
CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:	
Application under Section 42 to vary Condition 2 (rate of extraction) (approved under ref: 05/015/CP (05/00008/FULBS)) seeking an uplift in the rate of annual extraction from 50,000 T to 150,000 T).	
REFERENCE:	2015/0154/DET
APPLICANT:	Breedon Aggregates Scotland Ltd
DATE CALLED-IN:	18 May 2015
RECOMMENDATION:	APPROVAL SUBJECT TO CONDITIONS and new S75 for site restoration bond
CASE OFFICER:	Matthew Taylor, Planning Officer

Purpose of Report

1. The Cairngorms National Park Authority (CNPA) has procedures to review the issue of decision notices following Planning Committee decisions where the issue of decision notices is delayed by the conclusion of legal agreements or developer obligations. This report recommends that the Planning Committee review and maintain their decision to approve the application 2015/0154/DET.

Background

2. The Planning Committee approved the application 2015/0154/DET on 18 September 2015 subject to conditions and a suitable bond for site restoration. Since then the CNPA, our legal team and the applicant have been working to secure a suitable bond and on 19 February 2016, the Planning Committee approved an amendment to condition 1 (for restoration and aftercare).

Current Position

3. The conclusion of the S75 legal agreement and appropriate bond for reinstatement proved more complicated than originally anticipated, partly because officers discovered that the bond secured for the original planning permission was not fit for purpose. However, good progress has been made, with the wording of the S75 agreement agreed between the CNPA and applicant and a reliable bond mechanism identified and agreed. Subject to the landowner's agreement, we expect the S75 to be concluded in the very near future. Officers do not recommend any change the Planning Committee's previous decisions on this application.

RECOMMENDATION

That Members of the Committee maintain their decisions to approve and amend the application 2015/0254/DET (Application under Section 42 to vary Condition 2 (rate of extraction) (approved under ref: 05/015/CP (05/00008/FULBS)) seeking an uplift in the rate of annual extraction from 50,000 T to 150,000 T) made on 18 September 2015 and 19 February 2015.