

APPENDIX 2

**EXTRACT FROM MINUTES OF THE CNPA
PLANNING COMMITTEE (25TH JUNE 2010)**

CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE PLANNING COMMITTEE

held at The Albert Hall, Ballater

on 25th June 2010 at 10.30am

PRESENT

Peter Argyle

Eric Baird

Stuart Black

Duncan Bryden

Jaci Douglas

Dave Fallows

Lucy Grant

Drew Hendry

Marcus Humphrey

Mary McCafferty

Willie McKenna

Eleanor Mackintosh

Ian Mackintosh

Anne MacLean

Gregor Rimell

Richard Stroud

Susan Walker

IN ATTENDANCE:

Mary Grier

Don McKee

Pip Mackie

Andrew Tait

APOLOGIES:

Geva Blackett

David Green

Bob Kinnaird

Alastair MacLennan

Fiona Murdoch

Andrew Rafferty

AGENDA ITEMS 1 & 2:

WELCOME AND APOLOGIES

1. The Convenor welcomed all present and introduced a new member of staff, Clare Muckart, who as part of her role as Press Officer would be covering planning.
2. Apologies were received from the above Members.
3. Members were advised that Fiona Murdoch was unable to attend recent meetings due to being seriously ill. Members all sent their best wishes.

- e) The use of the existing chimney as a flue for the woodchip boiler.
 - f) The property being well screened from the A93.
 - g) The prominence of the proposed Tower in the landscape.
57. The Committee agreed to approve the application subject to a Section 75 Legal Agreement and conditions as stated in the report, with the following additional conditions and amendments:
- Additional Condition – Requiring the Contaminated Land remediation to be carried out in accordance with the developers report.
 - Additional Condition – Regarding the means for drainage of the swimming pool to be approved due to its proximity to the River Dee and the SAC.
 - Additional Condition – Requiring the ground source heat pump to provide heating to the swimming pool.
 - Condition 5 & the Construction Method Statement – the requirement to ensure the safety of people using the Deeside Way during the construction period.
58. Marcus Humphrey returned.

**AGENDA ITEM 8:
REPORT ON CALLED-IN PLANNING APPLICATION FOR ERECTION OF
SPORTING LODGE, NEW ACCESS ROAD, LANDSCAPING INCLUDING
FORMATION OF PONDS AND GATEWAY FEATURES
AT LAND 290M NORTH OF BALINLUIG FARM, AVIEMORE
(PAPER 3) (09/376/CP)**

59. Duncan Bryden advised Members that a late letter of representation had been received from Professor Garraway, Representee. As Professor Garraway had requested to address the Committee within the required timescales but had since changed his mind, Duncan Bryden advised that the Committee would pause to read the letter.
60. The Committee paused to read the letter.
61. Duncan Bryden informed Members that Henry Dempsey, Agent, did not wish to address the Committee, but was available for questions.
62. Mary Grier presented a paper recommending that the Committee approve the application subject to a Section 75 Legal Agreement and conditions as stated in the report with an additional condition requiring the ponds to be stocked with native species of fish and an amendment to Condition 13 to include a landscape and construction method statement, an amended landscape plan and landscape management plan.
63. The Committee were invited to ask the Planning Officer points of clarification, the following were raised:
- a) The sustainability of the development and its relevance to Policy 17 regarding carbon emissions.
 - b) The access for residents being taken from the B9152.

- c) Confirmation that access for construction traffic and deliveries would be taken from the A9.
 - d) Concern raised by the owners of Druim Mhor regarding the increased traffic flow past their property.
 - e) The retention of the turning point for large vehicles at Druim Mhor.
 - f) The large scale of the project and the proof of viability for the development.
 - g) A preference for the use of locally sourced materials.
 - h) The requirement for the development not to hinder or restrict public access to the area for walking etc.
64. The Committee were invited to ask questions of Henry Dempsey, Agent, and the following points were raised:
- a) The proposed method of heating and ensuring a high level of sustainability for the property.
 - b) Construction and Delivery vehicles accessing the site from the A9.
 - c) The retention of the turning point for large vehicles at Druim Mhor.
 - d) The proposed sourcing of and materials to be used.
 - e) The garden area/curtilage associated with the property.
 - f) A preference to employ the skills of local tradesmen in the construction of the property.
65. Duncan Bryden thanked the speaker.
66. The Committee agreed to approve the application subject to a Section 75 Legal Agreement and conditions as stated in the report with an additional condition requiring the ponds to be stocked with native species of fish and an amendment to Condition 13 to include a landscape and construction method statement, an amended landscape plan and landscape management plan.
67. Drew Hendry left the meeting.

**AGENDA ITEM 9:
ANY OTHER BUSINESS**

68. Don McKee advised that there was to be a Public Local Inquiry (PLI) in October 2010, regarding the proposed Dorenell Wind Farm. The CNPA had been consulted on the application in September 2008 and had strongly objected to the development. He informed Members that Andrew Tait had recently attended a pre-Inquiry meeting about the proposed development. Don McKee sought Members agreement to present a case at the PLI on behalf of the CNPA. Members agreed to this action being taken.