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11th November 2016

Dear Mr Easton,

Objection to planning application reference: 161429

Aberdeen Inspired

Aberdeen Inspired is the Business Improvement District for Aberdeen city centre, led and funded by the city centre business community with the remit of representing the interests of nearly 700 levy payers and adding value to the services provided by Aberdeen City Council and other public bodies.

Our mission is *“To attract, sustain and boost business and investment in Aberdeen City Centre through influence, inspiration and innovation.”* To achieve that we have identified four key themes, including promoting the city centre, enhancing the visitor experience (with retail focussed initiatives), and providing a unified voice on behalf of our levy payers.

As a result of our efforts, over the last 6 years, more than £5m has been invested in Aberdeen City Centre. Our objectives for 2016-21 include attracting more visitors and increasing their spending and dwell time in the city centre, encouraging continued inward investment across all sectors, and being the voice of business in the city centre on a range of strategic issues. The anticipated investment over the next 5 years is in the region of £6.5m in projects designed to meet those and other objectives to improve the city centre.

At a more strategic level, we have played an active role in contributing to the debate on the future of the city centre and engaged with and supported the development of the City Centre Masterplan and Delivery Programme, and we are fully committed to lending our support to the implementation of that plan.

On behalf of our levy payers we wish to object to planning application 161429 for a major development mixed use commercial, food and drink, other ancillary uses and associated landscaping and infrastructure and access works at Prime Four Business Park, Kingswells. The proposals are contrary to our mission and objectives, as well as being contrary to national, regional and local planning policy and to the vision and objectives of the City Centre Masterplan and Delivery Programme. The following paragraphs explain our reasoning in more detail.



National context

National Planning Framework

National Planning Framework 3 (NPF3) is the spatial expression of the Scottish Government's Economic Strategy – with a focus on supporting sustainable economic growth and the transition to a low carbon economy. It is a statutory document that must be taken into account in the preparation of all strategic and local development plans in Scotland and planning decisions should support its delivery. NPF3 reflects the importance of town centres as a key element of the economic and social fabric of Scotland and refers to the town centre first principle, which is further expanded upon in Scottish Planning Policy (SPP).

Scottish Planning Policy 2014

SPP, which sets out national planning policies which reflect Scottish Ministers' priorities for the operation of the planning system and for the development and use of land, begins with "*a presumption in favour of development that contributes to sustainable development*". The supporting text explains that policies and decisions should then be guided by a number of principles set out in the SPP, including supporting town centre and regeneration policies. Those policies include the requirement for the planning system to apply the town centre first principle when planning for uses which attract significant numbers of people (including retail) and ensuring decision-making supports successful town centres.

The town centre first principle was developed by the Scottish Government and CoSLA. The principle recognises that "*Town centres are a key element of the economic, social and environmental fabric of Scotland's towns; often at the core of community and economic life, offering spaces in which to live, meet and interact, do business, and access facilities and services. We must take collective responsibility to help town centres thrive sustainably, reinvent their function, and meet the needs of residents, businesses, and visitors for the 21st century.*" (<http://www.gov.scot/Topics/Built-Environment/regeneration/town-centres/TheTownCentreFirstPrinciple>)

The principle requests that "*Government, local authorities, the wider public sector, businesses and communities put the health of town centres at the heart of proportionate and best value decision making, seeking to deliver the best local outcomes regarding investment and de-investment decisions, alignment of policies, targeting of available resources to priority town centre sites, and encouraging vibrancy, equality and diversity.*" (<http://www.gov.scot/Topics/Built-Environment/regeneration/town-centres/TheTownCentreFirstPrinciple>)



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SPP sets out a sequential test to the determination of planning applications for retail and other developments. That means that town centres (including city centres and local centres) should be considered first as the location for such developments with out-of-centre locations, such as that for the current proposals, at the bottom of the hierarchy. The aim of this approach is to recognise and prioritise the importance of town centres and encourage a mix of developments which support their vibrancy, vitality and viability.

Although SPP recognises that there will be development proposals in edge of town and out-of-town locations which are contrary to the development plan, it states that it is for applicants to demonstrate the more central options have been thoroughly assessed and that the impact on existing town centres is acceptable. Whilst we acknowledge that the application of the principle is not a statutory duty, SPP is a significant material consideration in the determination of planning applications and support for town centres has a statutory basis in NPF3.

The retail impact analysis submitted with this application will therefore require to be assessed robustly to ensure that it is able to demonstrate any impact, both on the city centre and on the network of other centres identified in the development plan, is acceptable.

In addition, SPP requires development to give due weight to net economic benefit and an independent assessment should be made of any propertyed benefits, including risks and available evidence. In accordance with Scottish Government Draft Advice on Net Economic Benefit and Planning (2016) applications contrary to the development plan (as this application is) must demonstrate the net economic impact, including the number of jobs it is expected to create once operational. In the context of retail development, proposals must take account of any possible displacement effect. As such it should be demonstrated that any economic benefits, including in terms of jobs, are additional to those which already exist. The test is the comparison between the economic position with and without the development.

The Advice is clear that in calculating the net benefit of a new retail centre, any displacement should also be taken into account with the net benefit of the proposed centre compared to the situation where planning permission is not given, to take into account deadweight effects. The Advice also states that where a site is allocated for a different type of development (in this case employment) there is likely to be a greater level of uncertainty attached to assessing the economic value of safeguarding the site for the proposed use. The applicant must therefore be able to demonstrate that not only will the proposed development not impact on the vitality and viability of the city centre and other identified retail centres, but that the provision of retail on this site will have a greater economic benefit than its allocated use for employment.



Also in making an assessment of both the retail impact and net economic benefit it should also be recognised that the town centre first principle also applies to leisure, office, entertainment and civic uses, which can serve to improve the diversity, vitality and viability of the city centre, and to support its retail function. As such, any impact should be judged not just in terms of the direct impact on retail within the city and other town centres, but also in terms of the knock on effects such an impact may have on the overall vitality and vibrancy of those centres.

Regional Policy

The Aberdeen City and Shire Strategic Development Plan 2014 (SDP) vision is for the City and Shire to be “...an even more attractive, prosperous and sustainable European city region and an excellent place to live, visit and do business.” The Plan recognises that Aberdeen city centre is an important asset for the region and identifies it as a priority regeneration area vital to the economic future of the area. It states that “...we need to take determined action to create a city centre to be proud of and which reflects the global status and ambitions of the city and the wider region” and highlights the BID as indicative of the private sector’s willingness to actively take part in its regeneration.

In line with SPP the SDP promotes a sequential approach to identifying sites for new retail development across the strategic development plan area.

The Plan also includes a target for Aberdeen city centre to remain one of the top-20 retail areas in the UK and identifies the need to put in place a City Centre Development Framework (now superseded by the City Centre Masterplan) as a major project fundamental to achieving the plan’s vision.

Any proposals for out-of-town retail run contrary to the principles of the SDP for supporting city centre regeneration as set out above.

Local context

Strategic Infrastructure Plan

City centre regeneration was identified as a priority project for the city to underpin economic growth in 2013 through the Council’s Strategic Infrastructure Plan (SIP), developed in partnership with local, national and international stakeholders. As well as committing to the development of the city centre masterplan, the SIP identifies a number of specific projects to support city centre regeneration. Over the last few years significant public and private sector investment has been invested in those, and other initiatives, directed towards regeneration.



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City Centre Masterplan and Delivery Programme

The City Centre Masterplan and Delivery Programme is founded in the SIP and development plan policy and has been adopted by the Council as Supplementary Planning Guidance, giving it statutory status as a material consideration in the determination of all planning applications.

The Masterplan was developed by the Council with input from stakeholders across the city. The vision articulated in the Masterplan is *“Aberdeen: A city centre for a global city with the purpose of the Masterplan being to energise the city centre to deliver prosperity and better quality of life for all.”* Objectives include creating a stronger and more diverse city centre economy, ensuring the city centre meets the needs of the wider population and is planned and governed to reflect a wider metropolitan role.

Local Development Plan

Consistent with national and regional policy, both the extant and emerging Aberdeen Local Development Plans (ALDP) include policies to support the city centre. The spatial strategy of both plans promotes the city centre as the commercial, economic, social, civic and cultural heart of Aberdeen and recognises that a vibrant city centre is vital to Aberdeen’s future prosperity and to achieving the wider strategic aims of the development plan. As such the plans, supported by the City Centre Development Framework/City Centre Masterplan and Delivery Programme Supplementary Guidance, include policies that positively promote the city centre and require the application of the sequential approach and retail impact assessment, as set out in SPP, to all retail development.

In addition, it should be noted that Policy B11 – Business and Industrial Land in the adopted LDP does not support the use of employment land for other purposes, other than those aimed primarily at meeting the needs of business and employees within the business and industrial area. The supporting information submitted with the application states that the proposals will serve residents in existing and proposed communities and indeed cites a catchment of up to 330,000 with the completion of the AWPR and the new housing developments. That is clearly contrary to Policy B11.

Policy B11 in the Proposed Plan strengthens the presumption against development of non employment uses on sites allocated for business and industrial land in explicitly stating that *“Land zoned for business and industrial uses on the Proposals Map...shall be retained for Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage and Distribution) uses and safeguarded from other conflicting development types.”* That means that even should the retail impact assessment demonstrate the proposed development is acceptable in retail terms, the current proposed site is not an appropriate location for such development given its allocation for employment and business uses.



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That is particularly so given that Drum Property promoted the inclusion of the extension of Prime Four in the Proposed Plan as a Specialist Employment Area to allow for the further development of the site pending access becoming available for Phase 4 of the existing allocation. The argument was accepted by the Council due to the exceptional success of the existing site and the positive economic impact it has had on the City with the demand for plots continuing. The independent Scottish Government Reporter, appointed to review representations on the Proposed Plan also accepted the case for an allocation to extend Prime Four on the basis of the weight given to the economic benefit of the existing Business Park. Allowing any part of the allocated land to be used for non-employment purposes would not only be contrary to policy but would undermine the arguments made for the need for the further extension of the site.

The Reporter, in response to a representation made to the LDP Examination seeking to re-allocate undeveloped employment land for other types of development elsewhere in the City, stated that, *"...the plan needs to maintain a sufficient supply of employment land in appropriate places, as required by the SDP. It would not be right to re-allocate such land for other uses simply because current market conditions have not favoured its early development for employment purposes."* (Report to Aberdeen City Council, Proposed Aberdeen Local Development Plan Examination, 2016, Issue 25). The same argument should apply whatever the proposed alternative use and whatever the location.

Although the applicant aims to make a case for the proposed development, it is submitted that none of those factors override the principle objection to the application, which is that it is contrary to national, regional and local policy and would undermine the aims of the City Centre Masterplan.

Conclusions

It is clear from the narrative set out above that national, regional and local policy is aimed at supporting town centres in general and Aberdeen city centre specifically. Much public and private sector investment has been directed towards the regeneration of the city centre over the last few years. Whilst the applicants maintain that the city centre is well placed to withstand any impacts from the proposed development the collective commitment to achieving a joint vision for the city centre, as articulated through the Masterplan, and momentum towards achieving that are only now gathering real pace. It is vital that any proposals for out of town development do not undermine or jeopardise the excellent progress which has, and is continuing to be made. It is for those reasons that we object to this application, and would ask that it is refused.


Adrian Watson, MBA, MSc, BSc (Hons)

Chief Executive Officer