



**CASTLEGLEN
PROPERTIES LIMITED**

Midmill, Kintore, Aberdeenshire, AB31 0UY
Tel: (01467) 634942 Fax: (01467) 633661
www.castleglenproperties.co.uk
email: scott@castleglenproperties.co.uk

10th October 2006

BY FAX ONLY: 01224 664679

RECEIVED
10 OCT 2006

James Wheeler
Policy Planner, Local plans
Planning & Environmental Services
Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen
AB16 5GB

Dear Mr Wheeler

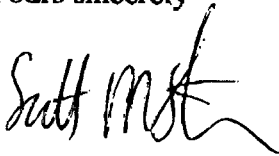
DRAFT DEVELOPMENT BRIEF – GAUCH-HILL, KINTORE

Further to your letter of 19th September confirming the above brief was out for public consultation until 13th October 2006 I would make the following representations:-

- 1) I enclose my letter to the Garioch Area Committee dated 19th August 2006 and would put forward its contents as the bulk of my representations. Most importantly the sites distinct nature and ownership characteristics make it stand alone from the other land parcels in the brief both in terms of what it can deliver to the community and ease of delivery.
- 2) As you will be aware detailed design discussions have not taken place with development control nor indeed the council's roads department given that the brief was awaited as a means to consider the application. A revised general layout has however been submitted to local plans based on detailed discussions with that department and the area of land earmarked in the Brief is generally reflective of this. It should be noted however that whilst I am not looking to significantly increase the landtake the brief proposes I think that it should have a degree of flexibility over the sizes actually suggested to ensure adequate access arrangements are capable of being delivered in terms of future discussions with the council's roads department and that reasonable garden sizes are achievable along with a desirable layout in terms of future discussions with development control. Actually fixing sizes at this stage could prejudice the detail required to achieve the council's own standards albeit I do not envisage significant change.

I trust the above and enclosed satisfactorily outline my thoughts on the brief and I look forward to progressing my application with the council in the near future.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Strachan', with a stylized flourish at the end.

Scott Strachan
Managing Director

CastleGlen Properties Ltd
Midmill, Kintore
Aberdeenshire
AB510UY

19th August 2006

Members of the Garioch Area Committee (By Email Only)

Dear Councillor's

**GAUCHHILL, KINTORE -- DRAFT PLANNING BRIEF
Woodland and associated scrub/wasteland.**

I write in connection with the draft planning brief for the above which will go before the Garioch area committee on Tuesday 22nd August 2006.

First of all I must apologise for my lateness in writing but I had not intended to make particular comment on same however having now received the committee report and in particular the appendices by others I feel obliged to put my points forward. I will however make it brief and would ask that you note my involvement is in the area known as Gauch-hill woods and not the Greenfield agricultural areas nearer to Midmill and controlled by others. The area known as the woods provides a far different element to the townpark from what is proposed elsewhere and is not dependent on other developers.

Background Information

An application for Townpark, associated facilities and housing development constituting enabling development was made on 6th January 2005 (G/APP/2005/0009). Prior to the application I had been promoting the site to the local plan team and had made representations to the local Plan Review. In early January 2005 we took part in an informal session of the local plan inquiry where it was agreed with the council that enabling development would be an appropriate means of delivering the park and woodland area. The reporter in his findings agreed that indeed the only way he could see the Park and woodland being delivered was through enabling development and the plan should conform to this. He also stated the area should be included in the settlement boundary.

In terms of my original application whilst the woodland/scrub in total represents somewhere in the region of 25/26 acres we are only looking for a small fairly unimportant area of the site (largely scrub/wasteland) to be developed into housing and indeed our proposals affect very few trees and those that are affected are not deemed significant. I felt a very responsible, measured and balanced approach was taken in our application given the sensitive nature of the area and indeed we presented our proposals to the Kintore Community Council prior to planning submission, a very upfront and public approach to take. Despite this approach the council felt it necessary to TPO the whole of our application site on 21st January 2005 this to include open areas, scrub and wasteland etc.

During 2005 despite the awaited outcome of the local plan enquiry and the requirement for a development brief your development control, local plan and heritage planners continued dialogue with us (Cathrine McCrum, Helen Duncan & Fiona Churnside) and indeed required us to carry out at our cost a Flora & Fauna Survey as a means of establishing the areas within the Woodland that were developable. After consultation with the Council, Bob Davis Wildlife Conservationist and environmentalist was recommended as a consultant that was acceptable to your council and indeed he was commissioned to carry out said survey and prepare a report. Despite being recommended as acceptable by your council not all his thoughts and findings were agreed with and indeed we had to change the layout to another format to fit with the aforementioned planners comments. Bob Davies commented on this second revised layout (copied to the planning department) and felt we had addressed the concerns raised. Subsequently however due to differing circumstances all 3 planners left and we were left with a situation of development control waiting for a development brief before they could start considering the application, said brief being the subject you will consider on Tuesday. I am in no way complaining about the length of time taken to deal with this matter since clearly my application was lodged in advance of the local plan enquiry and the required development brief I simply note the above to demonstrate my initial approach and duration of involvement.

Comments on the Development Brief

Whilst I do not agree with every comment or part of the brief I welcome its production as a means to progress matters. The simple idea behind our original promotion of the area and application was delivery of the woodland into public hands through development of a fairly small unimportant area. Should members care to visit the site this will be only too evident and in fact the important ecological areas, scots pine and squirrel habitats are well away from where we propose housing (It is worth noting however that the most sensitive area with Scots pine where the squirrels live was previously split by the new A96 dual carriageway being built through the woodland). Although the whole area is described as woodland the site we are considering for development most certainly does not fit into this description. I appreciate the planning department cannot give you every piece of information but the flora and fauna survey I had prepared is very clear in its findings and is consistent with our minimal and responsible approach. Generally I feel the brief and accompanying statement on the woodland recognises this concept and I acknowledge its clarity on the principle although I shall of course now have look at my layout in detail given the proposed scope of development suggested relative to Bob Davis's Flora and Fauna report.

The only other point I would make is to question the need for retail/ commercial facilities on the Greenfield part of the site given that outline consent for substantial retail use already exists across the former A96 from the subject site along with adjacent undeveloped employment land on the 18 acres at Brae Farm, Midmill.

I trust the above adequately describes the background to my involvement along with my thoughts on the brief and would ask you to consider same when discussing the brief. Please also note I have copied this letter to The Planning Department.

This letter is not contractual in effect and does not form part of any legally enforceable contract.

Yours sincerely

Scott Strachan
Managing Director

CC: Robert Gray, Head of Planning, Policy & Environment, Aberdeenshire Council.

Kintore Cricket Club

1878

2 Cuninghill Avenue
Inverurie
Aberdeenshire
AB51 3TZ

James Wheater
Policy Planner, Local Plans
Planning and Environmental Services
Aberdeenshire Council
Woodhill House
Westburn road
Aberdeen
AB16 5GB

15 October 2006

Dear Mr Wheater

Draft Development Brief for Public Open Space and Enabling Housing Development at Gauchhill, Kintore. Response by Kintore Cricket Club.

We would wish to thank Aberdeenshire Council for consulting Kintore Cricket club over this draft development brief. We have some general and a few specific comments.

Background:

The club was formed in 1878 and initially played on a ground at 'Gauch Hill' before moving to the current ground. Many people from Kintore and the surrounding area have played for the club and supported it over the years. We are one of the most successful local clubs having been Scottish Village Cup champions on two occasions as well as reaching the final many times. In 2005 we won the Aberdeenshire Grades, the Turriff Cup and were in the finals of the Aberdeenshire Cup and the Scottish section of the Village Cup. We are the current holders of the Aberdeenshire Cup.

General Comments:

- The proposed allocation of new public open space in Kintore is welcomed.
- Kintore Cricket club welcomes the provision of a large enough area for a full sized cricket pitch as part of this Public Open Space development.
- We are supportive of a multi-use space in this development but would draw the Council's attention to the increasingly year round nature of some field sports which does result in use conflicts where insufficient ground space and changing/pavilion facilities have been provided.
- It is important that sufficient allocation is made for public open space in this development so as to allow informal recreation at the same time as formal sports without disruption to either.
- The idea of joint community use of this area is most welcome and we are seeking to develop cricket as a schools option with after-school club developments in line with those being proposed by Aberdeenshire Grades Cricket, Aberdeenshire Council and Sport Scotland.
- Kintore Cricket club is keen to see attached to this draft proposal the development of a multi-use pavilion in this area which would enable both sport and community use.
- The development of community facilities, such as an integrated play area, within the brief proposals is to be welcomed.
- We are concerned about the proposed positioning of the public open space within the brief. This relates to the need for significant fencing developments in order to ensure cricket balls do not enter private property.
- The development of a cricket ground in this area will require adequate training facilities (formal nets), screens, boundary markers and storage. We would ask that careful consideration be given to the housing layout adjacent to the public open space so that opportunities for vandalism are minimized.

Specific Comments:

- We would draw the Council's attention to the requirement for up to 3 hectares (200m by 150m) but no less than 2.5 hectares (180m by 140m) as the area needed for a cricket pitch. The cricket square at centre of this area needs to contain at least 8 wickets but preferably 10 plus an artificial strip.
- The club is concerned about the proposed location of the public open space within the development and the siting of a cricket pitch within it. Our preferred option would be a location so that the maximum possible length of the perimeter of such space is adjacent to other open space or amenity planting. This would reduce the need for significant fencing which could be required to stop cricket balls entering private property.
- We would ask that careful consideration be given to the general access provisions to the area so that informal 'desire lines' are not created that lead to the disruption of formal sporting occasions.

112 by 120

Additional point:

The following point is out-with the remit of this brief but we should like to draw it to Aberdeenshire Council's attention as it is pertinent to the long term development of cricket in the area and as such is linked to the structural developments described in this brief.

- Kintore Cricket Club would like to see some form of long term tenure being made available over the proposed cricket ground. The availability of such tenure where it is 21 years or more will enable grants to be sought from funding bodies for infrastructure creation and for development of the game in Kintore with the creation of a youth team, an after-schools club, the acquisition of modern coaching equipment and the further training of cricket coaches. We would be very pleased to work with the Community and the Council over this issue.

Yours faithfully

Dr Martin Auld
(Chairman of Kintore Cricket Club)



William Lippe
architects Ltd

CHARTERED ARCHITECTS
PLANNING CONSULTANTS

4 St. JAMES PLACE INVERURIE
ABERDEENSHIRE AB51 3UB

TELEPHONE 01467 622785
FACSIMILE 01467 624185
e-mail
admin@lippe-architects.co.uk
www.lippe-architects.co.uk

RECEIVED
12 OCT 2006
pkc
SW

ID NO: 12774
ACK BY:
REPLY BY:

WL/3094
P/LP/D/DB/G/KINTORE

11 October 2006

Mr Robert Gray
Acting Head of Planning Policy and Environment
Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen
AB16 5GB

Dear Mr Gray

**DRAFT DEVELOPMENT BRIEF FOR GAUCHHILL, KINTORE:
COMMENTS ON BEHALF OF SCOTIA HOMES LIMITED *et al***

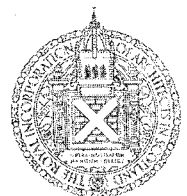
We refer to Mr Wheeler's letter of 15 September 2006 following approval by the Garioch Area Committee of the draft brief for public consultation. We are sorry to say that, overall, we remain disappointed by the brief and quite unconvinced by its main findings and conclusions. It seems to us that little heed has been paid to the comments - by others, as well as our own - that were attached to the 12 September 2006 meeting of the Garioch Area Committee and, as far as we can see, the 'minor amendments and points of clarification' made to the draft brief arising from them (as intimated in paragraph 9.4 of the committee report) have been slight and of little consequence.

The bulk of the original submissions we made in July of this year should still stand and the following are the additional comments of our clients for consideration by the committee, in due course.

One of the owners has calculated that Kintore already has 6.5 acres of sports pitches in the centre of the village, along with a new all-weather pitch, 3.5 acres of open space proposed at Tulloch Castleglen's affordable housing site at Midmill north, in excess of 5 acres proposed for the new cricket pitch at Gauchhill and the 23.2 acres of woodland forming part of Castleglen's proposals north and west of our clients' land. The resulting totals are, for Public Open Space / Town Park, provision of 26.7 acres (108,000 square metres) and for Organised Sports Facilities, 11.5 acres (46,500 square metres). In ALP 2006, Appendix 6, Table 1, normal size range figures for a town park (serving a population of 2,500+: the official August 2005 update figure for Kintore's population was 2,821 so, say, 3,200 - 3,500 now) of 10,000 - 50,000 square metres and, for organised sports facilities, 7,500 - 15,000 square metres (for a population of 1,000 - 5,000). Put



INVESTOR IN PEOPLE



VAT Reg. No. 838 7063 02

simply, what is being sought for POS / Town Park provision is more than two times the normal upper range figure and for Organised Sports Facilities, in excess of three times the upper range figure. Reference to Table 2 of the appendix indicates that a new housing development of up to 250 houses is expected to provide one community play area, neighbourhood green spaces, as appropriate, and a proportional contribution to existing spaces, all calculated on the basis of 40 square metres for each house. 200 houses would require 8,000 square metres of open space, as described. (Provision of ground for organised sports starts upwards of 250 houses.) The amount of all the land now being proposed - existing plus that required by the draft brief - is greatly in excess of the applicable standards for a settlement the size of Kintore and, for the additional provision sought, disproportionate to the amount of new development under consideration. The implication for our clients - and for other developers also - is that they are being asked to cater for, not only the future needs of an expanded Kintore, but for deficiencies in past provision. To the extent that this goes *very* far beyond the applicable standards - twice and three times, as has been shown - it is an unreasonable and unjustified burden to seek to place on their shoulders unless full account can be taken by corresponding reductions being made in usual developers' contributions that the Council is likely to ask for. /

→ But enabling development.

At the 12 September 2006 committee meeting it was clear that the numbers of houses (in the order of 200) that the developers are considering is of concern to the councillors. It appeared that it had not been explained to them that the figures are a result of the significantly increased densities that the Scottish Executive is expecting to see achieved from now on. Are councillors aware of this? If not, now is an opportunity to bring these, possibly unwelcome, circumstances to their attention. It is not acceptable for the impression to be left, unchallenged and without correction, that it is simply another example of developers and landowners being unable to restrain their alleged greed. Please ensure that this matter is explained properly.

It seems that the realignment of the Kemnay road and the provision of a (second) new roundabout, with the costs being borne by your pick of various developers, is still being pursued. Why? Would it be unable to deal, safely, with the additional traffic generated by developments at Gauchhill, Kintore South and Kintore North or is it merely an option that would be preferred if the clock could be turned back the very few years to when the present design was agreed? The latter is the likely suspect and is simply no basis on which to demand the present changes. In addition, why should more than the landowner/developer whose land is directly affected by the realignment contribute to its provision? How, in reciprocal fashion, does that landowner/developer contribute to the formation of a town park or sports ground? The realignment did not appear as a proposed infrastructure requirement in ALP. How does the enabling development for a town park at Gauchhill justify it now?

→ CS
→ in the interests of road safety.

Your continued insistence on seeing the proposed sports ground crammed into the northern part of the development site, where the housing on three sides would constrain it - by some possible noise, seasonal lighting, general activity and traffic - as well as causing avoidable difficulties for one of our developers is as illogical as it is baffling. You may dismiss the latter consideration as entirely irrelevant but, as the Council's desire for a town park is dependant on the development being enabled in a sensible, economic and sustainable manner, that would appear to be unwise. The site for the cricket ground proposed in our scheme, located towards the south-western corner of the main development site, would be mostly surrounded by open space, appear to be almost in the countryside (though protected



**William
Lippe**
architects ltd

from encroachment by further built development due to the woodland area and the Kemnay road), look very attractive and be unlikely to disturb many people. These are almost the opposite of what the brief's suggested site would offer so why should yours be preferred? In their letter of 20 August 2006, Kintore Cricket Club was critical of the location for the sports ground proposed in the brief and was hoping for a site that has the characteristics our developers' site would provide.

In our July response we criticised the draft brief for being unbalanced: too long on some matters and too short on others. We think the same remains true of the new, 'improved' document. In the same way that you are reluctant to specify a target development figure for housing in the area of the brief (though that is exactly what happens throughout ALP), why do you not simply indicate, in acres or square metres, the areas of open sports land and housing land to be provided within the development area (with density ranges specified but without boundaries being delineated), leaving the developers to deal with the development control specialists of the planning service - who are used to resolving such detailed matters of siting and design - in the usual manner? The question of appropriate adjustments being made to planning gain contributions would be best dealt with through the planning application process also. That appears to offer the prospect of a way forward that allows flexibility for our clients combined with the normal level of planning control for the Council. We hope that you can see the benefits of this approach.

Yours sincerely

William Lippe Architects Limited

William Lippe Architects Limited
For Scotia Homes Limited *et al*

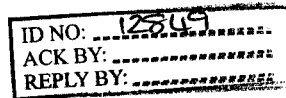
cc Clients
Bruce Stewart, Aberdeenshire Council, Garioch



KINTORE AND DISTRICT COMMUNITY COUNCIL

Chairman: Iain A.L. Blair, B.Sc.(Eng), C.Eng., M.I.Mech.E.

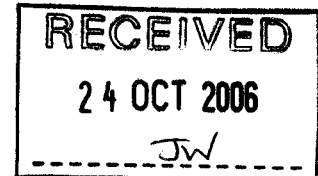
Telephone: 01467 632526



6 Ladywell Road
Kintore
Inverurie
Aberdeenshire
AB51 0UG

19 October 2006

Mr James Wheeler
Policy Planner, Local Plans
Planning and Environmental Services
Aberdeenshire Council
Woodhill House
Aberdeen AB2 5GB



Dear Mr Wheeler,

DEVELOPMENT BRIEF FOR PUBLIC OPEN SPACE AND ENABLING HOUSING DEVELOPMENT AT GAUCHILL, KINTORE

Ref: Aberdeenshire Council Letter P/LP/D/DB/G/KINTORE dated 19th September 2006

The proposals set out in the above Draft Development Brief are strongly supported for the following reasons.

In November 1997 Aberdeenshire Council published a "*Brief for the Development of 300 Houses to the West of Kintore*". In its introduction the Brief records that "*.....existing community facilities are under pressure and it [Kintore] could benefit from a series of environmental improvements*". The Brief in fact anticipated the building of 700 new houses by 2006 and goes on to record that "*The benefits of such large scale growth include the opportunity to provide new community facilities and more public open space.*" Today the number of houses in prospect is approaching double that anticipated in 1997. On the other hand the availability of community facilities and public open space is currently less than that which prevailed in 1997

The Finalised Aberdeenshire Local Plan (Extract for Garioch), published in 2002, provided for 829 houses (pages 206 to 209). In this context "*Lack of community facilities*" is identified as one of the main planning issues in Kintore. Since then planning permission has been granted or is pending for residential development in areas that include some earmarked for employment use, environmental improvement and designated conservation areas. This potentially brings the total number of new houses in prospect to more than 1200. The issue of community facilities and public open space has largely been ignored.

To accommodate the new school an independent full size football pitch and all the tennis courts have been destroyed. The football pitch was also used as a recreation space by the School during term time. Two children's playparks have been removed. A large open space used, inter alia, for Kintore Galas has been built over. Aberdeenshire Council hold the view that the all weather sports facility to be provided with the new school will compensate for these losses.

KINTORE AND DISTRICT COMMUNITY COUNCIL

Given that the facility is designed for either seven a side football or tennis, and that the two activities will be mutually exclusive, this arrangement represents a downgrading of outdoor sports and recreation facilities. This flies in the face of Policy 16 on page 39 of Aberdeen and Aberdeenshire Structure Plan 2001-2016 (NEST). *“Local plans shall set out policies to protect open space and playing fields and to encourage the provision of new sports and recreation facilities*”

The only beneficiaries of the housing explosion in Kintore are the Developers in terms of business, Aberdeenshire Council in terms of increasing local tax revenue and landowners who have sold land for housing development. The losers are the Kintore residents who are suffering progressive deprivation as the ratio of outdoor amenity area to population declines.

For the first time in almost a decade, the current Draft Development Brief recognises the Aberdeenshire Council undertakings regarding community facilities implicit in the 1997 Development Brief and expanded in the Aberdeenshire Local Plan. Furthermore, account is taken of the Council's Policies and Standards for public open space and sports facilities in the context of residential developments.

A further consideration is the growing anti-social behaviour, including vandalism, in Kintore. There are Kintore residents prepared to give their time to organise sports and recreation for the youth, but lack the facilities.

The only reservation is the implied extended timescale for the development of public open space and sports facilities. Given the breathtaking rate of house building in the past decade, it is not unreasonable to expect provision of quality community facilities to be given a matching priority.

Otherwise the Draft Brief is strongly supported.

Yours sincerely,



I.A.L. Blair

Chairman, Kintore and District Community Council