

# KEMNAY COMMUNITY COUNCIL

Chair: Dr Sheila A Simpson FRCP  
Email: paracelsus515@hotmail.co.uk

Sunnyvale  
Kemnay  
Inverurie  
AB515PE

Cc: Ctrs. S Lonchay, A Grant and P Oddie

29 February 2016

Ms Lindsey Geddes  
Planning Officer  
Planning & Building Standards  
Gordon House  
Blackhall Road  
INVERURIE  
AB51 3WA

Dear Ms Geddes

## **Planning Application APP/2016/0144**

### **Erect 8 No. Dwellinghouses, Adjacent To Bennachie Lodge Victoria Terrace Kemnay**

We discussed the above planning application at our meeting on 25 February 2016 and it was agreed to object to the application for the following reasons:

**1. The application is contrary to SG9 1),** it would precipitate flooding, create a significant nuisance and present an unacceptable hazard to the public and the environment.

#### **Justification 1.**

**a)** Paragraph 11 of the Drainage Report states that the site has no reported history of flooding and yet as can be seen in **Fig. 1** and **Fig. 2**, Victoria Terrace was recently flooded in 2013 and 2016. In the recent flooding, the floodwaters reached as far as the entrance to Parkhill, which is where the applicant proposes to take access. The applicant does not intend to discharge surface water into the surface water sewer in Victoria Terrace but proposes to discharge both foul and surface water into the combined sewer in Victoria Terrace. There is insufficient capacity in both sewers for any additional houses other than the existing annex building. See **Fig. 5** which is a letter from the Director of Planning, Gordon District Council dated 01 March 1995; there has been no renewal of, or improvements to, the Victoria Terrace sewer since that date.

**b)** The Detention basin to the east at Fyfe Park drains into the Victoria Terrace combined sewer by means of an attenuation system. The Detention basin cannot cope with the amount of surface water during periods of prolonged rainfall and it not only backs up into Stuart Crescent (see **Fig. 4**), it also overflows into Fyfe Park (see **Fig. 3**). This causes backing up of both the surface water and combined sewers in Victoria Terrace resulting in severe flooding to roads and properties and on the recent occasion discharging raw sewage into Kirkstyle Garage premises.

**c)** During the recent 2016 flooding, it was discovered that the Victoria Terrace surface water sewer was blocked with silt. The attempt to clear the blockage was only partially successful and it was acknowledged that the sewer remains partially restricted somewhere between Parkhill and Bogbeth Road and therefore unable to cope with surface water during heavy rainfall.

**2. The application is contrary to SG LSD2 and SG LSD11**

a) Layout, siting and design of new development. It does not respect the setting or relationship to the existing townscape and neighbouring features. It does not utilise an appropriate use of materials, there is a lack of rhythm to the design elements and no visual appeal.

b) No support systems sustainability of heating, lighting, water and waste systems over the design's lifetime, including the use of water-saving technology and no carbon neutrality statement.

c) No flexibility to adapt to the changing circumstances of its occupants

### **Justification 2**

a) The proposed design is completely out of character with the surrounding buildings. Apart from the proposed reuse of granite stones from the annex building, the use of Siberian Larch cladding is completely out of character with surrounding residential properties and inappropriate. This wood cladding soon fades to take on a drab and unkempt appearance. The proposed roof design resembles something you might see on an industrial estate rather than residential properties. As pointed out by another objector, it actually resembles the former Loco Works in Inverurie where railway rolling stock was maintained and has since been converted to residential properties. Kemnay does have a historical link with railways but to design new houses to resemble an old Loco Works in another town is somewhat absurd.

b) The applicant provides no information about sustainability issues other than solar orientation, there is no mention of any solar panels and the renewable energy system is "yet to be finalised".

c) The proposed development will not be suitable for residents or visitors in wheelchairs, given that the only access will be by stairs. If the number of town houses could be reduced, it may be possible to dispense with the contrived ground floor car ports and create equal opportunity houses that can be purchased and visited by infirmed and wheelchair users. An entrance at ground floor level without stairs would also make the houses suitable for elderly people, contemplating downsizing. The changing circumstances of occupants are not catered for in that when occupants become older or visually impaired they will not be able to negotiate the stairs to either access or leave their house and could become prisoners within their own house.

**3. The application is contrary to SG LSD4 Infill Development 1), 2) and 3)** the nature of the development will erode the character or amenity of the surrounding area, interfere significantly with the existing use of neighbouring sites and will result in the loss of woodland important to the community.

### **Justification 3.**

1) The proposed development does not respect existing surrounding developments and will have a negative impact on local environmental assets and on the character and amenity of the surrounding area. Apart from the proposed use of granite from the annex building, the design and proposed materials are not in keeping with the residential properties in the immediate vicinity. The proposed development is out of character with the nearest building, the Bennachie Lodge Hotel, which is a granite early 19<sup>th</sup> century former Manse.

2) The daily movement of 16 cars through the proposed access / egress on to Parkhill Road will interfere significantly with the operation of neighbouring Kirkstyle Land Rover Garage. The reason being that customer cars are parked along Parkhill Road on a daily basis either waiting to be serviced or having been serviced, which will make access / egress considerably difficult for residents of the proposed development. Furthermore, as can be seen from neighbouring new developments at Kirklands and Bogbeth, residents rarely use their garages for vehicle storage due to the fact that their vehicles are too wide for the standard garage. If the vehicle does fit into the garage, the driver's door cannot be opened to allow the driver to exit. In neighbouring developments, driveways are the preferred choice for parking vehicles but in this development there are no driveways, only 8 parking spaces. This will result in residents either parking on the Parkhill road amongst Kirkstyle Garage customer cars thereby causing more congestion, or they will use the Bennachie Lodge Hotel car park, which will result in bad-neighbour disputes with the Hotel owner.

3) The proposed development will result in the loss of two sycamore trees that are protected by a Tree Preservation Order.

## General Comments

- i) The drawings indicate that there will be only **one bedroom** and yet paragraph five on page two describes the development as 8 reasonably priced **three bedroomed** townhouses? If these houses are in reality three bedroomed properties, they will not be affordable townhouses as described in paragraph five on page 4 of the Design Statement.
- ii) It is clear and logical that the room identified as a “Family Room” on the second floor will undoubtedly be a bedroom. In this case, the proposed “Master Bedroom” should be either “Jack & Jill” dual access or accessed from the hall for use by both bedrooms.
- iii) The final paragraph on page 7 of the Design Statement infers that this development will enhance the commercial viability of the neighbouring Bennachie Lodge Hotel. This is not a valid material consideration for determining this planning application.
- iv) The final two paragraphs on page 8 of the Design Statement “Conclusions” refer to creating an eye catching innovative design but as can be seen from the extensive objections from neighbouring residents, the proposed design is considered to be just the opposite and accordingly somewhat detrimental to the area and certainly not appropriate as a Kemnay gateway feature.

## Conclusion

It is quite clear that there are two major problems with the present proposals. Firstly, and of paramount importance is that there are severe and undeniable drainage problems relating to this site. Residents and businesses in the area should not be subjected to an increased risk of flooding for the sake of erecting 8 houses, purely for maximising development potential and ultimately profit. Secondly, there are design issues in the form of the unacceptable aesthetic appearance and also the fact that these properties can only be accessed by a stairway, which effectively discriminates against infirmed and disabled people, whether they be visitors or potential purchasers.

Unless these two issues can be resolved, Kemnay Community Council will continue to oppose development on this site.

Yours sincerely,

David Evans

Pp Dr Sheila A Simpson FRCP  
Chair, Kemnay Community Council

**Fig. 1. Flooding at Victoria Terrace, Kemnay 08 January 2016**



**Fig. 2. Flooding in Victoria Terrace, Kemnay, January 2013**







**Fig. 3. 08 January 2016 flooding from Detention Basin into Fyfe Park and Victoria Terrace**



**Fig. 4. Stuart Crescent, 08 January 2016**



Figure 5. Letter from Director of Planning dated 01 March 1995

 **GORDON DISTRICT COUNCIL**   
ROBERT T. TINCH  
Director

PLANNING AND ECONOMIC DEVELOPMENT  
GORDON HOUSE  
BLACKHALL ROAD  
INVERURIE AB51 3WA  
Telephone No. (01457) 620981  
Fax (01457) 624285

Your Ref  
Our Ref LPR/KEM  
Date 1 March 1995  
If telephoning or calling ask for:  
Mick McLoughlin Ext 395

Rural Exchange:  
DX 775 Inverurie

Mr David Evans  
Oaklands  
Parkhill  
KEMNAY  
AB51 5PL

Dear Sir

**KEMNAY LOCAL PLAN REVIEW**

In view of recent discussion by the Community Council on the above I can confirm that I have commented to Mr [REDACTED] on why my Council does not consider the area around Kirkstyle to be a suitable site for development. The reasons are as follows (and as communicated to him):

- The ground owned by Gordon District Council is affected by two planning considerations - partly, as far as the northern area is concerned the Quarry, but more importantly by drainage problems. For this very reason we have already commissioned a very detailed professional engineering investigation into the drainage of this site. The conclusion is it is not capable of being drained at economic cost.
- Similar considerations apply to Mr [REDACTED]'s site. The Regional Council's Water Services Department has consistently advised that there are severe surface water drainage problems associated with his site. In May 1993 they advised me that his site:

"is not readily developable in drainage terms. The bulk of the site drains to the south towards Victoria Terrace where there is no ready means for disposal of surface water. 1200 metres approximately of off-site trunk surface water sewer would be required and the cost is likely to be prohibitive".

Again in July they advised me that:

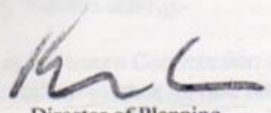
"there are no suitable water courses in this area. The natural fall of the ground is to the south towards the public road and then towards Victoria Terrace where there is no ready means for this disposal of surface water.

A new trunk surface sewer discharging to the river would be required. This would involve in the order of 1200 metres of pipe skirting the community of following the line of Victoria Terrace/Grove Road/Riverside Road (Subject to investigation). Whilst budget costs have not been prepared it is considered that the cost of the work to be borne largely by the developer is likely to be prohibitive".

I have seen no detailed engineering evidence from Mr [REDACTED] that would suggest how these problems might to be overcome.

I trust this information clarifies matters.

Yours faithfully

  
Director of Planning  
MIM/O