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The Secretary  
Kemnay Community Council  
35 Paradise Road  
Kemnay

06 March 1995

Director of Planning  
Gordon District Council  
Gordon House  
Blackhall Road  
Inverurie, AB5 9WA

Dear Sir

\_GORDON DISTRICT LOCAL PLAN REVIEW - EARLY CONSULTATION\_

Thank you for your letter dated 16 January 1995. The information was circulated amongst members and discussed at our meeting of 23 February 1995.

Without doubt, the major impact upon Kemnay will be as a result of zoning sufficient land for an additional 100 houses up to the year 2001. Although we have consistently opposed further major housing development in Kemnay, we must now acknowledge the adopted GRC Structure Plan requirement. Of the two sites proposed, there was an initial preference expressed for the "alternative site" at Monymusk Road, at our meeting of 26 January 1995. However, at our February meeting ██████████ expressed a desire to develop his land at Kirkstyle Farm for housing and outlined his proposals. Whilst we realise that such proposals are considered to be unsuitable by Gordon District Council, our final opinion regarding the most suitable site for development has been left in abeyance pending receipt of further information and discussion.

We support the proposals for the "Community Planning Obligation" which will be a burden upon the developer of either of the housing sites. In view of the fact that Gordon District Council acquired the vacant and cleared site in Paradise Road and to the rear of Kemnay Public Hall (former David Legge, Joiners Workshops), with a view to eventually extending the Public Hall and enhancing community facilities, we consider that any planning gains should be directed towards developing this underutilised asset. Development of this site would be compatible with "Aim 11: Resource and Energy Efficiency" (page 14). Furthermore, with regard to Policy CS1 (page 117), we would advocate safeguarding this site for development of future community facilities.

We support the proposal that designates the immediate area surrounding the settlement boundary of Kemnay as being Countryside Around Towns (CAT) as per Policy H6 (page 80). Whilst this is not altogether apparent from the proposals map, we are assured of such by planning officials. With regard to Policy H6 (e), we feel this policy category should be further reinforced as per the present Local Plan Policy ENV2 4.3.4 which requires that "G.D.C. will have to be satisfied that there is a genuine need that cannot be met by using an existing dwelling or building within the settlement". Without this control

it would be in the interests of all retiring farmers to obtain approval for a house site on farmland and sell the approved site at a profit; this is clearly contrary to one of the main criteria for the Local Plan which appears on page 11 (Item 2. paragraph 2), "putting community interests first rather than private interests of the individual". This would encourage unnecessary development outwith the District's settlements which is in direct contradiction of "Objective 6" (page 16).

Similarly, with regard to Policy H7 (f), we feel this policy category should be further reinforced as per the present Local Plan Policy ENV2 4.3.4 "G.D.C. will have to be satisfied that there is a genuine need that cannot be met by using an existing dwelling or building within a nearby settlement". Policy H7 Housing Development in General Countryside (page 82), is rendered totally ineffective by the inclusion of category (h) which will nullify any form of development control in the General Countryside. The requirements that new housing be of "good design", "good siting" and be "readily serviced", are included in the first paragraph of Policy D1 and the inclusion of category (h) in Policy H7 is a clear attempt to undermine the preceding categories (a) to (g). Any developer can always produce a house of acceptable design and the further requirements of being well-sited and easily serviced are open to individual variable interpretation and abuse. Applications refused on the basis of not being included in categories (a) to (g) can easily be appealed as being acceptable under category (h). It will only take one successful appeal to set a dangerous precedent which will produce a glut of similar applications under this category and will result in an absolute minimum of control over, and continual leakage of, housing in the general countryside. Category (h) effectively defeats the entire purpose of the preceding seven constraining categories (a) to (g) and is in direct contradiction of "Objective 6" (page 16), which purports to restrict unnecessary development outwith the District's settlements. We would advocate and support the deletion of category (h).

We support the proposals for an "Area of Special Character" generally along Victoria Terrace, Grove Road and High Street. We were of the opinion that this could perhaps be extended to include further suitable properties in Paradise Road, Church Lane and Kendal Road. In this same area, with regard to Policy ENV6 (page 52), there are a number of mature trees of significant amenity and landscape value along Victoria Terrace, Grove Road and adjacent to the War memorial, which would benefit from long term protection and care.

With regard to the hatched area around Kemnay House, identified for "greater public access", we regret the lack of consultation with the owner regarding this proposal. Greater public access would initially infringe upon the privacy of individuals who live within this tranquil area and it would also be detrimental towards the ecology of what is considered to be a sensitive, undisturbed and natural environment.

We are somewhat confused with regard to the area to the west of Dalmadilly West (ED3), which is hatched and identified as being safeguarded for future development. In the event that this area is adjacent to the new sewerage treatment works, it would certainly be inappropriate for future housing

development and we are assuming the safeguard relates to either future industrial development or extension of the Sewerage Treatment Works. We would therefore require further elaboration on this proposal.

With regard to Policy D1 (b) (page 21), and D7 (page 28), a common cause for concern with regard to new development is the loss of a certain aspect or view which has always been enjoyed prior to new development and has often been one of the main factors influencing the original purchase of a property. In this respect we would support the inclusion of an additional safeguard relating to a right to enjoy a specific view or aspect, the loss of which would be considered to be detrimental to a neighbouring house.

Finally, we support the general underlying theme of "resource efficiency", which is evident throughout the whole Consultative Draft Replacement Plan. With regard to using site identifiers such as ED1, ED2 and ED3 for specific sites at Dalmadilly, this can cause confusion and lead to the mistaken belief that "Policies" ED1, ED2 and ED3 relate to these specific sites.

Yours sincerely

David W Evans  
\_p.p. Kemnay Community Council