

Unapproved Minute of the Kintore and District Community Council

Held 7:00pm on Tuesday 18th May 2021 by Zoom video conference.



KINTORE AND DISTRICT
COMMUNITY COUNCIL

Welcome

Chairman, Jamie Grant welcomed everyone to this meeting of the Kintore and District Community Council. He thanked Colin Wood from Garioch Heritage Centre and Kintore resident Wilma Walker for attending.

1. Attendees and Apologies

Community Councillors Present – Jamie Grant, Ken McEwen, Bill Duthie, Janine Cracknell, Moira Moran, Paul Davison, Kenny Thomson, Lesley Monaghan
Ward 12 East Garioch Councillors Present – Cllr Martin Ford, Cllr Dominic Lonchay, Cllr Glen Reid
Guest Speaker – Colin Wood, Garioch Heritage Centre
Member of the Public – Wilma Walker
Apologies – Alan Milne, Donna Heron

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of the March and April Meetings

As agreed in the previous meeting, revised minutes for 2103 KDCC Mar 2021 were distributed with 2104 KDCC Apr 2021. The format of including reference material as appendices was approved of by KDCC members and will continue going forward.

- a) Corrections – no corrections.
- b) Approval – 2103 KDCC Mar 2021; Bill Duthie approved; Moira Moran seconded. 2104 KDCC Apr 2021; Ken McEwen approved; Kenny Thomson seconded.

4. Matters Arising; Update on Actions

It has been confirmed that Mill Lane is included within the boundary of KDCC. Updates on the actions from 2104 KDCC Apr 2021 are detailed in **Appendix A**. The following actions are either open or in progress and will be carried forward.

- The Chair will forward the police report for April 2021 to all attendees once received. – **In progress**, the secretary has requested the April 2021 police report from new contact.
- The KDCC is to reach out to all interested parties to discuss a collective approach regarding the Town Park. – **In progress**
- A letter is to be written to the ICC asking for thoughts on a joint Aberdeenshire Canal community project. - **Open**
- The Chair is to arrange a meeting to discuss and agree the chosen project/s from the short list of potential community projects. - **Open**
- The Vice Chair is to confirm with Margaret McWilliam that she is still prepared to repaint the signs if permission is granted. **In progress**, see item 11.
- Moira, Paul and the Chair are to draft a letter with a view to requesting the affected residents could sign to indicate their agreement with remaining within the

boundary of the KDCC. – **In progress**; the letter has been prepared and signatures are being requested.

- Lesley is to identify which Midmill Industrial Estate business is causing the noise pollution and advise Cllr Reid. – **In progress**

5. Police Report

The secretary advised the KDCC of the change in contact for obtaining the monthly reports. PS MacLennan has been replaced by Sergeant Debbie Burnett. The secretary asked if a police representative has attended the meetings previously. It was confirmed by the long standing members that this has been the case on a regular basis. From recollection there has been annual attendance in the last couple of years. The secretary advised that with effect from 1st June, there will be an additional Community Officer for Garioch. Constable Chris Williamson will be joining Constable James Stewart. Constable Williamson is an experienced officer with a lot of experience and varied police background. Any community issues can be directed to both Officers. **The secretary is to request contact details from Sergeant Burnett for Constable Chris Williamson and Constable James Stewart.** from the police report for 16 Apr – 17 May 2021 has been provided and is attached as **Appendix B**. The report covering the period 16 Mar – 15 Apr 2021 is still outstanding. **The secretary is to request from Sergeant Burnett the outstanding detailed police report for the period 16 Mar – 15 Apr 2021 for KDCC future reference.** Moira queried how the recent unrest and vandalism in the centre of Kintore had been reflected in the reporting figures. It was agreed that this was not clear from the latest report. **The secretary is to query how the recent unrest and vandalism in the centre of Kintore is reflected in the Police Report.** It was agreed that once the KDCC can meet face to face, that attendance from one or both Community Officers for Garioch would be greatly beneficial for both parties. **The secretary is to extend invitations to Officer Williamson and Officer Stewart once KDCC face to face meetings have re-commenced.**

6. Talk by Colin Wood, Chair from Garioch Heritage Society: *“The past, present and future story of the Garioch”*.

The notes for the talk and accompanying photographs are included in **Appendix C**. The Garioch Heritage Centre provides an excellent local facility with ample flexible spaces for a variety of functions and exhibitions. Cllr Lonchay suggested that additional funding may be accessible via the Inverurie Councillors or the Aberdeenshire Council Area Office - Alison Cumming and Ann Overton. Mr Wood thanked Cllr Lonchay for the suggestion. Mr Wood confirmed the local councillors are involved in Garioch Heritage Society but have not approached the Area Office yet.

Many KDCC members commented that they are looking forward to visiting the Garioch Heritage Centre in the coming months and the onsite Café Loco was highly recommended by those who had visited previously. The Vice Chair confirmed that the extensive reference material available has been useful when sourcing Kintore documentation and are frequent visitors. Mr Wood advised that several artifacts were sourced from the closing of the original Inverurie Academy building. Mr Wood confirmed during Q&A that he is the chair of Inverurie Community Council (ICC) and prior to the pandemic, the ICC met in St Mary’s Church Hall, Inverurie. During the Christmas period, a virtual Christmas party was streamed to many of the local schools from the Garioch Heritage Centre. Kenny commented that the Kintore Town House project will be going through similar stages experienced by the Garioch Heritage Centre over recent years. Mr Wood confirmed the Garioch Heritage Society would be happy to provide support to the Kintore Town House were applicable.

Moira asked Mr Wood if he was aware whether the Aberdeenshire Council Archaeologists have worked with the Garioch Heritage Society. Mr Wood confirmed this was the case and it was hoped to increase the number of artefacts that pre-date living memory. Moira highlighted the recently produced Archaeological report that has been

produced during the Thainstone excavations (linked to the business park development). Moira has forwarded a copy of the Thainstone Archaeological report to Mr Colin Wood, Garioch Heritage Centre. The chair thanked Mr Wood for his informative talk and looked forward to working with him and the ICC on joint projects going forward.

7. Urgent Items of Business

There were no urgent items of business.

8. Planning Matters

a) APP/2020/1999 Scotia Homes/Town Park/Woodside Croft

The meeting of the Garioch Area Committee (GAC) took place on Tuesday 11th May 2021 and was observed by some of the KDCC members. The chair, Jamie Grant, put in a request to speak on this application and was granted this opportunity. The KDCC agreed and submitted three comments to Bruce Strachan, Case Officer dated 18th May 2021 & 19th May 2021 respectfully following the GAC decision to defer. A copy of the three comments is attached as **Appendix D**.

Cllr Ford provided the attendees with an update and general comments regarding this application. Cllr Ford reiterated that the Area Manager and the Senior Planner advised GAC appropriately during the meeting and the report was factually accurate with a recommendation. The decision to defer the application until 1st June is to allow for the report to be updated with additional detail.

Cllr Ford summarised that hypothetically the history of the site may be included in the updated report, including the Local Development Plan (LDP) and the decision in 2015 to grant planning permission in principle. The 2015 decision is a material consideration for the current application. The decision taken in 2015 allowed for a Town Park of 3.8 hectares as opposed to 4.5 hectares from the LDP. It would be unreasonable to revert to the mandatory requirement of 4.5 hectares for the Town Park.

The detailed layout and ground levels work has been completed for the current application, it was not done previously by either Aberdeenshire Council or for the 2015 planning permission in principle. It was made clear to the GAC that the South-West corner of the site (the revised location for the Town Park) would be exceedingly difficult, if not impossible to develop for housing. If this is the case, a difficult decision will need to be made regarding this 20-year process once all the facts are available. The change of the location of the Town Park to somewhere it has never been proposed before could be grounds to deny the application. The slight reduction in size of the Town Park from 3.8 hectares to 3.795 hectares (2.591 hectares for the sports square, 0.917 hectares for the SUDS, area of the watercourse, open space to the north and east of the sports square; and 0.287 hectares for the council contribution) will not be grounds to deny the application.

It was noted that the Area Manager commented during the GAC meeting on Tuesday 11th May 2021 that this was not an opportunity for reconsulting the community. Also, the absence of a Masterplan procedure was questioned, although there are documents entitled "Masterplan" attached to the application. This is being dealt with under a legacy planning application from 2004. It was noted that the community was last consulted in 2006. If the current application was refused, it would then be appropriate to consult the community, identify their current requirements and update the LDP accordingly.

It was noted that the community needs an appropriate Town Park, the large number of additional houses are not needed. It was proposed that the KDCC chair could request to speak at the 1st June 2021 as the GAC report would have been updated and it could be prudent to respond on the new detail. Cllr Ford, Cllr Lonchay and Cllr Reid hope that this would be granted if the chair requested to speak. It was commented that there were some absent Councillors at the previous GAC meeting who would benefit from hearing the KDCC and Kintore Community view.

The appropriateness of a site visit by the Councillors (those not familiar with site and its surrounding) was proposed as the ease of accessibility is also a major consideration for the community. Cllr Lonchay confirmed that a site visit would be possible if this is requested by the Councillors present at GAC. **The KDCC will discuss and agree how to respond to the revised report over email and social media prior to the 1st June GAC meeting.**

b) APP/2020/1324 Kirkwood/Agile Energy

This application was not discussed as it has been deferred to enable the GAC Councillors to execute a site visit. Paul has requested to accompany the Councillors on the site visit for interest. There was a short discussion as to whether questions could be asked during a site visit. It has since been confirmed that those attending the site visit can not ask questions of the Councillors on a site visit.

c) APP/2015/3793 Thainstone Commercial Development. Incorrect reference quoted on the agenda. Correct application APP/2020/1034 Erection of 6 Business Units (Class 4) and Associated Car Parking and Roads | Land Adjacent to Averon Engineering Thainstone Inverurie.

This application has been approved.

d) APP/2018/1223 | Erection of 24 Residential Flats (4 Blocks) and Formation of Vehicular Access | Site East to Lower Townhead Forest Road Kintore Aberdeenshire.

This approved build is nearing completion and it appears that the flats are 3 storeys high, not 2.5 storeys as was anticipated. Cllr Reid clarified that the flats are 3 storeys but as the ground levels on each side of Forest Road differ by one storey, the roof heights are comparable. Parking and the volume of traffic are anticipated as potential issues going forward. It was noted that the application had been commented on by Aberdeenshire Council Roads Dept as meeting the minimum parking requirements in Scottish Planning Policy (and subsequently Aberdeenshire Council Planning Policy). An objection will only follow if they have been advised of concerns by the public. The advice is to raise the concerns directly with the Roads Dept.

It was agreed by the KDCC to ensure any planning application actions discussed and agreed upon between meetings will be raised, agreed and documented in the next meeting minutes for future reference purposes.

8. Action Kintore

- **The Bothie Update** – It is hoped that The Bothie will reopen in the next few weeks, the youth group is intending to remain outside the building. A deep clean is scheduled the coming week. It is hoped that this will start to generate some income for Action Kintore. The reopening is subject to the Covid-19 pandemic restrictions remaining at level 2.
- **Town House Project** – The updated plans are attached under **Appendix E**. The next stage is to apply for planning permission. The KDCC are invited to direct any comments on the plans to Bill who will forward them on accordingly. Cllr Lonchay is liaising with Brian from Action Kintore for the project to be put in front of a new working group as a potential funding source. Cllr Lonchay is incredibly supportive of the project for Kintore and is actively seeking funding from various sources. A letter has been received from Alison Cumming to the Action Kintore group regarding the Town House Project regarding a maintenance lease as well as other points. The cost of the project versus the projected turnover was also highlighted. The Town House is not intended as profit generating, that is not the primary driver.

9. Community Projects for Kintore

There have been some discussions in the previous month with regards the potential community projects for Kintore, but KDCC have been focused on other matters. The chair has been working on some provisional plans for the Rollo Mire. The chair has

been in contact with the community group Sustainable Kintore (a group consisting of members from Kintore Kirk and Kintore Community Church). Sustainable Kintore have advised the chair where to source litter picking equipment from. Sustainable Kintore are applying for funding and setting up 3 trial stations around Kintore. **The chair and Paul will make further contact with Mr Colin Wood, ICC, with regards the potential joint canal project.**

10. Repainting the Royal Burgh of Kintore Signs

Cllr Reid has provided confirmation from Aberdeenshire Council that the signs could be removed, repainted and replaced in their existing locations. The KDCC must retain stewardship of the signs throughout. Cllr Reid has been in communication with Margaret McWilliam and expects to be again shortly. **Cllr Reid has agreed to request and provide Margaret McWilliam's contact details to KDCC to progress the repainting of the Royal Burgh of Kintore Signs.**

11. Community Council Election, Ballot and AGM

The chair reminded the co-opted members that it is necessary to submit a nomination form if they wish to remain on the KDCC past this meeting. The deadline is 4pm on 25th May 2021. The secretary confirmed that Alison Cumming has advised that the election is going well but has not given any specific numbers of nominations yet. The public ballot is scheduled to take place on Thursday 3rd June in The Bothie between 6pm and 8pm and will go ahead if more than 6 nominations are received. If the Covid-19 restrictions mean the building can not be accessed, the KDCC are confident arrangements can be facilitated outside the building to ensure the ballot can take place if required.

12. Aberdeenshire Councillors' Update

Cllr Reid was pleased to advise the KDCC that there has been a positive response to the "Happy to Chat" bench initiative launched via social media on 13th May 2021. These benches have a plaque which says, "Sit here if you don't mind someone stopping to say hello" and they are designed to be wide enough for social distancing. The potential locations suggested by the community are being collated currently for Kintore and Blackburn.

This meeting was scheduled at the same time as Kemnay Academy Parent Council (KAPC) monthly meeting, so the secretary and Cllr Reid have sent their apologies to the chair of KAPC. Education Officers from Aberdeenshire Council agreed to attend the meeting to discuss the critical issue of the school roll versus accommodation space being faced by Kemnay Academy. The Education Officers are presenting their short term and long-term plan for resolving this issue. The temporary accommodation will be replaced with a permanent structure (either free-standing or extension).

After 3 years the Kemnay to Kintore cycle path it is hoped to be coming to committee on 1st June. The students at Kemnay Academy who live outside Kemnay can not access the facilities outside school hours without parental support to pick them up. Kemnay residents will also be able to access the railway station at Kintore.

Cllr Lonchay advised that the hole in the fence next to the A96 will be repaired shortly by Aberdeenshire Council.

Cllr Ford is on the Education Committee and the increasing roll pressure on Kemnay Academy has been a live issue for quite a while. The Kemnay to Kintore cycle path is at an early state but progress is being made.

13. Any questions from members of the public

No questions raised.

14. Correspondence

All correspondence has been forwarded out by the secretary when received.

The secretary wished to highlight The Local Place Plan Consultation that was shared on 12th May 2021. The closing date for the consultation is 25th June 2021 and KDCC members are urged to review the documentation.

15. Treasurer's Report

The treasurer has confirmed there has been no change for the bank accounts this month. The Community Council Account £2411.25 and the Floral Display Account £1477.02.

The treasurer is arranging for the accounts to be validated up to year end 31st March 2021 for the forthcoming AGM as per an instruction received from Alison Cumming.

16. AOCB

- **The Fountain and the Town House Clock in the Square** – Drew asked one of the Councillors to follow up with Susan Adams as to what is the status of the repair to the fountain in the Square is. **Cllr Reid agreed to contact Susan Adams regarding the fountain in the Square and advise Drew and the KDCC accordingly.**
- **kintore.org.uk** – Ken advised that after owning and running the kintore.org.uk website for the last 20 years, it has been handed over to the KDCC to run and maintain. The costs have been taken over by KDCC effective immediately and the new hosting costs will be £60 per annum. The chair thanked Ken for all his efforts over the years and confirmed that he is in the process of building the new site. There is a holding page confirming the website is being renewed and to come back soon.
- **Tuach Hill Encampment** – The KDCC commented on the wonderful community spirit demonstrated during the clean-up of the Tuach Hill Encampment. The landowner, Malcolm Allan, thanked the community via social media for all their efforts. **The chair will contact the community groups involved in the clean-up of Tuach Hill to offer the KDCC thanks for all their efforts.** It has been noted that the entrance to Tuach Hill off School Road has been closed to vehicles with large concrete blocks being sited in front of the gates. Public access for walkers is still possible via School Road, Eastburn Road and Kingsfield Road.
- **Westhill & Elrick Community Council** - The secretary attended the May meeting of the Westhill & Elrick Community Council (WECC) on Thursday 13th May 2021 via video conference. This was to observe another community council and how it functions. The most interesting aspect of how the WECC is structured was the sub-groups within the community council. There was a planning group, environmental group, project group as well as others. Each group had the opportunity to speak on their area of responsibility during the meeting. The members were able to focus on their specific area and therefore only received correspondence that related to that area and spoke about that area at the meeting. There was full participation from the members and questions were asked of each group to ensure knowledge and decisions were shared. Perhaps, something to consider once the ballot process and AGM have passed. The chair agreed this could be considered going forward.
- **The Council By-election** – This is scheduled for Thursday 17th June 2021. There are 5 candidates and information are accessible from <https://www.aberdeenshire.gov.uk/council-and-democracy/elections/east-garioch-by-election/>
- **ICC/KDCC Boundary Issue** – This is ongoing and is to remain on the agenda. Moira has drafted a letter that has been agreed. The KDCC members are encouraged to highlight the importance of the Thainstone area of Kintore when communicating to the local community.

17. Date of AGM and next monthly meeting – Tuesday 15th June at 7pm by Zoom video conference.

Open Actions as at Tuesday 18th May 2021

- The Chair will forward the police report for April 2021 to all attendees once received. The secretary has requested the April 2021 police report from new contact. The secretary is to request contact details from Sergeant Burnett for Constable Chris Williamson and Constable James Stewart. The secretary is to request from Sergeant Burnett the outstanding detailed police report for the period 16 Mar – 15 Apr 2021 for KDCC future reference. The secretary is to query how the recent unrest and vandalism in the centre of Kintore is reflected in the Police Report. The secretary is to extend invitations to Officer Williamson and Officer Stewart once KDCC face to face meetings have re-commenced.
- The KDCC is to reach out to all interested parties to discuss a collective approach regarding the Town Park. The KDCC will discuss and agree how to respond to the revised report over email and social media prior to the 1st June GAC meeting.
- A letter is to be written to the ICC asking for thoughts on a joint Aberdeenshire Canal community project. The chair and Paul will make further contact with Mr Colin Wood, ICC, with regards the potential joint canal project.
- The Chair is to arrange a meeting to discuss and agree the chosen project/s from the short list of potential community projects.
- The Vice Chair is to confirm with Margaret McWilliam that she is still prepared to repaint the signs if permission is granted. Cllr Reid has agreed to request and provide Margaret McWilliam's contact details to KDCC to progress the repainting of the Royal Burgh of Kintore Signs.
- Moira, Paul and the Chair are to draft a letter with a view to requesting the affected residents could sign to indicate their agreement with remaining within the boundary of the KDCC. The letter has been prepared and signatures are being requested.
- Lesley is to identify which Midmill Industrial Estate business is causing the noise pollution and advise Cllr Reid.
- Cllr Reid agreed to contact Susan Adams regarding the fountain in the Square and advise Drew and the KDCC accordingly.
- The chair will contact the community groups involved in the clean-up of Tuach Hill to offer the KDCC thanks for all their efforts.

Appendix A – Update on actions from 2104 KDCC Apr 2021 Meeting

- The Chair and Secretary are to revise the minutes 2103 KDCC Mar 2021 and distribute. - **Closed**
- Relevant documents and reference materials are to be included as Appendices to the minutes when appropriate. - **Closed**
- The Chair will forward the police report for April 2021 to all attendees once received. – **Open, Secretary has requested April 2021 report from new contact**
- The KDCC is to reach out to all interested parties to discuss a collective approach regarding the Town Park. – **In progress**
- The Chair will review application APP/2021/0487 and liaise with the KDCC to discuss an agreed response. - **Closed**
- A letter is to be written to the ICC asking for thoughts on a joint Aberdeenshire Canal community project. - **Open**
- The Chair is to arrange a meeting to discuss and agree the chosen project/s from the short list of potential community projects. - **Open**
- Hallforest Castle is to be added to the short list of potential community projects.
- The Chair is to update the Kintore District Resilience Plan as advised. - **Closed**
- The Chair has requested the KDCC read and respond on the resilience funding emails. - **Closed**
- Cllr Reid is to write to the Area Manager to establish the permission requirements and process to follow for the removal of the Royal Burgh of Kintore signs and update KDCC accordingly. - **Closed**
- The Vice Chair is to confirm with Margaret McWilliam that she is still prepared to repaint the signs if permission is granted. - **In progress, Cllr Reid is to speak to Margaret McWilliam**
- Donna is to forward details to Wilma Walker of the forthcoming election. - **Closed**
- An invite to the May meeting is to be forwarded by the Secretary to Wilma Walker. - **Closed**
- The Chair has offered to print off some posters and pass them to the Secretary for distribution prior to the nomination period commencing on 4th May 2021. - **Closed**
- The Vice Chair is to update the Kintore Facebook page with the details of the Community Council Election for the 4th June and request for the Kintore Folk Facebook page to also display the details. - **Closed**
- All KDCC are encouraged to promote the Community Council Election to ensure community involvement. - **Closed**
- Moira, Paul and the Chair are to draft a letter with a view to requesting the affected residents could sign to indicate their agreement with remaining within the boundary of the KDCC. – **In progress**
- Lesley is to identify which Midmill Industrial Estate business is causing the noise pollution and advise Cllr Reid. - **Open**

Appendix B – Police Report



**GARIOCH COMMUNITY POLICING TEAM
VISIBLE, ACCESSIBLE AND EFFECTIVE**

Community Council: Kintore

Reporting Period: 16 April – 17 May 2021

Previous Reporting Period: 16 March – 15 April 2021

Current Policing Priorities:

Our priorities remain unchanged from last month, with a slight amendment to ASB to include Licensed Premises.

1. ASB – Proactive patrols to provide community reassurance and to deter/detect instances of ASB and Vandalism. To reduce instances of ASB as a result of the re-opening of Licensed Premises.
2. DRUGS – Intel gathering and disruption tactics to target those dealing drugs and related violence.
3. ROAD SAFETY – Preventative measures and enforcement action to ensure our roads are safe to use.

Crime Overview and Explanation:

CRIME TYPE	CURRENT PERIOD	PREVIOUS PERIOD
Assault	2	0
Housebreaking	0	0
Public Nuisance	3 (of which 1 was Covid related)	3
Road Traffic	3	6
Drugs	3	2

Assault – Includes all recorded instances of violence.

Housebreaking – includes all break in's to domestic and commercial premises, including attempted break in's.

Public Nuisance – All youth annoyance and calls in relation to anti-social behaviour.

Road Traffic – all calls in relation to Road Traffic Accidents and Offences (speeding, illegal parking, obstruction etc).

Drugs – all reports incidents in relation to drugs dealing and use.

Assault:

This reporting period has seen two Assaults reported, which is a slight increase from the last period. One of these relates to youth on youth assault and two persons have been charged.

The second relates to a domestic incident. The offender has been charged with the appropriate support provided to the victim.

These incidents will have no impact on the wider community.

Housebreaking:

There have been no reported incidents of Housebreaking.

Public Nuisance:

All Covid related calls have been recorded as Public Nuisance by our Control Room to ensure all such calls are recorded under the one call type and easily researched.

This reporting period has seen Public Nuisance calls remain low, with three incidents being reported, one of which was Covid related. An encampment arrived on the outskirts of the area, however, has since moved on and two persons have been charged with anti-social behaviour in relation to the previously mentioned youth on youth assault.

Road Traffic:

There have been no reported accidents during the period.

There have been 6 'other' calls in relation to Road Traffic, which consist of road defects, speeding, mobile phone and other road traffic offences.

Drugs:

During this reporting period there were 3 'drug related' calls. 2 relate to persons driving under the influence of a controlled substance and 1 relates to a person being in possession of a controlled substance.

Significant crime/issues within your community:

There have been no significant incidents to report.

Planned Community Policing Activity/Advice:

With effect from 1 June, Constable Chris Williamson will be joining Constable James Stewart as a dedicated Community Officer for Garioch. Chris is an experienced officer with a lot of experience and varied policing background and any community issues can be directed to both Chris and James.

Conclusion:

The re-opening of Licensed Premises appears to have gone well and the situation will be monitored as more restrictions are eased. Community Policing will continue to focus on reassurance and patrolling during this time.

Debbie Burnett

Sgt

PS 0141

Appendix C – Notes and Photographs from talk by Colin Wood, Chair from Garioch Heritage Society: “The past, present and future story of the Garioch”



Garioch Heritage Centre - The past, present and future story of the Garioch

Thank you for the opportunity to talk to you and tell you a little bit about the Garioch Heritage Society, the Garioch Heritage Centre, why and how we completed a community buy out and what's next for the Garioch Heritage Centre.

The Society is a community-based organisation, established in 1987, became a registered charity in 2004 and in 2009 we also registered as a Company Limited by Guarantee. These steps were taken in preparation for operating heritage centre premises.

Membership is open to all residents, and friends, of the Garioch area. The Society is managed entirely by volunteers. Our committee and three directors lead a team of staff and volunteers who operate the Garioch Heritage Centre.

What is the Garioch Heritage Centre?

Our Centre is a VisitScotland 3-star rated visitor attraction housed in the former locomotive works. We display the collected artefacts and archives of the Garioch Heritage Society to tell the past, present and future story of the Garioch area and provide a meeting place and community hub accommodating a wide variety of users. Visitors to the centre can enjoy a guided tour of the museum, by one of our experienced volunteers. Permanent exhibits cover the whole of the first floor and are accessible by lift. You will hear stories of growing up in the Garioch and see artefacts that reflect the changing face of life and work in the area from earliest settlement to the present day.

On the ground floor we have the popular coffee shop – Café Loco – serving homemade fayre. We have a gift shop and The Centre hosts a programme of events and activities for the whole family. We have a multi-purpose Meeting Room with built-in Audio and Visual equipment as well as library and research facilities and a large flexible event and exhibition space. Admission to the centre is free but visitors are invited to make donations.

Why did we buy the Garioch Heritage Centre?

For many years Society members dreamed of finding a space where our growing collections of artefacts and information could be made available to all. After a lot of hard work and determination the Society took the first major step forward when we opened the Garioch Heritage Centre in 2017. In 2021 we have now taken a further important step by making our home our own.

In those initial years of operating the new Heritage Centre we received no regular public funding whatsoever. To meet the costs of running the centre we were entirely reliant on Society members' fund raising, on support from our visitors, and on our landlord for providing the building rent-free.

Buying the building is a hugely important step because it allows our charity to attract public funds and grants which are not otherwise available. Ownership will allow us to develop the facilities on

offer, host events and attract a wide range of nationally important exhibitions, most of which require a fixed lease or ownership as a prerequisite.

How did we complete a successful community buy out?

There were 3 parts to this massive achievement, firstly our landlord was incredibly generous in accepting an offer - miles below the cost he incurred creating the Heritage Centre. Second, we secured a substantial grant from the Scottish Land Fund towards the cost of buying the premises. The third aspect is that the Society was able to fund the remainder of the purchase price and VAT, all thanks to the healthy reserve built up, over the years since 1987, through the fund-raising efforts, donations and legacies of Society members.

Huge thanks are due to the Society members, supporters and our volunteers who have put so much work into securing this massive achievement. Ownership is just our new starting point. We now need to put our development plan into action and transform the Garioch Heritage Centre into a financially viable operation with a long-term future. It's *not* going to be easy, but we *have* to get to the point where the Centre is entirely self-sustaining, creating enough income to cover its costs.

Before buying the centre we had to find ways to bring in funds and donations to cover our running costs, we had to leave the reserves we had in the bank untouched, those funds were restricted, for development of the centre only. Now that we own the building, our reserves are depleted so we are back looking at ways to bring in income to cover the costs of running the centre.

As part of the centre development, we will now work towards museum accreditation and greater recognition as a regional tourist attraction. We have plans to improve the visitor experience, evolve our displays and allow people to really *engage* with the history of the Garioch. By adding audio, visual and hands-on experiences we will bring our collections alive for people of all ages, abilities and interests.

What next for Garioch Heritage Centre?

We have a programme of events and exhibitions planned for the remainder of this year; Starting with the Preston Pans Tapestry, a Post Card Fair, Craft Fair, Exclusively Highlands and we will host artists from North East Open Studios. We have planned an exhibition in conjunction with the Lord-Lieutenant of Aberdeenshire, called "Creative Aberdeenshire", we're going to have a display of mini CLAN lighthouses (created in schools) and we're planning a Brick Built Wonders of the World exhibition to coincide with the October school holidays. All going well we will close off the year with the ever popular Exclusively Highlands Christmas retail.

We reopened the centre to the public on the last Thursday of April, the tapestry is now in place in the downstairs gallery and our volunteers have been busy all winter making improvements to the visitor experience right across the upstairs gallery. We have a updated agricultural exhibits, a display of outfits from the (19) noughties to the (20) noughties and we also have additions like new video content added to the Paper Mill exhibit and new audio telling the story of Queen Victoria in her mourning dress and her visits to the Garioch area.

The Centre is now open Thursday to Sunday 10am to 4pm.

We look forward to welcoming you all back.

Website: GariochHeritage.co.uk Facebook/Instagram: [@GariochHeritage](https://www.facebook.com/GariochHeritage)



b) **Appendix D – APP/2020/1999 Scotia Homes/Town Park/Woodside Croft. Comments submitted by KDCC following the Garioch Area Committee held 11th May 2021.**



KINTORE AND DISTRICT
COMMUNITY COUNCIL

Please reply to:
Paul Davison
Sangara, Fullerton Farm,
Thainstone, Kintore,
Inverurie, AB510YR

Ms. Bruce Strachan, Case Officer.
Planning Service,
Aberdeenshire Council
Gordon House, Blackhall Road,
Inverurie, AB51 3WA

18 May 2021

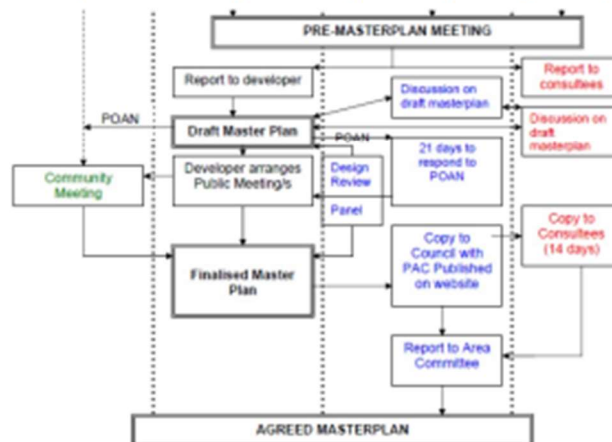
APP/2020/1999 Enabling development for Kintore Town park

Dear Mr. Strachan,

KDCC wish to comment on issued discussed in your report to committee and presentation on May 11, and some related material comments on issues that were not adequately discussed.

1 No community involvement

This is the process specified in the Aberdeenshire Council *Development Management Manual* for producing a masterplan which is required for large housing developments (50-600 houses).



There has been no public involvement in any of the documents submitted by the developer in any of the planning applications APP/2020/1999, APP/2020/2025 or APP/2021/0422, including the masterplan drawing.

Consultation with the community is a requirement of the Gauchhill Development Plan.

The developer has not contacted the Kintore and District Community Council. The Kintore community was not contacted by Live Life Aberdeenshire as part of the preparation for their 2020 study of sports facilities for the shire – a study which only considered Kintore as an adjunct of Kernay.

2 Town Park area

The proposed site can be broken down into areas as follows:

Housing area: total 7.21 ha; north 4.36 ha, south 2.85 ha.

Sports pitch 1.44 ha, surrounding grass areas 0.37 ha, hard surface area 0.78 ha; total 2.59 ha.

Burn & buffer strip 0.27 ha (0.14 ha west of basin, 0.13 ha in basin).

Central basin: SuDS 0.32 ha; grass 0.11 ha; total area incl. east section of burn & buffer 0.56 ha.

Aberdeenshire council open space 0.287 ha

East SuDS basin 0.20 ha.



Including the council area, the hard space pavilion and parking area, the main SuDS basin, the totals of the open areas proposed in the development appear to be 3.6 ha at most. The developer presents a drawing which purports to show a total town park area of 3.795 ha, but does not present a full breakdown by area.



3.8 ha is the specified area for the Town Park in the 2015 legal agreement, made up of 3.513 ha of developer land plus 0.287 ha council land. The Town Park area of 4.5 ha in the Gauchhill development brief, approved by the Garioch Area Committee (GAC) in 2006. The development brief has the status of supplementary planning guidance. This area was reduced to 3.8 ha in a GAC meeting in 2012.

In 2019 the council removed the original condition specifying a minimum area for the Town Park of 3.8ha. They did so, using the opportunity of the s.42 application to change a specific condition APP/2017/0288 requiring a signalised junction, to remove other conditions of approval in principle. (See section 6 below.). The *Report Handling* for the application did not give an explanation for its removal.

The 2017 LDP specified an R1 area for the Town Park to the north of the site with an area of 4.2 ha, and a development area for housing at the south of the site of 6.4 ha. See area plots in section 5 below.

3 Function of the proposed open spaces

The developer is proposing that the large SuDS basin providing the drainage necessitated by the housing development is "usable open space". The drainage design has the main SuDS basin shallower (0.8 m) less sloping sides than the smaller east basin (1.6 m). The council environmental planner (natural heritage) introduced the term "dual purpose SuDS ponds" in her surgery comment on 11 February 2021. She didn't define what this means but referred to Aberdeenshire Policy P1 *Layout, Siting & Design*. This only requires "the six qualities of successful places", and so says nothing about SuDS. The *Aberdeenshire Parks and Open Spaces Strategy* defines SuDS as "An approach to managing rainfall and run-off in developments, with a view to replicating natural drainage. SuDS also aim to control pollution, re-charge groundwater, control flooding, and often provide landscape and biodiversity enhancements." There is no mention of recreational or community purposes.

The proposed design for this development doesn't appear to have any of the features in the CIRIA SuDS manual providing the amenity for recreation or human interaction suggested in the Chapter 5 *Amenity Value* or chapter 10 *Urban Environment* of the manual.

§2.1 of the main report to committee rightly points out that the 2017 LDP states the R1 allocation is "For a town park at Gauch Hill, which includes a sustainable urban drainage system (SUDS), to be developed through associated enabling development." However it is a matter of fact that SuDS drainage is required for the housing development which removes existing open space, not the Town Park area which retains open space.

KDCC have commented on the SuDS proposals in two objection letters.^{1 2} These give examples of other SuDS in the town which are clearly not used for recreation or community purposes.

The s.75 legal agreement with the council states that an open space area of 3.8 ha be disposed to the council with a "title condition **restricting the use to that of a park for recreational or community purposes only.**" The function of the SuDS basin is to drain off water from the hard surface area in the estate. It will retain water for an unspecified amount of time. It is difficult to see what "recreational and community purposes" will be possible in the main SuDS basin. Children will not play in the drainage water and sludge in the bottom of the SuDS basins. The SuDS area cannot be considered to be part of the town park specified for this site.

The main SuDS basin is sited between rows of houses on its long sides. Entry to and exit from the SuDS basin is via the short sides at the west and east onto estate roads, with another access at the west via a bridge across the burn from the sports pitch. There are another two bridges over the burn to allow pedestrian access from the wood to the sports area. The burn is the existing burn relocated to the south – so not the "more natural" burn location as described several times in the Planning Service presentation on May 11. The burn is culverted at the east edge of the SuDS basin, meaning there is no effective connectivity with watercourses to the east of the site.

As part of the burn relocation and in order to locate housing in the south of the site the proposed design will remove the drystone dykes on the site. This contravenes the requirement in the development brief that: "drystone dykes are an important part of our cultural heritage and follow traditional field patterns; all such dykes should be maintained and incorporated where this is possible."

The council-owned land is proposed to be used as a separate small play area to the north of the developer-owned areas. This does not meet the requirement for the "large play area... a single comprehensive play area with a variety of play equipment is required and should be located within the large area of open space but in a suitably overlooked and accessible location" specified in the development brief. The proposed area appears to be part of the existing wood.

¹ APP/2020/1999, -2025 KDCC SuDS usable open space 21-03-05

² APP/2020/1999, -2025, 21/0422 KDCC SuDS design open space 21-04-28



The sports area, the play area and the main SuDS area are separate, isolated areas with separate, specific functions other than general community recreation. They are not an integrated single open town park area, the "large open space area" specified in the development brief or as defined in policy and strategy documents.

In order to improve the overall quality and usability of the open space provision, the open space should be provided as a single recreational area, rather than a number of small pockets spread throughout the development site.

4 Town Park specification

There are several documents which set standards for Town Park open spaces that the proposed Kintore Town Park should be assessed against.

The main Planning Service report to committee refers to Policy P2 *Open space and access in new development*. This states requirements for all new housing developments, principally:

"We will generally expect 40% of each major development site to be devoted to good quality open space. In each case the actual proportion will take account of the location, function and characteristics of the development proposal and site; the function of the open space proposed; and, where appropriate, the function and characteristics of existing open space in the area."

However the development being considered here is an enabling development to create a specific open space, the Town Park, so it has additional open space requirements to those set out in P2. Policy P2 refers to the *Aberdeenshire Parks and Open Spaces Strategy*. The strategy's introduction includes the statement "new, formal and equipped open space may not always be necessary, depending on what is already available to a community". What we have already got 11.5 ha of open space is preferable to the proposed 7 ha of housing, drainage basins and a 200m square grass pitch.

The references in the Gauchhill Development Brief are consistently to a single, large open space: "A suitably large area will be required for the public open space element of the development ...a single large open space would be preferred as the Town Park ...a single space can be more efficiently maintained ...the large open space... a large area of public open space... welllinked, accessible open space ... a townscale open space...large, town scale, area of public open space that relates well with the south of the settlement ... a suitable, multi use, public open space ... a suitable area of public open space."

The P2 policy requirement to protect existing access routes in the existing space, shown by the desire lines, has not been met:

"Existing and potential public access routes (including core paths) should be protected and

new developments must include appropriate opportunities for informal recreation, and promote walking or cycling as a means of transport.”

The aims of the Open Space Strategy include:

- 6) To conserve, manage and enhance opportunities for biodiversity/wildlife
- 7) To promote integration between the location and management of Sustainable Urban Drainage Systems (SUDS) and the open space resource.

The Aberdeenshire Council 2019 *Kintore Open Space Audit* stated “In particular, there is a need to link existing open spaces around Rollo Mire and Gauch Hill, to Tuach Hill, a local viewpoint, in the context of development proposed in the Local Development Plan”.

Nature Scotland’s *Developing Open Space Standards* guidance requires local authorities to “create and enhance networks between open spaces ... improve access to existing areas of open space via green networks and paths.”

The development brief required a network of green corridors to the wood and states: “The large area of public open space and Woodland Area will hopefully provide a valuable community facility with potential to encourage a range of facilities.” The “network of green corridors and footpaths” required in the development brief and the council’s 2019 Open Space Audit show aim 6 has not been achieved. ¹ There is no integration between the two SuDS basins and the open space of the wood as required by aim 7.

Policy P6 *Community infrastructure* states: “We will support the provision of new community infrastructure which is in accessible locations within settlements and available to all community residents.” The proposed new location for the Town Park sports facilities is less accessible to the community than the location specified in successive local development plans or in the legal agreement. The proposals therefore do not comply with Policy P6.

Policy Env\7 *Protected and Other Open Areas* applied when the Town Park was proposed in 2002 has relevant guidance: “Development in a Protected or Other Open Area will be refused unless: a) It is for an essential community facility which cannot be located elsewhere and whose public benefits clearly outweigh the value of the site to the settlement’s special character or amenity; AND b) It would positively impact on the site’s or settlement’s special character or amenity.” “The aim of this policy is to ensure that valuable areas of open space in settlements are not lost to inappropriate development.”

“Protected and other open areas are open and locally valued areas, whose loss would have a negative impact on the special character and amenity of a settlement. They include all types of open space, including playing fields, historic kirkyards and public paths.”

“Attractive open space in settlements is important not only for its contribution to character and amenity, but also for its contribution to the health of the community. Many of these areas are centrally located in the villages and towns and once lost are irreplaceable. As such they must be protected.”

The policy Inf\10 *Community Facilities*, also applicable at the time, stated that community facilities are to be located in accessible location within a settlement.

The *Aberdeenshire Parks and Open Spaces Strategy* describes what is expected for neighbourhood green space and a local park:

Neighbourhood Green Space

Informal amenity: for ‘structure planting’, green corridors, access routes (recreational and functional) visual impact: may include community nature areas.

Location chosen for the function it is to fulfil eg:

- to the windward side of housing to provide shelter
- to take advantage of wildlife potential
- In a focal point to provide amenity

- based around the position of SUDS
- to provide green arteries linking larger spaces
- likely to have potential for community involvement.

Local Park

Strategic 'green lungs' of a town, with semi-formal and informal open space for walking, wildlife, picnics and enjoyment of the scenery for all the family.

A sense of the country in the town, often also an expression of civic pride. People will take a considered decision to visit, so distance and road-crossing are less important. The site's intrinsic character, eg: based on a riverside, hill or wood is often the most critical factor, although proximity to population is clearly also significant.

The proposals for the town park do not match up to these requirements, nor to the vision of the Open Space Strategy: "provide high quality multi-functional open space that is easily accessible, safe, welcoming, rich in biodiversity and sustainably managed for the future; which encourages a sense of belonging, and enhances the quality of life of those people who live, work in and visit Aberdeenshire".

The strategy identifies four underlying principles as key to the delivery of key open space functions:

- lowest possible maintenance
- community volunteering
- the proximity principle
- connectivity.

These principles were considered in KDCC's decision that a tennis club would be a suitable feature of the Town Park, see section 8 below.

Note that the report to the Garioch Area Committee on the earlier open space strategy in November 2016 reported that "Existing policies and development control practice have over a period of years used rigid standards that have tended to generate a pattern of small areas of open space, often areas the developers just didn't want and are difficult and expensive to maintain."

Planning Advice Note (PAN) 65 *Planning and Open Space* sets out a standards-based approach to planning of greenspace, with the standards containing three elements: "quality, quantity and accessibility". These elements have been adopted in the guidance in Nature Scotland's *Developing Open Space Standards*:

- everyone will live within a 5 minute walk of a publicly usable open space of at least 0.2 hectares in size
- all publicly usable open spaces will score 'good' or better on the locally used quality assessment
- all settlements/neighbourhoods should have X hectares of publicly usable open space per 1000 people (or Ym² per household) – where X or Y is locally derived. {

With the accessibility standard being the most important. 3 ha per 1000 people and 30m² per person hold are often quoted as a quantity standard.

The SNH guidance also reported that "the over-provision of certain types of open space either as a result of planning policy promoting these typologies (for example, equipped play areas) or simply because they are easy to specify and cost (for example, Multi-Use Games Areas). In many local authority areas, we were told that there are too many equipped play areas and multi-use games areas for the user levels in the local population" and "It is essential, therefore, that all decisions on sports pitch provision must be considered as part of the Pitch Strategy with reference to the Open Space Strategy and in line with the relevant settlement/neighbourhood description 'opportunities' section."

Aberdeen City's *Supplementary Guidance: Green Space Network & Open Space* has been adopted by the Scottish Government as supplementary guidance.³ It reports that "Aberdeen's Open Space Audit 2010 has identified a need for higher quality and more accessible open space, rather than simply extra quantitative provision. It is for this reason that quality and accessibility, as well as quantity, is included in Aberdeen's minimum open space standards for new developments." It specifies that "at least 2.8 ha per 1000 people of meaningful and useful public open space to be provided on-site in new residential development." The guidance also requires that details of any diversions of paths proposed for the purposes of the development are submitted for assessment of loss of access rights.

Scottish Planning Policy provisions relating to green infrastructure are:

231. Development proposals that would result in or exacerbate a deficit of green infrastructure should include provision to remedy that deficit with **accessible infrastructure of an appropriate type, quantity and quality.**

232. In the design of green infrastructure, consideration should be given to the qualities of successful places. Green infrastructure should be treated as an integral element in how the proposal responds to **local circumstances**, including being **well-integrated into the overall design layout and multi-functional.**

233. Proposals that affect regional and country parks must have regard to their statutory purpose of providing recreational access to the countryside **close to centres of population**, and should take account of their wider objectives as set out in their management plans and strategies.

15. By locating the right development in the right place, planning can provide opportunities for people to make sustainable choices and improve their quality of life. Well-planned places promote well-being, a sense of identity and pride, and greater opportunities for social interaction. Planning therefore has an important role in promoting strong, resilient and inclusive communities. Delivering high-quality buildings, infrastructure and **spaces in the right locations** helps provide choice over where to live and style of home, choice as to how to access amenities and services and choice to live more active, engaged, independent and healthy lifestyles.

Another Scottish Planning Policy is relevant:

230. Development of land allocated as green infrastructure for an unrelated purpose should have a strong justification. This should be based on evidence from relevant audits and strategies that the proposal will not result in a deficit of that type of provision within the local area and that alternative sites have been considered. **Poor maintenance and neglect should not be used as a justification for development for other purposes.**

The developer's justification for building houses on the area designated for the town park is based on the practical difficulties of constructing houses in the designated location. However, this is not a material consideration for providing a less accessible, less suitable town park.

Part of the open area at present has dumped construction fencing, spoil for the developer's pre-emptive site construction works, unsightly ground excavations, trade bags of hardcore chippings, and general debris. This neglect is not a justification for development of the area as a housing estate however.

5 Town Park location

The statement in the development brief that "The location shown {with the open space to the north-east of the site} is best related to the existing settlement, other proposed developments and other areas of open space whilst relating well with the Woodland" is consistent with all the policies and strategies for open space and community facilities.

³ <https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2018/06/aberdeen-city-council-planning-authority-core-documents/documents/supplementary-guidance-green-space-network-open-space-pdf/supplementary-guidance-green-space-network-open-space-pdf/govscot%3A/document/supplementary%2BGuidance%2B-%2BGreen%2Bspace%2BNetwork%2B%2526%2BOpen%2Bspace.pdf>

The developer has not justified changing the location of the Town Park, which has been a constant in successive LDPs. The LDP location was confirmed by the DPEA Reporter in the 2012 LDP: "For the avoidance of doubt, the area identified as R2 on the proposals map (to which Policy 8 applies) should not include the existing housing site EH1."⁴ The proposal to move the housing into the R2 area is a deviation from the LDP, creating an unacceptable solid bank of housing from the centre of Kintore to the Tuach burn, eliminating the green corridors specified in the development brief and the council's 2019 Open Space audit.



ALDP 08

ALDP 12



ALDP 17

Proposed Masterplan

6 Number of houses

Aberdeenshire LDP Appendix 5 quotes a new housing allocation of 117 houses for the OP2 (EH1) site in Kintore – with OP3 & OP4 zero as they were already built out. The proposed LDP shows an allocation of 150 houses for OP2.

⁴ Scottish Government. Report to Aberdeenshire Council. Local development plan examination. Aberdeenshire local development plan. 9 March 2012. Issue 36 Kintore

Kintore & District Community Council

		Blackburn-Inverurie SGA (AHMA)	
Site		Existing to 2018*	2017 - 2026
Kelthall	OP1 (H1)		
Kernay	OP1 (H1)		
	OP2 (H2)		
Kirmuck	OP1 (H1)		
Kintore	OP1 (M1)		600
	OP2 (EH1)	(117)**	
	OP3 (EH2)	(0)**	
	OP4 (EH3)	(0)**	

ALDP 17 Appx 5 Table 5

	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ¹		Allowances 2020-2032		LDP 2021 Allocation
				Effective 2019	Constrained 2019	Strategic Growth Area	Local Growth AHMA	
Kintore	OP1	600		600		400		1000
Kintore	OP2	150		150				150
Kintore	OP6					24		24
Kintore	OP7					32		32

ALDP 21 Appx 6 Table 2

184 houses are proposed, much higher than the 117 houses (or the 150 houses) specified for the site in the current 2017 local development plan. Policy H1 states: "Higher densities would only be considered where any associated negative impacts on **infrastructure, open space and residential amenity** can be addressed and where justified through an approved masterplan or design statement". There are negative effects on infrastructure, open space and residential amenity that have not been addressed or justified in these applications.

Planning permission in principle was granted for APP/2004/3532, which was approved 20 February 2015 following the decision by the Garioch Area Committee on 19 March 2013 to give delegated grant authority to the Head of Planning.

Condition 4 agreed at the meeting.

"4. The hereby approved development shall be limited to a maximum of 150 residential units and a minimum of 3.8 hectares of Public Open Space. Reason: To define the extent of the elements of the development approved and in line with the previous resolution of the Area Committee to grant permission as well and the provisions of the draft S75. "

became condition 3 of the letter of approval:

"3. The hereby approved development shall be limited to a maximum of 150 residential units and a minimum of 3.8 hectares of public open space. Reason: To define the extent of the elements of the development hereby approved and to accord with the legal agreement."

APP/2017/0288 was a s.42 application to change another condition of approval of APP/2004/3532, requiring a signalised junction between the B994 and B987. The Planning Service also removed the condition specifying maximum housing and minimum open space altogether.

The APP/2017/0288 Report Handling stated "the scope of the application is limited to consideration of the matter which has been applied to be varied", but "consideration may be made of any other significant material considerations" beyond this. "The Planning Service has taken the opportunity to review the original conditions attached to APP/2004/3532."

Planning service's explanation was:⁵

"When the Local Development Plan 2017 was adopted, the idea of an allocated site having a maximum capacity was removed by the Reporter. Since that time, all numbers within the LDP must be considered as indicative. The Planning Service must therefore accept in principle that a higher number of dwellinghouses may therefore be developed on OP1 site than originally envisaged. However, the acceptability of this will always depend on a successfully designed scheme that **meets all policy requirements and is satisfactory to key consultees.**

I can assure you that, as far as the Planning Service is aware, it is still the intention of the developer to deliver a Town Park enabled by a residential development at this site. All

⁵ Letter from Chris Ormiston, Acting Service Manager, Infrastructure Services 02 July 2019

parties recognise this as a requirement of the local development plan and as a significant proposal for Kintore and an opportunity to **deliver an asset for the community**. The **Legal Agreement remains in place** and the Council is prepared to discuss the proposal with a developer and the Community Council to facilitate the development of the site.”

The current proposals and the process leading up to them have fallen well short of what was promised.

7 Damage to Gauchhill wood

The Scottish Woodland Trust, and the community council, proposed a buffer between the edge of Gauchhill wood and the new properties. The 20-30m buffer is a standard Woodland Trust requirement to protect the trees from damage. That it is needed is shown by the fact that the residents in Beech Road, also too close to Gauchhill wood, are lopping tree branches that are overhanging their gardens. They have also been dumping garden waste in the wood. This is a bad for the flora and fauna in the wood.

§6.30 of the main Planning Service report to committee states “It has been suggested that a 20-30m buffer should be safeguarded around the woodland edge. However, the Planning Service would find such an extensive buffer to be **prohibitive and substantially reduce the developable area and capacity of the site**.” The Planning Service seems willing to repeat the same mistake as occurred with Beech road properties. The priorities of the Planning Service with respect to protecting the integrity of Gauchhill wood and our open spaces on the one hand and allowing the developer to build more houses on the other, seem wrong.

The proposed grass sports area is also close to the woods, closer at two points than the 15 m recommended by Woodland Trust. This too will result in damage to tree roots (similar to other development). Any subsequently-installed floodlighting could potentially disturb wildlife such as bats or other protected species. Lighting from the housing estate will discourage migration of deer, squirrels, badgers and other wildlife into the wood.

The green corridors specified in the development brief are not being provided. The development brief also states that “development within the area identified that is considered to have an unacceptable impact on the Woodland, due to its design, layout or other such factors, will not be accepted.”

8 Sports provision

This is discussed extensively in the KDCC submission to the Planning Service on 30 April.⁸

The proposed 120 m square grass pitch, pavilion and car park are in the extreme southwest of the site. This is peripheral to the housing development and the main population area of Kintore.

The Gauchhill development Brief stated: “The sports provision and other elements should be related to current need within the area and planned in association with the community.”

The sports facilities proposed for the Town Park have been specified based on a 2020 Live Life Aberdeenshire Pitch & Open space study. However, this only considered Kintore as a subsection of Kemnay. Neither Kintore residents nor sports groups were consulted by LLA or the developer. LLA recommended that the Town Park site should contain two football pitches, but Kintore already has two grass football pitches with basic changing rooms and two multipitches.

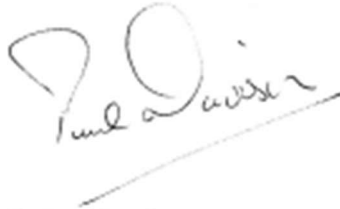
Based on KDCC’s Facebook survey and consultation with Kintore’s LTA coach and other tennis clubs, and having received advice that the other popular options of a skatepark and a swimming pool would be too expensive, KDCC consider a tennis club with outdoor tennis courts would be a better option for the Town Park and would complement the proposed indoor tennis centre in Inverurie. Tennis Scotland estimate the cost of tennis courts and a pavilion would be about the same as the cost specified in the s.75 agreement for the pavilion. A viable tennis club, with

⁸ APP/2020/1999 KDCC Sports facilities 21-04-30

Kintore & District Community Council

social meeting facilities, would be in a good position to generate income to maintain the facilities, and would be more suited to the current need within the area than another grass pitch.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Paul Davison', written over a diagonal line that serves as a signature line.

Dr Paul Davison
KDCC Planning contact
planning@kintorecommunitycouncil.co.uk
☎ 01467-632007



KINTORE AND DISTRICT
COMMUNITY COUNCIL

Please reply to:
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Sangara, Fullerton Farm,
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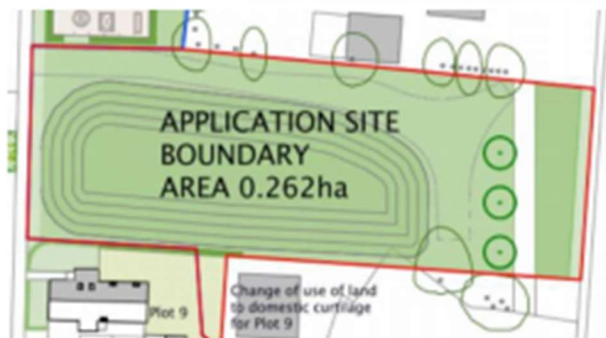
Mr. Bruce Strachan, Case Officer.
Planning Service,
Aberdeenshire Council
Gordon House, Blackhall Road,
Inverurie, AB51 3WA

19 May 2021

APP/2021/2025 East SuDS basin and road access to Lindale

Dear Mr. Strachan,

The site plan and the Brindley Associates landscaping drawings show that the eastern SuDS basin appears to block the only access to Lindale. This might be a mistake in the drawing rather than a serious proposal, but, if so, shows a lack of attention to detail in the SuDS design that is concerning. If not, the application should not be approved until the road access to Lindale is clarified.



Kintore & District Community Council

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Paul Davison', written over a diagonal line that extends from the bottom left towards the right.

Dr Paul Davison

For Kintore and District Community Council

planning@kintorecommunitycouncil.co.uk ☎ 01467-632007



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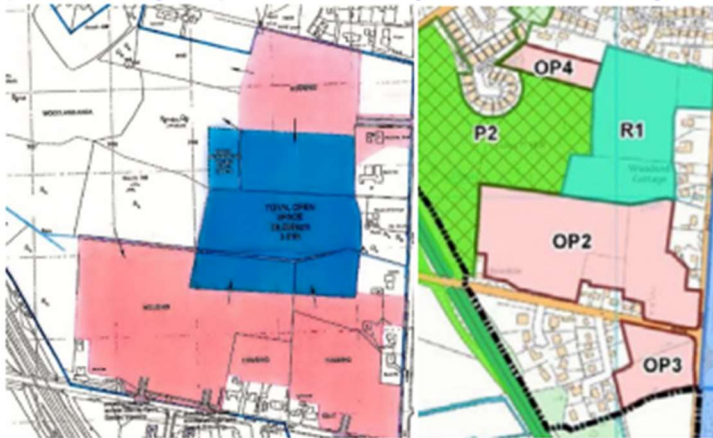
19 May 2021

APP/2021/0422 Proposed changes to the s.75 Town Park agreement

Dear Mr. Strachan,

In view of the statements in the Planning Service report to committee on the proposed changes to the s.75 agreement for the Kintore Town Park, particularly those set out in §2.3 and §2.4, and the nature of the proposed changes set out in the developer's application APP/2021/0422, Kintore and District Community Council have set out below what the community understands for the existing s.75 agreement and what it expects from a future agreement.

4. ...convey to the Council...that part of the ground shown shaded in green on the plan...extending said part to 3.513 ha...together with a vehicular right of access ...



The area specified for the developer's contribution enables the requirement to provide a 3.8 ha town park to be met. The proposal to reduce the size of the developer's contribution from 3.513 ha to 2.591 ha is therefore unacceptable.

The map in the legal agreement is clearly different to that set out in the local development plan. The s.75 town park location is not as accessible to Kintore residents as the LDP location. The s.75 map does not provide the green corridors necessary for the viability of the Gauchhill Wood and therefore can not provide for a development acceptable to the community.

§2.4 of the Planning Service report to committee on APP/2021/0422 proposes a material

change to the proposed Town Park location - relocating the town park to a position within the south-western part of the site. This location has poorer accessibility for Kintore residents than either of the locations presented above. This location fails to establish the required green corridor along the north of the site towards Tuach Hill, and, due to the Ceann Torr development, does not enable a green corridor to the Tuach burn to the south.

5. The Disposition to the Council of the 3.513 ha ..shall contain a real burden or title condition restricting the use thereof to that of a park for recreational or community purposes only.

§6.3 of the Planning Service report to committee for APP/2020/1999 fails to specify that "recreation and community use only" needs to be retained. However the 2.75 statement is an essential requirement. It must be retained in any subsequent agreement to ensure that a single 3.8 ha area is provided for community recreation purposes only.

6. The Proprietors will provide within the Open Space Land a pavilion and associated car park (to a maximum value of £250,000), said pavilion to include inter alia changing facilities, showers and toilets for two teams plus officials, a kitchen, a meeting room and a store.

The Proprietors shall ...construct a vehicular access ...to said car park.

The Council shall be obliged to give reasonable consideration to any amendments to the specification which the Proprietors may request in order to ensure compatibility of the pavilion, car park and vehicular access with their proposed residential development to be constructed on the Development Site.

In addition, the said pavilion will be designed and built for the purpose intended for each respective part of the building in accordance with the standard specified in the Sportscotland design guidance notes.

Furthermore, said value of £250,000 shall be increased by an amount equal to the increase in the Retail Price Index from 01 January 2009 until the date of completion of the pavilion.

As the report to committee points out, the agreement requires the expenditure on the pavilion to be a maximum of over £350,000 (based on RPI = 210.2 in Jan 09; 296.9 in Mch 21). The proposal to reduce the expenditure on the pavilion by 30% to £250,000 is not justified. The £100,000 reduction from the original s.75 agreement value suggests that the facilities specified in the original s.75 agreement cannot be delivered. This is a benefit to the developer of £100,000, but a loss of amenity for the community. The required pavilion expenditure of £350,000 is about 2% of the total gross profit expected for a 184 housing development and does not seem to be an unreasonable amount to pay for a pavilion for a Town Park serving the Kintore community.

The specification proposed for the pavilion in APP/202/1999 is clearly shows reduced facilities from those set out in the s.75 agreement:



There is no separate changing facilities for officials, no kitchen and only a very small store. The statements in the report to committee which argue for a change:

"Amending description to include catering, meeting and storage facilities so providing more of a multi-use facility and to provide more flexibility in support of a wider range of uses."

"Amending reference to the specific Sport Scotland guidance in that we are taking cognisance of it rather than delivering a pavilion in accordance with the guidance given we no longer have a single dedicated sports use and to provide more flexibility."

appear to have no connection with the actual pavilion design proposed. The community should not be fobbed off with a Town Park pavilion with such minimal facilities. A pavilion with a café would enable socialising and would be a real asset to the town. The proposal is for a changing room like others in the area that are used at weekends and training nights, but are otherwise unused assets. As a minimum we would like the pavilion to have foundations and structure strong enough to support a future first floor with additional facilities.

9. A specification for laying out the Open Space ... The specification will require to be fit for normal recreational purposes and shall include: plans of the Open Space of a minimum of 3 acres, including elevations, a pedestrian access, details of the levelling, stone picking, rolling and first grass cut and for the provision of a cricket square. The Proprietors will not be required to make provision for drainage.

The cricket square is no longer an asset desired by the Kintore community, following the demise of the local cricket club. We are concerned about the implications of replacing that requirement with a requirement for a 120m x 120m multi-purpose playing grassed area. A 120 m square grass area does not constitute a town park of the type needed or expected for a town the size of Kintore. A revised agreement should therefore set out precisely what the requirements for the Kintore Town Park should be in terms of size and quality. This needs to be done following consultation with the community.

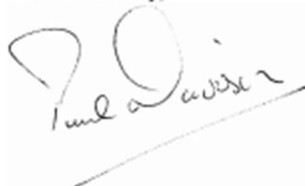
We note also that §3.1of the Planning Service report to committee for APP/20201/0422 states that the Kintore Community Council is not a statutory consultee on this application. However, the Development Management regulations state: "The community council, if any, within whose area the development is to take place where (b) the development is likely to affect the amenity in the area of the community council." The community council have previously indicated to the Planning Service that we wish to be a consultee on all planning applications affecting the KDCC area.

The statements in §6.3 regarding the Aberdeenshire council open space as a separate area to developer open space are not consistent with clauses in the development brief and the existing 22.75 agreement specifying a large single open space area for recreation and community purposes only.

The statement in §6.8 suggesting that the proposals to change the legal agreement impose additional burdens on the developer are incorrect – the proposed changes **reduce** the burden on the developer compared to the original 2.75 agreement.

As the Town Park would be an important asset for the people of Kintore, the community should be consulted on the requirements for this community facility before the s.75 agreement is modified.

Yours sincerely,



Dr Paul Davison

For Kintore and District Community Council
planning@kintorecommunitycouncil.co.uk ☎ 01467-632007

Appendix E – Updated plans for Action Kintore - Town House Project



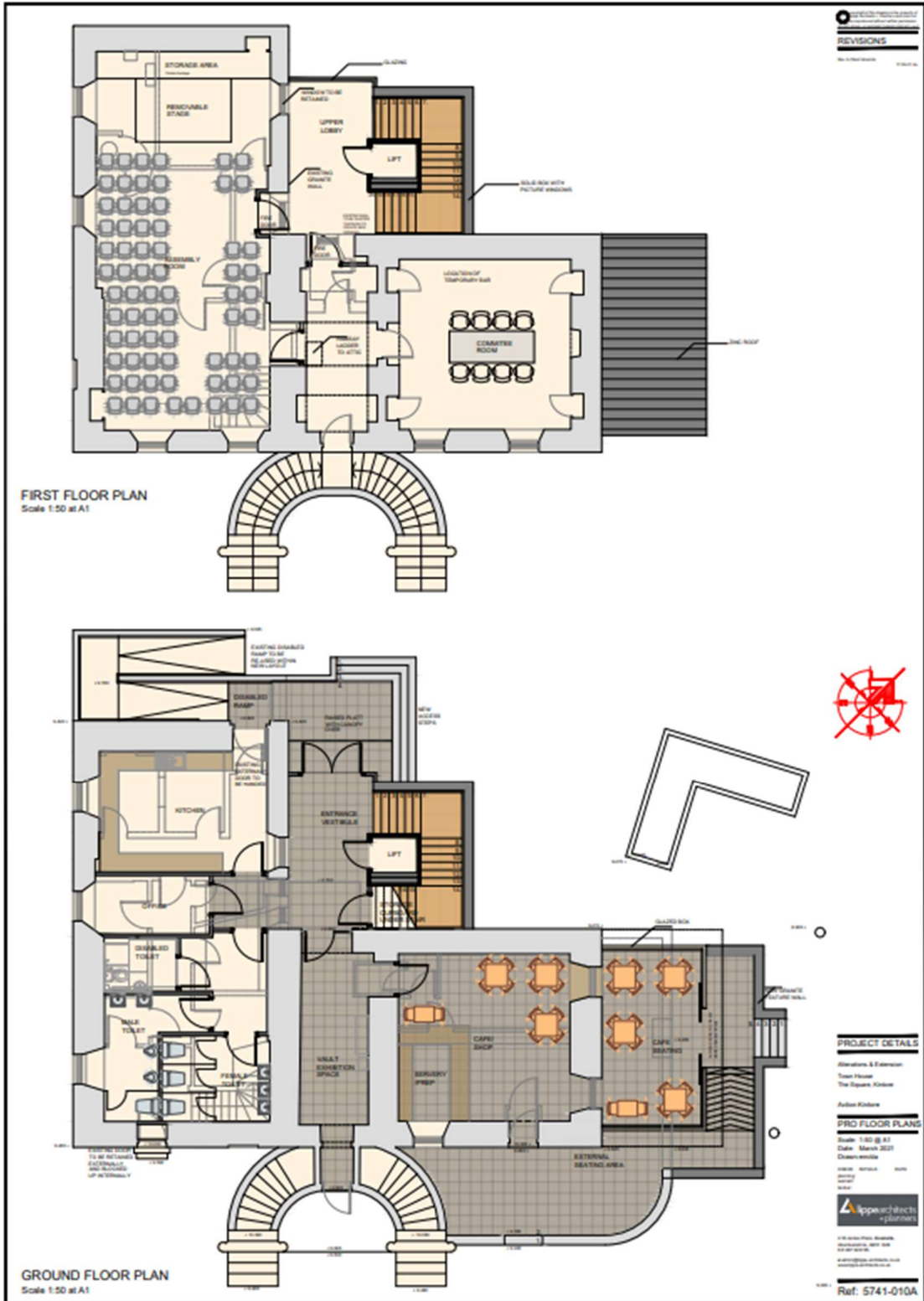
3D Images

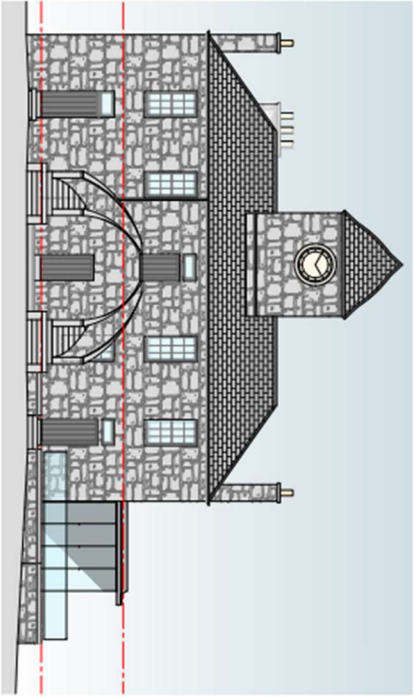


3D Images

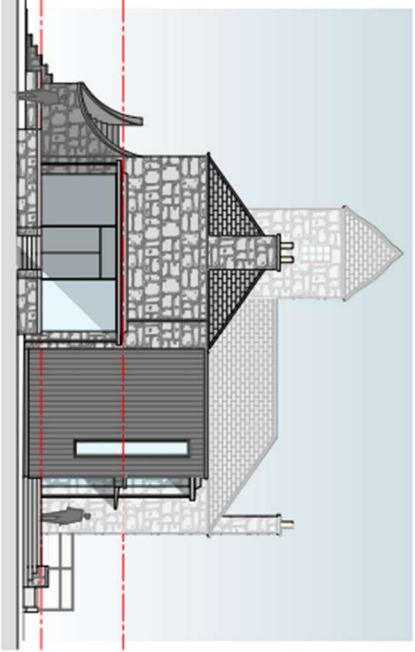


3D Images

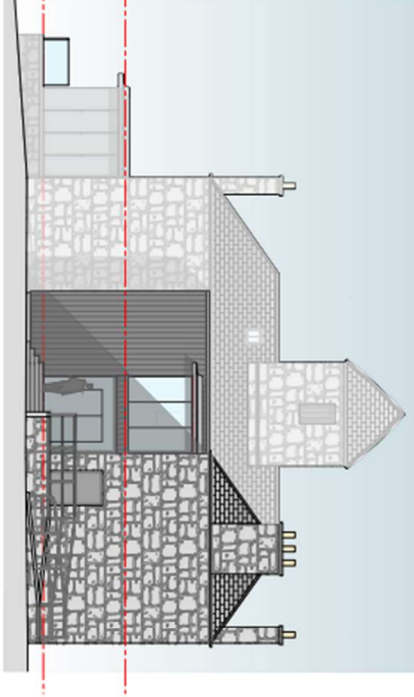




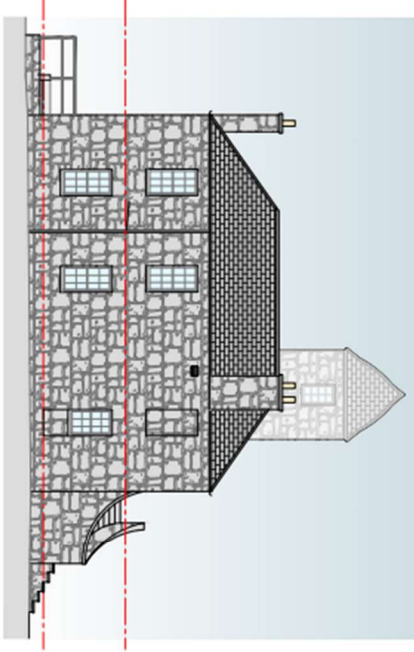
PROPOSED SOUTH-EAST ELEVATION



PROPOSED NORTH-EAST ELEVATION



NORTH-WEST ELEVATION



SOUTH-WEST ELEVATION

PROPOSED ELEVATIONS PLAN
Scale 1:100 at A2

REVISIONS

NO.	REVISION

FINISHES
 Walls to be finished with granite to match existing or zinc cladding (grey)
 Roof to be finished with Samall to flat roof rear extension and zinc to side extension.
 Grey cast iron rainwater downpipes & gutters to match existing.
 Windows & Doors to be Dark Grey Alucad.
 Fascias & Soffits to be Zinc (grey) / timber

PROJECT DETAILS
 Alterations & Extension
 Town House
 The Square, Kintore
 Action Kintore

PRO ELEVATIONS
 Scale: 1:100 @ A2
 Date: May 2021
 Drawn: emda
 CHECK INITIALS DATE
 Drawing
 Model

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