
From: secretary.kdcc@gmail.com
Sent: 25 January 2024 15:06
To: Helen Atkinson
Cc: Planning Online
Subject: RE: APP/2023/0872 - Midmill, Kintore

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Good afternoon Helen

We have considered the recent updated submission and wish to continue our objection on several grounds.

The number of parking spaces (20) around the pavilion is still, in our opinion, insufficient for the potential attendees for, for example a couple of teams of whatever sporting discipline or if say a group had a fundraising event.

The pavilion does not appear to have any storage facilities that groups could securely keep their equipment in when they are not being utilised.

We take onboard the provision of play equipment envisaged in their last presentation but feel all things considered they are offering the very minimum they can provide as part of their legal obligation and we do not consider that the addition of this amount of houses should be permitted without a more substantial input to the Town Park for Kintore for the residents of Kintore. This is supposed to be an enabling development but doesn't appear to be fit for purpose.

In one of their presentation slides they included the following points, the highlighted section does not give us any reassurance what the community in Kintore will benefit from as yet to be identified and we really cannot support until fuller details are available.

Town Park Initial Conclusions

- Pavilion
- Play Area
- Transfer Area to Aberdeenshire Council
- **Then identify favoured options going forward**

We would also be interested in the s75 when it is agreed.

Moira
Chair KDCC

APP 2023 0872 Kintore Town Park MSC application

The revised MSC application is an improvement on the previous application, APP/2020/1999 and APP/2020/0422. It has a single-area town park in a location nearer to the centre of Kintore. Although the submission describes the town park area as 3.53 ha, rather than the 3.8 ha specified by the Garioch Area Committee. It also states two football pitches for the green space, Kintore is amply supported already by four football pitches, the largest is a stone's throw from this proposal, other sporting facilities should be considered as per our feedback from the community.

Public engagement and consultation

However, the application is a development to enable the establishment of a town park for the Kintore community in 2023 and beyond. It needs to stand or fail on the acceptability of the town park to the Kintore community. It was established by Council Officer. on 21 Oct 2004 in a Commentary on Local Plan with reference to Policy Gen\12 applied to APP/2004/3532, the original application for planning permission in principle: "This site is designated a Project Area Site P2 (town park) in the proposals for Kintore and is therefore protected from development which may prejudice the implementation of that open space scheme."

Note that KDCC's response to the publication of the Gauchhill Open Space brief in August 2006 included the following:

"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. 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."

The community needs to be consulted on this consultation. It is very disappointing that this was not done by Live Life Aberdeenshire in the preparation of their 2020 report "*Outdoor Facilities Network Plan – Kemnay*" (which also included references to Kintore).

In an email from the Garioch Area manager to the KDCC Chair on 28 April 2022, she said "I am delighted that KDCC want to be part of how that site could be developed. My position with Scotia will be that community engagement and a partnership approach with KDCC and other community stakeholders will be essential as part of the best way to bring the site forward." During the Garioch Area Committee meeting on Tuesday 11th May 2021 the Area Manager, Ann Overton, commented that "the GAC meeting was not an opportunity for reconsulting the community. ...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."

In an email to Tim Stephen of Live Life Aberdeenshire on 20 April 2022, Cllr Glen Reid said:


"With the recent decision of the Scottish Reporter to uphold our decision to refuse the Town Park due to its inadequate provision/size and location, KDCC would like the community to be involved in what could be done here.

We have recently had amazingly positive community engagement in consultations around the cycle path to Kemnay and the recent proposed boundary change between Kintore and Inverurie Community Councils.

A similar consultation, following a meeting, about realistic sports and leisure provision that could be provided by a revised TP application, would be great. We need to ensure that what is provided meets the requirements of the community, as well as being deliverable. It may be that planning would have to be involved in this process as well.

I am making this request on behalf of the KDCC and I look forward to hearing from you."

The latest progress report on the Garioch Area Plan states the council's, and presumably LLA's, view on the sports provision for Kintore town park:

2.02 New build Midmill Changing Pavilion and pitches				
ACTION DESCRIPTION	STATUS	PROGRESS	DUE DATE	LATEST NOTE
Open spaces that encourage active, healthy lifestyles - new build Midmill Changing Pavilion and pitches	 Overdue	0%	31-Mar-2022	The Developer has now indicated an interest in reapplying for planning permission - which may then lead to negotiations about this project recommencing shortly.

Such negotiations should involve the Kintore community, in line with the GAP priorities:

“Priority 1 - Stronger, Empowered Communities will be achieved with the following outcomes

- Communities are empowered and supported to develop and deliver a vision for their local area
- Communities are well informed, involved in decision-making and take a responsibility in delivery of local actions and priorities.
- Stronger local resilient communities through the contribution of volunteers.
- Our Communities feel empowered and enabled

A formal consultation of the Kintore community needs to be made to determine the community requirements for a town park, and whether the current proposals are acceptable. This needs to be done as part of the decision process on this application.

Town Park Pavilion and parking.

No details of the proposed pavilion have been supplied with this application. We assume that the design is the same as that proposed in APP/2020/1999 and APP/2021/0422. The comments we made to the Appeal Reporter on the pavilion are therefore still applicable, see appendix.

We are concerned that the pavilion design is inadequate to support the operation of sports on the town park. All other council-designed pavilions we have seen in Garioch have one or more large steel containers standing next to them to contain sports equipment not possible to store in the pavilion itself. Such a container at the Kintore town park will reduce the proposed 18 space car park to 15 spaces at best. This is totally inadequate for any sports venue. The car park at Davidson Park has more than 18 spaces, and relies on an additional overspill car park for parking, see photos:



The developer states that the car park “could act as overspill parking when needed”. We are concerned that it will always be used by residents and their visitors for day-to-day parking, as it is accessed by the same access road as the housing estate.

We also note that pavilions, such as the similar one on the Kintore school field are poorly maintained and are usually unoccupied except for training or sports events. In our response on sports facilities, we suggested that a town park pavilion should include a social centre, such as a café and/or bar, as a means of increasing building use and generating income to support maintenance. Such a development could be assisted by funding obtained by the community from Sports Scotland, Lottery Funds, etc. This should be possible if supported by Live Life Aberdeenshire.

Other issues

The developer's design and access statement refer to "other supporting documents submitted alongside this planning application for further information." We are concerned that not all relevant documentation has yet been made available on the public portal. No details of a revised s.5 agreement are available.

We have other comments to make on housing and accessibility issues based on statements in the design and access statement and the submitted drawings, such as the lack of accessible housing proposed for the estate.

However, we would like to reserve our right to comment on these details later when all relevant material has been provided and reviewed.

Appendix. Extract from KDCC response to Appeal Reporter regarding pavilion design.

The Scotia [01 July 2019](#) meeting minutes also record [the revised specification of the sports area](#), and show that the pavilion design was contracted out to the developer to the Principal Architect in the Council's Property & Facilities Management:

1.10	<p>The Town Park area should be 3.513ha.</p> <p>The sports area of the Town Park will be a min 120m x 120m (1.4ha) flat grassed area suitable for multipurpose sports. The general Landscaping beyond / surrounding this area will be confirmed by the Council from a design, place making, biodiversity, and maintenance perspective.</p> <p>█ has issued an Outline Landscape Specification for the Town Park prepared by █ Landscape Architect. █ to review and provide feedback.</p>
1.5	<p>Following discussion, it was agreed that the preferred way of delivering the Pavilion would be for the Council, █, to take the lead on the architectural design, and effectively provide a design service for Scotia. The design would be based on a Brief prepared by █ - informed by the SportsScotland guidance aligned to the Section 75 requirements.</p> <p>█ to generate a Scope of Works and fee proposal. The proposal should be staged through planning, building warrant, and construction elements. Scotia will then effectively appoint Aberdeenshire Council and consultancy design fees will be charged against the project \$75 budget.</p> <p>█ will be the main point of contact for the Council regarding the pavilion.</p> <p>█ to issue the Topographical survey, and any other useful drawings and reports to █.</p> <p>Scotia will still be anticipate being responsible for the construction delivery of the pavilion and car parking etc on site, in order to maintain control over quality and cost.</p>

with [the council benefitting financially from the development](#):

3.2	<p>The costs associated with the Council providing architectural services for the design of the pavilion would be charged to Scotia.</p>
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It is inevitable that the close involvement of the Legal, Planning and Business Services groups of Aberdeenshire Council in the development, however unintentionally, have coloured their judgment about the merits and drawbacks of the proposals.

The July 2019 minutes also record a misleading statement about community consultation about the Town Park:

	<p>█ queried whom the primary parties consulted on the decision to change the Town Park function were, and █ advised it was primarily the Member's, local sports groups, and key Council Services dept's. The Community Council were not specifically involved in these recent consultations, but should have awareness via Member's.</p>
1.4	<p>█ confirmed that the Council felt that a more than adequate level of consultation had taken place both internally, and within the community. Further public consultation by Scotia Homes would not be required.</p>

This does not correspond with the fact that there was **no** consultation with the Kintore community, local sports groups or the community council by the developer, the Council or Live Life Aberdeenshire.