

#### **4 PLANNING APPEAL DECISION (AN16- 2020)**

##### **APPEAL DECISION – 19/00186/FULL (PPA-180-2058)**

##### **PLANNING APPLICATION BY ALDI STORES**

##### **LAND TO NORTH OF ARBROATH ROAD AND EAST OF TOM JOHNSTON ROAD, WEST PITKERRO INDUSTRIAL ESTATE**

Planning application reference 19/00186/FULL sought planning permission for the erection of a Class 1 retail foodstore and 2 business units (Class 4, 5 and 6) with ancillary trade counter, associated car parking, access, landscaping and other works. The application was refused at the Planning Committee at its meeting on 16 September 2019.

The reasons for refusal were that the application firstly failed to comply with Policy 1 ((High Quality Design and Placemaking) of the Dundee Local Development Plan 2019 as the retail element of the proposal failed to respect the character of the area. Secondly, the application failed to comply with Policy 3 (Principal Economic Development Areas) as the proposed retail use would fragment the business area and reduce the business land supply. Thirdly, as the site is in an out-of-centre location, the retail element of the application failed to comply with Policy 21 (Town Centre First Principle). Finally, the application failed to comply with Policy 54 (Safe and Sustainable Transport) as it would increase reliance on the car as a mode of transport.

The Reporter concluded that the proposed development would not have any significant adverse effect on the vitality or viability of existing centres, and that no site is available for the proposed development within a sequentially preferable location, and that the proposed retail store would address a deficiency in provision locally. In terms of accessibility the Reporter concluded that provision of bus stops, additional pedestrian and cycle routes and infrastructure would enable the development to be accessible by a choice of sustainable transport modes. In terms of employment land supply the Reporter concluded that the proposed development would not affect, to any significant degree, the availability of land for economic development purposes in Dundee or in the immediate vicinity. In terms of character the Reporter concluded that the development is in character with the general character of the area.

As a result, the Reporter UPHELD the appeal and RESOLVED TO GRANT PLANNING PERMISSION subject to planning conditions. The planning conditions include one requiring the developer to provide a footpath/cycleway connecting Linlathen Lane to Tom Johnston Road; a footway along the north side verge of the A92 to connect to the existing bus stop layby and bus stops immediately outside the site.