

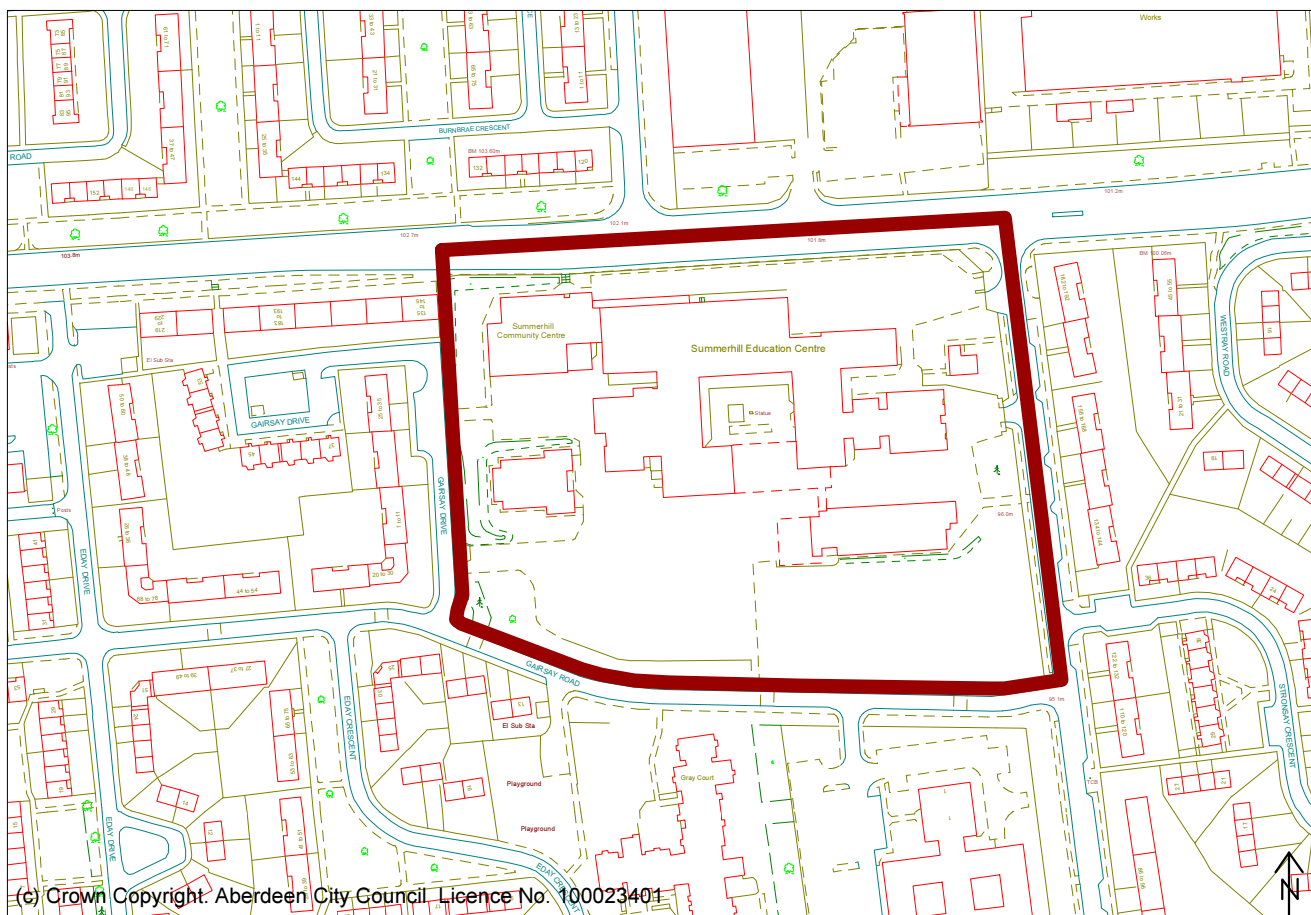
FORMER SUMMERHILL ACADEMY, LANG
STRACHT, ABERDEEN

PROPOSED CLASS 1 (FOODSTORE)
DEVELOPMENT, CAR PARKING, PETROL
FILLING STATION, MEANS OF ACCESS,
LANDSCAPING AND ASSOCIATED
WORKS

For: Optimisation Developments Ltd

Application Ref. : P111468
Application Date : 30/09/2011
Officer : Alex Scott
Ward: Kingswells/Sheddocksley (L
Ironsides/P Stephen/W Stuart)

Advert : Section 34 -Proj. Pub.
Concern
Advertised on : 19/10/2011
Committee Date : 19 April 2012
Community Council : Comments



RECOMMENDATION: Approve subject to conditions and legal agreement

DESCRIPTION

This site is located on the south-west corner of the junction of the Lang Stracht with Stronsay Drive and comprises the large building complex which housed the former Summerhill Academy and community facilities. The site slopes down slightly from the north boundary along the Lang Stracht to Gairsay Road which forms the boundary along the southern and western edge of the site. To the south and west the site is open and comprises open car parking and open space in grass. There is a small coppice of trees in the south west corner otherwise the site is taken over by the large 3-4 storey flat roof former school building and tarmac car parking.

PRE-APPLICATION CONSULTATION

The applicants undertook a public meeting and exhibition in the curling club meeting rooms during June 2011 and the response was satisfactory both in terms of the number of attendees and the positive remarks recorded. The full description and analysis of the PAC is included in the PAC report submitted with this application.

The formal submission of the Pre-application Consultation is included in the application papers. The process involved leaflet distribution within the Mastrick area, a display of posters in key locations including the wider city area, a press advertisement of the exhibition in the Press and Journal and a 2-day exhibition at the curling rink in Lang Stracht in late June. There was also a meeting with Mastrick and Sheddocksley Community Council at this time.

186 people attended the display and questionnaires were returned by 82 with a high proportion (84%) being in favour of a local foodstore though there were a number of concerns regarding traffic.

HISTORY

The site was last used as a school in the late 1980s, more than 22 years ago and has since been used as education and admin offices (mostly for training functions) by this Council until recently when the premises were vacated and currently undergoing demolition. There is an important distinction to be made between the common description of the site as the former Summerhill Academy and the more accurate actual established use as administration offices with community facilities

PROPOSAL

The site is broadly square in plan form and extends to 3.61 Hectares in area. It is proposed to erect a new supermarket building on site to provide a gross floorspace of 6,331 square metres of which 3,383 will comprise net trading space and the remaining 2,948 sq. m as non-trading space including storage, staff facilities and administration. The new store is to be located in the rear south-east part of the site. The frontage area on to the Lang Stracht is to provide access into the site for customers and servicing and 468 car parking spaces.

In conjunction with the store the developer is also to provide a filling station within the north-west part of the site and will provide 6 pump stations (12 fuel pumps) and an enclosed car wash. This will front on to the Lang Stracht though will utilise the main access.

Accordingly the whole development is to provide a new access and exit point on to and from the Lang Stracht opposite the existing T-junction with Fernhill Drive and a new traffic, light controlled cross-road junction with pedestrian crossing phases is to be formed.

The main supermarket building is broadly square in plan, measuring 145 metres by 157 metres and will have a height of 10 metres above ground level to the ridge line of the shallow pitched roof. The store will for the most part be ground floor only though there is a small two storey element on the north-west part of the building to provide a focus for the main entrance in this location and also internal facilities such as offices, staff facilities etc. and a café on the ground floor. This tower element will be 14 metres in height with a flat roof.

The finish of the building will be in matt white profile metal composite panel though the main entrance and café area on the north-west corner of the building will be formed by glazed curtain walling within a black brick frame and there will be deep fascias on both the west and north aspects of the entrance with the operators company logo, namely 'Morrisons' in white letters on a buff coloured rendered canopy. The buff colour will be carried through by the use of a buff brick base course to the building.

The eastern and southern aspect of the building is largely plain and goods delivery is located in the southern part of the building with separate access provided off the main access to allow segregation from the customer car park. There will be an HGV access doorway in the south-west corner of the building.

The applicants have also shown landscaping details for treatment of all the four external site boundaries which will comprise tree and shrub planting.

ADDITIONAL INFORMATION

In addition to the standard plans and the PAC report the applicants have submitted a series of studies to address the impact of the proposal. These studies include a Transportation Assessment, a Design Statement, A study of site ecology and tree condition report, a planning policy and Retail Impact analysis and an Acoustic Assessment.

Design and Access Statement

This statement was prepared to support the planning application.

It is considered that this development will bring vitality and regeneration to this site and a substantial investment and potential employment creation (300 full and part time jobs) in the local area.

The principles behind the development are to create a high quality design and layout to reflect sustainability and viability principles and ensure compliance with local, regional and national planning policies. The policies guiding Architecture and Placemaking, Design and Amenity, Sustainable and Active Travel and Landscape have been used by the applicants to inform the content and approach to this development.

The design objectives have been to create a high quality development integrated into the urban environment. The building will have a very high environmental performance and provide an attractive and welcoming environment. The transportation proposals will integrate pedestrian and public transport routes with provision for adequate car and cycle parking. There will be a dedicated service delivery operation to the rear of the site, opposite an office car park and with minimal effect on nearby housing.

The scale and massing of the building is in keeping with the area and offers significant improvement over the existing dilapidated buildings, though these are in the process of demolition with all suitable materials to be stockpiled for further use in the development. The focal point of the development is the attractive entrance and main glazed elevation on to the car park and the Lang Stracht.

Site landscaping proposals will retain and enhance the setting of the development and utilise the screening provided by existing trees. There will be new planting along the boundaries, particularly along the Lang Stracht frontage. The car park areas are kept open to ensure visibility for pedestrian and vehicle use but are enclosed by site landscaping. The Petrol Filling Station is to be screened by a beech hedge and trees in a grass area.

The materials used in the building include facing brick, insulated cladding, curtain wall glazing and a single ply roof membrane. The layout is designed to provide a high degree of security and the construction will meet carbon reduction targets. Barrier free access to the store and facilities is integrated into the design and layout.

Planning Statement and Retail Assessment

The area forming the catchment for the retail assessment included west Aberdeen to include Cults, Garthdee as well as inner city areas of Holborn, Rosemount, Woodside, Cornhill and Kittybrewster. This was supported by an independent household survey. The applicants also point out that, as the first new build Morrison's store in Aberdeen (the King Street store having been 'inherited') it will attract interest from a wide area as other retailers are already represented by choice of their store locations.

The effect of the proposal on existing centres was also assessed with the conclusion that the overall vitality and viability of these relevant centres, Lang Stracht, Rousay Drive and Summerhill Drive, would not be significantly affected. The main distinction is that the superstore will cater mostly for the main weekly shopping requirements whereas these local centres provide 'top-up' shopping.

The population for the catchment area indicated a 2011 total of 76,937 which is projected to fall slightly to 75,130 by 2014. The wider study area shows a similar fall with a 2011 population of 121,514 reducing to a projected population of 119,367 in 2014.

The retail study included an assessment of convenience retail expenditure throughout the city and suburbs and concluded that there is sufficient capacity to support a store in the location proposed as there is currently substantial 'retail leakage' from west Aberdeen to other centres which a new store in this site will address and 'capture'

Roads and Transportation Issues

Transportation Assessment

The TA prepared in relation to this planning application reflects national and local transport policies and takes into account the local road characteristics, the accessibility of the site by walking, cycling and bus, access, parking and servicing, travel demands and junction capacity assessments. Implementation of the development would also require the preparation of a Travel Plan, the scope of which is designed to prepare a sustainable travel strategy.

The TA considered the likely vehicle trip generation, linked and by-pass trips to the store, the traffic rates related to committed developments, and trip distribution based on traffic surveys.

The site characteristics illustrate that local bus services are better than every 10 minutes with good services and connectivity. A 20 minute walk from the site covers a large proportion of the local areas of Mastrick and Summerhill. All of Aberdeen city centre and west to Westhill fall within the 40 minute cycle catchment.

Site accessibility is very good and the store is located within 2 minutes of bus stops and a 1 minute cycle ride from local routes. Pedestrian, cycling and bus infrastructure is of good standard in the vicinity of the site. There are a number of communities within walking distance which should reduce the need to travel by car and the store is within a 60 minute bus travel time from all of Aberdeen.

The effect on the road network of this store has been assessed at two levels, firstly the internal layout with regard to parking, servicing, site circulation, pedestrian and cycling facilities and secondly, the effect on the wider road and trunk road network.

Access to the site is to be taken by a new junction off the south side of Lang Stracht directly opposite the existing T-junction with Fernhill Drive. This new junction will also be traffic light controlled on all 4 arms with dedicated pedestrian phases. There will also be a dedicated slip road for access into the site for vehicles approaching from the east along the south side of Lang Stracht. All exiting traffic, both to the left and right will require to use the traffic signals.

Within the site the access road curves round with the access to the PFS off to the west then, further round along the southern boundary, accessing the customer car park (452 spaces) which is located in two parts, to the west and north of the store entrance. Service vehicles access the SW corner of the store using the same access with the last section being dedicated to service access only to the goods-in facilities.

Servicing of a building of this floorspace would normally require the provision of 4 loading bays but the applicant has submitted a statement indicating the company's dedicated service operation for all their stores from central servicing warehousing. Essentially this requires only a maximum of 2 vehicles present on site at any one time (normally only one vehicle will be off-loading) and a condition related to the service arrangement is advised.

The site will provide 3 pedestrian access points which are also designed for cycle use. The required provision for disabled parking adjacent to the store entrance and cycle parking has also been made.

The main aspect of work on this application has been related to the wider potential effects on traffic flow in the local area, including the A90 (T). Transport Scotland have confirmed acceptance of the development on the basis of a modest contribution to fine tune the traffic signals at the Lang Stracht/A90 junction and concluded that, in relation to the high traffic flows along the trunk road, this development has only a minor impact with the contribution being proportional to the scale of that impact.

The Lang Stracht is the main corridor serving this development as well as other activities in the vicinity and to the west and is a main public transport route. Public transport links will be retained and bus stops positioned to maximise ease of access to the store though a small alteration to bus lanes will be required through the new junction. Similarly, a small section of cycle lane will be removed but there will be advance stop lanes on the main approaches to the junction.

Travel Plan Framework

The objective is to promote and encourage sustainable travel. The initial preparation of the Travel Plan Framework is proposed as until the store is occupied a full Travel Plan cannot be finalised, cannot set achievable targets and provide benefits to staff, customers and the wider community.

The aim is to encourage cycling and build on the good pedestrian links and the frequent and convenient bus service adjacent to the store.

The main targets of the TPF is to improve travel options, to increase the awareness of sustainable modes of travel, to minimise single occupancy trips by car, to promote health and economic benefits and to manage car use. This will be approached by setting indicators and managed by a Travel Plan co-ordinator with information collected by a staff survey, customer survey and implemented by use of in-store information, promotion of bus use, journey sharing schemes and will be subject of monitoring and review.

Servicing

Based on the operation of similar stores in the group there is likely to be up to 15 HGV trips every weekday and on Saturday to include store deliveries, fuel delivery and waste collection. Servicing was initially to be on a 24 hour programme with main servicing in early morning, late evening and mid afternoon to avoid peak hour traffic. Over a day this results in very low traffic levels. All store delivery traffic will access and exit the site from the Lang Stracht only with no more than 2 vehicles on site at any one time.

A service yard with a turning circle of 28 metres and 2 loading bays is sufficient and is consistent with the applicants other stores of this size. Following consultation the applicant has revised the intended servicing arrangement to restrict activity between 6:00 in the morning to 11:00 at night with no overnight activity.

Traffic flows

The traffic levels assessed for this development factored in the flows related to the Tesco store to the west along Lang Stracht as the only committed development along this corridor and operating at a similar level to the Summerhill proposals. These flows are based on experience and findings at existing Morrison stores. It was established that the Junction Capacity Assessment and analysis determined that all local junctions would operate within capacity with minor upgrading at Rousay Drive, Kings Gate and Stronsay Drive. The conclusion was that the development is not predicted to have any major impact on surrounding road network and traffic associated with the development can be accommodated.

The applicants have committed themselves to the implementation of a Travel Plan but argue that this can only realistically be put in place then adjusted and fine tuned following implementation of the development and the opening of the store. They have submitted a Travel Plan Framework which will require, for example, a staff travel survey to inform the development of an effective Travel Plan.

Upgrading works to local road junctions will be required and the applicants have agreed to this work as well as payment of a capitalised sum for future maintenance. In this regard it is recognised that permission is in place for a rival supermarket operator at Rousay Drive, 600 metre west along Lang Stracht. The impact of that development was taken into account and found acceptable with that operator also required to undertake local road improvement. It will be the first operator to implement their consent and open their store that will require to undertake these works as the relevant conditions relate to the same works which though required for any one of the two stores will function to acceptable levels should both permissions be implemented.

It has been concluded in the preparation and analysis of the robust TA prepared by the applicant that the combined effect of both stores in operation on top of existing traffic levels will be acceptable in terms of traffic levels and flows through the local road network.

Acoustic Assessment

The sources of noise related to this proposed development will include

- Car parking and associated activities
- Fixed plant and equipment
- The movement of delivery vehicles and unloading activities
- Use of the Petrol Filling Station, including the car wash.

Customer activity within the car park includes movement of trolleys and opening and closing of car doors but these tend to be of short duration and of low noise level. The movement of cars within the site is at a slow speed and therefore produces less noise than the faster vehicle speeds outwith the site. The busiest times are identified as weekday evenings and Saturdays. The acoustic assessment concluded that the noise level within the car park will be similar or lower than the existing background noise (which includes aircraft) and will have a negligible impact on the occupants of the nearest dwellings.

The impact of fixed plant and equipment was assessed on the basis of all plant on site operating simultaneously at maximum night time capacity, which in reality is unlikely to happen. It is therefore expected that the noise from fixed plant e.g. refrigeration and ventilation equipment, will have a negligible impact.

Delivery vehicles will enter the site from the Lang Stracht to the secure service yard in the south-west corner of the store and will turn into a walled service yard and reverse on to one of two sealed unloading docks. The low vehicle speed within the site produces lower noise levels than similar vehicles at higher speeds on the roads outwith the site. The store operator has confirmed that reversing alarms will be switched off. The enclosed yard and bulk of the main store building help to screen the noise from the nearest dwellings through the applicants have suggested that a low acoustic screen fence can be installed to further limit noise migration from service activities.

Offloading is within an enclosed and sealed dock and the applicants have specified that acoustically absorbent material will be installed within the service area to prevent echoing of cages and pallet trucks in this area.

The PFS and jet-wash are located 40 metres from the nearest dwellings and the noise levels are assessed as not exceeding the background noise level adjacent to these houses resulting in negligible impact. The operator does undertake to select an appropriate car wash model to limit noise transmission.

In the interests of limiting the risk of late night and overnight disturbance the applicant has agreed to restrict the opening times of the store to between 7:00 in the morning to 11:00 at night with the car wash closing at 10:00pm. No overnight servicing will be undertaken

Habitat and Arboricultural survey

The site comprises large areas of building, hardstanding and car parking and amenity grassland with a short sward and low floral diversity. There are trees along the eastern and southern boundaries. This is not a designated site and development will not have an adverse effect on the nearest wildlife site at Den of Maidencraig.

The main interest relates to the trees, of which 32 are to be removed to allow the development. The trees are varying in age and condition and are a mixture of conifers and broadleaves species. Some trees are of low quality and are damaged.

All tree works will be carried out to standard requirements with remaining trees and root area to be protected from site works. Subsequent discussion on site has produced revised plans which retains more trees particularly in the SW corner.

Ground condition report

The condition of the soil and sub-soil on site were investigated in terms of their suitability for foundations for the new development and in view of the historic use of the site which may have led to limited chemical contamination. Historically the site was in agricultural use as a plant nursery till the early 1960's when the school was built and remained open to the late 1980's since when the buildings have been used as administrative accommodation, mainly related to education purposes and a youth centre.

There is no evidence of made ground formed by dumping top soil on the site and the natural surface material comprises glacial till over granite bedrock at a depth of 5 to 10 metres.

In order to fully investigate any potential contamination a series of trial excavations and bore holes will be sunk to allow soil sampling, groundwater testing and the condition of materials to be established. These works were recently completed and a report submitted as a requirement of the consultation from Environmental Health. This information was found to be in order with no concerns identified though subject to final acceptance once the building on site had been cleared and the solum investigated for any potential contamination.

Sustainable Energy Statement

The store is designed from a low carbon approach, including low and zero carbon energy for the replacement of carbon emissions following the avoidance and reduction of these emissions through passive design and efficiency measures.

Techniques to be utilised include the use of natural refrigerants and highly efficient refrigeration systems, maximum use of natural daylight in the store entrance, café and office spaces, energy efficient lighting, use of waste heat and heat recovery systems and electricity generation using solar photovoltaics.

With these initiatives the SPG on Reducing Carbon Emissions in new development is recognised and the target of at least a 15% reduction beyond 2007 building regulations met.

Drainage Strategy

There are existing combined sewers on all the roads round the site and culverted watercourses on Stronsay Drive and Gairsay Road. Scottish Water has confirmed that there is sufficient capacity in both the local drainage and water supply network to serve the development.

The site is unlikely to be subject to flood hazard and there is no record of local flooding or blockage of the culverts and the development will not result in any increase in surface water run-off.

The new development will be served by a separate foul and surface water drainage network and the existing site network will be removed. Foul drainage is to connect to the existing services on Gairsay Road and Stronsay Drive. Surface water drainage will incorporate SUDS. Owing to aviation guidelines surface water detention basins or ponds cannot be used therefore below ground storage will be used and will complement the porous asphalt system for the car park surface and filter trenches for roof water prior to controlled discharge to the culverts. All drainage from the filling station and service yard, which may be contaminated by oil and fuel spillage, will be connected to the foul sewer.

REASON FOR REFERRAL TO SUB-COMMITTEE

This is a major application and involves land which is in the ownership of the City Council. The local Sheddocksley and Northfield Community Council have also commented on the application and there are 6 letters of objection. All these criteria justify referral to the DMSC

CONSULTATIONS

ROADS SECTION –Had initial concerns regarding the road layout relative to the formation of the new site access, internal parking arrangements, provision of cycling facilities and site drainage. The scale of the proposal also required detailed analysis of the TA and potential effect on local road network. Following discussions between roads officers and transport consultants have now reached agreement with off-site road improvements identified and the financial contributions which will be sought through a legal agreement regarding cycling provision, traffic calming measures and reservation of land for potential road improvements. Will also require contributions towards maintenance of new traffic signals. A travel plan will be required for this development

TRANSPORT SCOTLAND- The operation of this site for retail purposes will have an effect on the A90, North Anderson Drive corridor with particular regard to the traffic light controlled junction between the Lang Stracht and the A90. Have suggested that rather than road improvements to the A90 the applicants make proportional financial contribution. A travel plan will also be necessary

ENVIRONMENTAL HEALTH –no adverse comments following submission of Contaminated Ground Investigation though further work required once site cleared. Have also commented that opening hours and servicing should be restricted in view of the possibility of overnight disturbance to the occupants of adjacent housing.

COMMUNITY COUNCIL –Had initial concerns with the traffic impact of the development though supported the provision of modern shopping facilities in the area. Note that the local community have not had same retail options as other parts of the city and would like to see similar shopping choice in the area. The Lang Stracht is already unacceptably congested, the new store will lead to gridlock at peak times and do not feel that the applicants have addressed the serious roads implications of this development. Also seek provision of replacement community facilities. The concerns regarding the traffic impact have been reiterated in their second consultation response.

PLANNING GAIN – A contribution will be required relative to the development to be utilised towards environmental and access improvements in the vicinity.

REPRESENTATIONS

6 letters of objection received with the main concern being impact on traffic and potential to cause and exacerbate road congestion. One specific objection from rival supermarket operator questioned validity of the applicant's retail analysis.

One objection draws attention to the Reporters findings into the 2008 Local Plan which identified only one particular site at Rousay Drive for a supermarket development. The need for two stores of this scale in the area has not been established and is likely to lead to closures and job loss by local shops.

The potential development of two stores would lead to unacceptable levels of traffic congestion along the Lang Stracht, the A90 and lead to loss of residential amenity in adjacent streets such as Stronsay Drive and Summerhill Terrace.

The objection submitted by a rival store operator draws attention to the provision in the (recently replaced) Aberdeen Local Plan for one store to serve west Aberdeen. This site at Rousay Drive is identified in the adopted local plan by Proposal OP61 and has planning permission with development imminent. No case has been advanced to justify more than one store to serve west Aberdeen and the Rousay Drive site enjoys a more central location within the catchment.

The objections also cast doubt on the validity of the retail assessment undertaken for Morrisons as it defines a catchment area extending well beyond the west Aberdeen area and base their assessment of retail underprovision on the large population within this area, many of whom would be unlikely to shop in the Lang Stracht location. The objector therefore concludes that their will be insufficient local expenditure to support two stores.

The objectors also note that their store is located on the main street frontage whereas the proposed store is located within the rear of the Summerhill site and the car park fronts the Lang Stracht.

The objector's transportation consultants also point out, in their opinion, inconsistencies in Morrisons Transportation Assessment which does not compare to the work submitted by the rival applicant for the Rousay Drive location. The effect of the new store on the local and trunk road network has therefore not been properly addressed and would lead to unacceptable impact.

These objectors have been advised of revisions and updates to both the TA and RIA which have been submitted.

Aberdeen Cycling Forum whilst welcoming the provision of covered cycling parking at the store were concerned about the loss of a length of cycle lane and the potential for cyclist/vehicle conflict at the new store entrance where none exists at present as the cycle lane provides a continuous straight ahead facility at present. They would wish to see additional provision for cycle parking at the store.

Aberdeen Civic Society comment that adequate traffic management procedures should be followed.

Renotification

On receipt of the final and updated submissions from the applicant along with the Roads Engineer's consultation all parties, including the local community council, who made initial representations were invited to submit additional comments on the updated material. This resulted in an additional 3 representations being received which require to be taken into account along with the earlier initial objections. The main concerns still relate to road and traffic issues, which the objectors do not consider have been adequately addressed and retail impact.

It is considered by the objector that Morrisons have exaggerated their large catchment area (parts of which do not naturally fall within the catchment of the Summerhill site) and have not adequately dealt with the effects on existing local centres. Traffic objections include concerns that the trip rate calculation for the proposed store has been significantly underestimated in the context of congestion along the Lang Stracht and that Morrisons have overestimated the pass-by and linked trips to their proposed store. The objectors are not convinced that there is sufficient network capacity to accommodate the proposed store.

PLANNING POLICY

Scottish Planning Policy states Scottish Government policy on important land use planning matters and promotes in Para 52 (Town Centres and Retailing) the preparation of a hierarchy of retail centres with an emphasis on the importance of the town or city centre and advocates a sequential approach which should be used in the selection of retail locations.

Out of centre locations may be acceptable provided that they are easily accessible by walking, cycling and public transport. A convenient location, close to homes or places of work and easily accessible by foot, public transport or car, with available short term parking, is also important.

A retail impact analysis should also be undertaken where a retail development of more than 2,500 square metres gross floorspace outwith a town centre is proposed which is not in accordance with the development plan. An impact analysis may also be necessary for retail proposals which may have a significant impact on vitality and viability.

The policy guidance on transport in paras 165-170 emphasises the shift from car based travel to walking, cycling and public transport with development supported in locations that are accessible by sustainable transport. The guidance advocates the implementation of travel plans and the preparation of Transportation Assessments where new development is likely to result in a significant increase in the number of trips.

The main planning guidance on development of this brownfield site is contained within the newly adopted Aberdeen Local Development Plan (LDP) which was formally adopted on 29 February 2012. This site is identified by proposal OP120 and identifies this vacant site as surplus to requirements and within a Residential policy area. Appropriate development options include residential, office or retail.

The policies within the LDP which have a bearing on this application include

- Policy T2, Managing the Transport Impact of Development which requires that new development will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. Applications require to be supported by Transportation Assessments and Travel Plans will be necessary either by condition or legal agreement.
- Policy D1, Promoting High Quality Design and requiring that new development is designed with due consideration to its context and setting
- Policy D3, Sustainable and Active Travel which supports, promotes and facilitates walking, cycling, public transport along with improved facilities such as Core Path enhancement.
- Policy H1, Residential area which states that within existing residential areas proposals for non-residential use will be refused unless they are considered complementary to residential use and it can be demonstrated that the use would cause no conflict with or nuisance to the enjoyment of existing residential amenity.
- Policy RT1, A Sequential Approach requiring that all retail developments appropriate to town centres should be located in accordance with a hierarchical and sequential approach.
- Policy RT2, Out of Centre Proposals which will only be generally acceptable where no other alternative site is available, no adverse effect on the locality would result, there is a proven deficiency in local retail provision, the site will be easily accessible and there would be no significant or adverse effect on travel.
- Policy NE3, Urban Green Space where development should result in no loss of landscape character, public access is enhanced, the site is of no heritage values and would not result in the loss of trees. Consideration must be given to replacement Green Space and improved benefits to the local community.
- Policy NE5, Trees, where existing trees should be retained following objective assessment and replacement provided where tree loss is necessary.
- Policy NE6, Flooding and Drainage, with emphasis on Sustainable Urban Drainage Systems (SUDS).
- Policy R7, Low and Zero Carbon Buildings, where targets for sustainable construction and low energy consumption within new development require to be met.

EVALUATION

The proposal is not considered to constitute a departure from the development plan as a retail use of this site would be complementary to the adjacent housing area. This is not a city centre site though the proposal for a superstore is not one which would normally be located within a city centre and there has been a long term proposal for modern convenience retail facilities in the west of the city.

The applicant has demonstrated that there is sufficient expenditure within the city to support another store in this location and whilst the Retail Assessment was based on the existing population it has also to be noted that the recent approval of the Aberdeen Local Development Plan has made provision for substantial new residential development west of the city in e.g. Countesswells, Kingswells, Greenferns and Maidencraig which will be within the market area of this store.

A main benefit of having modern retail facilities within a large community which is not currently provided with such facilities, particularly with regard to weekly food shopping needs, is that there will be major gains in terms of overall sustainability and traffic generation with customers shopping locally to meet these needs rather than having to depend on private cars to shop at, what are to them, more remote locations as at present.

The site is within a Residential land use allocation in the recently adopted Aberdeen local development plan of February 2012. On such residential areas policy requires that uses other than residential will not be permitted unless considered complementary to residential use, such as local shops (class 1 use) and it can be shown that the use would cause no conflict with or nuisance to the enjoyment of existing residential amenity. All development must meet required standards for car parking and open space.

In the Aberdeen Local Development Plan the site is identified as an opportunity site OP120 with a comment that the former school is now vacant and surplus to requirements.

The recognised established recent use of the site was for administration and offices by the local authority and the landscaping within the site should be considered as amenity ground within the grounds of an office complex. It does not enjoy the status of open space as the public were generally excluded from these private grounds which were not available for general recreation purposes.

The proposed development will result in significant areas of the site being retained and enhanced by additional landscape planting which will result in an improvement to the visual amenity the area. In addition the site will be open to public access through three access points and will therefore be more permeable than at present with a contribution made to enhance the provision of linking footway and cycle routes to and through the site. It is considered that these benefits will outweigh the marginal loss of open space within the site.

In the preparation of the LDP it was considered that there remains a need for modern convenience shopping provision to serve the western districts of the City. A planning consent is in place for a modern supermarket at Rousay Drive and this site at Summerhill has since become available. The impact of two superstores on the Lang Stracht would have to be carefully considered in terms of the effect on the vitality and viability of nearby centres through a Retail Impact Assessment. The proposal for a store at Summerhill must be considered in light of the permission at Rousay Drive as there may be concerns about the cumulative effect on traffic and retail impact though the development of both sites is not precluded.

The crux of this application is to judge whether the combined effect of both the Rousay Drive and Summerhill sites in operation as superstores would result in unacceptable consequences. The TA prepared by the applicant relative to this application took into account the effect of the existing traffic levels (without any store) then the operation of the Rousay Drive site then added on the effect of the Summerhill site opening. This rigorous exercise indicated that only minor traffic effects would result and the combined effects were considered acceptable.

Similarly the applicants indicated in their retail study that there was capacity within the western part of the city to support two stores in this general location on the basis that there is a substantial population which would be closer in terms of travel time to either of these two stores than to existing alternative superstores and that any likely diversion of trade from existing stores would not effect their viability. The effect on local centres is different in that the store would not result in direct competition being directed towards mainly large weekly shops whereas the local retail facilities offer top up shopping.

Accordingly the cumulative and combined effect has been investigated and supports the approval of consent for the Summerhill site.

Comments from Grampian Police Architectural Liaison Officer indicated that a safe environment enhanced by appropriate lighting is required for customer and staff safety, there should be no recesses or recessed doorways in the development and entrances, including staff entrances, should be covered by high resolution CCTV cameras. The location of an ATM should be by the main entrance with enhanced passive surveillance.

The site has existing flowering trees and shrubs some of which will be removed to allow development. The site is adjacent to the approach and take-off routes for Aberdeen airport and though the height of the proposed building is well below the threshold for consultation with BAA the applicants have undertaken to utilise male only planting (which is not fruit or seed bearing) in the new landscape planting programme as such planting stock will not attract feeding birds. The applicants have submitted a fully detailed landscape plan as part of the planning application and have also submitted a Bird Hazard Management Plan. A condition is still advised relating to this as the measures require to be kept in place for the whole life of the building relating to this. In addition a landscape maintenance condition related to the applicants own high specification soft landscape maintenance programme is also necessary.

The proposed site layout has been developed taking into account the required need for a new dedicated vehicular access, to be taken directly off of the Lang Stracht together with the various existing physical site constraints. The existing topography of the site is such that it falls some 6m from the Lang Stracht down to Gairsay Road and there is a main sewer wayleave which lies within the site running parallel with Stronsay Drive.

The proposed main building location has therefore been set towards the rear of the site straddling the location of the existing higher, four storey section of the current building. It is in keeping with other new and existing developments along the Lang Stracht that have been set back from the dual carriageway such as the adjacent Lidl supermarket and the various car showrooms.

In siting the main supermarket further back into the site this allows clear separation between the filling station and the main store car park. This allows them to operate independently and offers security opportunities to close off the main car park when the store is not in operation.

In visual terms by locating the building to the rear of the site this allows for the active frontage to face the Lang Stracht and limits the height impact of the overall development. If the development were to be located directly on the Lang Stracht the operation of the store would result in a need to 'turn its back' on the main road as the retailer requires the store entrance to be entered directly off the main customer car park which would be in the rear of the site in this scenario.

The current proposed orientation and location suits both the operational requirements of the retailer with all its customers having easy access to the main entrance point and is also a sustainable construction solution as the main existing site levels are utilised to achieve the required minimum falls across the car park without the need to either remove or import excessive amounts of material. If the building were to be erected on the Lang Stracht at the higher level this would require a great amount of imported material to maintain the gradient over the car park and the car park would be at a higher level than currently proposed and would result in the need for steps to access the site.

As currently proposed the service yard is enclosed and accessed off the main site access road and avoids conflict with the main car park. Should the store be located on the site frontage, servicing may have to utilise a second dedicated access off Gairsay Drive and would result in conflict within the customer car park as well as potential noise issues.

It is therefore considered that the proposed site layout and building location is the best solution in terms of planning policy, sustainability and operations needs.

In terms of visual amenity the initial eastern elevation was considered bland and this has been revised to introduce a colour and material differentiation and introduce an acceptable level of visual interest as shown on the final plans.

The final details of the surface drainage arrangements are yet to be agreed and a condition is advised. An appropriate condition is also advised regarding ground conditions and any potential for contamination though the information available to date does not indicate any problems but the ground underneath the buildings to be demolished still requires final examination before this requirement can be concluded. An agreed statement for the management of servicing of this store has been submitted as part of the application though a condition restricting construction access to the main access point off Stronsay Drive via the Lang Stracht is advised and the developers are in agreement with this. A condition to limit the noise levels of the ventilation and refrigeration plant installed is a failsafe recommendation though interpretation of the Acoustic Assessment indicated no issues should arise. In addition, opening hours of the store, the PFS and the car wash are specified by condition and there will be no overnight deliveries to the store.

Roads and transportation

A transportation Assessment (TA) was prepared in support of the development and considered the impact on accessibility and transportation matters. It considered all travel and transport modes to the development and examined both sustainable travel modes and travel by private car.

The development requires access on to the Land Stracht where there is significant existing congestion during the AM, PM and Saturday peak periods.

The TA was initially prepared in May 2011 and has been subject of recent analysis; the store access requires a new junction and this has been assessed on the basis of its performance to accommodate traffic on the route with acceptable queuing and delay. The results of traffic modelling undertaken for the development confirm that the network can accommodate the anticipated level of traffic. The analysis demonstrated that the traffic to be developed by both the Tesco and Morrison's proposals can be accommodated on the local road network and queues and delays are within acceptable limits.

It is also relevant to point out that any redevelopment of the Summerhill site will require a new access regardless if it is Morrison's or another development, such as business or housing. The junction arrangement will inevitably change and will not be the same as present. Whilst, therefore, the proposals may be acceptable there are three issues relative to the consequences of this development that require to be addressed.

Traffic signal control of the junctions of Eday Road with Stronsay Drive and Stronsay Place and with Stronsay Drive and Kings Gate will require to be installed and conditions are advised regarding these works. It should be noted that similar conditions were placed on the Tesco approval at Rousay Drive and who ever implements their consents first will require to undertake these works. However, the capacity of these junctions has been assessed following both the opening of Tesco and Morrison's and both junctions will operate within acceptable limits.

Right turn bans are to be implemented on Westholme Avenue with Kings Gate and to prevent rat-running along Westholme Crescent traffic calming by way of speed cushions is advised and an appropriate condition is required.

The proposed site access requires the removal of a length of bus lane and cycle lane along the site frontage, Traffic Regulation orders will be required for these amendments and the applicant will have to fund the administrative costs. The applicants have also to make a financial contribution towards future cycle lane provision in lieu of actual works on site. These aspects are covered by a legal agreement

In physical terms there remains potential to widen the Lang Stracht along this frontage and the applicant has been requested to reserve land for a 15 year period should these works become necessary. This requirement will need to be included in a legal agreement relative to this development

The applicants are committed to the preparation and implementation of a Travel Plan and in this regard have submitted a Travel Plan Framework as a starting point. Travel surveys will be undertaken within 6 months of opening and the information used to develop the Travel Plan for the store to target the most appropriate measures to influence both staff and customer behaviour.

A legal agreement reflecting this mechanism and the attainment of satisfactory performance levels is advised and complements the point made by Transport Scotland that a Travel Plan is necessary for this development.

Concluding planning consideration

The planning gain contribution towards enhancement of the local Core Path network is relatively modest as is the contribution sought by Transport Scotland for reconfiguration of the traffic signal controlled junction of Lang Stracht with North Anderson Drive and minor alterations at Kings Gate. There are other developer costs involved with improvements to the local roads network and they are to be governed by suspensive conditions. In addition other contributions are being sought for future improvements to cycling provision and reservation of land for road improvements in the area. The applicant has indicated a willingness to pay these contributions through the preparation of a legal agreement. The current ownership of the site by the City Council has to be recognised in legal terms and an enabling agreement under the terms of S69 of the Local Government (Scotland) Act is required such that the developer, on purchase of the site, subsequently enters into a planning agreement under S. 75 of the Planning Acts. This agreement will then provide for payment of contributions through Planning Gain and the roads requirements including the delivery of the Travel Plan.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

This retail development is considered to be ancillary to the residential land use allocation of the site and adjacent area, has been assessed to result in limited impact on the vitality and viability of local centres and does not result in adverse impacts on traffic flow or safety in the adjacent road network and is of a suitable design and layout.

It is recommended that approval is granted subject to the completion of a legal agreement and with the following condition(s):

(1) that no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(2) Prior to the commencement of any development on site a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall be submitted to and approved in writing by the planning authority, in consultation with Transport Scotland. The Travel Plan shall identify measures to be implemented; the system of management, monitoring, review and reporting; and the duration of the plan - in support of sustainable transport initiatives.

(3) Prior to the occupation of any part of the development the modifications to the A90(T)/Kings Gate roundabout, generally in accordance with figure 9.13 of the SKM Colin Buchanan Transport Assessment dated September 2011, together with timing adjustments to the A90(T)/Lang Stracht signal junction, shall be implemented, or a contribution in lieu of the physical works made to Transport Scotland, to the satisfaction of the planning authority, after consultation with Transport Scotland - in the interests of the free flow of traffic on the Trunk Road.

(4) That prior to the commencement of the development hereby approved the operator shall submit to and have agreed in writing with the planning authority a management plan for the routing of construction vehicles to and from the site which shall subsequently be implemented in accordance with the agreed scheme. For the avoidance of doubt all construction vehicles shall be required to access and exit the site using the main entrance on Stronsay Drive via Lang Stracht/A944 and North Anderson Drive/A90(T) only - to avoid traffic conflict with the main road network.

(5) That for the avoidance of doubt this planning consent hereby granted shall be strictly for 6,331 sq. metres floor area only (this provision shall allow for 3,383 square metres or thereby of trading floorspace and 2,948 square metres non-trading floorspace within the store) and that any permitted development rights by virtue of S26 (2)(a)(i) of the Town and Country Planning (Scotland) Act 1997 are hereby removed - in order to accurately define the terms of the consent as the traffic impact has been assessed on the floorspace of the proposals as submitted.

(6) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. AL(0)06 RevE 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 - in the interests of public safety and the free flow of traffic.

(7) 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 - in the interests of the amenity of the area.

(8) that no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.

(9) that any tree work 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 - in order to preserve the character and visual amenity of the area.

(10) that no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.

(11) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:

- (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
- (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or
- (c) at any time on Sundays,

except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

(12) that no development shall take place unless it is carried out in full accordance with a scheme to deal with contamination on the site that has been approved in writing by the planning authority.

The scheme shall follow the procedures outlined in Planning Advice Note 33 Development of Contaminated Land and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS10175 Investigation of Potentially Contaminated Sites - Code of Practice and other best practice guidance and shall include:

1. an investigation to determine the nature and extent of contamination,
2. a site-specific risk assessment,
3. a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

No building(s) on the development site shall be occupied unless

1. any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and

2. a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation.

The final building on the application site shall not be occupied unless a report has been submitted and approved in writing by the planning authority that verifies that completion of the remedial works for the entire application site, unless the planning authority has given written consent for a variation- reason: in order to ensure that the site is fit for human occupation

(13) Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of - *management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'*

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority- It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

(14) that the development hereby permitted shall not be brought into use until the zero/low carbon equipment has been installed in full accordance with the details shown on the approved plans - to ensure this development complies with the on-site carbon emissions target outlined in Scottish Planning Policy (SPP) and specified in the City Council's adopted Supplementary Planning Guidance, 'Reducing Carbon Emissions In New Development'.

(15) That none of the units hereby granted planning permission shall be occupied unless the cycle storage facilities as shown on drawing no. AL(0)06 RevE have been provided - in the interests of encouraging more sustainable modes of travel.

(16) that the use hereby granted planning permission shall not take place unless a scheme showing the proposed means of filtering, extracting and dispersing cooking fumes from the premises has been submitted to and approved in writing by the planning authority and that the said scheme has been implemented in full and is ready for operation - in order to preserve the amenity of the neighbourhood.

(17) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority - in order to preserve the amenity of the neighbourhood and in the interests of public health.

(18) That the development hereby granted planning consent shall not be occupied until the following road improvements have been implemented to the satisfaction of the planning authority:-

1. The Stronsay Drive/Stronsay Place/Eday Road junction shall be signalised in accordance with the engineering details shown on SKM Colin Buchanan Drawing No. VN19877_02_SK001 and

2. The Stronsay Drive/Kings Gate junction shall be signalised in accordance with the engineering details shown on SKM Colin Buchanan Drawing No. VN19877_02_SK002 which works shall include the banning of right turns at Kings Gate/Westholme Avenue.

- in the interests of road safety and the free flow of traffic.

(19) That the operational hours for this development shall be restricted as follows unless agreed in writing with the planning authority:-

The Petrol Filling Station opening hours shall be between 07:00am to 11:00pm

The store opening hours shall be between 7:00am to 11:00pm

The Car/jetwash/vacuum activity shall be restricted to the hours of 7:00am to 10:00pm

and all delivery activity shall be restricted to between 6:00am and 11:00pm,- in the interests of residential amenity

(20) That prior to the occupation of the development hereby approved the measures as identified in the applicants Acoustic Impact Assessment dated 23 September 2011 relative to this application shall be installed and operational unless otherwise agreed in writing with the local planning authority - in the interests of residential amenity

Dr Margaret Bochel

Head of Planning and Sustainable Development.