

Planning Development Management Committee

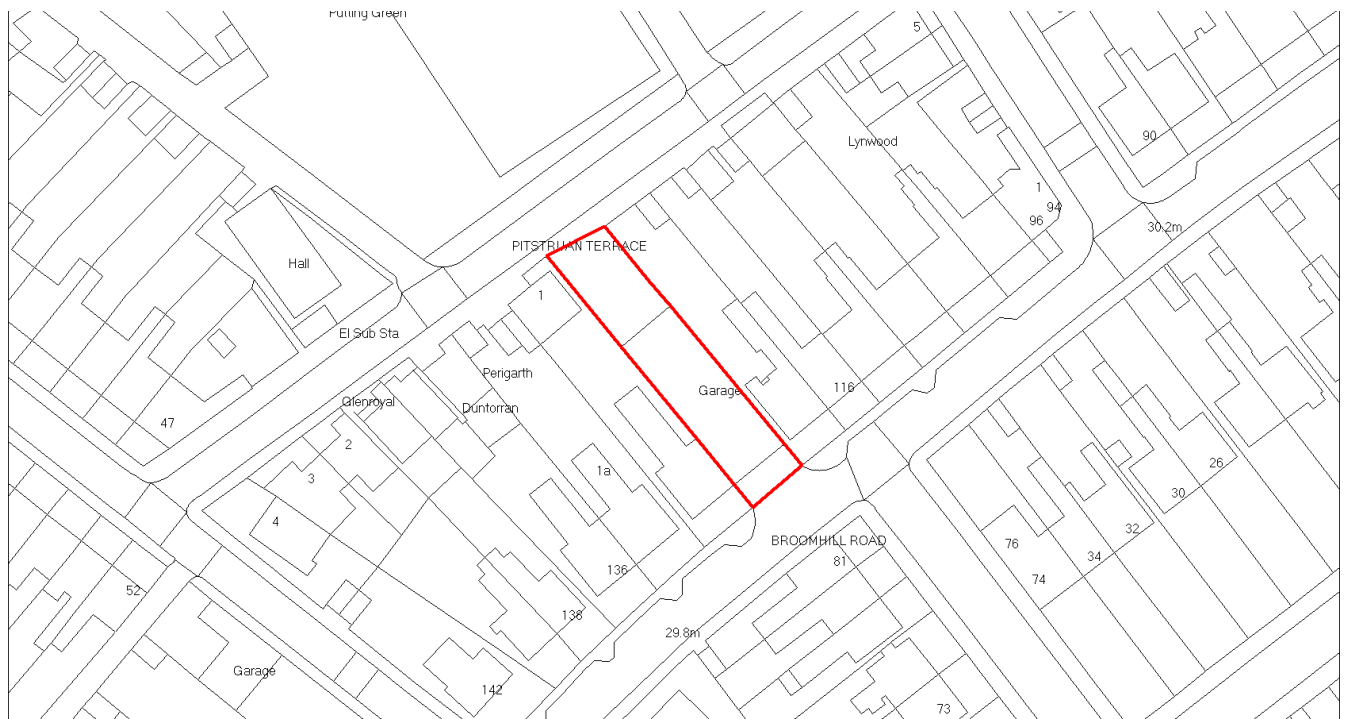
122 BROOMHILL ROAD, ABERDEEN

CHANGE OF USE OF VACANT CAR SHOWROOM TO CLASS 1 (SHOP), SHOPFRONT ALTERATIONS AND OTHER EXTERNAL ALTERATIONS, ERECTION OF GATE/FENCE TO REAR AND OTHER ASSOCIATED WORKS, INCLUDING FOOTPATH AND PARKING IMPROVEMENTS

For: Executors of Mrs P Ross

Application Type : Detailed Planning Permission
Application Ref. : P130910
Application Date: 25/06/2013
Officer: Jennifer Chalmers
Ward : Airyhall/Broomhill/Garthdee (I Yuill/A Taylor/G Townson)

Advert :
Advertised on:
Committee Date: 29th October 2013
Community Council : Comments



RECOMMENDATION:

Refuse

DESCRIPTION

The site is located on the north west side of Broomhill Road and across from the junction with Abergeldie Road and covers an area of approximately 640sqm. There is space to the front (south elevation) of the property for 4 cars, whilst to the rear there is a large car parking area that leads out onto Pitstruan Terrace. The area is characterised by terraced flats and houses and to the rear of the property there is an amenity area with tennis courts and pitch and putt.

RELEVANT HISTORY

P130285 – Application was withdrawn on 24th June 2013. Application was for the 'Sub-division and part change of use to Class 1 (Shops)'.

PROPOSAL

Detailed planning permission is sought to change the use of a vacant car showroom to a Class 1 (shop) use, as well as shopfront alterations, external alterations, the erection of a gate / fence to the rear and other associated works, including footpath and parking improvements.

Although the most recent use was as a childrens play centre, that particular use did not have the benefit of planning permission and therefore the premises reverts to the previous authorised use as a car showroom.

To the front it is proposed to replace the existing entrance door and car entrance with new curtain walling. Whilst the existing window at the eastern end of the front elevation would become a new glazed entrance door with glass canopy above.

Two roller shutter doors are proposed, one for the front door and one for the rear.

The erection of a gate / fence to the rear. It is proposed to erect a 7ft close boarded timber fence along the eastern and western boundaries. This would be finished in forest green. Along the north elevation it is proposed to have a 7ft high galvanised pallisade fence with 2x (4.0m) wide gates. These would be flush with the boundary wall to the east.

It is proposed to remove the existing 4 parking spaces to the front of the property off Broomhill Road and lay new flagstone paving slabs at the entrance to the premises as well as erect 7 S/S bollards along the front boundary adjacent to the pavement. Also within this area it is proposed to install 3 Sheffield style bicycle stands.

Within the rear section of the building, it is proposed to install 6no 3m x 1m GRP rooflights.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?130910>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

- Parking Survey Report

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the the Planning Development Management Committee because there are more than 6 letters of objection and there is an objection from the Ashley & Broomhill Community Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team - Object to the proposal on the grounds that Broomhill Road, Pitstruan Terrace and Pitstruan Place are unsuitable for deliveries and that this could have a detrimental impact on the local residents, road network and road surface.

- 1. Walking & Cycling** – Note that it is proposed to install cycle parking at the front of the building. This is acceptable, however, still require secure cycle parking consisting of a minimum of 2 long stay cycle parking spaces comprising Sheffield style stands within a secure compound or within the building itself.
- 2. Parking** – Proposed to remove two existing build outs and provide additional on street parking. The applicant is already aware of the traffic orders required for this work.
- 3. Trip Rates** – Trip rates were worked out using the TRICS database for a convenience store. The results were generated using a gross floorspace of 334sqm.
 - The peak hours for a development of this type and size are 09:00–10:00 and 18:00–19:00.
 - The AM peak arrival and departure trip rates are 7.696 and 7.967 respectively.
 - The PM peak arrival and departure trip rates are 10.210 and 10.629 respectively.
 - The AM peak hour results in trip rates of 25.7 arriving and 26.6 departing.
 - Over a full hour this results in an average of 0.43 vehicles arriving per minute and 0.44 vehicles departing per minute.
 - The PM peak hour results in trip rates of 34.1 arriving and 35.5 departing.
 - Over a full hour this results in an average of 0.57 vehicles arriving per minute and 0.59 vehicles departing per minute.
- 4. Development Vehicle Access** – Through the previous application it became apparent that the servicing of a frequently used retail unit at this location had a strong potential to cause disruption to the local road network both on Broomhill Road and to the local residents on Pitstruan Terrace and surrounding areas. After further discussion it was agreed that we could not accept that deliveries be made using Broomhill Road as they would cause disruption to the vehicles, pedestrians and public transport using the road and users exiting Abergeldie Road.

The Swept Path Analysis has been submitted showing a 10m vehicle accessing the site. This swept path is slightly better than the 12m delivery vehicle which had previously been submitted, however, it still shows the vehicle and the overhang of the vehicle coming within the Roads Construction Consent allowable tolerance of 500mm of vehicles or infrastructure at two points on the entrance from Pitstruan Place to Pitstruan Terrace. This has been a thorough study which the Roads Projects Team are satisfied has been fully investigated, however, it still shows that both Broomhill Road, Pitstruan Terrace and Pitstruan Place are unsuitable for deliveries and this could have a detrimental impact on the local residents, road network and road surface. The Roads Projects Team object to this application on these grounds.

It is not possible to condition a development to using a specific size of delivery vehicle. As the Roads Projects Team have to consider the worst when looking at the traffic impact analysis of a development it is clear that large delivery vehicles would not be able to access this site in an acceptable manner.

Environmental Health – No observations

Enterprise, Planning & Infrastructure (Flooding) - No observations received

Community Council - Object on the following grounds:

- 1. Access / Safety** – at the front, any large vehicles parked to the front could cause severe disruption to traffic and public bus transport in both directions of what is an arterial route into Aberdeen and to the RGU complex. The Community Council have for a number of years been receiving numerous complaints about the number of HGV's using Broomhill Road, and this would seriously exacerbate the problem. Recently the post box at the Broomhill Road end of Salisbury Terrace was knocked down by a B&Q vehicle. At the back, access would be required from Salisbury Terrace. This is zoned as a Conservation Area. The street is narrow, and the corners sharp to gain access to the rear of the building. Residents of Pitstruan Terrace have rooms close to the street, and so large diesel engine powered trucks regularly servicing the site would cause the families inside noise and irritation. Large vehicles attempting to enter or exit these roads would severely affect the traffic flow onto, or from Broomhill Road. Customers with cars would find difficulty parking, and may park to the annoyance of local residents. Clearly, in order to access Salisbury Terrace, these vehicles would need to swing out into the arterial traffic flow, then they would occupy most of the lane space so stopping traffic in the opposite direction. (who would need to reverse until a space could be made).
- 2. Parking** – The premises currently have off-road parking at the rear which will be removed to create a secure delivery yard and also removing the off street car parking to the front (4 spaces) which would put considerable pressure on existing residents parking. The streets around the back are so heavily parked day and night, an articulated truck would have a major challenge to deliver to the store by Salisbury Terrace / Pitstruan Terrace / Pitstruan Place.
- 3. Licencing Issues** – There are already known issues concerning youth misbehaviour in and around 'The Woodies' and Broomhill School. The availability of alcohol in close proximity to these sites is an issue of worry

to the residents and could lead to an increase in youth disorder. This may lead to policing issues and increase demand on police resources. There is an assumption that the proposed premises would be automatically licenced.

4. **Location** – Young children from Broomhill School would also be attracted to it, in the morning before school, possibly at lunchtimes and after school. If these times coincide with deliveries, then it raises safety fears as they would need to cross Salisbury Terrace to reach the site. Also, the back area has the Ruthrieston Sports area and Scout Hut. The lanes may offer an attractive meeting / drinking spot for youths. Residents fear a change in the current, peaceful situation.
5. **Over Provision** – There are no lack of facilities in the area with various independent retailers who serve the community well. These include grocery, newsagent, pharmacy, florist outlets. These businesses are sure to suffer. Already in close proximity and walking distance of the proposed outlet there are a number of supermarkets including, 2 Sainsbury's, 2 Tescos, 1 Coop, 1 Spar, 1 Iceland as well as Asda and Sainsbury's at Bridge of Dee and shops at Mannofield.
6. **Over Development** – The site is in a residential area, sandwiched between terraced flatted properties. The increase in volume of traffic, vehicular and pedestrian noise issues and restricted parking would impact adversely on their quality of life.
7. **Recent Parking Survey**
Issues in relation to:
 - the existing demand for parking is to be very high at all times, residents are sure to be inconvenienced by staff and customers cars
 - that only one route is passable for delivery vehicles at all times
 - that access for vehicles is extremely tight at all times, blocking the road to oncoming traffic
 - delivery vehicles would have to be restricted to a certain size

REPRESENTATIONS

1 letter of support has been received from the applicants agent. The points raised relate to the following –

1. How proposal relates to its existing use
2. Significance of Town and Country Planning (General Permitted Development) (Scotland) Order 1992
3. Reference to Policy RT4 of the Aberdeen Local Development Plan
4. Relevance of Policy H1 (Residential Areas) of the Aberdeen Local Development Plan
5. Length of time property has been marketed

81 letters of objection have been received. The objections raised relate to the following matters –

1. Restricted parking spaces for residents

2. Broomhill Road is already congested as it has on street parking, it is a bus route, there is a school crossing, there are a large number of commercial trucks and it is too narrow.
3. It would change the balance and harmony of the community and lives.
4. Both Salisbury Terrace and Pitstruan Terrace are too narrow and are already congested with residents car parking
5. The plans would affect the character and appearance of the building
6. No reference to recycling facilities within the application
7. The proposal would impact fully on privacy, quality of life within the community and create a range of issues in terms of noise nuisance and traffic risks.
8. There would be a rise in noise levels and privacy due to the increased use.
9. Safety issues with nearby school. The proximity of the premises to primary school and danger to children playing on their bikes, scooters and playing football.
10. Access routes proposed – negotiation of narrow road in relation to parked cars and impact on curbs
11. The air conditioning vents would be 8-10 steps from a neighbouring bedroom window. 9.8m from main building and app 6.5 from conservatory
12. How much light pollution would there be from the lights at the rear.
13. The wider pavement on the north side of Pitstruan Terrace is there to protect the underground services (gas & electric).
14. Overuse of Broomhill Road by heavy vehicles
15. No detail given on proposed use of building
16. Danger of damage to property
17. Proposes to undermine existing shops thereby impacting local businesses
18. Delivery times
19. Anti social behaviour and vandalism from selling alcohol
20. Icy and snowy roads could be dangerous due to small back roads
21. There are already plenty supermarkets in the area (14 within a 1 mile radius)
22. Salisbury Terrace is already a rat run
23. Concerned that restrictions would be put in place in certain areas.
24. Increase in littering / hygiene
25. What would be the size of the recycling trucks and how often would they be there
26. Why is the existing oil tank being left – does it comply with OFTEC / fire regulations?
27. Neighbouring properties will be devalued

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) February 2010 – The planning system should promote development that supports the move towards a more economically, socially and environmentally sustainable society (35).

The planning system has an important role in supporting the achievement of sustainable development through its influence on the location, layout and design of new development.

Aberdeen City and Shire Structure Plan

This provides a spatial strategy for development, to ensure the right development in the right place to achieve sustainable economic growth which is of high quality and protects valued resources and assets, including built and natural environment, which is easily accessible.

Aberdeen Local Development Plan

Policy H1 (Residential Areas) – within existing residential areas, proposals for non-residential uses will be refused unless:

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

Policy RT2 (Out of Centre Proposals) – retail, commercial, leisure and other development appropriate to town centres, when proposed on a site that is out-of-centre, will be refused planning permission if it does not satisfy all of the following requirements:

1. no other suitable site in a location that is acceptable in terms of policy RT1 is available or is likely to become available in a reasonable time.
2. there will be no significant adverse effect on the vitality or viability of any retail location listed in Supplementary Guidance: Hierarchy of Retail Centres.
3. There is, in qualitative or quantitative terms, a proven deficiency in provision of the kind of development that is proposed.
4. The proposed development would be easily and safely accessible by a choice of means of transport using a network of walking, cycle 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.
5. The proposed development would have no significantly adverse effect on travel patterns and air pollution.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) 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.

Background

Pre-application discussions were carried out prior to the submission of the initial planning application. It was determined at this stage that planning permission would be required due to the total floor area of the building exceeding 235sqm. The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 allows for a change of use from a car showroom to a Class 1 use where the total floor area of the building does not exceed 235sqm. It is recognised that anything larger than this needs to be addressed and assessed, taking into consideration individual circumstances such as possible impact on the immediate area and that it should not be an assumed use.

Principle of Development

In general, the proposal for a change of use to a Class 1 Shop would be a favoured use within this residential area. However, although it would be recognised as a use that would be complementary to the surrounding residential area there are concerns in relation to the impact on residential amenity from the everyday operations of the premises.

Therefore, consideration needs to be given as to whether the proposed use can demonstrate that there would be no conflict with, or any nuisance to, the enjoyment of existing residential amenity. The application will be addressed in relation to current policy and not based on the previous use of the building.

There are two areas that need to be addressed in relation to this application, issues relating to access and also issues relating to residential amenity.

When considering a property for a change of use, generally a property needs to be marketed for at least 6 months before consideration will be given to a change of use. This property has been marketed since April 2012. The Planning Authority recognise the importance of trying to bring buildings back into use, however it is important to ensure that any proposed use would not be to the detriment of the amenity of the area.

Points 13-27 within the letters of representation are not material planning considerations and will therefore not be discussed within this report.

Retail Impact

As set out in Technical Advice Note: Retail Impact Assessments, a Retail Impact Assessment (RIA) is not considered necessary as the proposed gross retail floorspace is less than 2500 square metres. It is however necessary to address the criteria that are listed in Policy RT2 of the Aberdeen Local Development Plan.

In relation to Point 1, no detailed analysis of other potential locations has been carried out. This is not considered necessary or appropriate in this case given that there is no need for a Retail Impact Assessment and the small size of the premises and that its use would be primarily to meet local needs. Local shops outwith defined centres play an important role in providing a local service and help to sustain viable communities. It is a desirable goal to provide support to local shops that meets the needs of the local community.

Given the size of the proposed retail unit, it is clearly to serve local needs and as such would not be categorised as a supermarket which is defined in the glossary in the Local Development Plan as having trading floorspace of between 500 – 2500 square metres and as such a Retail Impact Assessment was not necessary.

In relation to Point 2, it is likely that the impact would be small and would therefore have no significant adverse effect on the vitality or viability of the nearest neighbourhood centre, which is located at the junction of Holburn Street and Broomhill Road.

It has been acknowledged that there has been no proven deficiency in the provision of the kind of development that has been applied for in relation to Point 3. However, a small retail store is likely to cater for local needs rather than a citywide customer base.

The proposed development would be easily and safely accessible by foot, cycle and public transport as the premises are on a bus route and would therefore not have a significant adverse effect on travel patterns and air pollution and therefore complies with both Points 4 and 5. As stated the premises are small and would serve a local community, therefore reducing the need to travel by car.

Physical Alterations to Building

It is considered that both the proposed 7ft high close boarded timber fence and galvanised palisade fence and gates would not have a detrimental impact on the character of the surrounding area. Although the general nature of palisade fencing is industrial in nature and visually may not be particularly pleasing to the eye, this would only be on the north elevation and would only cover approximately 12m of rear elevation.

There is currently a 1.5m high boundary wall along the eastern boundary. A 7ft high timber fence would increase the height of this boundary treatment by approximately 0.63m which is considered an acceptable height in relation to residential properties.

Also to the rear it is proposed to reduce the width of the current opening into the building. This would create an overall opening of approximately 2m. It is not considered that this would impact on any of the neighbouring properties. Another opening would be created on the rear elevation between the existing opening and the western boundary which would be designed to supply air to the internal plant. This would be approximately 9.8m from the main building and approximately 6.5m from a rear conservatory. Due to the proximity of the neighbouring property, there were concerns that this might cause noise disruption to the neighbouring property immediately to the west. Although Environmental Health have made no reference to this, there is the possibility that this could cause an element of noise as a result of the creation of this opening.

The 6no rooflights proposed for the rear section of building would not cause any overlooking as this section of building has no first floor level and the height of the lowest part would be at least 3.5m above ground level.

To the front it is proposed to create a doorway where there is currently a fixed window and to fit thermally blocked curtain walling where there is currently entrances. This will change the appearance of the existing frontage, however this proposal is considered acceptable as it would not change the overall character of the building.

It is considered that the majority of the physical alterations to the building would all accord with Policy H1, however, there are concerns that there may be an element of indirect noise nuisance generated from the proposed PPC Louvre that would supply air to the internal plant.

Access

The Roads Projects Team have requested that the current 4 off street car parking spaces within the front of the property be removed and replaced with 5 on street car parking spaces. This would enable both customers and residents to park within the immediate area. The Roads Projects Team are satisfied with there being no on site car parking, however they would like to see 2 long stay cycle parking spaces comprising Sheffield style stands within a secure compound or within the building itself as well as the 3 short stay Sheffield style stands which have been shown on Drawing No SK-003.

It has been noted that there is no capacity for offloading of service vehicles to the front of the site (Broomhill Road) due mainly to road safety issues and disruption to vehicles, pedestrians and public transport using the road and users exiting Abergeldie Road. As a result it was proposed that all service vehicles would have to access the premises from the rear, off Pitstruan Terrace, where there is a yard measuring approximately 213sqm. This in itself opens up a number of new issues relating predominantly to road safety.

A 'Swept Path Analysis' was submitted as part of the planning application, however the Roads Projects Team have concerns over the accuracy of this. It was then suggested that a detailed 'Parking Survey' should be carried out in order to prove the accuracy of the 'Swept Path Analysis' which was duly submitted. However, this did not meet the relevant criteria required by the Roads Projects Team and therefore they object to the proposal on the grounds that it would have a detrimental impact on the local residents, road network and road surface. The Car Parking Survey used a 12m long rigid HGV to provide an element of robustness to the assessment. The applicant has advised that the size of vehicle chosen was best-suited to reliably access the proposed store and that it would not be in the retailers interests to service the proposed store using vehicles too large to successfully access it. As it is not possible to apply a condition requiring the operator of the shop to use a specific size of delivery vehicle, the Roads Projects Team consider a worst case scenario when looking at the traffic impact of a development. The Car Parking Survey clearly shows that large delivery vehicles would not be able to access the site in an acceptable manner. On that basis, the applicant has not demonstrated that appropriate servicing and delivery arrangements can be put in place. This could therefore result in delivery vehicles stopping on the public road, which would cause a road safety hazard.

Residential Amenity

The area is zoned as residential and as such will be assessed in relation to Policy H1. It is recognised that the proposal complies with a part of Policy H1 as the proposed use would be complementary to residential use. However, one needs to be satisfied that there is no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

In terms of the proposed use, there are a number of factors that need to be considered such as delivery vehicles and the noise generated during the loading and offloading of metal cages. The area to the rear of the premises is a quiet

narrow road which backs onto an Aberdeen City Council public outdoor sports area, containing tennis courts, bowling green and putting green. It is considered that the character of the area would be impacted on, as a result of the proposed change of use. The proximity of the rear access to neighbouring houses would be immediately adjacent to the off loading area, which would create additional noise in what is currently a quiet street and it is considered that this would have a detrimental impact on the character and amenity of the surrounding residential amenity. It is therefore considered that the use could cause conflict with the enjoyment of existing residential amenity.

The most recent use of the premises was as a soft play centre, however this did not receive planning consent for this type of use, therefore from the planning perspective the premises are recognised as a car showroom which as noted above is the authorised use of the premises. Whilst it is not considered necessary to compare this use to the proposed use it should be recognised that noise disturbance could potentially arise from operating the premises as a car showroom.

Relevant Planning Matters Raised by the Community Council

‘As these stores are automatically licenced, drink culture would add to the youth problems in the area’ – licensing is not part of the planning process and is therefore not relevant.

No parking customer wise – this matter has been commented on earlier on in the report within the section ‘Access’.

What is the exact nature of the retail business to be adopted there?’ – The application was for a Change of use to Class 1 (Shop) which is all that is necessary in order to determine this application.

How many deliveries are projected to be made daily / weekly, and what happens where deliveries coincide? – this information has not been provided and whilst it would be beneficial to have such details, it is not essential to the assessment of the application. Deliveries would inevitably be made to suit the operational requirements of the occupant. If deliveries did coincide, this could result in vehicles stopping on the public road causing a road safety hazard.

At what time would the deliveries be made? – A condition could be attached to ensure deliveries are only carried out between set times.

Will it have a large air conditioning / re Fridgeration plant in close proximity to existing resident’s gardens on Broomhill Road? – this matter has been commented on earlier on in the report within the section ‘Residential Amenity’.

Will extra refuse collections be required to deal with packaging etc? – this is not a material consideration.

What would be the opening hours? – if its deemed essential in order to protect residential amenity, a condition could be applied restricting opening hours.

What is the expected number of customers who will need to park on neighbouring streets? – the trip rate data can be seen within the Roads Projects Team Consultations section.

Relevant Planning Matters Raised in Written Representations (objections)

Restricted parking spaces for residents – the car parking within the application site is private ground and as such should not be used by neighbouring residents. However, the Roads Projects Team have requested the creation of 5 on street parking spaces to the front of the premises on Broomhill Road, which would compensate for the 4 spaces lost at the front of the property.

'Broomhill Road already congested as it has on street parking, it is a bus route, there is a school crossing, there are a large number of commercial trucks and it is too narrow' – this matter has been commented on earlier in the report within the section 'Access'.

It would change the balance and harmony of the community and lives and the character and appearance of the building' – it is acknowledged that there would be an element of impact on the immediate neighbourhood.

Both Salisbury Terrace and Pitstruan Terrace are too narrow and are already congested with residents car parking' – this matter has been commented on earlier in the report within the section 'Access'.

'There would be a rise in noise levels and privacy due to the increase use' – it is acknowledged that there are noise related issues with retail units in relation to loading / off loading of vehicles. This matter has been commented on earlier in the report within the section 'Residential Amenity'.

'The air conditioning vents would be 8-10 steps from a neighbouring bedroom window' – this matter has been commented on earlier in the report within the section 'Residential Amenity'.

'The impact on existing retailers and the requirement to carry out a Retail Impact Assessment' – this has been addressed within the 'Retail Impact' section.

'The location of new retail premises in a residential area and reference to the Council's Supplementary Guidance on City Centre and Retailing – Hierarchy of Centres' – this has been addressed within the 'Retail Impact' section.

'Recycling Facilities within a residential area could have a significant impact in particular in relation to noise' – in relation to Policy R6, this does encourage the presence of recycling facilities in such premises and it is recognised that this could cause a noise nuisance to neighbouring properties.

Relevant Planning Matters Raised in Supporting Letter (Agent)

'Policy RT4 of the Aberdeen Local Development Plan supports the retention of Local Shops. The subject site is located in a residential area that is poorly served by local shops and we are of the opinion that granting permission here will allow that balance to be redressed, in line with the terms and spirit of Policy RT4'.

This Policy is not relevant for this application as the proposed use is for a shop and not for the retention of one. Furtherstill, within a 1 mile radius of the application site there are 2 Tesco's, 2 Sainsbury's, 2 Co-ops, a Spar, an Iceland and an Asda Walmart as well as chemists and 2 local corner shops, one of which is within 200m of the application site and other small shops.

Community Council's Matters Raised in Response to Car Parking Survey

'That the car parking survey did not take into account cars parked within the application site' – a car parking survey only looks at cars parked on the public road and not on private ground. However, it is recognised that should the development open as a shop, these cars will be dispersed onto the local road network to park leaving even less room on the surrounding roads. Further information can be found in the 'Access' section.

'There is no certainty that the retailer would have a range of vehicles to select from and how could this be enforceable' – this is correct, the Roads Projects Team, have considered a worst case scenario when looking at the traffic impact analysis of a development.

'When there are two vehicles parked opposite to each other this can lead to long tailbacks as one stream of traffic waits for the other. It has been known for vehicles to have to reverse back out dangerously onto Broomhill Road' – it has been noted that two way traffic when cars are parked opposite each other is not possible.

'Diagrams may suggest that the streets are wider than they are and that there will be more car parking in it once the flats at the former Ashley Lodge have been complete. The roads are not wide enough to accommodate these types of vehicles on a regular basis' – this matter has been addressed within the 'Access' section.

'It may be feasible on the drawings but the reality is that it would cause severe disruption to traffic flow' – As mentioned in the 'Access' section, the Roads Projects Team

'The majority of customers will be drivers who will drive to the store, park on the street / pavement across from the shop frontage on double yellow lines causing a traffic issue' – potential illegal parking is not a relevant planning consideration.

'Noise and air pollution from the trucks and further damage to the road surface from heavy vehicles' – noise has been recognised and addressed within the section 'Residential Amenity'. In terms of air pollution, this is not considered an issue in relation to the amount of deliveries that would be taking place given the size of the premises.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

The proposal does not comply with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan as there would be conflict with neighbouring properties which would act as a nuisance to and impinge on the enjoyment of the existing residential amenity arising from the proposed servicing and delivery arrangements for the premises, in particular the noise disturbance therefrom in relation to loading / offloading, the movement of metal cages and also in relation to vehicular movements.

That the applicant has not demonstrated that suitable and appropriate servicing and delivery arrangements and facilities can be provided. This could therefore result in delivery vehicles stopping on the public road adjacent to the premises which would cause a road safety hazard and would interrupt the free flow of traffic.

Dr Margaret Bochel

Head of Planning and Sustainable Development.