

Case reference	NA-ABS-0456
Application details	Mixed use development, comprising town centre including regional food hall, retail, leisure and class 3 uses; business and industrial uses (classes 4, 5 and 6); Alterations to access from A90 roundabout, local access, landscaping, car parking, cycle and pedestrian facilities and low carbon infrastructure
Site address	Land to West and South West of Rifle Range, Blackdog, Aberdeen
Applicant	Ashfield Land (Aberdeen) Ltd
Determining Authority	Aberdeenshire Council
Local Authority Area	
Reason(s) for notification	Objection by Neighbouring Authority (Aberdeen City Council)
Representations	1
Date notified to Ministers	31 May 2017 but not fully documented until 1 June 2017
Date of recommendation	26 July 2017
Decision / recommendation	Clear

Description of Proposal and Site:

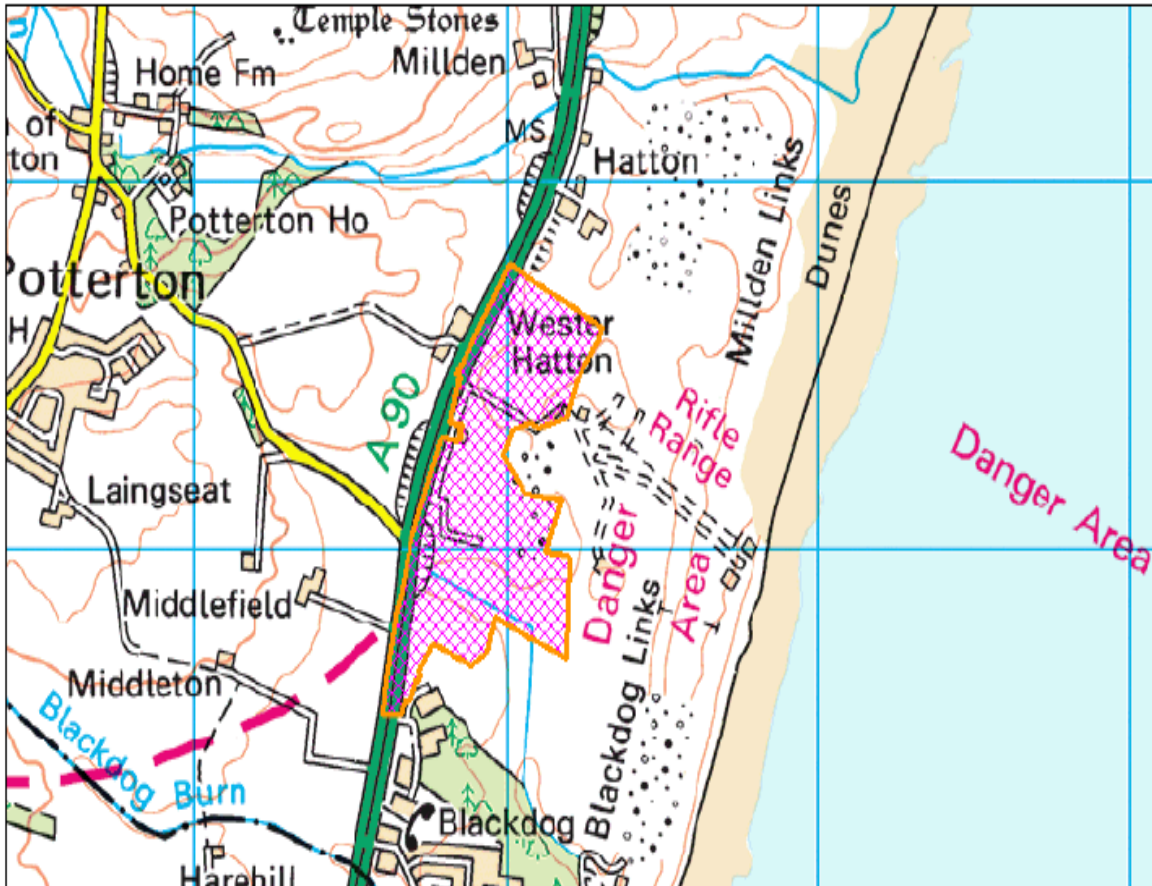
- Planning Permission in Principle is sought for a mixed use development including retail, food, leisure, business and industrial uses and associated infrastructure.
- Permission was granted at committee subject to conditions and a planning obligation to cover the provision and maintenance of a gypsy/traveller site.
- The site is identified for a mixed used development in the Aberdeenshire Local Development Plan (April 2017) and is a strategic growth area in Aberdeen City and Shire Strategic Development Plan 2014.
- The proposal is part of a much wider scheme involving the erection of housing and proposed alterations to the approved AWPR junction at Blackdog. The housing element formed part of a separate application and was recommended for approval in April 2017 subject to the conclusion of a legal agreement.
- The development description refers to a 'town centre'. However, the recent Examination Report confirmed that the town centre definition is not appropriate for Blackdog, given that the proposed retail provision is explicitly for a regional retail attraction and that identifying a town centre in Blackdog would potentially serve to undermine the intentions for the site set out in the proposed plan and masterplan.

EIA Development:

- Under the terms of the EIA Regulations, the proposed development is of a type listed under Schedule 2 as an Urban Development Project that exceeds 0.5ha.

The council have screened the proposal and considered that that development did not constitute EIA but that further supporting information covering environmental impacts were required as part of the planning process.

Location Plan

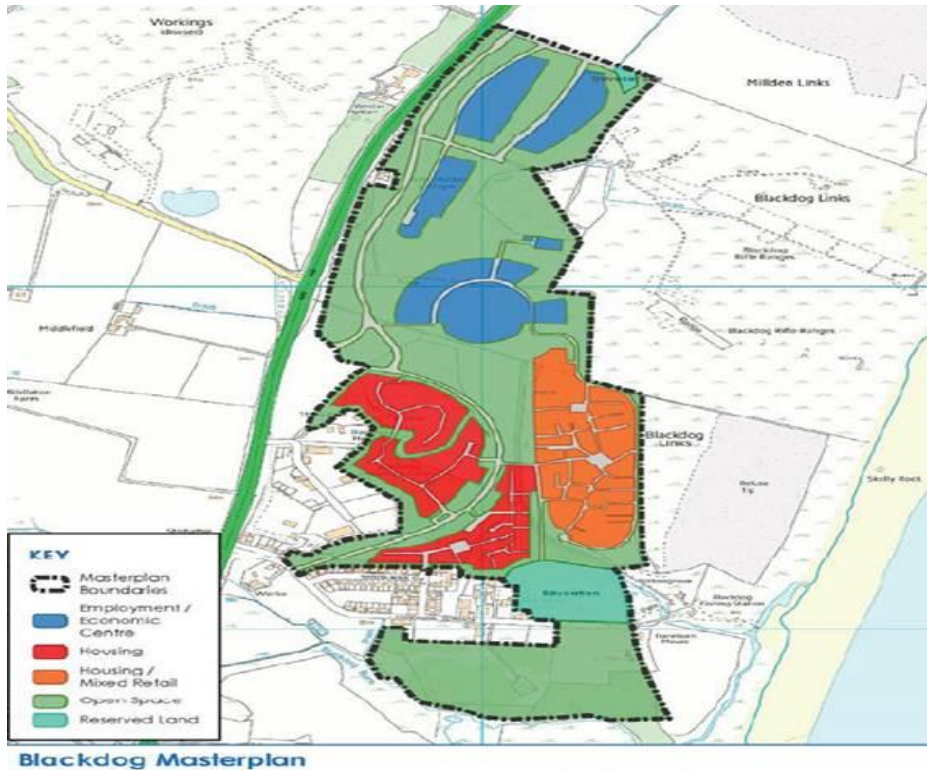


Consultations and Representations:

- Aberdeen City Council, as a neighbouring local authority, object to the proposal on the basis that that it could have a detrimental impact on the city centre. Specifically they have concerns regarding the concerns with regard to the vitality and viability of retail uses within the city, the scale of the proposal as well as highlighting conflicts between the proposal and the LDP.
- The Aberdeen and Aberdeenshire Strategic Development Planning Authority also object to the application on the basis the proposal is not considered to conform to the aims and visions set out in the SDP, with the scale, nature and scope of the proposal considered to be inappropriate for Blackdog and the wider aims for this area. There are concerns with the early draw down of Strategic Reserve Employment Land and the lack of provision of a gypsy/traveller site.
- The site is located adjacent to the existing Blackdog Rifle Range, which is operated by the Ministry of Defence (MoD). The MoD have objected to the application due to concerns regarding noise impact and trespass from the site onto the Rifle Range. While the MoD have objected to this proposal they have advised that they do not recommend that the application is called in by Scottish ministers.

- One other letter of representation was received by the Council on the basis the proposal would negatively impact on Aberdeen City Centre and is not within a defined town centre.

Site Plan



Assessment:

1. The application was notified to Scottish ministers because Aberdeen City Council as neighbouring planning authority objects to the proposal. Despite this objection, Aberdeenshire Council is minded to approve planning permission in principle.
2. Aberdeen City Council objected to the development on the basis that it could have a detrimental impact on the city centre. Its raised concerns with regard to the vitality and viability of retail uses within the city, the scale of the proposal and conflicts between the proposal and the LDP. These issues are considered below.
3. The proposal is for the creation of a new, large scale, commercial development at Blackdog within part of a site identified for a mixed used development in the Aberdeenshire Local Development Plan (LDP, April 2017). An approved Masterplan (2013) also exists for the larger allocated site which includes housing and proposed alterations to the approved Aberdeen Western Peripheral Route (AWPR) junction at Blackdog. The commercial development includes the creation of a retail hub, with Regional Food Hall and associated retail units, the creation of a hotel, cinema, business and industrial units. Provision remains within the site boundary and allocation for a gypsy/traveller site although this has not been explicitly applied for. The site is also located within the Energetica

Corridor and is seen a key component of the Energetica vision given its location at a junction of the proposed AWPR and position in relation to the A90 and the city of Aberdeen.

4. The council accept that the application is a departure from the LDP and the Aberdeen and Aberdeenshire Strategic Development Plan (SDP, 2014). In terms of the SDP, the proposal seeks to develop up to 4ha of employment land and 7ha of strategic reserve land, reserved for post 2027. The scale and mix of the proposals exceed the provisions agreed within the Development Plan and approved Masterplan, incorporating additional retail, new leisure and food/drink uses as well as an increase in employment land floorspace. The council considers that justification has been provided for a departure to the LDP on the grounds that the proposed development meets the aims, objectives and vision of the approved Masterplan. The council has taken a wider view of employment land supply within the Blackdog-Ellon corridor and consider that the release of land could in turn compensate for the lack of growth on sites with immediate allocations. The council sets out that figures presented demonstrate that there is in excess of 7Ha of land within the corridor which has not been delivered, contrary to expectations. On balance they consider the above justification for the SDP departure is acceptable and will provide a viable, deliverable and sustainable economic development within a Strategic Growth Corridor as well as being part of the Energetica Corridor.
5. The application was accompanied by a retail impact assessment (RIA) which also included centres in Aberdeen City Council boundaries, both the City Centre and Middleton Park/Danestone District Centres. This was assessed by both the council and independent consultants (Hargest Planning Limited (HPL)) who identified a number of concerns, particularly in relation the scale of development. In response to these concerns the retail proposal was limited to 5000m² GFA Regional Food Hall, 1500m² GFA convenience retail and 5000m² GFA comparison retail, which would bring the proposal (at 11,500m²) closer in line with the Masterplan (10,000m²), while still being a viable development. Further analysis on the amended retail mix concluded that the proposal could be accommodated without adverse impacts on the viability and vitality of existing centres. The council considers the amended retail element will not adversely impact any other Aberdeenshire town or Aberdeen City and can be and secured through conditions.
6. The proposal also includes 2,000m² of Class 3 Use (Food and Drink) and Class 11 Leisure Use consisting of an 850 seat cinema (6 screens). These uses were not included in the Masterplan or the LDP allocation. The council considers that the food and retail element is complimentary to the other retail uses, and will increase footfall for the Regional Food Hall assisting in viability. Information relating to the cinema and potential impact was submitted and assessed by the council and HPL. The council accepts that that the leisure use in terms of impact on other cinema locations is low and would have no adverse impact on the viability of existing and proposed cinemas within Aberdeen City or Aberdeenshire. Conditions restricting the size of the cinema and floorspace for the food and drink elements of the development are proposed.

7. On balance, the Council considers the development is acceptable and that the benefits of a sustainable economic development at this location outweigh the divergence from the development plan. The council has satisfied itself that the proposed uses will have minimal impact on other Aberdeenshire towns and Aberdeen City areas. The council considers that Blackdog is a key development location for Energetica because of its strategic location and that the proposal has the potential to act as a catalyst in promoting further potential investment within the Energetica Corridor.
8. It is considered that the issues with this application do not raise concerns that would warrant Ministerial intervention. It is therefore recommended that this application is cleared back to Aberdeenshire Council.

Decision/Recommendation:

- Clear back to Aberdeenshire Council.