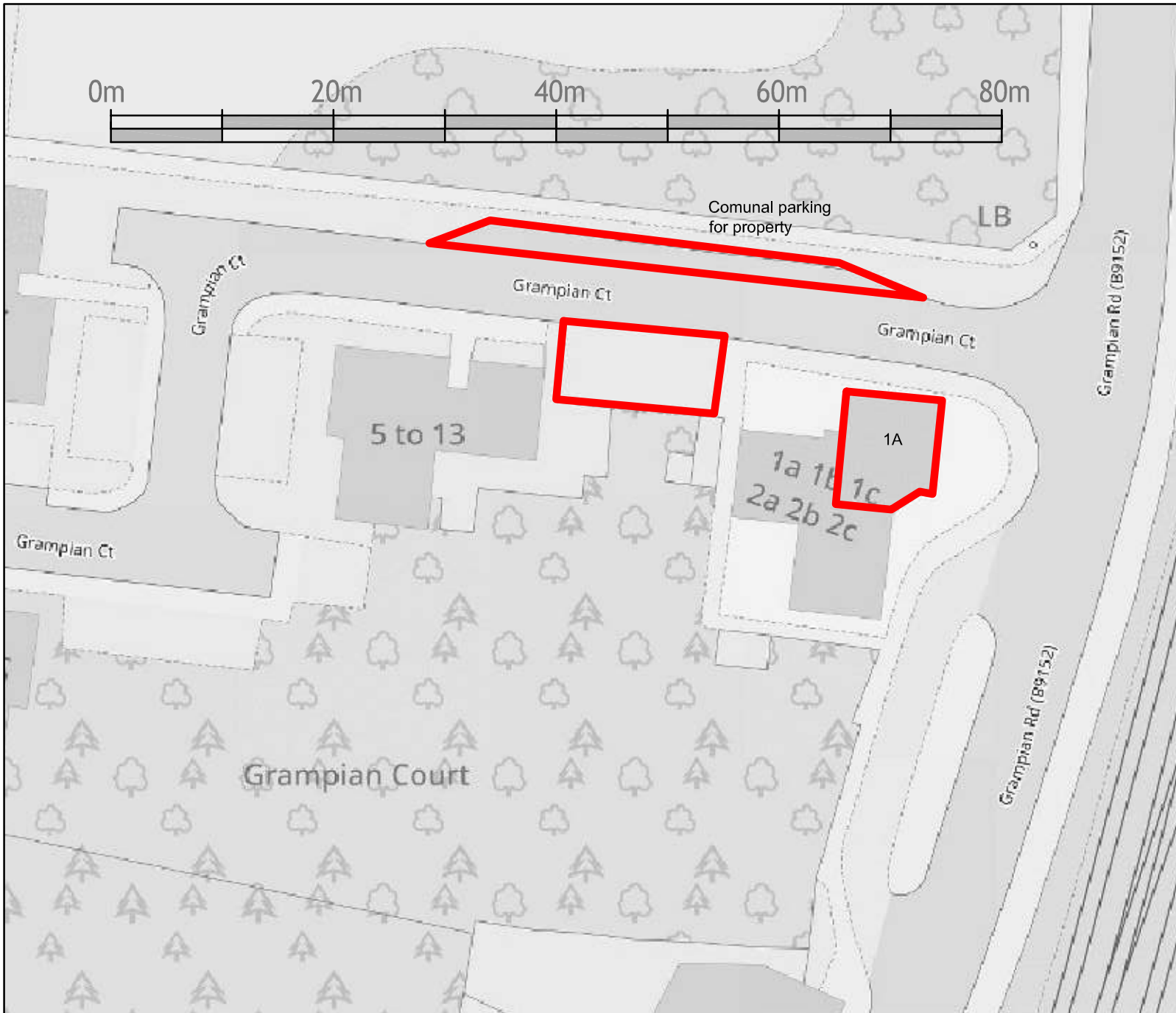
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Location Plan 1:2500



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Proposed Application for Short term letting  
1A Grampian Court Aviemore PH22 1TB  
C Curby

drawing Site Plan

drawn L Boyd

scale 1:500 - A3 date March 2026 drg no P894.26.03

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Site Plan 1:500