

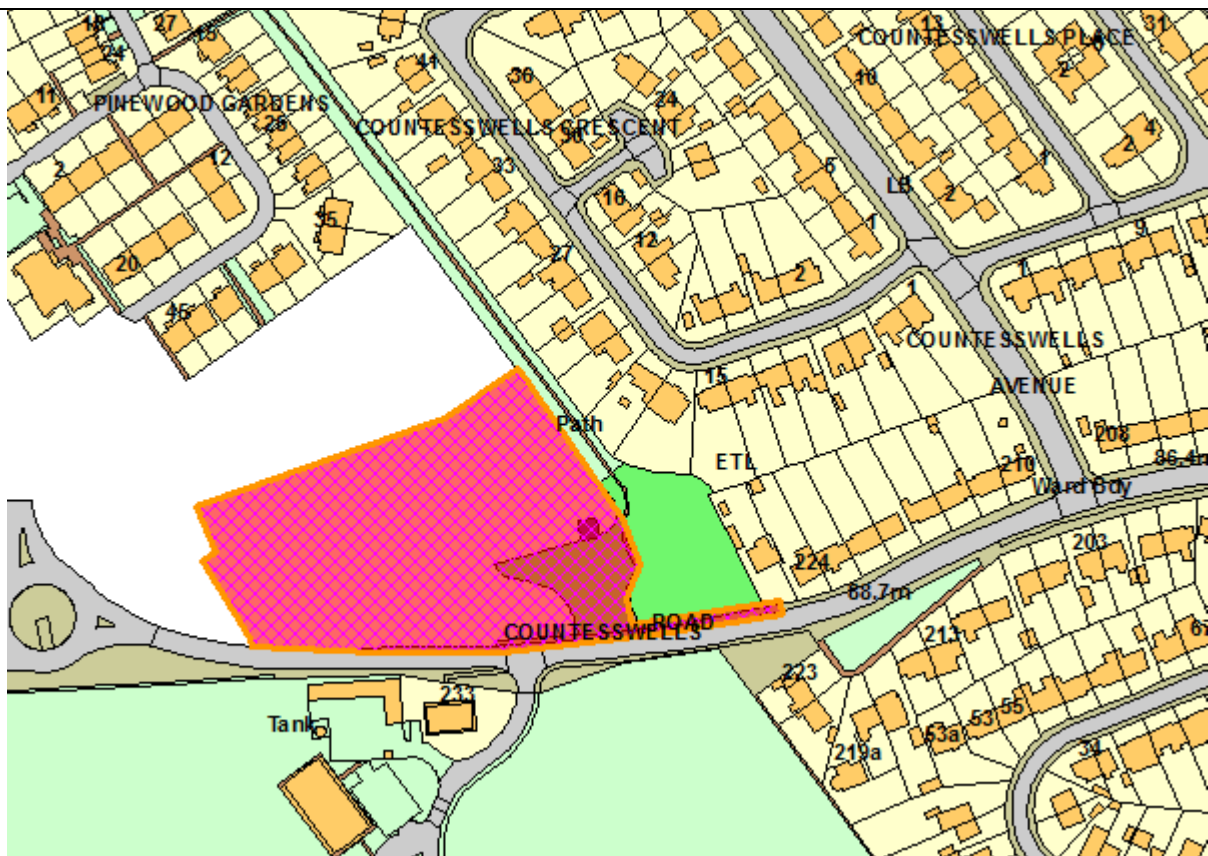


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 24 September 2020

Site Address:	Land at Countesswells Road, Aberdeen
Application Description:	Erection of Class 1 (shops) retail unit with associated car parking, access, landscaping and associated works
Application Ref:	200659/DPP
Application Type	Detailed Planning Permission
Application Date:	30 June 2020
Applicant:	Aldi Stores Ltd
Ward:	Hazlehead/Ashley/Queens Cross
Community Council:	Craigiebuckler And Seafield
Case Officer:	Gavin Evans



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RECOMMENDATION

Approve Conditionally & Legal Agreement

APPLICATION BACKGROUND

Site Description

The application site lies on the northern side of Countesswells Road, immediately to the west of a roundabout junction with the newer section of Countesswells Avenue and directly opposite the access to Robert Gordon's College playing fields, on the southern side of Countesswells Road.

The site extends to approximately 1.2 hectares and forms part of a wider area of land between Countesswells Road and Hazledene Road that has been the subject of residential planning permissions which are partially implemented at present. The planning history of the site is summarised separately within this report. This site occupies the south-eastern portion of the 'Pinewood' site, referred to as Pinewood Zone F in earlier residential applications, and is bounded to the south by Countesswells Road and to the east by a footpath and a tree belt, beyond which lie existing residential properties fronting Countesswells Crescent and Countesswells Road. Possibly the most notable feature of this site is that it lies partially under high-voltage overhead power lines, which are of considerable height and are a strong feature in the local topography.

This portion of the site is undeveloped, with the exception of preparatory earthworks and use as a construction compound associated with the ongoing residential development on adjoining land, off Countesswells Avenue.

Relevant Planning History

Application Number	Proposal	Decision Date
A7/2178 (072132)	PPiP Pinewood (150 homes)	19.08.10
A8/0530 (080831)	PPiP Hazledene (200 homes)	19.08.10
120029	MSC for Hazledene	10.04.14
120952	MSC for Pinewood	10.04.14
120371	Sales-related advertisements	21.05.12
130994	MSC for Hazledene Zone A layout	17.12.13
131037	MSC for Hazledene (internal roads & traffic calming)	09.12.13
130820	MSC for Hazledene Zone H layout	17.12.13
130983	MSC for Hazledene – landscaping, open space, dry-stone walls	09.12.13
170525/DPP	Erection of care home and 4 dwellings	06.12.17
170243/DPP	Erection of 116 dwellings comprising of 2 apartment blocks, 35 houses and retirement apartment block (Zone F, Pinewood)	22.08.18
180224/PAN	Proposal of Application Notice	02.03.18
182053/DPP	Residential development comprising of 216 units (across zones A, B, C, D and E) with associated access, landscaping and infrastructure	28.08.19

APPLICATION DESCRIPTION

Description of Proposal

This application seeks detailed planning permission for the construction of a Class 1 retail food store (gross floor area 1,846sqm), along with associated means of access, car and cycle parking, landscaping and boundary enclosures. The site would be accessed via a single vehicular access point onto Countesswells Road, mid-way along site frontage. On entry, customer traffic would turn left to access the car park, which operates on a one-way basis and includes zebra crossing points,

whereas the service yard and loading bay would be located to the right, allowing for the separation of pedestrian and HGV movements. Pedestrian access points are shown at the vehicular access and also via connections to the adjoining housing development to the north and to Countesswells Road at the south-western corner of the site.

The building itself would be positioned on the northern portion of the site, with car parking (totalling 101 spaces, which includes designated accessible disabled spaces, parent & child spaces and 2no Electric Vehicle spaces with charging infrastructure) wrapping around the south-western corner of the store. It is designed with its public elevations facing south and west, towards Countesswells Road and the new portion of Countesswells Avenue respectively.

The store is a single-storey, flat-roofed building of contemporary styling, incorporating full-height glazing in the 'shopfront' west elevation, to Countesswells Avenue, and high-level glazing along the southern elevation, facing across the car park to Countesswells Road. The building would be primarily finished in white render, but also makes use of a stone cladding seen elsewhere in the neighbouring residential development.

Supporting information forming part of the planning application indicates that the proposed store is to be operated by Aldi, an established supermarket chain with existing stores in Aberdeen at Cornhill and the Beach Retail Park, and also in Westhill in Aberdeenshire. It is suggested that a store in this location would meet an identified need for retail food provision in the west of the City.

The proposal involves a degree of impact on existing trees, discussed below, but also offers scope for new tree planting and landscaping along the Countesswells Road site frontage. This frontage and the boundary to Countesswells Avenue, to the west, would also incorporate dry stone walls to match those within the wider residential development, reflecting the character of the local area.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QBTM78BZIA100>

These include:

- Transport Assessment
- Tree Survey
- Geo-Environmental Assessment
- Acoustic Assessment
- Landscaping Plans
- Streetscape Elevations
- Design and Access Statement
- Report detailing non-statutory pre-application consultation
- Planning and Retail Statement
- Drainage Statement/Flood Risk Assessment

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because it has attracted a level of objection exceeding the threshold (6 or more) set in the Council's Scheme of Delegation.

Pre-Application Consultation

This application is a 'local development' based on the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations, and therefore there is no statutory requirement for such pre-application consultation. Nevertheless, the applicant has undertaken pre-application consultation voluntarily. This involved the creation of a dedicated consultation website with details of the proposals and the ability to submit online feedback, notification of the public via over 2,000 leaflets being issued to local residents within 1km of the site, notification of local ward members, issue of a press release which resulted in local newspaper coverage, and the holding of a virtual consultation event, which took the form of a 'live' online question and answer session. Details of the feedback obtained via this voluntary pre-application consultation are contained within the Pre-Application Consultation Report, submitted as part of this application, which also includes the original consultation materials and redacted feedback forms.

CONSULTATIONS

Scottish Environment Protection Agency – No objection. Notes that the water quantity aspects of surface water drainage/run-off are largely within the remit of the planning authority, in conjunction with its flooding, roads and building standards teams. On that basis, no detailed comment is offered on this issue, however it is advised that any longstanding drainage problems associated with historic field drains may be addressed through identification of broken or cut-off field drains on site and ensuring that they are adequately redirected or closed off, in conjunction with an adequate scheme of SuDS on site. Highlights that the site should connect to the public sewer in order to comply with policy NE6 (Flooding, Drainage and Water Quality), which does not permit private wastewater treatment systems in sewered areas. The development is proposed to be connected to the wastewater drainage system associated with the adjacent residential development. It is understood that this is not yet adopted by Scottish Water but is proposed to be. If connection to the public sewerage system is not to be secured, then SEPA request that they be reconsulted as they would object to the principle of private drainage in this location.

Scottish Water – No objection. The proposed development would be fed from Invercarnie Water Treatment Works and Nigg PFI Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently, and suggests that the applicant completes a Pre-Development Enquiry form and submits directly to Scottish Water (this is required for all proposed developments prior to any subsequent formal Technical Application being lodged).

ACC - Structures, Flooding and Coastal Engineering – Note that it appears that pre-development runoff from the site discharges into the existing watercourse to the north and that the applicants propose that post-development runoff would discharge to the surface water sewer serving the adjoining residential development site to the north, with submissions stating that 'the surface water sewer is understood to discharge to balancing ponds located in the land to the north'. ACC's Flooding Team recommend that the post-development run-off from the proposed development is discharged into the existing watercourse as is currently the case pre-development, rather than utilising the surface water sewer system serving the adjacent housing development. A detailed drainage design should be submitted to the planning authority, in consultation with ACC's Flooding Team, for approval, however officers are satisfied that this can be readily achieved by way of a suitable suspensive planning condition and does not present an impediment to approval.

ACC - Developer Obligations – Identifies a requirement for a developer contribution of £2,827 towards the enhancement of Core Path 64 and/or 65, based on impact/additional demand attributable to the proposed development.

Police Scotland – No objection. Note that the Countesswells Road area is classed as a low crime area. Consider that the proposed store has good natural surveillance from Countesswells Road and the neighbouring housing to the rear. Suggest that due consideration is given by the applicant

to measures to prevent theft of goods and materials during the construction phase. It is also recommended that the applicant seeks to achieve the 'Secured by Design' award, and that this be secured through use of planning conditions.

ACC - Waste and Recycling – No objection. General advice offered on the provision of suitable waste storage and collection points.

ACC - Environmental Health – No objection. Initial queries relating to the noise assessment have now been addressed and Environmental Health colleagues recommend that the following matters be addressed by planning conditions:

- Limit use of the Deposit Return Scheme recycling facility to store opening hours: Monday to Saturday 08.00 to 22.00 and Sunday 09.00 to 19.00; and
- Restrict night-time store deliveries, with deliveries permitted from 06.00 to 22.00 only.

ACC - Roads Development Management Team – No objection. Notes that the site is accessible via existing public transport services serving Countesswells Avenue, and via the existing network of footpaths in the surrounding area, which would be supplemented by delivery of a new section of footpath/footway along the site frontage to Countesswells Road and connections to the site from the surrounding paths. The vehicular access is acceptably located and will be subject to further consideration via the Roads Construction Consent process.

Appropriate on-site provision is made for car parking, with 101no spaces, including 7no spaces identified for disabled use, 10no parent and child spaces and 2no dedicated Electric Vehicle spaces with charging infrastructure. Acceptable provision is also made for cycle parking, both for customers and for staff use. The submitted Transport Assessment demonstrates that trip generation associated with the proposed development can be accommodated by the local roads network and would not result in an adverse impact on any road junctions that would warrant mitigation works to increase capacity in the road network.

Craigiebuckler and Seafield Community Council – Recognises that Aldi's proposal is welcomed by a significant majority of residents in the local area and its location and accessibility have merit, via the extension of existing path links and encouragement for sustainable travel, but the proposal could be improved upon by addressing the following matters:

- Consider that a pelican crossing on Countesswells Road is necessary to allow safe access to the neighbouring playing fields and conversely to the proposed store, given the increase in traffic;
- A bus stop should be provided nearby to assist elderly people and those with mobility issues;
- Concern regarding large HGV delivery vehicles and potential associated impacts;
- Countesswells Road may be unsuitable for HGV use at peak times and during primary school start/finish;
- Car headlights within the car park and at the site access would have an adverse impact on residents of properties in Pinewood Gardens;
- Level of illumination in car park would intrude on neighbouring properties (e.g. in Pinewood Gardens);
- Noise from car park traffic and delivery vehicles may disturb nearby residents.

REPRESENTATIONS

A total of 149 valid and timeously made representations have been received in relation to this application. Of these representations, 87 are in support of the proposal, 58 state objection, and 4 are neutral in content. These submissions raise the following points:

Support

- Need for retail in the area;
- Welcome alternative of driving to existing supermarkets;
- Existing retail provision insufficient and outdated with inadequate parking;
- Accessible location, will reduce car trips and improve accessibility to older local residents;
- Aldi welcomed as positive shopping experience and employer;
- Job creation;
- Would support continued use of local bus service;
- Low profile design welcomed;
- Sympathetic landscaping welcomed;
- Extension of pavement and core path welcomed;

Neutral

- Preference for access to be taken from roundabout;
- Traffic calming required;
- Better cycle parking required;
- Pedestrian crossing required;

Objection

- No need for new retail in the area;
- Detrimental impact on existing shops in the area at Mannofield, Seafield and Morningside;
- Submissions fail to consider any adverse impact on existing Asda retail locations at Garthdee and Links Road/Beach Boulevard;
- Quiet countryside location;
- Traffic impact;
- Insufficient road infrastructure;
- Unsafe crossing;
- Impact on safety of school children;
- Impacts of HGV deliveries;
- Potential for anti-social behaviour in car park;
- Other Aldi's available and accessible by car or bus;
- Should be located within a group of shops or alongside other facilities such as a school;
- Proposal would be better located within Countesswells new development to west;
- Detrimental impact on local businesses;
- Need to support local businesses, not chains;
- Loss of green space;
- Impact on wildlife;
- ACC own the land;
- Dandara did not make house purchasers aware of this proposal – 'back door' process;
- Insufficient consultation and poor timing by applicant;
- Site is too small;
- Light and noise pollution;

- Would only cater for non-locals;
- Impact on recreational use of the area;
- Site would be better as a playground;
- Unwelcome precedent;
- Would be better located on Union Street
- Springfield Road / Countesswells Road junction requires to be upgraded.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

National Planning Policy and Guidance

Scottish Planning Policy (SPP), 2014

SPP's Principal Policies, in relation to Sustainability and Placemaking, are both of relevance, along with its Subject Policies in relation to: promoting town centres; supporting business and employment; valuing the natural environment; managing flood risk and drainage; and promoting sustainable transport and active travel.

SPP's Principal Policy on Sustainability sets out that 'SPP introduces a presumption in favour of development that contributes to sustainable development'. This is explained as meaning that decisions should be guided by a series of stated principles. Of particular relevance to this proposal are:

- *'giving due weight to net economic benefit'*;
- *'supporting good design and the six qualities of successful places'*;
- *'making efficient use of existing capacities of land, buildings and infrastructure'*;
- *'supporting delivery of accessible housing, business, retailing and leisure development'*;
- *'supporting climate change mitigation and adaptation including taking account of flood risk'*;
- *'having regard to the principles for sustainable land use set out in the Land Use Strategy'*;
and
- *'avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality'*

SPP's Placemaking policy sets out that the overarching aim should be for the planning system to *'direct the right development to the right place'* and that *'Planning should take every opportunity to create high quality places by taking a design-led approach'*. It also outlines that the planning system should support development that is designed to a high quality, which demonstrates the six qualities of successful place:

- Distinctive
- Safe and Pleasant
- Welcoming
- Adaptable
- Resource-efficient

- Easy to Move Around and Beyond

SPP also highlights that design is a material consideration in determining planning applications, and that permission may be refused, and the refusal defended at appeal solely on design grounds.

As regards retail uses, the ALDP is consistent with SPP's policy position on establishing a network of centres and having regard to that network in the determination of planning applications. Policy NC5 of the ALDP echoes the criteria set out in para 73 of SPP in relation to out-of-centre retail locations.

Aberdeen City and Shire Strategic Development Plan (2020) (SDP)

The Strategic Development Plan 2020 was published in August 2020. The purpose of this Plan is to set a clear direction for the future development of the City Region. It sets the strategic framework for investment in jobs, homes and infrastructure over the next 20 years and promotes a spatial strategy for the next 20 years. All parts of the Strategic Development Plan area will fall within either a Strategic Growth Area or a Local Growth and Diversification Area. Some areas are also identified as Regeneration Priority Areas. The following general targets are identified; promoting diversified economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change and limiting the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

Aberdeen Local Development Plan (2017)

Relevant policies

- D1: Quality Placemaking by Design
- H1: Residential Areas
- I1: Infrastructure Delivery & Planning Obligations
- NC4: Sequential Approach and Impact
- NC5: Out of Centre Proposals
- NC8: Retail Development Serving New Development Areas
- NE1: Green Space Network
- NE4: Open Space Provision in New Development
- NE5: Trees and Woodland
- NE6: Flooding, Drainage & Water Quality
- NE9: Access and Informal Recreation
- R6: Waste Management Requirements for New Dev
- R7: Low & Zero Carbon Build & Water Efficiency
- T2: Managing the Transport Impact of Development
- T3: Sustainable and Active Travel
- T5: Noise

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be, and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- these matters have been subject to public consultation through the Main Issues Report; and,
- the level of objection raised in relation these matters as part of the Main Issues Report; and,
- the relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case by case basis. In this case, the following policies from the Proposed ALDP are of relevance, however it is noted that there is no fundamental change in the zoning of this land or in the general approach to the location of new footfall generating retail uses, which remains consistent with the national policy outlined in Scottish Planning Policy.

- D1: Quality Placemaking
- D2: Amenity
- D5: Landscape Design
- H1: Residential Areas
- VC3: Network of Centres
- VC8: Town, District, Neighbourhood and Commercial Centres
- VC9: Out of Centre Proposals
- VC12: Retail Development Serving New Development Areas
- I1: Infrastructure Delivery and Planning Obligations
- NE2: Green and Blue Infrastructure
- NE4: Our Water Environment
- NE5: Trees and Woodland
- R5: Waste Management Requirements for New Development
- R6: Low and Zero Carbon Buildings, and Water Efficiency
- WB3: Noise
- T2: Sustainable Transport
- T3: Parking

Supplementary Guidance and Technical Advice Notes

- Flooding, Drainage and Water Quality
- Green Space Network and Open Space
- Hierarchy of Centres
- Noise
- Planning Obligations
- Resources for New Development
- Transport and Accessibility
- Trees and Woodlands

Other Material Considerations

Aberdeen City and Aberdeenshire Retail Study: 2018 Aberdeen City Update

Aberdeen City Council commissioned an update to the 2013 Aberdeen City and Aberdeenshire Retail Study (ACARS) to provide an assessment of retail, leisure and related floorspace provision within Aberdeen City and to assess potential future demand and supply for retail and leisure floorspace for the next 15 years. This made a number of recommendations and has been used to inform preparation of the Proposed Aberdeen Local Development Plan.

The Pinewood and Hazledene Planning Brief

This document was not carried forward as Supplementary Guidance to the current 2017 Local

Development Plan, so no longer has statutory status as part of the Development Plan, however it remains a material consideration as Local Planning Advice. The Planning Brief highlights that the development of this site shall create a new edge to this part of Aberdeen and that great care will be required to ensure that the development respects the relationship between the existing urban area and the countryside, with boundary treatments appropriately landscaped. The presence of high voltage electricity power lines is noted as an impediment to the siting of habitable buildings in this southern portion of the site. Consistent with policy NE5 (Trees and Woodlands), the planning brief sets out an expectation that proposals will be sited and designed to minimise tree losses.

EVALUATION

Principle of Development

The application site is located in an area zoned in the Aberdeen Local Development Plan (ALDP) as an H1 Residential Area, wherein policy H1 of the ALDP will apply. Policy H1 expresses broad support for new residential development, subject to specified criteria, and also indicates that proposals for other, non-residential, uses will be refused unless:

1. they are considered complementary to residential use; or
2. it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity

Policy H1 also offers protection for existing local shops, recognising the benefits in having convenient local retail to serve communities.

The ALDP, in line with Scottish Planning Policy, adopts a sequential approach to the location of retail and other significant footfall generating uses. Policy NC1 recognises the City Centre as the preferred location for such significant footfall generating developments serving a city-wide or regional catchment, and development serving smaller catchments shall be located in accordance with the sequential approach outlined in policy NC4 and the associated 'Hierarchy of Centres' Supplementary Guidance. This network of centres and associated hierarchy is intended to ensure that retail and other footfall generating development is directed to appropriate locations. A store of this scale is would not have a city-wide or regional catchment.

Policy NC5 (Out of Centre Proposals) recognises that, in some circumstances, it will be appropriate to allow new footfall-generating development in a location outwith the identified network of centres, and sets out a series of criteria that must be satisfied by any such out-of-centre proposals. These tests will be discussed in detail later in this report.

The ALDP, via policy NC8 (Retail Development Serving New Development Areas) also offers support for the delivery of retail and related uses 'at an appropriate scale to meet the convenience shopping needs of the expanded community'. The greenfield sites at Pinewood and Hazledene were identified as residential allocations in previous iterations of the Local Development Plan, with planning permission granted, partially implemented and work ongoing. In recognition of that progression, these sites are no longer identified as 'Opportunity Sites' in the current LDP, and are instead indicated as part of the wider Residential H1 zoning. Nevertheless, the principle expressed in policy NC8 of providing retail on site at an appropriate scale to meet the needs of new and expanded local communities remains valid given the increased local demand attributable to this new residential expansion. Whilst the current proposal is 'out-of-centre' and requires to be assessed against the criteria in policy NC5, it is considered that policy NC8 is a material consideration which supports the principle of new retail use accompanying residential development, as is considered to be the case at Pinewood/Hazledene.

With these points in mind, the principle of retail development at the scale proposed will be established through sequential assessment and consideration against the criteria within the

policies noted above, both in relation to retail matters and the safeguarding of residential amenity. Thereafter, other Development Plan policies relating to accessibility, drainage, landscape and tree impacts, green space network and other matters will also be of relevance.

Accessibility and Transport Impact

The applicant has provided a Transport Assessment in support of this application, which has been reviewed by colleagues in the Council's Roads Development Management Team. This demonstrates that the trips generated by the proposed development can be accommodated by the existing road network without adverse impact on any nearby junctions, and therefore no mitigation works to add capacity are required. A single vehicular access point offers access from Countesswells Road. It is noted that the detailed design and geometry of that access will require further consideration via the Roads Construction Consent process.

The site is accessible by the network of existing footpaths along Countesswells Road and via pedestrian access points from the neighbouring Pinewood development to the west and north, whilst it is noted that Core Path 65 runs north-south along the eastern site boundary. The proposal also includes the upgrading of a gap in the local footway along the site frontage. Existing public transport services operate on Countesswells Avenue, circa 150m to the east of the site and well within the recommended 400m distance, so it is considered that the site is adequately accessible by public transport, notwithstanding the expectation that the majority of trips will be from within the local area.

In recognition that some customers will arrive by car, on-site parking provision is made at an appropriate rate, with 101 spaces including designated accessible disabled spaces, parent & child spaces and 2no Electric Vehicle spaces with charging infrastructure, in accordance with the rates set out in the Council's 'Transport and Accessibility' Supplementary Guidance. Cycle parking is also provided, with 4no Sheffield stands shown close to the main store entrance capable of accommodating 8no cycles. More secure cycle parking for staff, suitable for long-stay use, is contained within the warehouse area of the building. Taking account of these points, it is concluded that the proposal demonstrates its accordance with policy T2 (Managing the Transport Impact of Development), policy T3 (Sustainable and Active Travel) and the associated 'Transport and Accessibility' Supplementary Guidance.

Retail Impact

The first step in assessing retail impact is defining the catchment area. The applicants have used a 7-minute adjusted drive time, which reflects Aldi's typical customer travel patterns and has been informed by existing stores at Westhill, Cornhill and Beach Boulevard Retail Park.

From here, the population within that catchment area is established using credible sources and convenience expenditure per head of population of the catchment is used to arrive at a total available convenience expenditure figure. This is estimated at £58.2m in 2020, increasing to £58.9m by 2022.

The submitted retail statement then identified the existing convenience retail locations within the catchment area, sourcing floorspace figures from IGD (Institute of Grocery Distribution) and historic planning applications and combining these with average sales densities for the relevant retailer, applying national averages to assume the convenience/comparison floorspace split, to arrive at an estimate of turnover for each location (existing store). This process identifies £44.7m in total turnover for convenience floorspace within the catchment in 2020, increasing to £45.35m by 2023. As these figures are based on national averages, it is recognised that there is potential for the actual trading figures to differ in some locations, for example where there is a lack of retail competition present.

These turnover figures for each retail location are then combined with an estimate of the

proportion of trade which comes from within the catchment, based on each location's proximity to the catchment boundary and potential to draw trade from outwith the catchment, to arrive at an estimate of a location's turnover from within the catchment. From this, each location's market share (of the available spend within the catchment) can be estimated. This indicates that circa 60% of the available spend within the catchment is actually spent in retail locations within the catchment and therefore circa 40% (£23.0m) of that spend is 'leaking' from the catchment and being spent elsewhere. The submitted Retail Statement, informed by both the aforementioned analysis and responses from pre-application public consultation, suggests that much of this is drawn from the area by larger retailers such as Asda and Sainsbury's at Bridge of Dee, Tesco and Lidl at Mastrick and Aldi in Westhill. This portion of the assessment indicates that there is a qualitative deficiency in retail provision within the local area currently.

The proposed Aldi store, based on its floorspace and an 80/20 split between convenience and comparison goods and application of national Aldi sales density rates, would generate an estimated annual turnover of £12.64m for convenience sales and £3.0m for comparison sales, with 90% of that turnover expected to come from within the catchment. This equates to £10.74m and £2.55m turnover from within the catchment area. It is notable that this is significantly less than the estimated £23m of expenditure which is understood to be 'leaking' from the catchment at present.

An assessment of 'trade diversions' as a result of the proposed development indicates that no trade diversion from existing retail locations would exceed 6%, with the greatest trade diversions anticipated to be at the future retail location masterplanned and consented as part of the Countesswells development (5.4%) (anticipated to be of a similar scale to this proposal at Pinewood) and the Cults Neighbourhood Centre (4.8% at Sainsbury's Local and 5.1% at Tesco Express). These relatively modest trade diversions from locations within the catchment are partially a result of the smaller scale and limited scope of the existing retail offering, and suggests that much of the turnover for a new Aldi store would come from a greater proportion of spend being retained within the catchment, rather than 'leaking' out to retail locations across the city. The submitted retail statement also highlights a well-established principle in convenience shopping that 'like tends to compete with like', such that a new Aldi is more likely to divert trade from a 'big 4' supermarket brand than any of the smaller stores which are not comparable in terms of their retail offering.

In terms of market share, it is estimated that the proposed Aldi store would secure a market share of 18% of the convenience trade within the catchment area however, as noted previously, much of that would be as a result of capturing existing 'leakage' from the catchment and therefore existing retail locations within the catchment would not be significantly affected in terms of their market share, with no more than 1% decrease observed. The affected stores within neighbourhood centres are the Tesco Express at Cults and the planned neighbourhood centre at Countesswells. Outwith the network of centres, but still within the store catchment, the Tesco Express at Great Western Rd and Co-op on Springfield Rd would also experience 1% decrease, but are not afforded policy protection.

Retail Policy

As noted previously, policy NC8 supports the provision of retail uses at a local scale to serve new residential developments. Policy NC4 (Sequential Approach and Impact) sets out that proposals serving a catchment area similar to that of a neighbourhood centre shall be located in a neighbourhood centre if possible, but may also be located in any centre in the first, second or third tiers of the hierarchy (City Centre, Town Centres and District Centres). Proposals with a gross floor area of less than 2,000sqm are defined in the Council's 'Hierarchy of Centres' Supplementary Guidance as being appropriate to a neighbourhood centre. It follows that the possibility of locating the development within an existing centre must be considered.

Within the identified catchment for the proposed Aldi store, there are Neighbourhood Centres at Cults, Mannofield, Bieldside and Countesswells, and so the applicants have undertaken an assessment of potential alternative sites within those protected centres as part of their retail submission. In recognition of the policy preference for edge-of-centre sites if there are no suitable sites available within retail centres, this assessment also includes potential alternative sites within 250m of the protected neighbourhood centres. Other out-of-centre sites beyond that 250m are discounted on the basis of being no more preferable in policy terms than the site that is subject of this application. It is also noted that many such out-of-centre sites lie on the periphery of the intended catchment.

This assessment has not identified any sequentially preferably opportunities, with sites in and adjacent to the Cults neighbourhood centre being of insufficient size to accommodate an Aldi store and in some cases also lacking the necessary prominent roadside location. The former Hilton Treetops site, which lies outwith but near to the Seafield neighbourhood centre possesses the necessary roadside location, but is still too small for the standard format Aldi store and would also require significant removal of existing mature trees. This assessment demonstrates that it is not possible to locate the development on a suitable alternative site within the existing neighbourhood centres in the catchment area, as required by policy NC4.

Policy NC4 also states that *'in all cases, proposals shall not detract significantly from the vitality or viability of any centre listed in the Supplementary Guidance'*. The Retail Assessment undertaken by the applicants and set out preceding pages of this report demonstrates that there is a limited retail offering within the catchment area at present, resulting in significant 'leakage' from the catchment area, such that the proposed store would be able to retain a greater proportion of convenience shopping expenditure within the catchment area without any significant impact on existing neighbourhood centres. Outwith that qualitative assessment of expenditure and impact, the applicants have also undertaken 'Town Centre Health Checks', which take account of pedestrian flow, representation of national retailers and independents, vacancy rates and physical structure of centres, and which demonstrate that generally these neighbourhood centres are performing well. When these health checks are considered alongside the negligible qualitative impact on trade and market share, it can be concluded that the proposed development would not detract significantly from the vitality and viability of the neighbourhood centres within the catchment, as required by policy NC4.

Policy NC4 also notes that, in major new development areas that are more than 800m walking distance from shopping facilities, *'permission may be granted for the establishment of a new second, third or fourth tier centre'*. In this case, the residential development at Pinewood and Hazledene lies in excess of 1km from the nearest existing shopping facilities at Mannofield Neighbourhood Centre (including Co-op) and the out-of-centre Co-op store on Springfield Road, therefore there is policy support for the establishment of local shopping facilities in principle. Policy NC4 also highlights that there may be restrictions imposed on the amount of comparison shopping floorspace permitted in locations outwith the City Centre, in order to ensure that the offering remains geared towards meeting local convenience shopping needs.

Policy NC5 (Out of Centre Proposals) sets out that significant footfall generating development appropriate to designated centres, where proposed on an out-of-centre location, will be refused unless it can satisfy the following tests.

1. *no other suitable site in a location that is acceptable in terms of Policy NC4 is available or likely to become available in a reasonable time.*

As detailed above in discussion of policy NC4 (Sequential Approach and Impact), the applicants have undertaken a credible assessment of the available sites within and around the local centres in the catchment and found none which would be capable of accommodating a

standard format Aldi store. On that basis, it can be concluded that there is no such suitable site currently available or likely to be come available in a reasonable time.

2. there will be no adverse effect on the vitality or viability of any centre listed in Supplementary Guidance.

Again, as discussed in relation to policy NC4, the quantitative impact assessment undertaken by the applicants demonstrates that the majority of trade diversion would be in reversing 'leakage' of spend from the catchment, such that there is no significant impact on expenditure or market share to any of the protected neighbourhood centres within the catchment. The impact on other centres outwith the catchment area is not considered to be 'significant' in terms of assessment against NC5, in part due to the large scale of those stores in relation to the proposed store, which would serve a predominantly local need. It should be noted that the floorspace proposed does not trigger a requirement for submission of a Retail Impact Assessment under the terms of policy NC4, and the applicant has undertaken that assessment voluntarily to assist with the planning authority's decision making. Nevertheless, this gives an indication of the significance of the floorspace proposed.

3. there is, in qualitative and quantitative terms, a proven deficiency in provision of the kind of development that is proposed.

The assessment summarised in the 'Retail Impact' section of this report demonstrates that there is significant 'leakage' from the catchment at present, which is in large part a result of the limited offering from the generally smaller format stores within its neighbourhood centres and existing out-of-centre locations. Such significant leakage from the catchment area indicates a lack of suitable provision of a certain type within the catchment. The applicants' submissions set out that Limited Assortment Discount (LAD) retailers such as Aldi and Lidl have notable differences from the 'big 4' supermarket brands, and provide an offering which is materially different, and can therefore complement and enhance existing retail provision. A qualitative assessment of the catchment shows that the retail offering is limited, with pre-application responses indicating a pattern of travel outwith the catchment to undertake a 'main' weekly shop. In this regard, the proposals would improve consumer choice and address an obvious gap in local retail provision without significantly affecting existing convenience retailers in the catchment. By making provision locally, the need to travel outwith the catchment to meet local shopping needs should be reduced, avoiding unnecessary car journeys and supporting sustainable travel.

4. the proposed development would be easily and safely accessible by a choice of means of transport using a network of walking, cycling and public transport routes which link with the catchment population. In particular, the proposed development would be easily accessible by regular, frequent and convenient public transport services and would not be dependent solely on access by private car.

The 'Accessibility and Transport Impact' section of this report demonstrates that the site can be accessed by a variety of means, with pedestrian access points connecting to the surrounding network of footpaths and footways. The site lies within the recommended 400m of public transport routes, with services running to the east along Countesswells Avenue (circa 150m away). The proposal would also involve the provision of a pedestrian footway along the southern Countesswells Road frontage to facilitate pedestrian access. Whilst car parking is provided at an appropriate rate to meet the needs of the development, it would not exceed the maximum threshold stated in the relevant Transport and Accessibility Supplementary Guidance and that parking provision includes a proportion of spaces for disabled/parent and child/electric vehicle use. In addition, cycle parking provision is made for both customers and staff use, with the latter being located internally within the warehouse area and therefore more suitable for

long-stay sheltered use. Recommended cycle routes are present on both Countesswells Road and Countesswells Avenue, whilst Core Path 65 also runs near to the eastern boundary of the site. Taking account of these factors, it is evident that the site would not be dependent solely on access by private car, and that local customers would have various options for accessing the site on foot, by cycle or using public transport.

The 2018 Aberdeen City Update to the Aberdeen City and Shire Retail study offers some commentary on the qualitative provision to the west of the city (N.B. a much wider area than the catchment of the proposed store), noting that *'convenience floorspace is dominated by two superstores at Garthdee, and that additional smaller to medium sized units in other parts of the west, especially related to the new expansion areas, would assist in addressing these deficiencies'*. It is noted that the Retail Study Update suggests that these deficiencies be addressed through retail use within specific residential expansion areas, most notably Countesswells, however even with the committed Countesswells retail floorspace accounted for in the submitted retail assessment, the proposed development can be accommodated without significant impact on protected centres within the catchment. This update report also highlights the effect of deficiencies in local provision on travel patterns, noting that *'it is important that major new housing expansion areas include local services and facilities that address the day-to-day needs of the new population. Failure to provide this will force residents to travel to other areas, primarily by car to access these.'*

In summary, it is clear that the proposal meets the criteria set out by policy NC5 in relation to out-of-centre proposals, whilst also being supported by policy NC4 as regards support for the establishment of a new retail centre and policy NC8 as regards the provision of retail development to serve new development areas, in this case the consented and part-constructed residential development at Pinewood and Hazledene. The 2018 update to the Aberdeen City and Shire Retail Study offers some broad support in principle for the provision of additional local convenience shopping to the west of the city to address existing qualitative deficiencies which have led to residents in some areas to the west of the city being required to travel in order to meet their convenience shopping needs.

Siting, Layout and Design

The applicants' submissions highlight the importance of a prominent road frontage for retailers. It is noted also that the presence of the overhead power lines limits the development potential of this portion of the wider Pinewood site for residential purposes, however it is understood that necessary separation distances are reduced for non-residential buildings such as the proposed retail store. Whilst this results in the developed area of the wider Pinewood site increasing and progressing further south into an area otherwise laid out as green space, there is a benefit in terms of increasing the developable area of the site and promoting the sustainable use of the land.

The development would be orientated to face onto both Countesswells Road and the western section of Countesswells Avenue, which serves as the access into the recent housing development to the north and west. The store itself is set back into the site, with car parking to the front and western side of the store and landscaping buffers along the site boundaries. The store itself is a low-rise, single-storey building, and it is noted that the building's height would be lower than that of the flatted retirement blocks previously consented on the site, which were arranged across three floors with a partial fourth floor.

Practical requirements relating to site access, car parking numbers, separation of service vehicles from customer traffic have also influenced the site layout, whilst the applicants' supporting statement sets out that Aldi operates its business on the basis of a uniform standard internal layout, which accommodates the highly efficient and standardised approach adopted across its stores nationwide. The size of warehouse and amenity spaces (including office, W.C., meeting and plant spaces) is described as being directly proportional to the size of the sales area, and

warehouse space has direct access to a loading dock to allow for a clear distinction between public and private spaces. Points of access are well defined and attractive to those arriving on foot, with a legible and easily navigable site layout.

The submitted Design and Access statement shows how 4 options for site layout were considered, with various issues relating to servicing vehicles mixing with customer traffic, reduced scope for landscaped frontage, increased tree losses, undue prominence for 'rear' elevations and service areas and conflict with overhead power lines proving to be determining factors in the development of the final design proposal. Whilst HGV and customer vehicles would access the site via the same access, they would immediately diverge on entry, maximising safety. 'Back of house' spaces such as service yard, loading bay and plant compound would be discreetly located to the eastern boundary and would be screened by a combination of existing trees, new areas of landscaping and the building itself.

New landscaping and tree planting to the southern and western boundaries will assist in softening the appearance of the store and its car parking, whilst the inclusion of full-height glazing enlivens the western store frontage and presents an 'active' street frontage to Countesswells Avenue. The southern elevation features only high-level glazing and, whilst full-height shopfront type glazing might be preferred on this prominent frontage, it is understood that the standardised internal layout makes this unworkable for Aldi. Nevertheless, the generally low-rise appearance of the building is such that its visual impact is not excessive or harmful to the surrounding context, and the incorporation of renders and textured stone cladding to match the residential development to the north assists in integrating the building with its surroundings, adding interest and responding positively to the site context. The use of dry-stone walls along the southern and western boundaries further reflects the local character of the area and the site's history. A canopy along the southern elevation will offer shelter to the customer entrance and trolley area. In terms of contribution towards wider sustainability aims, the proposal would reduce the need for travel by car for convenience shopping needs and the building itself would incorporate heat recovery technology to utilise heat recycled from the store's refrigeration units in heating the store. Taking these points into account, it is considered that the proposed development demonstrates consideration for the six qualities of successful placemaking and the overarching aims of policy D1 (Quality Placemaking by Design).

Green Space Network / Tree Impact

The loss of green space (as was to be retained in the previously consented development to provide an attractive landscape setting) at the site's Countesswells Road frontage is regrettable, however it is noted that the opportunity has been taken to maximise landscaping along the southern boundary in order to soften the appearance of the hardstanding to the front of the store, and trees removed to facilitate the development would be replaced at a rate of three trees for every one removed. Stone walls proposed along the southern frontage are to be welcomed and are in keeping with the established character of the area and are also reflected within the adjacent residential development. As noted previously, the extension of the developable footprint of the Pinewood and Hazledene site into an area unsuitable for residential development (due to the overhead electricity cables) allows for more efficient use of the land, with the loss of green space offset to some extent by the additional new landscaping. There is some encroachment into an area designated as Green Space Network, however the site does no benefit from any other environmental designations based on its ecological value, and terminates towards the western extent of the site's Countesswells Road frontage, so does not offer any onward link that might be used by wildlife in accessing other parts of the designated Green Space Network. It is noted that the green space value of the area along the site frontage would not be wholly lost, with a landscaped frontage to the site retained, the potential for compensatory planting as noted above and the majority of trees being retained on the eastern boundary.

A total of 54 trees were surveyed within or directly adjacent to the site, and these are described as

being mainly concentrated in an informal group towards the south-east corner of the site, with a long line of trees running along the eastern boundary. A further line of closely spaced trees is present along the western boundary. The first of those groups is described as being comprised of trees of generally poor to fair condition, whilst the line of beech, sycamore and lime along the eastern boundary is described as being in fair condition. The line of trees along the western boundary is comprised of sycamore and Norway maple which, despite individual trees being suppressed to varying degrees is in satisfactory condition overall. A total of 9 trees are identified for removal, the majority of which are in poor condition, with limited safe future life expectancy and having been assessed as either category C (low quality/value with estimated life expectancy of at least 10 years) or U (unsuitable for retention). The trees assessed as being of highest value were those arranged in a line along the eastern boundary, which were assessed as category B (moderate quality and value with estimated life expectancy of at least 20 years). On balance, it is considered that a relatively small proportion of the trees in and around the site would be adversely affected by the proposed development, and the extent of removal is limited to that which is essential to facilitate access to the site, along with the necessary car parking and service yard areas. The building itself does not necessitate any tree removal and is located outwith root protection areas, as is the SuDS pond to its eastern end. The proposal to incorporate replacement planting at a rate of 3 new trees for every one lost is welcome and will assist in mitigating losses whilst also expanding the tree cover along the western end of the Countesswells Road frontage through the planting of 27 new trees. Those new trees would include Rowan and Silver Birch, which are prominent in the wider residential development and assist in integrating the development with the surrounding landscape character in the longer-term. New planting also includes Whitebeam and Gold Birch, which offer a degree of distinction for this commercial corner of the wider development area.

It is noted that the north-eastern corner of the building is in very close proximity to the canopies of trees along the eastern boundary, so it is considered appropriate to secure a site-specific construction method statement to outline details of the construction and safeguard those existing trees over and above the mere presence of fencing to protect identified Root Protection Areas. Subject to those measures, it is considered that the proposal would adequately mitigate any tree losses and on balance would accord with the aims of policy NE5 (Trees and Woodlands), by minimising the extent of tree losses, avoiding impact on those of greatest value, siting buildings so as to minimise impact and securing appropriate protection during construction for those trees to be retained.

Adequacy of Open Space Provision

During pre-application discussions, it was recommended that the applicants provide some commentary to explain the effect of this proposal on the overall open space provision for the wider development at Pinewood and Hazledene, given that the developed area of the site was to extend further south into an area previously forming landscaped open spaces in consented housing schemes. This commentary is provided within the applicants' Planning and Retail Statement, which demonstrates that, should this proposal be approved, the open space provision across the Pinewood and Hazledene site would still comply with the terms of policy NE4 (Open Space Provision in New Development), which requires that *'at least 2.8ha per 1000 people of meaningful and useful open space'* is provided in new residential developments. That assessment indicates that the notional population within the consented residential development would require a minimum of 1.95ha of open space to be delivered and, when the proposed Aldi store is accounted for, the open space provision would remain in excess of 5ha, demonstrating that there would be no resultant conflict with policy NE4.

Economic Benefits

The applicants' submissions offer a summary of the anticipated economic benefits of the proposal, which include investment of up to £3.9m in the city, the creation of up to 35 new direct jobs within Aldi, including managerial roles and store assistants, as well as construction-related employment

and indirect employment generation through the associated supply chain. The project is assessed as having a Gross Value Added (GVA) of £2.74m. This benefit represents a material consideration in support of the proposal, and whilst such benefits might be secured on alternative site, the applicants' assessment of other potential sites within the catchment has established that none are both suitable and available within or immediately adjacent to neighbourhood centres.

Drainage and Flood Risk

The applicants have submitted a combined Drainage Statement / Flood Risk Assessment document in support of this application. This assesses flood risk from various sources including surface water flows (pluvial flooding), ground water flooding and sewer flooding and concludes that the site is at low risk from all sources.

This report outlines a surface water drainage proposal for the site, which would involve the use of filter trenches and a swale within the development to treat surface water before it is discharged from the site. This SuDS scheme would attenuate peak flows, meaning that water is discharged at a controlled rate which would not exceed the land's pre-development 'greenfield' discharge rate.

Surface water is understood to currently discharge to balancing ponds located in land to the north. The submission notes that the current application site formed part of the wider residential development to the north, and that it was at that time proposed to connect into the wider drainage system for that residential development. Whilst it is stated that the housebuilder currently responsible for that private system has confirmed its capacity to accommodate the surface water flows at the rate proposed, and the applicants' engineers have confirmed that the drainage systems for the proposed store have been designed to connect to this system, the Council's Structures, Flooding and Coastal Engineering Team has advised that surface water should continue to discharge to the existing watercourse, rather than being directed to the system serving the neighbouring Dandara development. It is understood that there are practical difficulties in achieving this, which could result in significant additional impact on existing trees. Therefore, in order to allow for further consideration of this matter, but in recognition that a solution of some form is achievable, it is appropriate to use a planning condition to prohibit the development commencing until such time as an acceptable alternative scheme for Surface Water has been submitted to and approved in writing by the planning authority, in consultation with colleagues in ACC's Structures, Flooding and Coastal Protection Team. The proposal is otherwise in accordance with the requirements of policy NE6 as regards flood risk.

The report submitted by the applicants highlights that the foul and surface water sewers within the recent residential development to the north have been offered for adoption by Scottish Water as part of the public network, but are nevertheless not yet adopted and therefore remain the responsibility of the housing developer. It is a stipulation of policy NE6 (Flooding, Drainage and Water Quality) that connection to the public sewer in sewered areas will be pre-requisite, and this position is echoed by SEPA's consultation response, which highlights a potential objection if connection is to be made to a private wastewater system. The applicants have clarified that it is absolutely not their intention to operate a private waste water treatment system. However, in order to ensure compliance with policy NE6 and address the concerns expressed by SEPA in its consultation response, it will be necessary to use a planning condition to prohibit the proposed store being brought into use until such time as a connection has been made to the public sewer.

Potential Noise Impact

The main potential sources of noise within the development are the Deposit Return Scheme (DRS), noise from car park areas, a plant compound to the rear of the store towards the northern boundary, and the loading bay located to the eastern end of the building. A Noise Impact Assessment has been provided as part of the supporting documentation accompanying the application. This is not site-specific, but nevertheless looks at these noise sources and their associated noise levels and sets out the minimum distance that they should be located from Noise

Sensitive Receptors (NSRs) without mitigation being necessary. In this case the closest NSRs would be the existing residential properties to the north and east. In all cases, these noise sources are located in excess of the minimum separation distance, in some cases significantly so. On that basis, no specific noise mitigation measures are required, however in order to protect amenity in this otherwise predominantly residential suburban area, it is considered appropriate to restrict deliveries at night via a planning condition. This approach is supported by the Council's Environmental Health team in their most recent response, which also recommends that the DRS is used during store opening hours only. Subject to these controls, officers are satisfied that the proposal will not adversely affect the amenity afforded to local residents as a result of noisy activities, and the proposal is considered to accord with the provisions of policy T5 (Noise) of the ALDP.

Residential Amenity

The proposed development is located in a predominantly residential area, and its zoning in the ALDP requires assessment against policy H1 (Residential Areas). Policy H1 sets out that proposals for non-residential uses will be refused unless:

1. they are considered complementary to residential use; or
2. it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

The proposed retail use is complementary to residential use in that it provides for the convenience shopping needs of those in the local area, avoiding the need to travel across the city to access retail locations of a similar scale with comparable offering. Indeed, policy NC8 (Retail Development Serving New Development Areas) underlines the desirability of ensuring that convenience shopping needs are met locally in new developments and masterplan areas. As has been demonstrated in the preceding discussion on potential noise impact, the distances between the noise sources within the development and the closest sensitive residential premises are such that no unacceptable impact on amenity would result. No details of building or car park lighting have been provided as part of the application, however such information can be secured for further consideration and approval through the use of an appropriate planning condition, to ensure that there is no adverse impact on amenity as a result of light spillage/nuisance. The proposed store opening hours of 8am to 10pm, Monday to Saturday and 9am to 8pm on Sundays are compatible with maintaining residential amenity in the local area and it is noted that the availability of local convenience shopping facilities will offer greater convenience for residents. It is therefore considered that the proposal demonstrates accordance with the criteria set out in policy H1 (Residential Areas) as regards non-residential uses.

Waste / Servicing

The proposal makes adequate provision for the storage of general waste and recyclables within the service yard, and also includes a Deposit Return Scheme (DRS), which retailers will be legally required to provide from July 2022 in order to increase recycling in Scotland, and which is currently being introduced at existing Aldi stores. The DRS is included within the store car park, mid-way along the southern elevation of the building and close to the main entrance. The DRS is described as a 'reverse vending machine', which accepts eligible containers, which are scanned by barcode, and returns a reward (either money or some other means of payment) to the user. Standard DRS units would accept glass, cans and plastics and would operate only within store opening hours, with noise levels controlled through the design of the units to safeguard amenity (discussed further in the 'Potential Noise Impact' section of this report. Returned goods would be manually transferred from the unit to the warehouse for collection, avoiding any collections at the unit by service vehicles. It has already been noted that the proposed site layout involves use of a shared access for customer traffic and service vehicles, however these would immediately branch off on entry to the site, thereby avoiding service vehicles being in conflict with pedestrian movement. Taking these points into account, it is considered that the proposal would accord with

the aims of policy R6 (Waste Requirements for New Development).

Carbon Emissions and Water Efficiency

Policy R7 (Low and Zero Carbon Buildings and Water Efficiency) requires that all new buildings are constructed to achieve specified reductions in carbon emissions through the use of low and zero carbon generating technologies. The associated Supplementary Guidance provides that compliance may also be achieved through efficiencies in the building fabric. The submitted Design and Access Statement indicates that the building would incorporate heat recovery technology associated with refrigeration units and store heating, which is welcomed, however further details will be required to demonstrate exactly what level of carbon reduction has been achieved and establish whether it meets the requirements of policy R7 and the associated 'Resources for New Development' Supplementary Guidance. Similarly, further details of the inclusion of water saving measures will also be required, and it is considered that this information can be secured through the use of planning conditions in order to comply with the requirements of the Development Plan.

Matters Raised in Representations

The development potential of the site is well established through its allocation in earlier development plans, the granting of various planning consents in recent years and the partial implementation of those consents on land at Pinewood and Hazledene. In this regard, the area is in transition and is a point where suburban development to the east meets a more 'rural', green belt setting to the west. This location on the urban edge makes the landscape setting of the site and the mitigation of tree losses crucial to embedding the development in its surroundings.

Comments relating to the need for additional retail development, its location relative to the City Centre and wider network of retail centres and assessment of the potential impact on existing neighbourhood centres have been addressed in the 'Retail Impact' and 'Retail Policy' sections of this report. The suggestion that this development would be better sited within the Countesswells development (ALDP site OP38) to the west is noted, however on-site retail provision has been consented as part of that Countesswells development, and factored in to the assessments of impact undertaken by the applicant. Other retail locations outwith designated neighbourhood centres are not afforded policy protection by the Local Development Plan or SPP, and there is no requirement to avoid impacts on such locations. Nevertheless, the applicants' submissions demonstrate that the impact on existing out-of-centre locations within the catchment area would not be significant in terms of market share or turnover from convenience shopping expenditure. It is noted that new retail provision in this location would reduce the need for car trips to access convenience shopping of a comparable scale and type, which is supported by the policies T3 (Sustainable and Active Travel) and NC5 (out of Centre Proposals) of the ALDP. The preceding sections of this report also address the qualitative and quantitative deficiencies in the existing retail offering within the catchment area.

Matters relating to the site's accessibility by various means, impact on the local road network, servicing arrangements, adequacy of car and cycle parking, and relationship with the existing Core Path are similarly addressed in the 'Accessibility and Transport Impact' section of this report. Appropriate provision has been made for pedestrian access, so it is unclear why the site should be considered unsafe for school children. The location of the site's vehicular access has been found to be acceptable following review by the Council's Roads Development Management Team, having been moved to ensure adequate separation from the access to Robert Gordon's College playing fields, opposite on the southern side of Countesswells Road. No requirement for traffic calming or requirement for a new pedestrian crossing, based on the specific impacts of this proposed development, has been identified by RDM colleagues. It should be noted that such infrastructure improvements can only be sought where they are required as a direct result of the impact of a proposed development.

Design considerations, impact on existing trees, significance of encroachment into existing open

space and Green Space Network designation and the potential for new landscaping and tree planting are also discussed in detail in earlier sections of this report. Whilst a desire to support local businesses rather than chains is noted, the planning is obliged to consider the application before it, which is proposed by a major discount retailer, and the Development Plan makes no distinction in its policy approach based on the identity of the applicant. Similarly, suggestions for better use of the site are noted, however the planning authority must consider the proposal that is before it in terms of its compliance with the Development Plan. As regards the adequacy of the public consultation undertaken, it should be underlined that the applicants were not obliged to undertake any statutory pre-application consultation, and the positive approach adopted was entirely voluntary.

The location of this development has been selected by the applicants on the basis of the chosen catchment and the identified qualitative and quantitative deficiencies in the existing retail provision. The impact of the proposal on residential amenity, its possible noise impact from deliveries, servicing and other sources are considered in the 'Residential Amenity' section of this report. The submitted documentation clearly evidences the extent of the 'leakage' in convenience shopping expenditure from the catchment area, indicating that approximately 90% of the proposed store's turnover would be associated with those resident within the catchment. It is not considered that approval would set any sort of unwelcome precedent, as retail proposals are by their nature justified on the basis of the specific circumstances of a particular case, and would be assessed against the policies of the Development Plan and SPP's retail policy approach on their own merits. That Dandara, as the developer of the neighbouring residential scheme at Pinewood and Hazledene, did not make prospective residents aware of the possibility of the proposed on-site retail development is not a material consideration, and does not preclude the planning authority's assessment of the proposal on its merits. It should be noted that the Local Development Plan supports on-site retail development to accompany major residential developments, via policy NC8. Ownership of the land is not a material consideration, however it is understood that ACC is no longer its owner, having sold the site to the developer of the adjoining residential scheme.

Matters relating to the economic and employment benefits of the proposal are discussed in the 'Economic Benefits' section of this report, and are recognised as material considerations in support of the proposal, to be considered alongside all other factors.

As regards the scope for anti-social behaviour within the store car park, the design and layout of the scheme is such that this area sits to the fore of the building and is therefore readily overlooked from the road and subject to passive surveillance. An appropriate scheme of lighting, secured by condition, will further assist with making this area unattractive to such anti-social behaviour. It is noted that no specific concerns have been raised in this regard through consultation with Police Scotland's Architectural Liaison Officer.

Matters raised by Community Council

The Council's Roads Development Management Team has assessed the supporting Transport Assessment and advised that the proposals for pedestrian access to the site are adequate, with no requirement for a new crossing to offset the impact of the proposed development. There are existing bus stops approximately 150m from the site, which is well within the 400m recommended by ACC's 'Transport and Accessibility' Supplementary Guidance and Scottish Planning Policy. On that basis, there is no requirement for the applicant to secure or fund upgrades to existing public transport infrastructure. The noise impacts of car park usage and delivery/service vehicles have been discussed elsewhere in this report, which found that the separation is such that noise levels would not require to be mitigated in order to achieve the necessary thresholds at residential properties. The suggestion that Countesswells Road is not suitable for heavy goods vehicles is not supported by the consultation response from the Council's Roads Development Management Team, and appears out of step with the significant residential development allocated and consented at Pinewood, Hazledene and Countesswells. Ultimately, goods vehicles are entitled to

use this route at present, and could not be prevented from doing so in approval of this application for planning permission.

No specific assessment has been undertaken in relation to car headlights, however it is noted that the existing properties on Pinewood Gardens lie approximately 40m to the north, with boundary landscaping and a stone boundary wall to be established on the intervening ground as part of the proposal as well as the existing rear boundary fences enclosing the properties on Pinewood Gardens. The undeveloped section of land immediately to the north is the subject of an earlier planning permission, involving retirement flats, however due to the overlap between that proposal and the current Aldi scheme, it would not be capable of implementation. To that end, it is anticipated that Dandara will seek to progress an alternative layout for this area, with an indicative layout shown on the proposed site plan, however as yet that has no formal status and can be subject to further consideration in terms of its relationship with the Aldi store once planning permission is formally sought. Details of any external lighting for the store and car park have not been included in the applicants' submissions, however a suitably worded planning condition can secure submission of a scheme for further consideration in order to ensure there is no adverse impact on residential amenity.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 (ALDP) substantively reiterate those in the adopted Local Development Plan and the proposal is acceptable in terms of both Plans for the reasons previously given.

Heads of Terms of any Legal Agreement

A legal agreement of some form will be required to secure payment of the identified sum for Core Path enhancement (see Developer Obligations Team response in 'Consultees' section), however as this is a relatively modest sum, the applicants have agreed in principle that this could be paid up-front, with the use of the payment and terms for its return if unused dealt with via a straightforward section 69 agreement.

Time Limit Direction

Not necessary in this instance. Standard duration of consent is appropriate.

RECOMMENDATION

Approve Conditionally & Legal Agreement

REASON FOR RECOMMENDATION

The site is accessible by a range of means and is well placed to support sustainable travel. By meeting convenience shopping needs locally, the proposal would partially reverse a current trend of travel outwith the catchment and reduce the proportion of car journeys required to meet those needs. Adequate provision is made on-site for car and cycle parking, and the local road network is capable of accommodating the trips generated by the proposed retail use. The application is therefore considered to accord with the aims of policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan (ALDP). The Core Path route to the east of the site would be maintained and unaltered by the development, however developer obligations related to a notional increase in use attributable to the development warrants payment of a sum towards its enhancement, in line with the requirements of policies I1 (Infrastructure Delivery and Planning Obligations) and NE9: Access and Informal Recreation.

The proposed development, whilst located in an out-of-centre location, would nevertheless avoid

any significant impact on any protected retail centres within the catchment and serves to reverse some of the leakage in convenience shopping expenditure from the catchment area. The proposal satisfies the tests set out in the relevant policy NC5 (Out of Centre Proposals) of the ALDP in relation to assessment of sequentially preferable sites, impact on existing centres, accessible location and promotion of sustainable travel. It is apparent from the submissions provided that there is a qualitative and quantitative deficiency in the existing retail provision within the catchment area, and this proposal can be accommodated without significant adverse impact on any other retail locations within the catchment, whether within protected centres or in out-of-centre locations. The proposal is supported by policy NC4 (Sequential Approach and Impact) due to its remote location relative to existing convenience shopping provision and by policy NC8 (Retail Development Serving New Development Areas) on the basis of the lack of retail provision within the recent development at Pinewood and Hazledene.

By demonstrating due regard for the six qualities of successful placemaking and the overarching aims of policy D1 (Quality Placemaking by Design), the proposal is considered to be acceptable in design terms, responding positively to its context.

There would be no significant adverse impact on the surrounding residential land use, consistent with the aims of policy H1 (Residential Areas) to protect the amenity of existing residents, and a suitable Noise Impact Assessment has demonstrated that specific mitigation measures are not necessary due to the distance between noise sources and the closest Noise Sensitive Receptors, consistent with the requirements of policy T5 (Noise). It has also been demonstrated that the site is not at risk of flooding from any source. Appropriate drainage arrangements can be secured via planning conditions, in order to ensure connection to the public drainage network in due course, in accordance with policy NE6 (Flooding, Drainage and Water Quality).

Impacts on existing trees have been minimised through development of the layout and generally affect specimens of lesser quality, with significant scope for replacement planting in a more consistent layout along the key western and southern boundaries. Encroachment into the Green Space Network and resultant tension with policy NE1 (Green Space Network) is recognised, however the impact is not significant and can be offset through mitigatory planting, such that the proposal accords with policy NE5 (Trees and Woodlands). Despite this encroachment into an area of existing green space, Open Space provision within the wider Pinewood and Hazledene residential development would remain at a generous level, exceeding the requirements of policy NE4 (Open Space Provision in New Development). Technical matters relating to the requirements of policy R7 (Low and Zero Carbon Buildings and Water Efficiency) can be addressed by securing further submissions through use of planning conditions.

In conclusion, the proposal is considered to accord with the provisions of the Development Plan, as well as the relevant national policy set out by Scottish Planning Policy in relation to the location of significant footfall generating uses. The economic benefits of the proposal set out by the applicants are a material consideration which also weighs in favour given that the assessment of alternative sites within the catchment was found to identify none which was both suitable and available. A significant level of representation has been made, both in support and in objection to the proposal. Ultimately, it has been established that there is a deficiency in retail provision within the local area, and it is considered that this proposal can partially address that deficiency without significant adverse effects on the surrounding community or environment.

CONDITIONS

1. Materials/Finishes

That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved (including a physical sample board) has been submitted to, and approved in writing by, the planning authority and thereafter the

development shall be carried out in accordance with the details so agreed.

Reason: in the interests of visual amenity and to ensure compliance with policy D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan.

2. Convenience Floorspace

No more than 25% of the net sales floorspace of the store hereby approved shall be dedicated to the sale and display of comparison goods.

Reason: In order to ensure that the store is principally meeting the convenience needs of the local community and to ensure compliance with policy NC4 (Sequential Approach and Impact) of the Aberdeen Local Development Plan.

3. Delivery Times

No deliveries shall be made to the store hereby approved outwith the hours from 06.00 and 22.00

Reason: In order to protect the residential amenity of those resident in the surrounding area.

4. Deposit Return Scheme (DRS) hours of use

The Deposit Return Scheme (DRS) approved as part of this proposal shall not be made available for use outwith store opening hours.

Reason: In order to protect nearby residents from adverse noise impact.

5. Connection to Public Sewer

That the store hereby approved shall not be brought into use unless connection has been made to the public sewer system.

Reason: In order to ensure compliance with policy NE6 (Flooding, Drainage and Water Quality) of the Aberdeen Local Development Plan, which does not permit connection to private wastewater systems in sewered areas.

6. Surface Water Discharge

That the store hereby approved shall not be brought into use unless a scheme detailing appropriate surface water drainage arrangements has been submitted to and agreed in writing by the planning authority, in consultation with ACC's Structures, Flooding and Coastal Engineering Team, and subsequently implemented, all prior to first occupation of the building.

Reason: In order to ensure compliance with policy NE6 (Flooding, Drainage and Water Quality) of the Aberdeen Local Development Plan and to ensure that surface water is dealt with in the most appropriate way.

7. Arboricultural Construction Method Statement

No development pursuant to this grant of planning permission shall be undertaken until such time as a detailed Arboricultural Construction Method Statement, which includes details of construction access, vehicle movements, storage of materials and phasing as well as measures to avoid impact on the canopy of existing trees along the eastern boundary of the site, has first been submitted to and approved in writing by the planning authority. Thereafter, all works should be carried out in full accordance with the Method Statement so agreed.

Reason: In order to ensure that construction works do not adversely affect those trees to be retained along the eastern boundary of the site, the canopies of which are in close proximity to the north-eastern corner of the building.

8. Tree Protection

No development shall take place other than in accordance with the hereby approved scheme of tree protection (Donald Rodger Associates Ltd., Tree Proposals and Protection (TPP) Drawing no. 20472/1, within report dated July 2020) or such other TPP as has been submitted to and approved by the planning authority prior to commencement of works.

Reason: In order to secure adequate protection for all trees to be retained on the site during construction works and to ensure compliance with Policy NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan.

9. Landscaping Works

That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

Reason: In order to ensure that the approved landscaping works are carried out at an appropriate time and to offset the impact of tree losses necessary for development to occur.

10. Further Arboricultural Works

Any tree work not specified in the submitted '*Tree Survey, Arboricultural Constraints and Arboricultural Implication Assessment*', dated July 2020, which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the Planning Authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied.

Reason: In order to ensure that existing trees are appropriately retained and protected where practicable.

11. Boundary Enclosures

That the store hereby approved shall not be brought into use unless the boundary treatments shown on drawing SS_45_35_00-0001 REV P04 have been delivered in full accordance with that plan, or any such substitute as has been submitted to and approved in writing by the planning authority for that purpose.

Reason: To ensure that boundary enclosures of an appropriate design, scale and materials to the local context are provided prior to first occupation, and to ensure compliance with policy D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan.

12. External Lighting

No development pursuant to this grant of planning permission shall be undertaken unless a scheme of external lighting for the building and car park has first been submitted to and approved in writing by the planning authority. Thereafter, development shall be carried out in full accordance with the scheme so agreed.

Reason: In order to ensure that lighting for the development does not result in significant impact on the amenity afforded to neighbouring residents.

13. Car Parking

That the store hereby approved shall not be brought into use unless the approved areas of car

parking have been constructed, drained, laid-out and demarcated in accordance with drawing No. Zz_70_60_00 0002 Rev-P07 of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval.

Reason: in the interests of public safety and the free flow of traffic, and to ensure compliance with policy T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan and the associated 'Transport and Accessibility' Supplementary Guidance.

14. Electric Vehicle (EV) spaces and infrastructure

That the development hereby granted planning permission shall not be occupied unless Electric Vehicle spaces and associated infrastructure has been constructed, drained, laid-out and demarcated as shown on the approved site plan drawing No. Zz_70_60_00 0002 Rev-P07.

Reason: in order to promote the decarbonisation of road transport and to ensure compliance with the Council's 'Transport and Accessibility' Supplementary Guidance.

15. Cycle Parking (Short and Long Stay)

That the development hereby granted planning permission shall not be brought into use unless the cycle storage facilities as shown on drawing no. Zz_70_60_00 0002 Rev-P07 have been fully installed and made available for use.

Reason: in the interests of encouraging sustainable travel, as required by policy T3 (Sustainable and Active Travel).

16. Carbon Reduction and Water Efficiency

The building hereby granted planning permission shall not be occupied unless an Energy Statement and Water Efficiency Statement applicable to that building has been submitted to and approved in writing by the planning authority, and thereafter any measures agreed within that submission have been implemented in full.

The Energy Statement shall include the following items:

- Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
- Calculations using the SAP or SBEM methods which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy R7 of the Aberdeen Local Development Plan 2017.

The Water Efficiency Statement shall include details of all proposed water saving technologies and techniques, along with evidence that the required BREEAM standard has been achieved.

Reason: to ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and Policy R7 of the Aberdeen Local Development Plan 2017.

ADVISORY NOTES FOR APPLICANT

1. Secured by Design Award

Attention is drawn to the consultation response from Police Scotland's Architectural Liaison Officer, which strongly encourages the applicants to seek the 'Secured by Design' award in order

to demonstrate that safety and security have been proactively considered and that the development will achieve high standards in these respects.

'Secured by Design' (SBD) is a police initiative to encourage the building industry to adopt crime prevention measures in development design to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment. 'Secured by Design' is endorsed by the Association of Chief Police Officers (ACPO) and has the backing of the Home Office Crime Reduction Unit. It has been drawn up in consultation with the Department of Transport, Local Government and the Regions (DTLR, formerly DTLR).