

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: REVIEW OF CALL-IN PROCEDURES

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Purpose of Report

This paper provides a review of the call-in procedures for the last nine months and recommends changes to the call-in criteria for further clarity.

Recommendation

That the Committee:

- i. Note the review recommendations; and**
- ii. Approve the proposed amendments to the Call-in criteria**

Background

1. On 11 April 2014, the Planning Committee approved revised call-in criteria to clarify the types of application likely to be called-in or unlikely to be called-in by the CNPA. The criteria were intended to make it clearer to all the customers and users of the planning system in the Cairngorms National Park the types of applications likely to be called in by the CNPA or not. In June 2014 we published a Cairngorms Planning Advice Note 'Applying for Planning Permission in the Cairngorms National Park' setting out the call-in criteria. Since December 2014, the Outcome of call-in Report has referred to the call-in types of application.

The Review

2. The purpose of the review is to consider how the call-in criteria have been used in practice and identify any further improvements or clarity that could be made. The review covers the nine months from January 2015 to September 2015. Appendix I has a detailed analysis of the applications received during that period. For reference, Table I sets out the current Type 1 and Type 2 call-in categories.

Table 1. Current Type 1 and 2 call-in categories

Type 1 Applications that are highly likely to be “called in”:

- All “major” applications as defined in planning legislation;
- Vehicle tracks outside enclosed farmland, unless already under consideration by another authority (e.g. Forestry Commission) under Environmental Impact Assessment (EIA) Regulations;
- Wind turbines, hydro schemes or large solar panel farms;
- Minerals applications;
- Housing - five or more residential units within a settlement;
- Housing - three or more residential units outside a settlement;
- More than 250m² gross floor area, or 0.25ha, of employment space outside settlements;
- Applications which would require Environmental Impact Assessment;
- Applications which are directly related to applications that have been previously determined by CNPA;
- Listed building consent applications that involve major external or internal changes or are otherwise linked to an application of Type 1;
- Conservation area consent applications linked to another application of Type 1.

Type 2 Applications that are highly unlikely to be “called in”:

- Householder developments – small developments that need planning permission;
- Housing – four or less residential units within a settlement;
- Housing – up to two residential units outside a settlement;
- Biomass plants that are attached to existing uses;
- Telecommunications masts inside settlements;
- Advertisement consent applications where not linked to a planning application of Type 1;
- Listed building consent applications that involve minor external or internal changes;
- Conservation area consent applications that are not connected with an application of Type 1.

3. During the review period, the CNPA were notified of a total of 277 planning applications made in the National Park, of which only 20 (7%) were called in by the CNPA. Table 2 sets out the number of applications made in each local authority and Table 3 summarises the call-in category of the applications.

Table 2. Number of applications by local authority	
Local Authority	No. applications notified
Highland	181
Aberdeenshire	71
Moray	12
Perth and Kinross	10
Angus	3

Table 3. Call-in categories of application		
Total Type 1	Total Type 2	Total Others
14	161 (75 householder)	102

4. CNPA staff and local authority colleagues have found the criteria helpful in providing clear advice to customers, managing pre-application advice, application processing and enforcement. The two “likely or unlikely to call-in” types of development have managed to provide a greater degree of certainty about likelihood of call-in for 63% of applications made within the National Park. This is a significant positive change for the planning system in the National Park.
5. However, 102 (37%) of the applications didn’t fit either the Type 1 or 2 categories so further clarification would give everyone more certainty. The actual nature of the applications that did not fall into either call-in category is varied. Only 9 of those 102 applications were called in by the CNPA.
- a) Conversion and extension to Cambus O’May Cheese Company
 - b) Corgarff Viewpoint feature
 - c) Heritage Centre, Grantown
 - d) Construction and demolition of recycling centre
 - e) Temporary access road for A9 development
 - f) Section 42 for quarry extraction
 - g) Alterations and extension to bothy
 - h) Retrospective pot ale lagoon
 - i) Restoration of bog woodland/dams
6. There was only one group of similar applications that can be identified within the 102, with 24 applications for telecommunications/ broadband cabinets that were not called-in.

Proposed changes to Type 2 categories

7. The list of Type 2 applications that are unlikely to be called-in is relatively short; the CNPA's focus when first identifying the criteria was on the applications likely to be called-in rather than all those unlikely to be called in. We now consider that further categories could helpfully be added to the list of Type 2 applications:
- a) telecommunications/broadband cabinets;
 - b) small scale extensions, changes of use or temporary development involving commercial, tourism, leisure and industrial uses;
 - c) small scale upgrading/restoration works – comprising drainage, landscaping or re-profiling of land; and
 - d) advertisement consent applications.

Proposed changes to Type 1 categories

8. The list of Type 1 applications that are likely to be called-in has been effective. There are two changes that we propose for clarity:
- a) the addition of a category to reflect the potential for prior approval applications for private roads or ways which require Environmental Impact Assessment (EIA) or which could have a potential impact upon important natural and cultural heritage interests and/or sites of particular landscape sensitivities; and
 - b) the removal of the category of applications “related to applications previously determined by the CNPA” as that category was not based on a link to the significance to the Aims of the National Park.

Conclusion and Next Steps

9. The clarification of call-in categories made in 2014 has significantly improved certainty within the planning system in the Cairngorms National Park. The review has highlighted some categories or types of development that officers consider should be added or removed from the current classification to improve its effectiveness and provide more certainty about the types of application that are likely or unlikely to be called in.
10. Table 4 below highlights the proposed changes to the current call-in categories, with new text highlighted in *italics* and deleted text highlighted with ~~strikethrough~~. If the Planning Committee approve the changes, officers will update and publish the Cairngorms Planning Advice Note ‘Applying for Planning Permission in the Cairngorms National Park’ with the new information and inform our local authority colleagues of the changes. We do not propose any other changes to the Advice Note.

Table 4. Proposed Type 1 and 2 call-in categories

Type 1 Applications that are highly likely to be “called in”:

- All “major” applications as defined in planning legislation;
- *Private ways, which require Environmental Impact Assessment (EIA) Regulations and those which could have a potential impact upon important natural and cultural heritage interests and/or sites of particular landscape sensitivities;*
- Wind turbines, hydro schemes or large solar panel farms;
- Minerals applications;
- Housing - five or more residential units within a settlement;
- Housing - three or more residential units outside a settlement;
- More than 250m² gross floor area, or 0.25ha, of employment space outside settlements;
- Applications which would require Environmental Impact Assessment;
- ~~Applications which are directly related to applications that have been previously determined by CNPA;~~
- Listed building consent applications that involve major external or internal changes or are otherwise linked to an application of Type 1;
- Conservation area consent applications linked to another application of Type 1.

Type 2 Applications that are highly unlikely to be “called in”:

- Householder developments – small developments that need planning permission;
- Housing – four or less residential units within a settlement;
- Housing – up to two residential units outside a settlement;
- Biomass plants that are attached to existing uses;
- Telecommunications masts inside settlements;
- *Telecommunications/broadband cabinets;*
- *Small scale extensions, changes of use or temporary development involving commercial, tourism, leisure and industrial uses*
- *Small scale upgrading/restoration works – comprising drainage, landscaping or re-profiling of land*
- *Advertisement consent applications;*
- Listed building consent applications that involve minor external or internal changes;
- Conservation area consent applications that are not connected with an application of Type 1.

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