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Planning and Sustainable Development
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Sirs,

Planning Application Reference: 161429/PPP

Major Development mixed use commercial (up to 30,000m²) including retail (class 1), food and drink (class 3), other ancillary uses (such as offices) and associated landscaping, infrastructure and access works

Site OP40, Prime Four Business Park, Kingswells, Aberdeen

Objection on behalf of Standard Life Assurance Limited

We refer to the above planning application which is currently under consideration by Aberdeen City Council.

On behalf of our client, Standard Life Assurance Limited, we wish to record our objection to this speculative planning application for a number of reasons.

To assist your consideration of this objection, we have set out below some background information on our client's retail interests in Aberdeen, and have detailed our grounds for objecting to this proposed out-of-town retail park development which is being promoted by Prime Four Ltd.

Standard Life Assurance

Standard Life Assurance has significant property interests in Aberdeen, and is a major, long-term investor in Aberdeen's retail sector.

Standard Life is the owner and manager of the Beach Boulevard Retail Park at Links Road, and the Denmore Road Retail Park at Bridge of Don, Aberdeen. Both of which are established and protected retail destinations which play an important role in the City's retail hierarchy.

The Beach Boulevard and Denmore Road Retail Parks have been owned, developed and managed by Standard Life for over 15 years. Standard Life's investment in Aberdeen is therefore significant, which in turns helps to secure and retain a large number of jobs in the City.

The Beach Boulevard Retail Park is a purpose-built Commercial Centre which provides 22,644 sqm of modern retail floorspace in 11 large floorplate retail units. It is anchored by a major food superstore with two other food retailers, eight general comparison retailers, and a health and fitness centre. It is allocated in the adopted Local Development Plan as a "Retail Park" and included under Policy RT1; and within the Proposed Local Development Plans as a "Commercial Centre", included under Policy NC6.

The retail units at the Denmore Road Retail Park were originally constructed in the 1980's and have been adapted and extended over time to meet modern retailer and customer requirements.

The Denmore Road Retail Park is now a well-established Commercial Centre, and is currently occupied by two separate retail units totalling almost 7,500 sqm. The northern unit extends to 3,753 sqm and is subdivided into four individual retail units. The southern unit extends to a total of 3,724 sqm and is occupied by B&Q as a DIY store.

The Denmore Road Retail Park currently comprises predominately bulky comparison goods, but none of the units have any goods restriction and all benefit from an open class 1 retail use. This was confirmed through the granting of two Certificates of Lawfulness of Existing Use in 2009 which establish that the entire site has unrestricted Class 1 retail use (Application Refs: 09/0333 and 09/0334).

The Denmore Road site also benefits from a planning permission in principle which was granted in June 2011 (Ref No: P101203). This planning permission permitted the demolition of the existing retail units on the site and the redevelopment of the site to provide a new open class 1 retail unit of 7,400 sqm, with service and vehicular access maintained from the existing points on Denmore Road, and car parking for a total of 494 vehicles.

Although the Denmore Road Retail Park does not contain the same range and extent of retail and leisure uses as the Boulevard Retail Park, it is nonetheless an established retail location which enjoys the benefit of an open Class 1 retail consent. It is also allocated in the adopted Local Development Plan as a "Retail Park" and included under Policy RT1; and within the Proposed Local Development Plans as a "Commercial Centre", included under Policy NC6.

Review of Retail Capacity Study prepared by LSH

Having set this context and explained the nature and extent of Standard Life's current retail interests in Aberdeen, we have reviewed the Retail Capacity Study which has been prepared by LSH and submitted in support of this planning application. This provides the applicant's assessment of retail capacity and impact following a review of existing retail centres.

Our client's retail centres are listed in *Table 4: Existing Retail Floorspace*, with the Denmore Road Retail Park included at *section 23: Aberdeen City: Bridge of Don; Denmore Road Area* and the Beach Boulevard Retail Park included at *section 30: Aberdeen City: City Centre, Torry, Aberdeen Beach*.

However, Table 4 does not appear to provide accurate floorspace figures for either of our client's retail centres, with the Denmore Road Retail Park listed as a "commitment" providing a total of 4,104 sqm of floorspace and the Beach Boulevard Retail Park listed as having a total of 9,086 sqm of retail floorspace.

These figures are not correct. As we have confirmed above, the Denmore Road Retail Park currently provides a total of 7,477 sqm of floorspace and the Beach Boulevard Retail Park provides a total of 22,644 sqm of retail floorspace. We would also note that paragraph 4.19 of LSH's Retail Capacity Study advises that the Beach Boulevard Retail Park "provides 22,644 sqm of retail floorspace", but the figure provided in Table 4 is substantially less at 9,086 sqm.

The submitted Retail Capacity Study (at Table 4) has therefore significantly underestimated the existing floorspace provided by our client's retail centres.

We would also note that *Table 5: Retail Capacity* has omitted any reference to the existing retail floorspace provided at "Aberdeen City: City Centre, Torry, Aberdeen Beach", which includes the Beach Boulevard Retail Park.

These are serious flaws and omissions, which place significant doubt on the robustness of the remainder of the applicant's retail study. We would suggest that this matter should be taken up with the applicant, and clarification sought for the approach undertaken to the preparation of this study.

Paragraph 8.17 of the Retail Capacity Study also states that the proposed retail park at Prime Four will draw trade from the Beach Boulevard Retail Park, but suggests that this is not an issue as the Beach Boulevard's "focus is not on general comparison goods retailing". This is not correct, and further highlights the inaccuracies of the applicant's retail study.

We would therefore request that the submitted retail study is independently assessed by the Council's retained retail consultants.

Contrary to the Development Plan – Loss of Safeguarded Business Land

Notwithstanding the limitations of the submitted retail information, it is clear from a review of both the adopted and the proposed replacement Local Development Plans (LDP) that this planning application is significantly contrary to the terms of both of these development plans.

The application site is allocated in the adopted LDP as part of Opportunity Site OP40 which was identified as an *“Opportunity for a 50ha development of business land which will attract high quality businesses or be suitable for company headquarters”*. It is therefore safeguarded for business and employment uses under the terms of **Policy B11 - Business and Industrial Land**.

The proposed retail development of this allocated business site is therefore contrary to its allocation in the adopted LDP.

The application site has also been allocated as a **“Specialist Employment Area”** in the Proposed LDP and is identified as part of Opportunity Site OP29 which is described as an *“Opportunity for a 50ha development of business land which will attract high quality businesses or be suitable for company headquarters. Masterplan and Development Framework prepared”*.

Further reference to this site is provided at paragraph 2.22 of the Proposed LDP which explains that: *“Around 50 hectares of employment land allocations have been made to the west of the city at Prime Four Business Park, Kingswells, which provides employment opportunities in a part of the city where there is little employment land”*.

In respect of allocated business land, paragraph 3.55 of the Proposed LDP advises that: *“Maintaining a ready supply of employment land in the right places is vital to Aberdeen retaining its position as a competitive and sustainable business location. If a ready supply of employment land is not maintained, then it is unlikely that the housing population targets set by the Aberdeen City and Shire Strategic Development Plan (SDP) will be achieved. Therefore, in accordance with the SDP, a phased, large allocation of employment land has been identified, to meet the diverse needs of different types and sizes of businesses”*.

Paragraph 3.57 of the Proposed LDP further warns that: *“In addition to the provision of new sites, it is important to safeguard the supply of existing industrial and business land throughout the city from other development pressures”*.

Policy B2 Specialist Employment Areas confirms the need to safeguard allocated business sites and states that: *“In areas that are identified as Specialist Employment Areas on the Proposals Map, only Class 4 (Business) uses shall be permitted...”*

The application site is therefore an important and safeguarded business location where only class 4 business uses will be permitted. The proposed retail development of this site is therefore contrary to its allocation in the Proposed LDP, and conflicts with the requirements of Policy B2.

From a review of the Examination Report into the Proposed LDP, which was issued by the DPEA on 23 September 2016, there were no representations made in respect of Opportunity Site OP29.

However, the site is discussed at page 81 of the Examination Report, and the Reporter concluded (at paragraph 8) that: *“The Prime Four Business Park is a high quality business park to the west of Kingswells. It is clearly a successful development in terms of its economic benefit to the city region and the attractive working environment it provides. The first three phases of the business park are complete, and a fourth phase remains to be developed within Site OP29. This area is carried forward from the adopted plan and is not subject to any representations before this examination. A fifth phase is now proposed as Site OP63”*.

The application site’s development for retail uses was not therefore promoted through the replacement LDP process, but an extension to the allocated business park was promoted by the developer (as Site OP63).

The Reporter also noted at paragraph 10 on page 81 of the Examination Report that: *The particular reasons for the release of Site OP63 given in paragraph 2.16 of the plan relate to the exceptional demand for employment land in this area, and access constraints on part of the existing site. With regard to the first of these factors, it is reasonable for the council and the developer to wish to build upon the success of the existing business park”*.

It is therefore clear from the very recently issued LDP Examination Report that the Prime Four Business Park (including the application site) is considered to be an important business location of some considerable significance to the economy of the city region.

The loss of this safeguarded business site to retail uses cannot therefore be supported.

Contrary to the Development Plan – Retail Policies

In addition to the application's conflict with the business land policies of the adopted and proposed LDPs, we also consider that this unallocated, out-of-town retail development is contrary to the retail policies of the current and emerging development plan.

Adopted LDP **Policy C1 - City Centre Development – Regional Centre** confirms that the City Centre is the preferred location for retail, commercial and leisure development serving a city-wide or regional market.

Adopted LDP **Policy RT1 - Sequential Approach and Retail Impact** further confirms that all retail, commercial, leisure and other development appropriate to town centres should be located in accordance with the hierarchy and sequential approach. The Hierarchy of Retail Centres provided in Policy RT1 does not include out-of-centre or out-of-town sites.

Adopted LDP **Policy RT2 - Out of Centre Proposals** states that 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 five of the requirements listed under Policy RT2.

The proposed retail development at Prime Four fails to meet all five requirements of Policy RT2. It will have a significant adverse effect on the vitality and viability of retail locations listed in the Council's Hierarchy of Retail Centres – requirement 2.

As noted in the Council's EIA Screening Opinion for this proposed development (which noted the greenfield nature of the site; its location outwith the built up area; and its relatively poor accessibility) the proposed development would not 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 – requirement 4.

The proposed retail development of this out-of-town site is therefore contrary to Policies C1; RT1 and RT2 of the Adopted LDP.

For the same reasons, the proposed development can be considered to be contrary to Proposed LDP Policies **NC1 City Centre Development – Regional Centre**; **NC4 Sequential Approach and Impact**; and **NC5 Out of Centre Proposals**.

We would also note that significant parts of the application site are designated as Green Space Network (Policy NE1) within the existing and proposed LDP, where development is not promoted.

Contrary to the Scottish Planning Policy

In addition to the application's conflict with the retail policies of the adopted and proposed LDPs, we also consider that this unallocated, out-of-town retail development is contrary to the relevant sections of the Scottish Planning Policy, and in particular the advice and guidance set out under paragraphs 60; 70; 73 and 287.

Summary

On the basis of the above, it is clear from a review of the adopted and proposed Local Development Plans, that this planning application is significantly contrary to the following policies:

- Adopted LDP Policy BI1 - Business and Industrial Land;
- Proposed LDP Policy B2 Specialist Employment Areas;
- Adopted LDP Policy C1 - City Centre Development – Regional Centre;
- Adopted LDP Policy RT1 - Sequential Approach and Retail Impact;

- Adopted LDP Policy RT2 - Out of Centre Proposals;
- Proposed LDP Policy NC1 City Centre Development – Regional Centre;
- Proposed LDP Policy NC4 Sequential Approach and Impact; and
- Proposed LDP Policy NC5 Out of Centre Proposals.

It also conflicts with the advice and guidance set out under paragraphs 60; 70; 73 and 287 of the Scottish Planning Policy.

On this basis, this application cannot be supported by the development plan, and there are no material considerations that would outweigh the proposal's serious conflict with the relevant policies of either the adopted or the proposed local development plan.

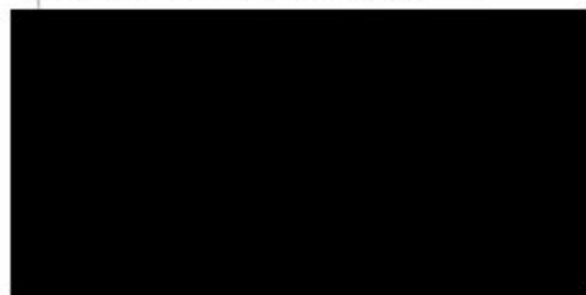
In summary, and on behalf of our client, Standard Life Assurance, we would therefore urge Aberdeen City Council to refuse planning permission for this proposed development for the reasons set out above.

We would be grateful if you would acknowledge safe receipt of this letter and keep us informed of progress on this application.

In particular, we look forward to receiving further information on the outcome of the requested review of the applicant's Retail Capacity Study.

We would also request that we are advised when this application is presented to the Council's Planning Committee for determination, and given an opportunity to address the Planning Committee prior to its consideration of this application.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

John Handley
Director
John Handley Associates Ltd
On behalf of Standard Life Assurance Limited

cc: Julie Edwin, Real Estate Investments, Standard Life Investments