

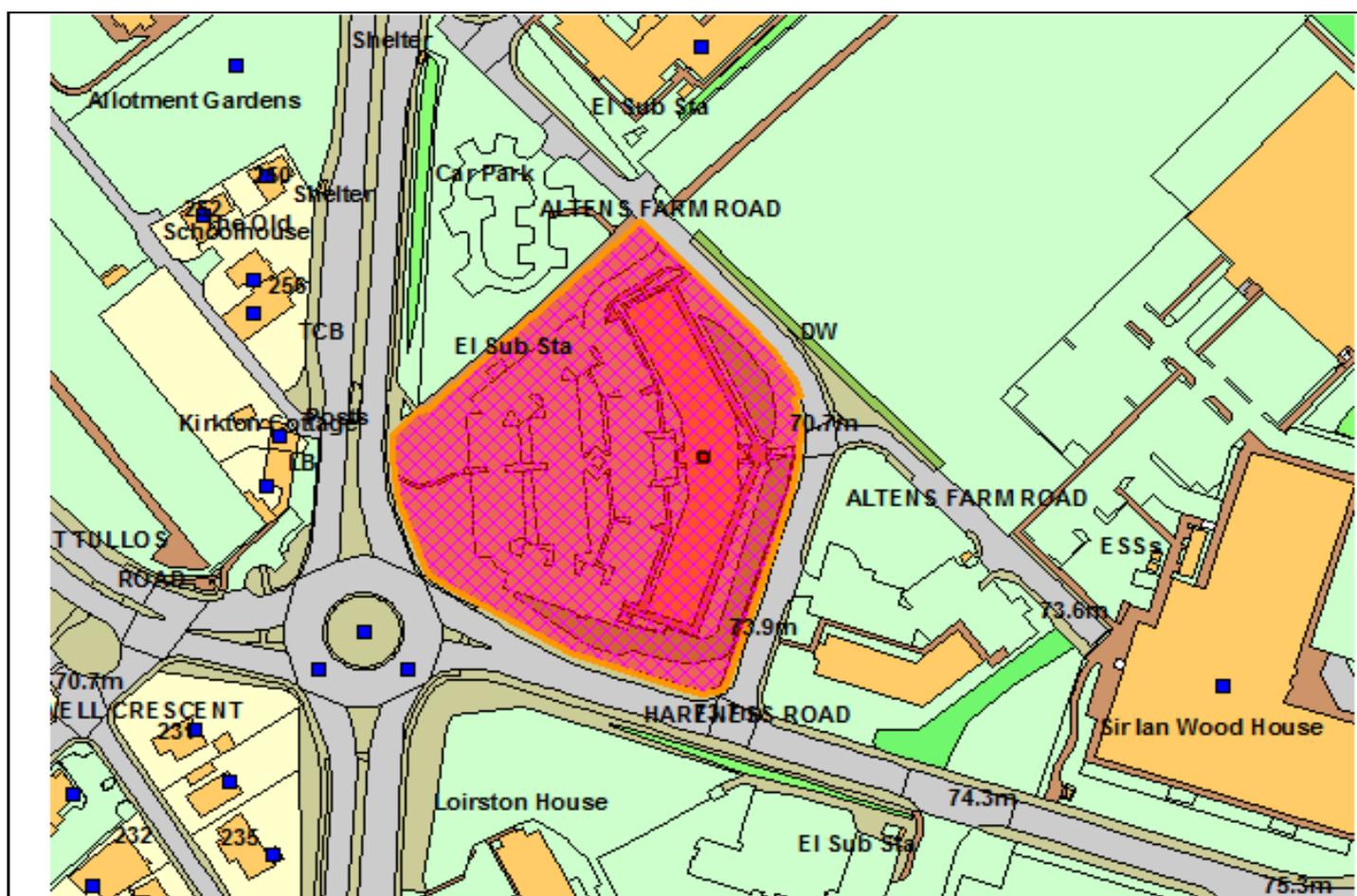


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date:** 19 August 2021

<b>Site Address:</b>	City Gate, Altens Farm Road, Aberdeen, AB12 3LB
<b>Application Description:</b>	Erection of Class 1 (shops) retail unit with associated car parking, access, landscaping and associated works
<b>Application Ref:</b>	210114/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	19 February 2021
<b>Applicant:</b>	Aldi Stores Limited
<b>Ward:</b>	Kincorth/Nigg/Cove
<b>Community Council:</b>	Cove and Altens
<b>Case Officer:</b>	Gavin Evans



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## RECOMMENDATION

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The application site, which extends to approximately 1.2 hectares (ha), is located to the south of the city, at the junction of Hareness Road and Wellington Road (A956). The site most recently comprised a vacant office building, known as City Gate, which dated from the 1980s and offered office accommodation across three floors, along with 160 car parking spaces and associated boundary landscaping. The site is accessed from Altens Farm Road to the east. The office building occupied a prominent position relative to Wellington Road, which is a main arterial route into the city. Following the demolition of the building earlier this year, the site has now been cleared and is surrounded by timber hoarding. The interior of the site is relatively low-lying, with landscaped embankments to road frontages onto Hareness Road, Wellington Road and Altens Farm Road.

### **Relevant Planning History**

Application Number	Proposal	Decision Date
200332/PND (Prior Notification of demolition as permitted development)	Demolition of office buildings	06.04.2020  Status: Prior Approval Not Required
200453/ESC (Application for an EIA Screening Opinion)	Proposed demolition and site clearance of the existing vacant office building	24.04.2020  Status: EIA not required

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

This application seeks detailed planning permission for the construction of a Class 1 retail food store (gross floor area 1,819sqm), along with associated means of access, 109 car parking spaces (including standard, accessible, parent and child, staff and electric vehicle charging spaces), cycle parking, hard and soft landscaping, and boundary enclosures.

An existing access to the site from Altens Farm Road would be adopted for service access and staff parking, with a separate new vehicular access proposed approximately 25m to the west, also onto Altens Farm Road. The low-rise single-storey store building would be positioned close to the north-western boundary, orientated to present its 'shopfront' to the south-west (onto Wellington Road/Hareness Road roundabout junction) and its entrance facing south-east across the car park. The 'shopfront' elevation is extensively glazed, returning around the corner onto the car park elevation, with the walls of the building otherwise clad in a two-tone mix of grey cladding panels.

The site layout retains areas of existing soft landscaping on the prominent Wellington Road and Hareness Road frontages, with additional tree planting introduced around a pedestrian access off Wellington Road. Three pedestrian-only points of access are included in the site layout, on both Wellington Road and Hareness Road frontages, linking to the existing footpath network. Core Path 103 (Balnagask to Kincorth Hill) runs along the northern western site boundary. The car park would operate on a one-way basis and includes a total of 109 car parking spaces, including provision for disabled users, parent & child spaces and electric vehicle (EV) charging spaces. In

addition, 11 no staff car parking spaces would be provided within the service yard area to the north of the proposed building and cycle parking is provided for both staff and customers.

## **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=QNUBL1BZGD600>

## **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because it is being recommended for approval and is considered to be contrary to the adopted development plan strategy.

## **CONSULTATIONS**

**ACC - Developer Obligations** – No developer obligations payable. The proposed development is not considered to have any significant additional impact on infrastructure and facilities when compared with the authorised former office use. Note that ACC Roads DM team will advise separately on any impacts on transport infrastructure or associated mitigation.

**ACC - Environmental Health** – No objection. Noise levels detailed in the submitted Noise Impact Assessment are considered to be acceptable. A supplementary report has been provided which satisfactorily demonstrates that there would be no adverse impact on amenity as a result of overnight servicing. A condition previously recommended in relation to delivery/servicing times is no longer required.

The submitted Air Quality Assessment is considered to be acceptable in its findings, which conclude that there would be an insignificant impact from all pollutants. Mitigation measures relating to dust control during construction are also considered to be acceptable, however a site-specific Dust Management Plan should be secured prior to commencement of works.

**ACC - Roads Development Management Team** – No objection. Note that the proposal provides for various pedestrian links onto the network of adopted footpaths in the surrounding area, including Altens Farm Road, Hareness Road and Wellington Road. Existing signalised pedestrian crossings provide access to the residential areas to the west, and nearby public transport routes run along Hareness Road, Wellington Road and Abbotswell Crescent.

The submitted Transport Assessment includes a detailed comparison of trip generation between the current retail proposal and the previous office use. This concludes that there would be less vehicular trips resulting from the retail proposal. The proposal would also primarily serve those living or working in the local area, removing the need for some existing trips further afield to access convenience retailing.

Car parking provision is made at an appropriate rate, and on-site cycle parking is provided for both customers and staff (the latter within the warehouse). The car parking layout and servicing arrangements for the store are acceptable, with adequate space for vehicle manoeuvring.

**Scottish Water** – No objection. The development would be fed from Invercarnie Water Treatment Works and there is capacity for a foul water connection to the Nigg Waste Water Treatment Works. Capacity cannot be reserved and a formal connection application will require to be made to Scottish Water.

**Cove And Altens Community Council – No response.**

## **REPRESENTATIONS**

Ten valid and timeously made representations have been received in relation to this application. All of those representations express support for the proposal, raising the following points:

- There is a current need for a supermarket closer to Cove, serving the south of the city and communities including Kincorth and Torry;
- Will provide a further grocery shopping option for travelling out of town from workplaces in Tullos and Altens;
- Competition for existing stores is welcomed;
- New employment opportunities are also supported;
- Support is expressed for reinstating direct access from Wellington Road onto Altens Farm Road;
- Support expressed for new traffic signals from Altens Farm Road onto Hareness Road;
- The proposal would reduce the number of trips outwith the area to access convenience shopping (e.g. those travelling from Cove to stores at the beach);
- Adequate parking is included in the proposal;
- The location is convenient for local bus routes, including those serving Kincorth, and is walkable for some local residents;

## **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 was approved in 2014. An updated version published in December 2020 is currently subject to challenge, therefore SPP 2014 remains in place.

### **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
- D2: Landscape
- I1: Infrastructure Delivery & Planning Obligations
- NC4: Sequential Approach and Impact
- NC5: Out of Centre Proposals
- NE1: Green Space Network
- NE5: Trees and Woodland
- NE6: Flooding, Drainage & Water Quality
- R6: Waste Management Requirements for New Development
- R7: Low & Zero Carbon Build & Water Efficiency
- T2: Managing the Transport Impact of Development
- T3: Sustainable and Active Travel
- T5: Noise

### **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
- Materials TAN

### **Proposed Aberdeen Local Development Plan (2020)**

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and the Proposed ALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. 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 –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their 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
- D5: Landscape Design

- VC3: Network of Centres
- VC8: Town, District, Neighbourhood and Commercial Centres
- VC9: Out of Centre Proposals
- 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

## 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.

## EVALUATION

### Principle of Development

The application site forms part of a wider area designated as Business and Industrial Land in the Aberdeen Local Development Plan (ALDP), wherein policy B1 of the ALDP will apply. Policy B1 promotes the retention of business and industrial land identified in the ALDP for uses within Classes 4 (Business), 5 (General Industrial) and 6 (Storage and Distribution) of the Town and Country Planning (Use Classes) (Scotland) Order and its safeguarding from other conflicting development types. Policy B1 does provide for other uses '*suited to a business and industrial location*' such as car showrooms and bus depots to be treated on their own merits. Policy B1 also offers support for facilities directly supporting the attraction and sustainability of the city's business and industrial land, where such facilities are principally aimed at meeting the needs of employees within the business and industrial area.

The proposed retail use does not fall within Class 4, 5, or 6 of the Use Classes Order. Nor is it considered that the proposed use is of a type comparable to car showrooms or bus depots in terms of its appropriateness for location in a predominantly business and industrial area. Whilst it is accepted that a proportion of the retail store's trade would be drawn from those employed in the surrounding business and industrial land, it would serve a much wider catchment which includes the nearby residential communities of Altens, Cove, Kincorth, Redmoss and Torry. It is considered that the retail use could not reasonably be characterised as being '*aimed primarily at meeting the needs of businesses and employees within the business and industrial area*' for the purposes of consideration against policy B1.

On that basis, the proposal is considered to represent a departure from the Development Plan, specifically in terms of retail use at this scale not being provided for by the relevant zoning policy, B1. This report will proceed to assess the proposal against other relevant policies of the development plan and other material considerations to establish whether there is any justification for the granting of planning permission as a departure from the Development Plan.

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 would not have a city-wide or regional catchment. On that basis, a city centre location is not essential and the proposed retail use should be located in accordance with the sequential approach.

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.

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 location of the development within an area zoned as business and industrial land. Thereafter, other Development Plan policies relating to accessibility, drainage, landscape and tree impacts 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 includes an assessment and comparison of trips predicted from the proposed use with trip generation associated with the former office use. This concludes that the proposed use would generate less vehicular trips during peak periods and would also generally serve a more localised area than the former office use, such that the proposal is not considered to result in any adverse impact on the local road network or warrant any mitigation works to add capacity.

The proposal includes multiple links onto the adjacent core path and other footpaths in the area around the application site, including Altens Farm Road, Hareness Road and Wellington Road. Existing signalised pedestrian crossings allow for onward travel to the west and for access to public transport services on Hareness Road, Wellington Road and Abbotswell Crescent and the wider residential areas of Redmoss, Kincorth, Cove and Torry.

It is proposed that the store is served by two vehicular access points, both onto Altens Farm Road. This allows for the separation of customer traffic and servicing/deliveries, with an existing site access used for servicing and a newly formed second access point formed for customer traffic.

The proposed site layout includes 109 car parking spaces, of which 7 are identified for disabled users, 9no parent/child spaces, 4no electric vehicle charging spaces and 11no staff car parking spaces (staff spaces separate, within service yard area). The Council's RDM Team advises that parking and servicing arrangements are acceptable, but notes that the detailed design and geometry of the new access will require further consideration via the Roads Construction Consent process.

Cycle parking is also provided, with 5no Sheffield stands shown close to the main store entrance capable of accommodating 10no 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 peak 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 as well as the location of planned future stores.

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 for the catchment area. This is estimated at £57.9m in 2021, increasing to £58.4m by 2024.

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 £56.79m in total turnover for convenience floorspace within the catchment in 2021, decreasing to £54.55m by 2024. 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 outside 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 72% of the available spend within the catchment is actually spent in retail locations within the catchment and therefore circa 28% (£16.34m) 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 at Bridge of Dee and Portlethen and Sainsbury's at Bridge of Dee due to their differing offer and scale compared with what exists in the catchment currently, for example at Tesco and Lidl on Wellington Road and Greenwell Road respectively. Some shoppers from within the catchment are also anticipated to be travelling further afield to access Aldi stores at Beach Boulevard, Westhill and Cornhill. 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 £12.29m for convenience sales and £2.81m for comparison sales, with 85% of that turnover expected to come from within the catchment. This equates to £10.44m and £2.39m turnover from within the catchment area. It is notable that this is significantly less than the estimated £16.34m 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 the greatest diversions of trade from existing retail locations would be anticipated at Tesco on Wellington Road (35%) and Lidl on Greenwell Road (22%, with no other diversions exceeding 4%). It is noted that the retail locations most affected by the proposal lie outside any retail centres defined in the ALDP, and therefore are not afforded protection by policy NC5, which refers specifically to avoiding "*adverse effect on the vitality or viability of any centre listed in Supplementary Guidance*". This proposal would not result in diversions greater than 1% on any

existing retail location within the catchment area which also lies within a defined retail centre, equating to impacts of 1.7-2.3%.

The applicants' submission contends 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 17.8% 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. The affected stores within neighbourhood centres are the local shops within Torry Town Centre and SPAR on Provost Watt Drive, however the reduction in market share is very modest (0.2% difference in both cases).

Consistent with the trade diversions previously established, the biggest changes to market share would occur at retail locations outwith defined retail centres, at sites which are not afforded policy protection. These sites at Lidl, Greenwell Road (3.1% reduction) and Tesco Wellington Road (4.4% reduction) would nevertheless retain strong market share at 21.5% and 13.6% respectively.

It is recognised that there is a policy expectation that new residential development is accompanied by retail and related uses at an *'appropriate scale to serve the convenience shopping needs of the expanded local community'*. This is relevant in the context of the residential allocation through the ALDP for circa 1500 homes at Loirston, south west of Cove. The OP59 opportunity site designation in the ALDP refers to the potential for a *'supermarket to meet convenience shopping deficiencies in south Aberdeen'*, so it has been appropriate to consider the extent to which the proposed retail development at Hareness Road could be accommodated in addition to any convenience retail provision at Loirston. The submitted retail statement identifies that a convenience deficiency of circa £10.5m would remain even after the proposed Aldi is factored in, and that this deficiency would be further increased due to the additional £8.5m convenience spend attributable to the Loirston development itself. The policy implications of this are considered below.

### **Retail Policy**

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 this proposed development (of 1,819sqm) within an existing centre must be considered.

Within the identified catchment for the proposed Aldi store, there are Neighbourhood Centres at Kincorth and Cove and a Town Centre at Torry. With this in mind, 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 Torry neighbourhood centre being of insufficient size to accommodate an Aldi store

and also not currently available. A site next to Cove Bay Medical Centre is of adequate size, but currently forms part of a wider area of urban green space, where there are multiple policy restrictions that would not weigh in favour of new retail development. The sequential assessment also considered a site currently in use as car parking for Kincorth Shopping Centre, but concluded that this is too small and not currently being marketed, so is unlikely to be available in any case. 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 and have low vacancy rates in comparison with the national average. 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 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 become 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 much of the identified trade diversion would arise from reversing 'leakage' of spend from the catchment, along with trade diverted from existing 'out-of-centre' retail locations which do not benefit from policy protection. There would be no significant impact on expenditure or market share to any of the protected neighbourhood centres within the catchment.

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. Such significant leakage from the catchment area indicates a lack of suitable provision of a certain type within the catchment and an opportunity for new retail development to fill a gap in local shopping provision without "*significant adverse impact*" on existing protected retail centres. As regards qualitative assessment, 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. It is noted that there is no other Aldi store currently serving the south of the city, with responses from public consultation indicating that some shoppers continue to travel outwith the catchment to access existing stores. In this regard, the proposals would improve consumer choice within the catchment and address an obvious gap in local retail provision without resulting in any significant adverse impact on protected retail centres. By making provision locally, the need to travel outside the catchment area 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 along Wellington Road, Hareness Road and Abbotswells Crescent. 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 nearby, whilst Core Path 103 also parallel to the NW site boundary. 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 south of the city (N.B. a much wider area than the catchment of the proposed store), noting that '*in the south there is a lack of convenience provision serving the Cove and Loirston area. OP59 addresses this deficiency*'. This underlines that there is an identified deficiency in convenience retail provision in this area of the City. It is noted that the Retail Study Update suggests that this deficiency be addressed through retail use within the Loirston residential expansion area, however it noted that the significant number of new houses at Loirston will further increase demand for convenience retail over and above the significant deficiency identified currently. The applicants' submission highlights that the population increase within the catchment attributable to the Loirston development would equate to an additional £8.475m in additional convenience expenditure within the catchment. In that context it is considered that the proposed development can be comfortably accommodated alongside the new retail component within the Loirston development. 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 consistent with the approach set out by policy NC4 as regards the consideration of sequentially preferable sites for new retail development.

### **Employment Land Supply**

The applicants have submitted an 'Employment Land Report' in order to outline the relative abundance of employment land in Aberdeen and to make the case that this retail development could be accommodated on land zoned for business and industrial use without compromising the effectiveness of the city's employment land supply. This highlights the role of business land audits and the requirement for at least 60ha of marketable land available to businesses in a range of places in Aberdeen City, set by the current Aberdeen and Aberdeenshire Strategic Development Plan.

The Aberdeen City and Shire Employment Land Audit (ELA) is prepared annually, with the aim of providing up-to-date and accurate information on the supply and availability of employment land in the region. The most recently prepared audit (for the 2018/19 period, with a base date of 1st April 2019) was published in December 2019. The 18/19 ELA identified an 'established' employment land supply of 274ha, of which 210ha was identified as 'marketable'. The current application site extends to 1.2ha and forms part of that marketable supply. This indicates that retail development in this location would not result in any shortage of available employment land, with a significant surplus being maintained over and above the target set in the current SDP.

Over and above this evidence, the applicants' statement highlights the current market conditions for office space in Aberdeen, referring to a vacancy rate which is estimated to be more than double the national average, with rental values also steadily decreasing and very few completed office deals in the preceding 24 months. Whilst the conditions in the industrial market are better, they remain challenging with supply described as exceeding or significantly exceeding demand. Taking account of these factors, it is accepted that there is no shortage of available business and industrial land available, and the use of this site for alternative purposes (if acceptable on its merits) could not reasonably be resisted solely on the basis of maintaining an adequate supply of business and employment land.

### **Siting, Layout and Design**

The application site has road frontage on three sides, to Wellington Road, Hareness Road and Altens Farm Road respectively. It sits in an elevated position relative to the busiest of these routes, Wellington Road, which serves as an arterial route into the city from the south. Existing landscaping and tree planting is generally arranged around the boundaries of the site, with a few trees also within the interior of the site, between car park aisles.

The proposed low-rise single storey retail food store would be sited towards the NW site boundary, with car parking located to the east. An existing site access on Altens Farm Road would be reconfigured as a service access into a yard area also containing staff parking, with a separate new vehicular access formed onto Altens Farm Road for customer traffic. The store itself is orientated to present its 'shopfront' to the south-west (onto Wellington Road/Hareness Road roundabout junction) and its entrance facing south-east across the car park. The site layout retains areas of soft landscaping on the prominent Wellington Road and Hareness Road frontages, with additional tree planting introduced around a pedestrian access off Wellington Road.

The building itself is of a scale and appearance which is not incongruous to the local context,

where there is some variety in the scale, form and architectural expression, particularly in the business and industrial area to the east side of Wellington Road. The contemporary styling includes a shallow monopitched roof, with walls clad in a two-tone mix of grey cladding panels. At ground floor level, the 'shopfront' elevation looking onto the Hareness roundabout is extensively glazed, and partially continues around onto the car park elevation, which otherwise features higher level glazing to allow light into the store. Boundary enclosures include timber fencing, low timber rail fencing adjoining car parking and paths and steel palisade fencing enclosing plant to the non-public side of the building.

The submitted Retail and Planning Statement highlights that Aldi's business model places emphasis on standardisation as a means of achieving efficiencies, resulting in 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 three options for site layout were considered, with various issues relating to the location of existing access points, relationship with road frontages, scope for separation of customer and servicing traffic and site levels. '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 a combination of change in levels/distance from Wellington Road.

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) in terms of demonstrating that the proposal has responded to the specific context of this site.

### **Landscape/Arboricultural Impact**

Tree planting within the application site is generally found within strips of soft landscaping arranged around the periphery of the site. The central portion of the site is largely given over to car parking, however there are trees planting between rows of spaces. The tree survey accompanying the application identifies a total of 93 individual trees, which are understood to have been planted alongside the development of the former office use. As such, the trees are of consistent age and semi-mature, with heights generally between 5m and 8m. Most common species are gean (wild cherry) and rowan, with sycamore and Swedish whitebeam also present in smaller numbers. The survey observes that most specimens are rather stunted and windswept, with no trees assessed as being of high arboricultural value and all specimens classified as class C trees, denoting trees *'of lower quality and value with an estimated life expectancy of at least 10 years'*. The submitted survey (carried out by an independent professional) concludes that the trees present *'should not be viewed as a constraint to development'*.

The main areas for tree removal are along the north-western boundary and in the central portion of the site where trees previously arranged in rows between areas of car parking are to be removed to accommodate the store and its new car park and access roads. Areas where trees would be retained and protected during construction are predominantly along the Hareness Road and Wellington Road frontages.

Whilst tree retention is always preferred, it is recognised that there are circumstances in which some removal will be unavoidable, and in such cases it is appropriate to consider the value of those trees to be removed and ensure that greater emphasis is placed on retaining the specimens that are of the greatest value or make the greatest contribution to local landscape character. In this

case, all trees have been assessed as category-C trees. The retention of existing specimens along the most prominent road frontages will ensure that the proposed new building has an attractive setting immediately following completion, which is of particular importance given Wellington Road's role as a key route into the city. Though the loss of 52 existing trees is regrettable, it is noted that many of these were of limited value and were closely grouped either along the north-west boundary or between rows of car parking. Given the surrounding topography these locations are not highly sensitive when seen from prominent road frontages, and the losses would to some extent be offset through the planting of 22 new specimens in appropriate locations as part of the site-wide landscaping proposals.

Taking account of these points, it is recognised that there is some tension with the aims of policy NE5, however it is considered that the proposal focuses on the retention of the most valuable trees in terms of local landscape character and amenity, as well as making provision for measures to protect those trees retained and for new tree planting where appropriate. On that basis, the proposal is considered to be acceptable despite the identified tension with policy NE5 (Trees and Woodlands).

### **Economic Benefits**

The applicants' submissions offer a summary of the anticipated economic benefits of the proposal, which include the creation of up to 35 new direct full-time-equivalent jobs, as well as additional expenditure in the local economy and through Aldi's supply chain. The development is also anticipated to generate a further 3.5 indirect FTE jobs, based on Scottish Government methodology. The project is assessed as having a Gross Value Added (GVA) of £0.87m, with a total direct and indirect GVA generated by the project of £2.67m. This benefit represents a material consideration in support of the proposal, and whilst such benefits might be secured on an 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 application is accompanied by a Drainage Impact Assessment, including Flood Risk Assessment. This document adequately demonstrates that the proposals would not have an adverse impact on flood risk, either within the site or elsewhere, and demonstrates appropriate measures for the use of Sustainable Urban Drainage Systems within the proposed site layout (utilising filter trenches, basins and permeable paving). It is noted that there has been no adverse impact from consultees in relation to drainage and flood risk. Taking these matters into account, it is considered that the proposal demonstrates compliance with policy NE6 (Flooding, Drainage and Water Quality) of the ALDP.

### **Potential Noise Impact**

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 typical 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. The identified sources of noise are from the car park, store servicing activities, fixed plant noise and the Deposit Return Scheme (DRS), which is indicatively shown on the site plan but does not form part of the current application on the basis that such facilities can now be installed under Class 9H of the Town and Country Planning (General Permitted Development) (Scotland) Order (as amended). A further Noise Impact Assessment was submitted following initial feedback from ACC's Environmental Health Service, in order to provide a site-specific assessment and offer a robust justification for unrestricted servicing hours. The updated assessment concludes that the activities associated with the proposed new store do not pose a threat to the closest noise sensitive receptors (a house 55m west of the site on Hareness Road), with noise levels well below the relevant thresholds. On this basis, the NIA concludes that no mitigation measures are necessary

to protect amenity. The updated assessment has been reviewed by the Environmental Health Service and its conclusions found to be reasonable. It is no longer considered that any restriction on overnight servicing is warranted and the proposal is considered to accord with the provisions of policy T5 (Noise) of the ALDP.

### **Waste / Servicing**

The proposal makes adequate provision for the storage of general waste and recyclables within the service yard. The site layout also indicates the presence of a Deposit Return Scheme (DRS), which retailers are understood to 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, 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. The applicants' submissions highlight that recent changes to the Town and Country Planning (General Permitted Development) (Scotland) Order (as amended) mean that such DRS facilities can now be installed without any requirement for a planning application. On that basis, the DRS facility is not within the scope of the planning authority's assessment. 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 be designed to minimise energy use, including the use of heat recovery technology which recycles heat from refrigeration units for 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**

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. As highlighted earlier in this report, existing retail locations outside 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. Comments relating to the potential for those not living, but employed at the commercial premises nearby, to make use of the proposed store are noted. The potential to reduce the need to travel outwith the local area by car in order to access convenience shopping needs has been noted elsewhere in this report, along with parking provision, the general accessibility of the site and the potential for new jobs to be created as a result of the proposal. Whilst public comment in favour of new traffic signals at the junction of Altens Farm Road and Hareness Road is noted, the submitted Transport Assessment has found no justification for that infrastructure being required in order to address the impacts of the development proposed.

### **Time Limit Direction**

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

### **Proposed Aberdeen Local Development Plan**

In relation to this particular application, the policies in the Proposed Aberdeen Local Development

Plan 2020 (PALDP) substantively reiterate those in the adopted Local Development Plan and the proposal is acceptable in terms of both Plans for the reasons previously given.

## **RECOMMENDATION**

Approve Conditionally

## **REASON FOR RECOMMENDATION**

The proposed development is acceptable as a departure from policy B1 (Business and Industrial Land) and as an out-of-centre retail development, having demonstrated its compliance with the tests set out by policy NC5 (Out of Centre Proposals) and its adherence to the sequential approach as detailed by policy NC4 (Sequential Approach and Impact).

The proposed retail food store would address an existing deficiency in local convenience retailing, which currently results in significant leakage in convenience spend from the catchment area. There would be no significant adverse impact on existing designated retail centres and it is noted that the out-of-centre retail locations most affected by the proposal and not benefitting from policy protection would nevertheless retain a healthy proportion of market share.

The development of land zoned for business and industrial purposes for unrelated retail use is not considered to be decisive as there is no inherent conflict with the surrounding land uses due to the nature of the retail use and the site's location on the periphery of this business and industrial area. It is noted also that the use of this site for alternate purposes would not result in any shortage of business and employment land, with the current supply significantly exceeding the target established by the Strategic Development Plan for the area.

Whilst some conflict with policy NE5 (Trees and Woodlands) has been identified, it is considered that the proposal is nevertheless acceptable on balance. In all other respects, the proposal is considered to accord with the provisions of the Development Plan, making appropriate provision for access, sustainable travel, drainage, car parking and proposing a design appropriate to its context.

## **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. Surface Water Drainage**

The development hereby approved shall not be brought into use or first occupied unless provision has been made within the site for surface water drainage, in accordance with the approved drainage layout (3E Consulting Engineers drawing Ro\_50\_20\_11-1000-Rev P01) or such other drawing has been approved in writing by the planning authority for this purpose.

Reason: in order to safeguard water qualities and to ensure that the development can be adequately drained, in accordance with policy NE6: Flooding, Drainage & Water Quality of the Aberdeen Local Development Plan.

#### **4. Tree Protection**

No development shall take place other than in accordance with the hereby approved scheme of tree protection (Donald Rodger Associates Ltd., Arboricultural Implication Assessment and Tree Protection Proposals within report dated July 2021) 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.

#### **5. 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.

#### **6. Further Arboricultural Works**

Any tree work not specified in the submitted '*Arboricultural Implication Assessment and Tree Protection Proposals*', dated July 2021, 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.

#### **7. 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 P03 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.

#### **8. 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.

### **9. 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-P04 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.

### **10. 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-P04.

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

### **11. 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-P04 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).

### **12. 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.