

# Cairngorms Planning Advice Note

## Applying for Planning Permission in the Cairngorms National Park

Updated: December 2015

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### Planning Applications in the Park

Planning applications in the Cairngorms National Park are decided by either the relevant local authority or by the Cairngorms National Park Authority (CNPA). CNPA “calls in” and determines the bigger and most sensitive applications within the Park. The rest (most planning applications) are determined by the relevant local authority.

All applications are assessed against the same Local Plan - The Cairngorms National Park Local Development Plan 2015 - whether it is CNPA or the local authority making the decision.

### How does the “call in” system work?

All planning applications in the Park are submitted to the relevant local authority. The local authorities tell CNPA about them as they are received. CNPA draws up a list of applications received each week and decides which applications to “call in”.

The CNPA “calls in” around 10% of planning applications made in the Park. At the time of “calling in” an application, CNPA is not judging whether they will be good or bad for the Park. It is just looking at whether the development proposed in the application is significant for the Park. There’s more information about the types of applications that may be “called in” on the next page.

### Applications “called in” and determined by CNPA

If an application is “called in”, CNPA notifies the applicant and any consultees that CNPA will decide the application. CNPA Planning Officers then assess the application against the policies in the Local Development Plan and make recommendations to CNPA Planning Committee, who make the final decision on each application.

The CNPA will offer you a Processing Agreement when an application is “called in” that will set out an agreed timetable for your application determination and decision notice.

### Applications determined by a local authority

If an application is not “called in”, then the local authority Planning Officers will assess the application against the policies in the Local Development Plan and either decide it under their delegated powers or make recommendations to their Planning Committee who will make the decision.

### Always get advice before you make an application

To help you make a good application that can be quickly decided, the local authorities will provide you with pre-application advice if you ask for it. Each local authority has a formal process for pre-application advice on major applications and a simpler process for smaller applications. You should contact the local authority you will be making the application to for more advice.

If your application is likely to be “called in” by CNPA, the local authority will ask CNPA to provide them with pre-application advice for your proposal. You may also be offered a Processing Agreement at this point.

### Appealing decisions on planning applications

You have three months from the date a decision is sent to you to appeal the decision on a planning application. Your decision notice will tell you who your appeal must be made to and how to make it. You can get further advice from the local authority that made the decision or CNPA.

## Applications the CNPA will “call in”

There are some types of planning application that CNPA will almost always “call in” to determine. These are listed as Type 1 applications. There are also some types of application that CNPA is unlikely to “call in” and will be decided by relevant local authority. These are Type 2 applications.

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

- All “major” applications as defined in planning legislation<sup>1</sup>;
- Private ways, which require Environmental Impact Assessments (EIA) 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 250m<sup>2</sup> gross floor area, or 0.25ha, of employment space outside settlements;
- Applications which would require Environmental Impact Assessment;
- Listed building consent applications that involve major external or internal changes or are otherwise linked to an application of Type 1<sup>2</sup>;
- Conservation area consent applications linked to another application of Type 1.

<sup>1</sup> Scottish Planning Series Circular 5 2009: Hierarchy of Developments

<sup>2</sup> The CNPA cannot call in listed building consent applications where the planning authority is the applicant. Those applications are referred to Historic Scotland for determination, acting on behalf of Scottish Ministers.

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

- Householder developments – small developments that need planning permission<sup>1</sup>;
- 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

### Reasons for “calling in” other applications

If a planning application is not listed under Type 1 or Type 2, it could still be “called in” if it is particularly important or could have a big effect on the Park. Planning applications are more likely to be “called in” by CNPA if because of their size, what they are, where they are, either on their own or in addition to other developments they:

1. Are either incompatible with, or have potential to make a significant contribution to, the aims of the Park;
2. Affect nationally important natural and cultural heritage interests and/or sites;
3. Raise significant issues for the social and/or economic wellbeing of communities in the Park;

#### CAIRNGORMS NATIONAL PARK AUTHORITY

14 The Square, Granttown on Spey, PH26 3HG.

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4. Raise significant issues with regard to the enjoyment and understanding of the Park;
5. Make a significant visual impact within principal transport corridors (e.g. A- class roads, Perth to Inverness train-line, etc) and heavily-used routes within the Park
6. Raise new policy issues that have not previously been considered;
7. Affect places with high wildness characteristics, or areas where there are particular landscape sensitivities;
8. Raise significant issues locally and with a high level of public interest.

### Further advice

This advice note has been produced to explain how planning applications in the Cairngorms National are decided by the local authorities and Cairngorms National Park Authority.

You can get more advice on making a planning application from the planning department of the relevant local authority or you can contact the Cairngorms National Park Authority planning team in Grantown on Spey at [planning@cairngorms.co.uk](mailto:planning@cairngorms.co.uk). Tel: 01479 873535

## Local Authority Planning Offices

### Aberdeenshire Council

Kincardine & Mearns and Marr Team  
Viewmount,  
Arduthie Road,  
Stonehaven,  
AB39 2DQ,  
Tel: 01569 768300  
Email: [ma.planapps@aberdeenshire.gov.uk](mailto:ma.planapps@aberdeenshire.gov.uk)  
W: [www.aberdeenshire.gov.uk/planning](http://www.aberdeenshire.gov.uk/planning)

### Angus Council

Planning and Place  
County Buildings  
Market Street  
Forfar  
DD8 3LG  
Tel: 01307 473360 or 473342  
Email: [planning@angus.gov.uk](mailto:planning@angus.gov.uk)  
W: <http://www.angus.gov.uk/planning>

### Highland Council

Badenoch and Strathspey Planning and Building Standards  
100 High Street  
Kingussie  
PH21 1HY  
Tel: 01349 886608  
Email: [eplanning@highland.gov.uk](mailto:eplanning@highland.gov.uk)  
W: [www.highland.gov.uk](http://www.highland.gov.uk)

### Moray Council

Development Management  
Environmental Services  
The Moray Council  
High Street  
Elgin  
IV30 1BX  
Tel: 0300 1234561  
Email: [development.control@moray.gov.uk](mailto:development.control@moray.gov.uk)  
W: [www.moray.gov.uk](http://www.moray.gov.uk)

### Perth & Kinross Council

Development Management  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD  
Tel: 01738 475300  
Email: [developmentmanagement@pkc.gov.uk](mailto:developmentmanagement@pkc.gov.uk)  
W: [www.pkc.gov.uk/planning](http://www.pkc.gov.uk/planning)

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