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## CAIRNGORMS NATIONAL PARK AUTHORITY

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### FOR DECISION

**Title: POST COMMITTEE UPDATE – APPLICATION FOR  
DETAILED PLANNING PERMISSION (2018/0151/DET)  
CARN DHOMHNUILL BHAIN QUARRY,  
DALWHINNIE**

**Prepared by: Gavin Miles, Head of Planning and Communities**

#### **Recommendation**

**That the Planning Committee agree to refuse planning permission unless the associated legal agreement secured by 26 July 2019.**

#### **Reason for recommendation**

1. The Planning Committee agreed to approve the above application at its meeting on 12 October 2018 subject to conditions and a legal agreement securing a restoration bond and woodland planting (<https://cairngorms.co.uk/resource/docs/boardpapers/12102018/Item6AADalwhinnieQuarry20180151DET.pdf>).
2. Since then there have been ongoing discussions between the operator, landowner and CNPA on the provision of a suitable restoration bond and other legal matters so the formal decision notice has not yet been issued. Officers have given oral updates to Planning Committee over the past months. We continue to expect this matter to be concluded soon as an advanced draft of the legal agreement that secures relevant matters has been agreed in principle between the CNPA, operator and landowner.
3. However, as the matter has drawn out over a number of months, officers now consider it appropriate to ask the Planning Committee to provide extra weight to draw matters to conclusion and allow the formal decision notice to be issued. We therefore request that the Planning Committee agree that unless the legal agreement that secures relevant matters are secured by 26 July 2019 (four weeks from this Planning Committee Meeting), the CNPA will refuse the application.

**Gavin Miles**  
**June 2019**  
[gavinmiles@cairngorms.co.uk](mailto:gavinmiles@cairngorms.co.uk)