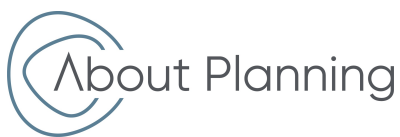
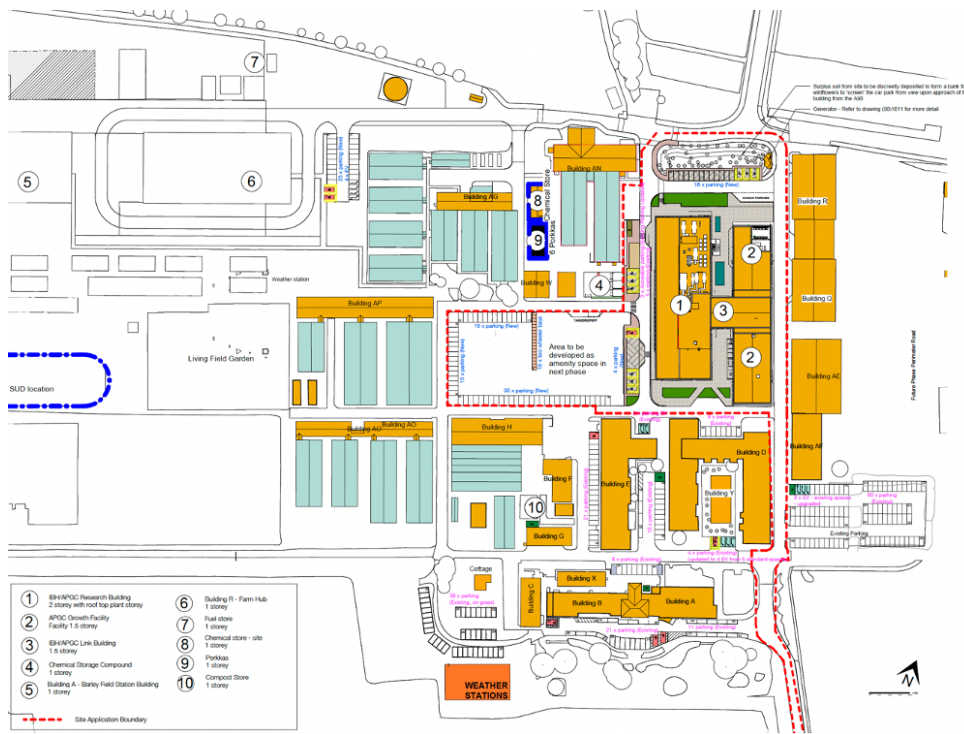


Planning Supporting Statement

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, AS AMENDED

SECTION 42 PLANNING APPLICATION FOR VARIATION OF CONDITION (9) OF PLANNING PERMISSION REF 21/02137/AMM: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS FOR ERECTION OF A LINKED BUILDING FOR AGRICULTURAL RESEARCH AND DEVELOPMENT, INDUSTRY ENGAGEMENT AND SKILLS DEVELOPMENT ETC.

THE JAMES HUTTON INSTITUTE, ERROL ROAD, INVERGOWRIE, DUNDEE DD2 5DA



38 Cortachy Crescent, Broughty Ferry, Dundee DD5 3BF.

April 2024



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APPENDICES

- Appendix 1: Planning Permission Ref: 21/02137/AMM
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- Appendix 3: Planning Permission Ref: 20/01103/IPM
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1.0 INTRODUCTION

- 1.1 This Planning Supporting Statement (PSS) has been prepared by About Planning Ltd on behalf of The James Hutton Institute (the “Applicant”) to accompany a Planning Application submitted under Section 42 of The Town and Country Planning (Scotland) Act 1997, as amended (the “Act”) to Perth and Kinross Council (PKC) for the variation of Condition (9) of Planning Permission Ref: 21/02137/AMM.

The Applicant

- 1.2 The James Hutton Institute (JHI) combines strengths in crops, soils and land use and environmental research, and makes a major contribution to the understanding of key global issues, such as food, energy and environmental security, and developing and promoting effective technological and management solutions to these.
- 1.3 The Institute is an internationally networked organisation and operates from multiple sites, including two main ones in Scotland at Aberdeen and Invergowrie. It employs more than 500 scientists and support staff, making it one of the biggest research centres in the UK and, when established, the first of its type in Europe. The Institute is one of the Scottish Government’s main research providers in environmental, crop and food science and has a major role in the Scottish knowledge economy. The Institute brought together the former Macaulay Land Use Research Institute and the Scottish Crop Research Institute on 1 April 2011.
- 1.4 The James Hutton Institute receives funding from a range of sources each year. Approximately two-thirds of its funding comes from the Scottish Government and the Government for scientific research work packages. The Institute also receives funding from European Union sources, competitive government research contracts and commercial contracts.¹

Summary Planning Context

- 1.5 PKC granted Planning Permission in Principle (PPP) Ref: 20/01103/IPM in November 2020 for the principle of development at the site relating to alterations to existing buildings and erection of new buildings, together with associated development.
- 1.6 PKC subsequently granted approval for an Application for Matters Specified by Condition (AMSC) on 10th August 2022 under Application Ref: 21/02137/AMM, for the details required under Approval Ref: 20/01103/IPM. The Decision Notice is attached as Appendix 1 and grants consent as follows:

¹ <https://www.hutton.ac.uk/about>

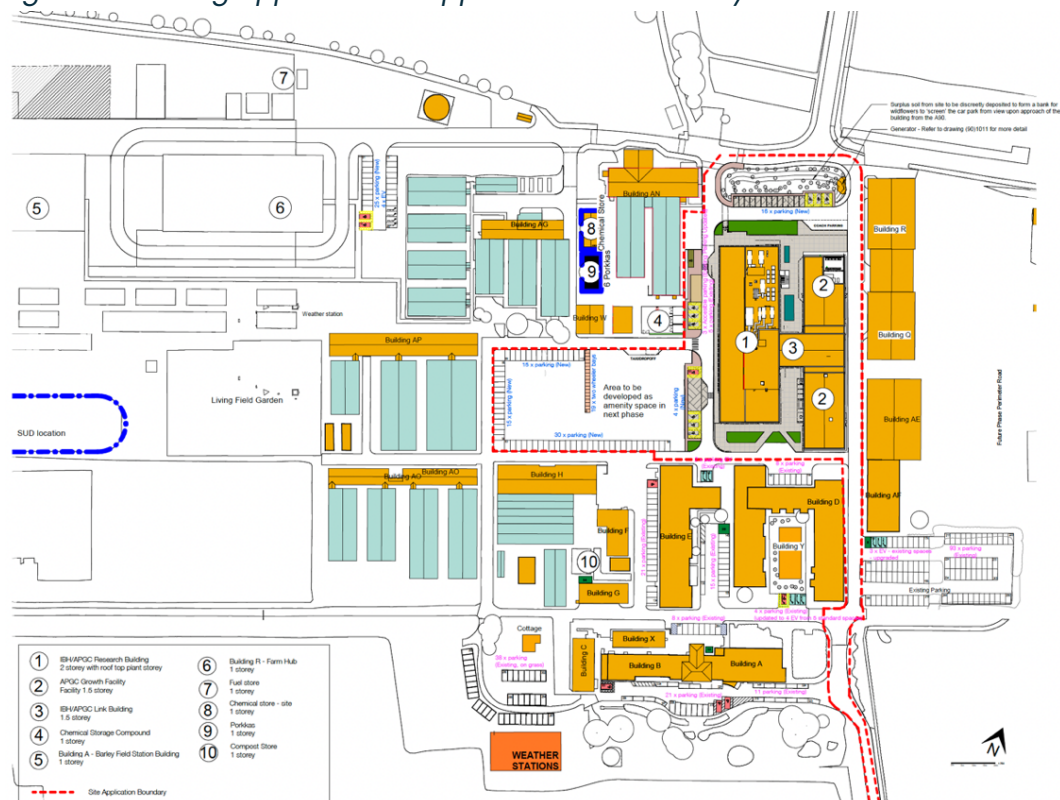
“for approval of matters specified in conditions for Erection of a linked building for agricultural research and development, industry engagement and skills development and formation of roads, parking areas, landscaping, infrastructure and associated works (approval of matters specified by conditions 20/01103/IPM) at The James Hutton Institute Errol Road Invergowrie Dundee DD2 5DA subject to the undernoted conditions.”

1.7 The above Applications relate to consent for the erection of two new research and development facilities, i.e. an International Barley Hub (IBH) and an Advanced Plant Growth Centre (APGC). The 2 no. proposed building are linked and provide new accommodation for agricultural research and development, and aim to further facilitate, through their provision, industry engagement and skills development. The proposals also include/necessitate significant infrastructure investment in terms of the formation of roads, parking areas, landscaping, and other associated works. Condition (9) is relevant to the costs associated with delivering this new investment by the JHI.

1.8 Figure 1: Planning Application – Approved Site Boundary illustrates the boundary of the Application site and the buildings approved within its boundary, which include:

1. IBH/APGC Research Building (2 storey with roof top plant)
2. APGC Growth Facility (1.5 storey)
3. IBH/APGC Link Building (1.5 storey)

Figure 1: Planning Application – Approved Site Boundary



Condition (9) of Planning Application Ref: 21/02127/AMM

1.9 Planning Permission Ref: 21/02137/AMM was granted subject to a number of planning conditions including works associated with improvements to the A85 Riverside Avenue/Main Street junction, namely Condition (9), subject to this Application for variation.

1.10 Condition (9) of Planning Permission Ref: 21/02137/AMM states:

“Prior to the bringing into use of any part of the development hereby approved, the proposed junction modifications shown on drawing number 40 for the signalisation and improvements to the A85 Riverside Avenue/Main Street junction shall be implemented in full and fully operational, to the satisfaction of Perth & Kinross Council as Planning Authority. Prior to the implementation of the scheme, the relevant written agreements must be sought from Perth & Kinross Council and Dundee City Council as Roads Authorities. Evidence must be provided to Perth & Kinross Council that the relevant agreements from Dundee City Council are in place prior to the works being undertaken. For the avoidance of doubt, the active travel provision at the junction shall be subject to further discussion and written agreement from Perth & Kinross Council in consultation with Dundee City Council. The applicant shall also provide specifications of the provision of Close Circuit Television (CCTV) pole(s), camera(s) and hard line connection to Dundee City Council Urban Traffic Control System (UTC) for written agreement prior to any works being undertaken.

Reason - In the interests of road safety and to provide active travel routes to the development site.”

1.10 This Application seeks to vary Condition (9) of Planning Permission Ref: 21/02137/AMM. This PSS supports and justifies the variation proposed.



2.0 PROPOSED VARIATION + DECISION MAKING PROCESS

Section 42 Application for Variation of Condition (9) of Planning Permission Ref: 21/02137/AMM

- 2.1 The Applicant respectfully requests the following proposed variation to Condition (9). The proposed change in wording is highlighted in green, with suggested deleted text scored through:

~~Prior to the bringing into use of any part of the development hereby approved, the proposed junction modifications shown on drawing number 40 for the signalisation and improvements to the A85 Riverside Avenue/Main Street junction shall be implemented in full and fully operational, to the satisfaction of Perth & Kinross Council as Planning Authority. Prior to the implementation of the scheme, the relevant written agreements must be sought from Perth & Kinross Council and Dundee City Council as Roads Authorities. Evidence must be provided to Perth & Kinross Council that the relevant agreements from Dundee City Council are in place prior to the works being undertaken. For the avoidance of doubt, the active travel provision at the junction shall be subject to further discussion and written agreement from Perth & Kinross Council in consultation with Dundee City Council. The applicant shall also provide specifications of the provision of Close Circuit Television (CCTV) pole(s), camera(s) and hard line connection to Dundee City Council Urban Traffic Control System (UTC) for written agreement prior to any works being undertaken.~~

Reason - In the interests of road safety and to provide active travel routes to the development site."

- 2.2 In effect, the Applicant is requesting the removal of the requirement to upgrade and improve the A85 Riverside Avenue/Main Street junction as original specified under Condition (9) of Planning Permission 21/02137/AMM.

- 2.3 As a result of this Application, support is requested for the following proposed re-wording to Condition (9):

"The active travel provision at the junction shall be subject to further discussion and written agreement from Perth & Kinross Council in consultation with Dundee City Council.

Reason - In the interests of road safety and to provide active travel routes to the development site."

Pre-Application Consultation

- 2.4 Following the approval of Planning Permission 21/02137/AMM, JHI identified that the originally reserved budget of £100,000 for any potential upgrades, was significantly deficient in covering the infrastructure costs subsequently imposed by Condition (9). In 2023, JHI identified the associated costs were circa. £1 million +VAT. The deficit in budget costs, equated to circa £900,000 + VAT.
- 2.3 In effect, funding was not and will not be available to deliver the £1 million or thereabouts required to comply with Condition (9). The imposition of Condition (9) effectively jeopardises the delivery of the approved International Barley Hub (IBH) and an Advanced Plant Growth Centre (APGC).
- 2.4 As a result, of the financial impacts imposed by Condition (9), the Applicant requested a pre-application meeting with PKC to discuss its implications and to seek a way forward, i.e. a variation to its terms, to ensure the future viability of the proposal to proceed.
- 2.5 A meeting was held between PKC and JHI in April 2023, where a number of options were discussed/tailed by the Applicant, including:
1. Applying for the removal of the Condition.
 2. Applying to have the condition amended, in order that the opening of the new facility is not dependent upon these works being completed and, whilst the condition would remain, the date for completion of the works to be formally extended by 24-36 months post completion (to be agreed) pending available public funds being sought.
 3. For JHI to pay the original cost plan budget sum of £100,000 to PKC as a project contribution towards the junction upgrade design and build works and have the condition reworded to suit. The works then to be carried out by others.
 4. For JHI to pay a 1/3rd contribution of the total costs for the junction upgrade design and build works to a maximum of £250,000 and have the Planning condition reworded to suit. The remaining 2/3rds being shared between PKC and Dundee City Council (DCC). The works to be carried out by others.
- 2.6 At this date (and noting this was before JHI instructed further advice) JHI identified a preference for Option (3), however, in an email dated 1st August 2023, PKC stated their preferred approach was option (2) as presented by JHI above, confirming the following:

“At our meeting you discussed with Gillian and I the possibility of increasing the timescales for the delivery of the mitigation, with supporting information to show that the impact of home working has lessened the impact of the proposed development on the A85 Riverside Avenue / Main Street Priority Junction and that the mitigation will be delivered at or on a particular date in the future, to be

agreed through the planning process. It is also noted that the James Hutton Institute are looking to further expand the site, so the mitigation could be delivered in collaboration with those plans, lessening the cost of the mitigation on this phase of the project, but deliver early or at the beginning of the next phase.

Unfortunately, the option of supplying money to Perth & Kinross Council for us to deliver the scheme is not going to be possible and the mitigation identified will need to be delivered by the James Hutton Institute. Should you wish to extend the timescales for delivery of the mitigation, a Section 42 Application to vary Condition 9, will need to be submitted to Perth & Kinross Council's Planning Department for consideration. The application will need to be supplied with supporting information to fully justify the delayed delivery of the mitigation, with a proposed date for delivery."

- 2.7 In accordance with the advice received from PKC, the Applicant progressed Option (2), and commissioned a fresh assessment of the originally submitted Transport Assessment, with the brief, as advised by PKC, to *"...show that the impact of home working has lessened the impact of the proposed development on the A85 Riverside Avenue / Main Street Priority Junction and that the mitigation will be delivered at or on a particular date in the future, to be agreed through the planning process."*
- 2.8 This fresh assessment was carried out by Systra in March 2023, the conclusions of which advised that JHI *"...may wish to consider amendment or removal of the relevant planning conditions through the planning process."* As Systra's analysis confirmed *"that upgrading of the A85 / Main Street junction is not required to accommodate the proposed development."*
- 2.9 Systra's (2023) A85/Main Street Junction Assessment is attached as Appendix 2 and is submitted in support of the variation to Condition (9). The report is summarised in Section 4.0 and is a significant 'material consideration' in support of the proposal to vary Condition (9).

Need for Application – Financial Implications

- 2.10 It is relevant that during the above pre-application discussions, the above referred to associated costs were ball-part figures to aid a way forward on the principles of the funding gap. The original budgeted costs of around £100,000 was an estimate based on best estimate of what could have been asked for by PKC prior to the submission of Planning Application Ref: 21/02137/AMM .
- 2.11 However, the subsequent imposition of Condition (9), imposed a requirement for significantly more upgrades than was ever anticipated by JHI, or budgeted for.



- 2.12 Paragraphs 6.30 to 6.36 of this PSS identify the source of funding available to support end ensure the continuance of the work carried out by JHI, together with and the economic importance of JHI to the local and wider economy. It is relevant that JHI has sought funding in recent months from the Scottish Government and associated sources and it has been made apparent, since the above pre-application discussions with PKC, that this will not be forthcoming in the immediate term.
- 2.13 With construction costs having increased due to known economic circumstances, the £100,000 originally estimated/budgeted for some minor upgrades to the A85/Main Street junction, have now required to be redirected to deliver the structure of the buildings approved. The delivery of these buildings is vital to the research being carried out by the JHI.
- 2.14 The newly calculated financial implications of Condition (9) could if continue to be imposed place significant jeopardy of the project being delivered. Not least, the estimated costs of the upgrades required by Condition (9) could far exceed the ball-park estimate of £1 million, also having regard to current construction costs. Albeit that the final figure is superfluous in that JHI no longer have any funding, in any respect to pay for the upgrades concerned.
- 2.15 JHI also note the budgetary relevance of construction costs increasing and the associated inflationary pressures attached, however, there is no additional Scottish Government funding available to compensate and fulfil this escalating gap.
- 2.16 In addition, JHI has identified that if this Application is not approved, it is estimated that there will be a loss of £20m benefit to the Scottish Government in terms of return on investment, i.e. for every £1 the investment return is £20. In economic terms therefore, the £1m cost of the junction upgrade would result in a loss of £20m investment to the Scottish Government. The burden contained in Condition (9) will therefore also have a detrimental effect on job creation and losses.

Legal Requirements for Determination of Application

- 2.17 Section 42 of the Act relates to applications for planning permission to develop land which depart from conditions attached to an existing permission. The effect of granting permission through a Section 42 (S42) Application is such that a new and separate permission exists for the development with different (or no) conditions attached. The previous planning permission remains unaltered by, and is not varied by, the decision on the S42 application.
- 2.18 In determining this Application, the Planning Authority are also required to have regard to Section 25 of the Act which states:

“Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”

- 2.19 The Development Plan (DP) comprises (1) the National Planning Framework 4 (NPF4) and (2) the Perth & Kinross Council Local Development Plan 2 (PKLDP2), 2019.
- 2.20 In addition, in determining the acceptability of varying Condition (9) PKC will have regard to whether both the wording of the existing Condition (9) and its proposed rewording complies with Scottish Government advice on imposing planning conditions. In summary, Paragraph 2 of Scottish Government Circular 4/1998 (the “Circular”) on the Use of Planning Conditions states:

“Planning conditions should only be imposed where they are:

- *necessary*
- *relevant to planning*
- *relevant to the development to be permitted*
- *enforceable*
- *precise*
- *reasonable in all other respects.*

The Secretary of State attaches great importance to these criteria being met so that there is an effective basis for the control and regulation of development which does not place unreasonable or unjustified burdens on applicants and their successors in title.”

- 2.21 This PSS identifies that Condition (9) does not comply with Scottish Government Circular 4/1998 on the Use of Planning Conditions (paragraph 5.0 refers). In addition, the proposal variation to Condition (9) accords with the Development Plan and material planning considerations, which support of the S42 variation to Condition (9). These considerations include Systra’s reviewed assessment of the A85/Main Street junction capacity, PKC’s Report of Handling on Planning Application Ref: 21/02137/AMM, the emerging Regional Spatial Strategy for the area and economic impact issues, of which the TAY Cities Deal is of relevance (paragraph 6.0 refers).

3.0 PLANNING HISTORY + TRANSPORT ASSESSMENT

Introduction

- 3.1 The principle of development on this site has been established through PKC's approval of PPP (Ref: 20/01103/IPM) in November 2020 for the mixed-use development of the site including alterations to existing buildings and erection of new buildings, together with associated development. This Decision Notice is attached as Appendix 3.
- 3.2 The subsequent approval of Matters Specified by Condition (AMSC) on 10th August 2022 under Application Ref: 21/02137/AMM, granted consent for the design of the detailed elements of the new buildings etc.
- 3.3 This Application only seeks to vary Condition (9) with all other matters agreed through the above consents. The following planning history is considered relevant to the context for the imposition of Condition (9) by PKC.

Planning History

- 3.4 Figure 1: Planning Application – Approved Site Boundary, provided in paragraph 1.8 above, illustrates the boundary of the Application site, subject to Planning Applications Ref: 20/01103/IPM (approved 19th November 2020) and 21/02137/AMM (approved 10th August 2022). The latter of which is subject to this Application under S42 of the Act.
- 3.5 Of relevance also to traffic and access improvements, associated with the proposal, Planning Permission in Principle Ref: 20/01103/IPM also required modifications to the A90/Main Street Roundabout, prior to the occupation of the development.

Condition (18) states:

"Prior to the occupation of any of the development hereby approved, the proposed modifications to the A90/Main Street Roundabout, generally as illustrated on Drawing No. 135585/sk7001 - page 86 of Transport Assessment (PKC Ref: 20/01103/16) by Fairhurst dated April 2020, shall be implemented to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To ensure that the standard of access layout complies with the current standards, and that the safety and free flow of traffic on the trunk road is not diminished."

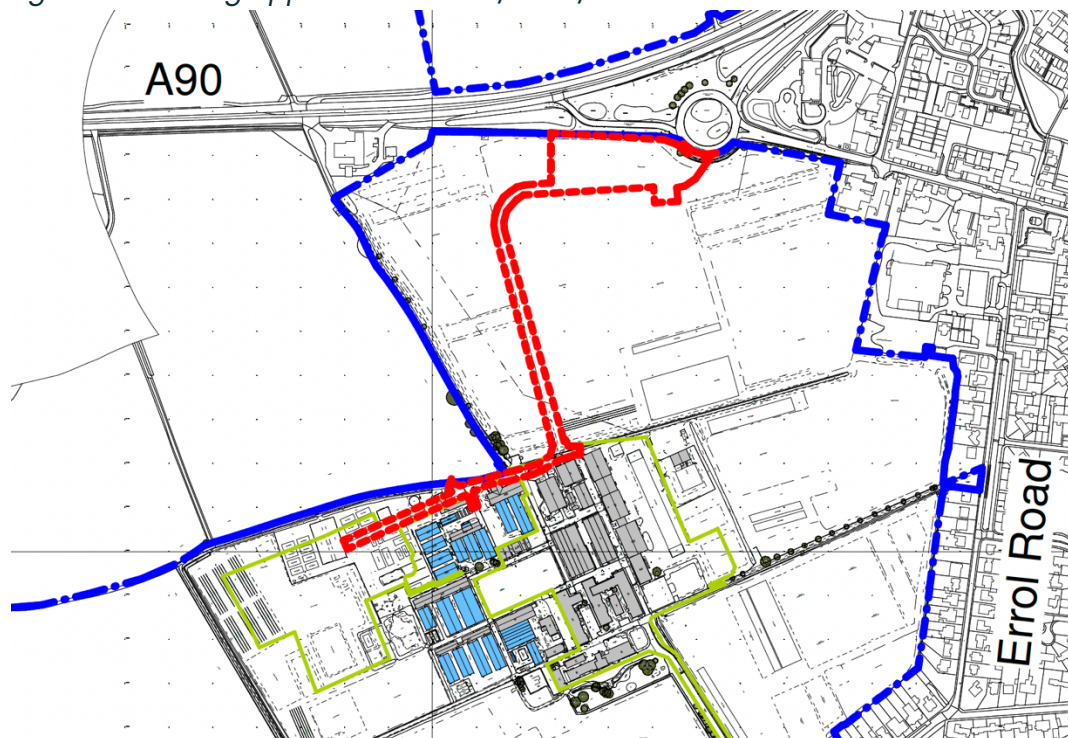
- 3.6 In compliance with Condition (18) the Applicant submitted Planning Application Ref: 20/01104/FLL, as an alternative to applying for its discharge under Condition



(18). The Application related to the “*Formation of vehicular access, access road, SUDS pond and associated works*” and was granted on 24th November 2020. The decision notice is attached in Appendix 4.

- 3.7 Figure 2: Planning Application Ref: 20/01104/FLL Site Plan illustrates the boundary of the approved new road, consented on 24th November 2020, 5 days after approval of to Planning Applications Ref: 20/01103/IPM, but prior to approval of Application Ref: 21/02137/AMM on 10th August 2022.

Figure 2: Planning Application Ref: 20/01104/FLL Site Plan



- 3.8 It is relevant that the same Transport Assessment (TA) was submitted with both Planning Application Ref: 20/01103/IPM (approved 19th November 2020) and Planning Application Ref: 20/01104/FLL (approved on 24th November 2020), but not with Planning Application Ref 21/02137/AMM (approved 10th August 2022).
- 3.9 Planning Application Ref 21/02137/AMM, simply provided a Road Safety Audit of the A85/Main Street junction, as required, but did not seek to refresh the submitted 2020 TA. An updated Assessment, addressing this new access to the A90 and revised traffic flows, as a result of changed working patterns, may have circumvented the imposition of Condition (9). However, this information was not requested by PKC and it is perhaps beneficial that this Application now provides for a new transport assessment, which is current to 2024 (rather than 2021).
- 3.10 Noting the above, the Applicant, considers that it is material that the TA assessment of the A85/Riverside junction upgrade (subject to Condition 9), is now

out of date and does not take into account:

- The now implemented upgrade of the A90 junction.
- Current traffic flows (which were not taken into account in the 2020 TA).
- The timelines for the implementation of the approved proposal for securing the International Barley Hub (IBH) and an Advanced Plant Growth Centre (APGC) have now been delayed and post Covid-19 working conditions have resulted in less traffic associated with the development, than projected in 2020.
- There are disproportionate costs associated with the required upgrades to the A85/Riverside junction, placed as burden on the Applicant, as a result of Condition (9). This is relevant to the Condition, as imposed by PKC in August 2022 and to current transport conditions (Ref: Systra (2023) A85/Main Street Junction Assessment). The Systra report concluded that Condition (9) is no longer justified, in terms of the upgrades referred to.

3.11 Following on from the above, the recommendation of PKC, during pre-application liaison, in August 2023, to review traffic conditions relevant to the A85/Riverside junction 'today', has been acted upon by the Applicant in this submission. Noting Systra's assessment of the A85/Main Street Junction undertaken in March 2023 supports the variation proposed.

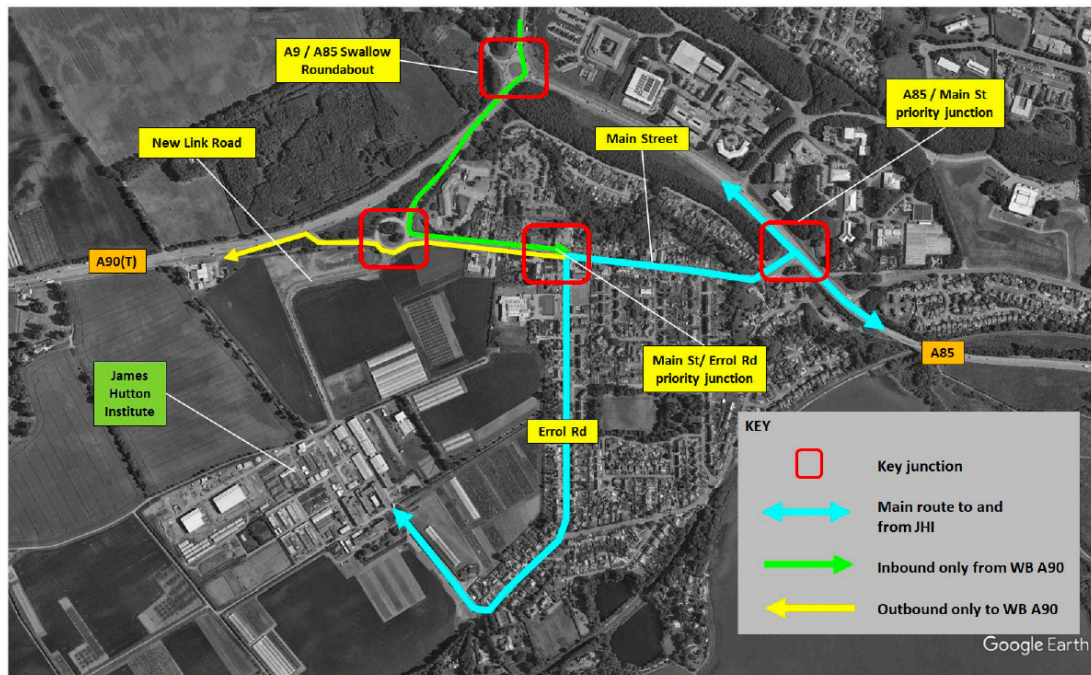


4.0 SYSTRA (2024) MAIN STREET JUNCTION ASSESSMENT

4.1 As stated, the Applicant has revisited the Transport Assessment submitted with Planning Permission 21/02137/AMM, which appears to have resulted in the imposition of Condition (9) and instructed Systra to carry out an up to date assessment of the A85/Main Street Junction. This report, dated March 2024, is attached in Appendix 2 and concludes that on the basis of this assessment “*JHI may wish to consider amendment or removal of the relevant planning conditions through the planning process*”.

4.2 Figure 3: Current Access Arrangements extracted from Systra’s report illustrates that whilst access to the site can currently be taken from Errol Road, all traffic leaving the site, with the exception of traffic heading west on the A90, must pass through the A85 / Main Street priority junction.

Figure 3: Current Access Arrangements



4.3 Systra’s report identifies the following current traffic characteristics of the proposal with the change in the working pattern/no. of employees (since approval of Planning Application Ref: 20/01103/IPM in 2021) highlighted in bold.

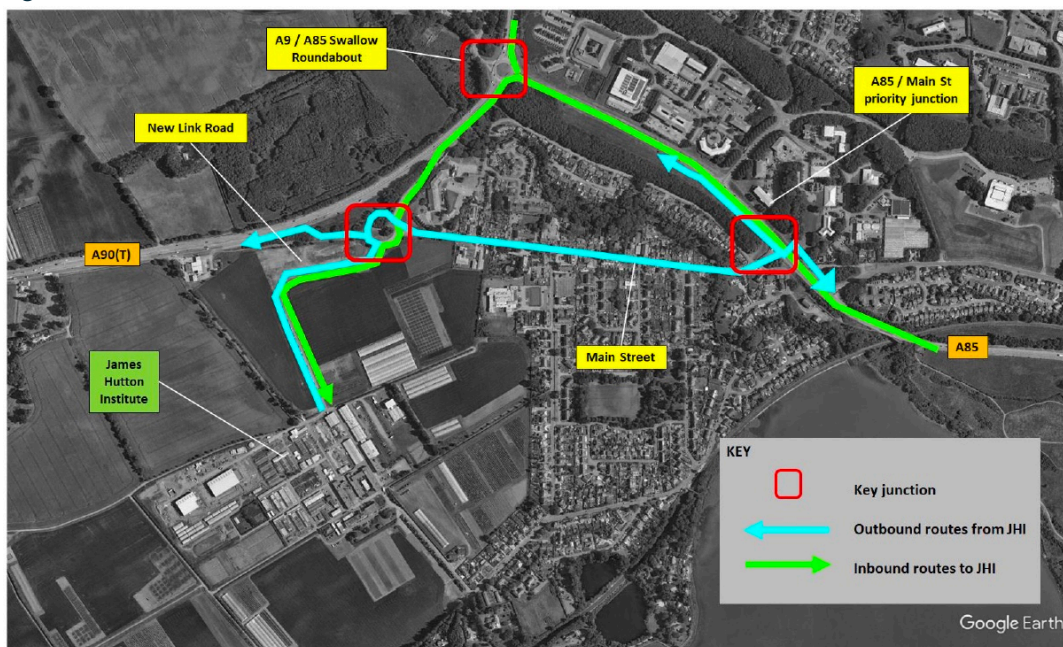
“The development proposals comprise the establishment of the International Barley Hub (IBH) and Advanced Plant Growth Centre (APGC). The masterplan for the development foresees the co-location of all scientific and non-scientific staff within a new James Hutton Institute; a single integrated building that will also incorporate the proposed IBH and APGC. There will also be a new Integrated Field Facilities Hub (IFFH) that will replace older farm buildings that currently occupy the east of the site.”

The JHI Invergowrie site currently employs 277 people. When complete, the development will house an additional 86 employees on site. JHI has provided information which indicates that the first additional employees may not arrive until four years after opening (2028), and from this point the number of new employees will grow steadily, until the full additional complement is on-site around 10 years from opening.

Under the proposals, the majority of site traffic will arrive and leave via the new Link Road to the north. This new arrangement will remove inbound traffic from the A85 / Main Street junction, and from Errol Road. However, most outbound traffic (with the exception of vehicles heading west on the A90) will still need to use the A85 / Main Street junction, as shown in Figure 2."

4.4 Systra's Figure 2 is provided below as Figure 4: Future Road Access to JHI.

Figure 4: Future Road Access to JHI



4.5 Paragraphs 3.5.2 and 3.5.3 of Systra's Assessment state:

"3.5.2 Once the new access road from the A90 to the south is open, the amount of traffic travelling to JHI via Main Street will fall, as some employees and visitors switch to the new access.

3.5.3 JHI can formalise this arrangement if required, requiring all traffic arriving at the site to use the new entrance. This arrangement would transfer 276 existing inbound vehicle movements throughout the day from Main Street onto the new access road. It would not affect most outbound traffic from the site (other than that heading west on the A90), which would need to continue to exit via Main Street onto the A85."

4.6 It is relevant that the assessment by Systra on the implications of 'traffic distribution' is based on the assumption "...that all traffic accessing the site will continue to do so as at present." Their assessment does not take into the proposed future access arrangements proposed independently by JHI illustrated in Figure 4. The Applicant is in agreement to the suggested that such new arrangements could be secured by Planning Condition by PKC. Notwithstanding, the possibility of the above being secured by Planning Condition, the following conclusions of Systra's assessment demonstrate that the proposed variation to Condition (9) is justified, irrespective of this potential mitigation proposed.

4.7 Systra's (2024) A85/Main Street Junction Assessment concludes:

"Traffic levels both on the network, and to / from JHI, have reduced since the original TA, creating headroom for development traffic.

- *The absolute changes in traffic flow as a result of the development will be low, and not particularly noticeable above day-to-day variations.*
- *Given the expected low traffic demand generated by the additional employees, the future performance of the A85 / Main Street junction is likely to be determined by other, wider, factors that will affect traffic flows in the area, such as the continued and expanded effects of home and flexible working, investment in public transport, walking and cycling, and changes to the cost of motoring.*
- *The first additional employees (out of the predicted 86-strong workforce) are not predicted to arrive on site until 2028.*
- *The junction model used in the assessment assumed a very punitive intercept adjustment on the Main Street left-turn movements, and even a small reduction in this figure means the junction is predicted to operate within capacity.*
- *If deemed helpful by PKC, JHI can introduce new access arrangements to the site, requiring all traffic arriving at the site to use the new entrance from the A90. This arrangement would transfer 276 existing inbound vehicle movements throughout the day from Main Street onto the new access road. This arrangement would reduce some pressure on the A85 / Main St junction, and reduce traffic flows on Main Street itself.*
- *JHI has an established and comprehensive Travel Plan in place. Through this initiative, JHI is actively trying to reduce the number of single-occupancy vehicle trips, meaning that the modal split may be further improved in the future."*



- 4.8 On the basis of the above conclusions Systra advised that JHI “...may wish to consider amendment or removal of the relevant planning conditions through the planning process.” As Systra’s analysis confirmed “that upgrading of the A85 / Main Street junction is not required to accommodate the proposed development.”
- 4.9 As a result of the above assessment of the junction, it is considered that Condition (9) is not now justified and as a result no longer complies with the Scottish Government’s advice on imposing planning conditions, contained in paragraph 2 of Scottish Government Circular 4/1998 (the “Circular”) referred to below in Paragraph 5.0.
- 4.10 The report is a significant ‘material consideration’ in support of this S42 Planning Application for the variation of Condition (9).



5.0 PLANNING CONDITION REQUIREMENTS: LEGISLATION + POLICY

The Act

5.1 As referred to above, Section 25 of the Act requires that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

5.2 This application is also being made under Section 42 of the Act. Section 42(2) states that:

“(2) On such an application the planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly;

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.”

5.3 In submitting this Planning Application under Section 42, the Council are entitled only to consider the Condition in question, that is Condition (9).

Scottish Government Circular 4/1998 (the “Circular”) on the Use of Planning Conditions

5.4 As stated, paragraph 2 of the Circular states:

“Planning conditions should only be imposed where they are:

- *necessary*
- *relevant to planning*
- *relevant to the development to be permitted*
- *enforceable*
- *precise*
- *reasonable in all other respects.*

The Secretary of State attaches great importance to these criteria being met so that there is an effective basis for the control and regulation of development which does not place unreasonable or unjustified burdens on applicants and their successors in title.”

5.5 Specifically, it is considered that Condition (9) fails to comply with the above policy



test, as it is not necessary, relevant to the development permitted, or reasonable in all other respects.

a) Test: Need for a Condition

5.6 Paragraph 15 of the Circular states *“Conditions should be tailored to tackle specific problems, rather than impose unjustified controls. In so far as a condition is wider in its scope than is necessary to achieve the desired objective, it will fail the test of need.”*

5.7 The Systra A85/Main Street Junction Assessment (March 2023) provides an updated assessment of current traffic conditions, relating to the A85/Riverside Junction. This Appraisal identifies that current traffic flows are now diluted from those assessed in 2020, and therefore the conclusions relating to this junction, provided in the TA (2020) are out of date with current and no longer applicable.

5.8 The Systra Report substantiates that the upgrade requirements to the A85/Main Streets, imposed by Condition (9) are not supported or justified in transportation terms and it is therefore concluded that the restrictions imposed by Condition (9) are not necessary.

5.9 As a result, Condition (9) therefore already fails to comply with test (a) and it is respectfully requested that the proposed variation is supported.

c) Test: relevance to the development to be permitted

5.10 Paragraph 23 of the Circular states, *“Unless a condition fairly and reasonably relates to the development to be permitted, it will be ultra vires.”* In addition, paragraph 24 states *“It is not, therefore, sufficient that a condition is related to planning objectives: it must also be justified by the nature of the development permitted or its effect on the surroundings.”*

5.11 The Systra Report substantiates that the upgrade requirements to the A85/Main Streets, imposed by Condition (9) are not relevant or proportionate to the development proposed. The previously identified concerns with this junction already exist, and would normally be addressed by PKC/DCC. The upgrades required by Condition (9) are unproportionate to the development permitted and therefore do not meet the relevance test.

5.12 It is also relevant, that the pre-application discussions identify that neither PKC nor DCC will or can contribute to the financial upgrades of this junction. It appears, that Condition (9) sought to impose ‘all’ the burdens for improvements to the A85/Main Street junction onto the Application by JHI.

5.13 As a result, Condition (9) neither *“fairly and reasonably relates to the development to be permitted,”* and is therefore *“ultra vires”*. Condition (9) therefore fails to comply with test (c) and it is respectfully requested that the proposed variation is supported.

(f) Test: reasonable in all other respects

5.14 Paragraph 34 of the Circular states that *“A condition may be unreasonable because it is unduly restrictive. Although a condition may in principle impose a continuing restriction on the use of land (provided that there are good planning reasons for that restriction), such a condition should not be imposed if the restriction effectively nullifies the benefit of the permission.”*

5.15 Condition (9) is unduly restrictive, for the reasons stated above. In addition, Condition (9) effectively nullifies the benefit of the approval given as there are insufficient funds to deliver the upgrades required.

5.16 As stated above, JHI had originally, anticipated a budget contribution of circa. £100,00 to any required potential junction improvements. However, in 2023, JHI advisors now estimate costs of circa. £1 million + VAT. The imposed infrastructure upgrades are not a reasonable or relevant burden on the Application approved. PKC has declined to contribute towards any associated costs, as referred to above.

5.17 As a result, Condition (9) therefore fails to comply with test (f) as it is unreasonable. Noting also, that the financial burden imposed by Condition (9) is unreasonably restrictive and will if continued in its current form render the nullification of the benefit of the permission.

Summary

5.18 In summary, the Applicant progressed PKC’s pre-application advice to undertake an up to date appraisal of the A85/Main Street junction, noting the 2020 TA, was out of date.

5.19 The results of Systra’s (2023) A85/Main Street Junction Assessment concluded that JHI *“...may wish to consider amendment or removal of the relevant planning conditions through the planning process.”* As Systra’s analysis confirmed *“that upgrading of the A85 / Main Street junction is not required to accommodate the proposed development.”*

5.20 These conclusions, support the above assessment that Condition (9) now fails to comply with the above policy tests (a), (c) and (f) of the Circular, as the Condition is not necessary, relevant to the development permitted, or reasonable in all other respects.



6.0 THE DEVELOPMENT PLAN + MATERIAL CONSIDERATIONS

- 6.1 The principle of development on this site has already been established through the grant of Planning Permission in Principle Ref: 20/01103/IPM by PKC on 19th November 2020.
- 6.2 In submitting a Planning Application under S42, the Council are entitled only to consider the Condition in question, that is Condition (9). This section of this PSS, therefore, confines Development Plan and Material Considerations to transportation issues relating to the proposal to vary Condition (9), noting the decision-making requirements stated in Paragraph 2.11.
- 6.3 The statutory Development Plan for the area of the site is provided by:
- Scottish Government (2023) National Planning Framework 4 (NPF4)
 - Perth & Kinross Council (2019) Perth + Kinross Local Development Plan 2 (PKLDP2), 2019
- 6.4 The Scottish Government's Chief Planners letter of 8th February 2023, confirms the following in terms of applying and weighing up the policies of both NPF4 and the PKLDP2:
- “Whether an LDP has been adopted prior to or after the adoption and publication of NPF4, legislation states that in the event of any incompatibility between a provision of NPF and a provision of an LDP, whichever of them is the later in date is to prevail (Town and Country Planning (Scotland) Act 1997 (“the 1997 Act”); section 24(3)).”*
- 6.5 Material Considerations include:
- PKC's Report of Handling on Planning Application 21/02137/AMM
 - Systra (2024) A85/Main Street Junction Appraisal
 - Emerging Regional Spatial Strategy
 - Economic Impact

THE DEVELOPMENT PLAN

National Planning Framework 4, approved 2023 (NPF4)

- 6.6 NPF4 identifies the long-term spatial strategy for Scotland identifying national planning policies which form part of the statutory development plan.
- 6.7 In summary, NPF4 seeks to achieve the following six overarching spatial principles:
- *“Just transition. We will empower people to shape their places and ensure the transition to net zero is fair and inclusive.*
 - *Conserving and recycling assets. We will make productive use of existing*



buildings, places, infrastructure and services, locking in carbon, minimising waste, and building a circular economy.

- *Local living. We will support local liveability and improve community health and wellbeing by ensuring people can easily access services, greenspace, learning, work and leisure locally.*
- *Compact urban growth. We will limit urban expansion so we can optimise the use of land to provide services and resources, including carbon storage, flood risk management, blue and green infrastructure and biodiversity.*
- *Rebalanced development. We will target development to create opportunities for communities and investment in areas of past decline and manage development sustainably in areas of high demand.*
- *Rural revitalisation. We will encourage sustainable development in rural areas, recognising the need to grow and support urban and rural communities together..."*

"By applying these spatial principles, our national spatial strategy will support the planning and delivery of:

- *Sustainable places, where we reduce emissions, restore and better connect biodiversity;*
- *Liveable places, where we can all live better, healthier lives; and*
- *Productive places, where we have a greener, fairer and more inclusive wellbeing economy."*

- 6.8 As stated in paragraphs 1.2 and 1.3 above, The JHI combines strengths in crops, soils and land use and environmental research, and makes a major contribution to the understanding of key global issues, such as food, energy and environmental security, and developing and promoting effective technological and management solutions to these. The Institute is one of the Scottish Government's main research providers in environmental, crop and food science and has a major role in the Scottish knowledge economy. As a result, The JHI actively supports the key spatial principles of NPF4.
- 6.9 Policy 16: Sustainable Transport of NPF4 seeks to *"To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably."* Part (f) states *"Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation."*
- 6.10 JHI is committed to achieving the aims of Policy 16 in relation to sustainable travel patterns and facilities flexible home/office working. These arrangements have been a contributory factor in the reduction of traffic movements to and from the



site, including at peak times, which were not taken into account in the 2020 TA, resulting in Condition (9).

- 6.11 In addition, in accordance with Condition (9) JHI are committed to a Travel Plan for the site and the continued liaison on active travel provision at the A85/Main Street junction. JHI is supportive of this element of Condition (9) remaining as a requirement.

Perth and Kinross Council Local Development Plan, adopted 2019 (PKCLDP)

- 6.12 Figure 2: Invergowrie Settlement Plan, illustrates that the JHI site has an “Employment Safeguarding (Core)” designation, with the surrounding fields allocated as “Employment Proposal (Core)”.

Figure 2: Invergowrie Settlement Plan



- 6.13 The Settlement Summary states “The settlement is identified as a Strategic Development Area in TAYplan. There is a large site allocated for Class 4 Employment Uses. This is to support the growth of the James Hutton Institute and allow for a range of potential businesses that support the Institute’s research into agriculture and food production.”

- 6.14 Figure 1: Policy Ref: E37 James Hutton Institute identifies that the use of the site is for “Core employment uses – Class 4 Food and provides site-specific developer requirements.”



Figure 1: Policy Ref. E37 James Hutton Institute

Ref	Location	Size	Uses
E37	James Hutton Institute		Core employment uses - Class 4 Food
Site-Specific Developer Requirements <ul style="list-style-type: none"> • Development must be compatible with existing uses. • Road and access improvements to the satisfaction of the Council as Roads Authority. • Transport Assessment. • Enhancement of biodiversity and protection of habitats. • Development proposals should not result in adverse effects, either individually or in combination, on the integrity of a European designated site(s). • Provide new native woodland landscape edge at the western boundary. • Evaluation of archaeological potential and mitigation on site will be required and protection of the setting of nearby Schedule Monument should be ensured. 			

- 6.15 As stated previously, the principle of the use has already been accepted and accords with the above land use requirements. This Application relates solely to the issue of whether upgrades to the A85/Main Street Junction are required as a result of this proposal. The updated report by Systra (2024) A85/Main Street Junction Assessment identifies that due to reduced traffic flows from the site, the upgrades previously required by Condition (9) are no longer supported.
- 6.16 PKC’s Report of Handling (RoH) on Planning Application 21/02137/AMM, concluded that the proposal was in accordance with Policy 60: Transport Standards and Accessibility Requirements of the PKLDP2, having regard to all transport issues and subject to Condition (9). This Application, supports the variation to Condition (9) based on current information, superseded the 2020 TA and the information available to PKC in their determination of Planning Application 21/02137/AMM.
- 6.17 Part (b) of Policy 60B: New Development Proposals states that *“All development proposals (including small-scale proposals) should incorporate appropriate mitigation on-site and/or off-site, provided through developer contributions where appropriate, which might include improvements and enhancements to the walking/cycling network and public transport services including railway and level crossings, road improvements and new roads”*
- 6.18 The report by Systra, concludes that the requirements imposed by Condition (9) no longer justify the mitigation proposed in 2021. The update survey work carried out by Systra in 2024 identify that the works do not now reasonably relate to the development concerned, and are not necessary or reasonable.
- 6.19 In summary, the S42 Application for the variation of Condition (9) accords with the Development Plan.

MATERIAL CONSIDERATIONS

PKC Report of Handling (RoH): Planning Application 21/02137/AMM

- 6.20 Paragraphs 89 and 90 of the RoH specifically relate to the A85/Main Street junction and provides the following assessment leading to the imposition of Condition (9):



“In respect to off-site works, the TA identified mitigation at the A85/Main Street Junction on the boundary of Perth & Kinross Council and Dundee City Council. Condition 15 of the PPP (20/01103/IPM) relates.

The applicant has worked with both Perth & Kinross Council and Dundee City Council to deliver details of the mitigation measures for the A85 Riverside Avenue/Main Street, and its signalisation. The layout drawing (drawing number 40) provided by Fairhurst is acceptable in principle, subject to details being agreed during the Roads Construction Consent (RCC) process. (Condition 9).”

- 6.21 As stated previously, the Applicant had not realised the financial implications of Condition (9) when this was imposed and rolled over from the PPP. PKC had not sought to liaise with the Applicant on the financial implications of imposing the Condition, neither were they realised or appreciated by the Applicant until the works were costed in 2023 (all of which are referred to above).
- 6.22 In addition, following a further financial appraisal, JHI has identified that if this Application is not approved, it is estimated that there will be a loss of £20m benefit to PKC / Scottish Government in terms of return on investment, i.e. for every £1 the investment return is £20. In economic terms therefore, the £1m cost of the junction upgrade would result in a loss of £20m investment to the Scottish Government. The burden contained in Condition (9) will therefore also have a detrimental effect on job creation and losses.

Systra’s (2023) A85/Main Street Junction Assessment

- 6.23 The report is attached in Appendix 2, and the summary of the report, together with its conclusions are referred to under Paragraph 4.0 of this PSS.
- 6.24 **Systra’s analysis confirmed “that upgrading of the A85 / Main Street junction is not required to accommodate the proposed development.”**
- 6.25 As a result, Condition (9) no longer complies with the Scottish Government’s advice on imposing planning conditions, contained in paragraph 2 of Scottish Government Circular 4/1998 (the “Circular”) referred to Paragraph 5.0 above.
- 6.26 The report by Systra is a significant ‘material consideration’ in support of this Application for the variation of Condition (9) and provides an up to date analysis of the functioning of the junction relative to this proposal.

Emerging Regional Spatial Strategy (RSS)

- 6.27 The Planning (Scotland) Act 2019, established a duty for a planning authority, or authorities acting jointly, to prepare and adopt a regional spatial strategy.



Regional Spatial Strategies (RSS) are long-term spatial strategies which specify the area/s to which they relate, and identify:

- the need for strategic development
- the outcomes to which strategic development will contribute
- priorities for the delivery of strategic development
- proposed locations, shown in the form of a map or diagram.

6.28 Whilst the RSS for Tayside/associated Authorities is yet to be published for consultation, in preparation of NPF4, relevant authorities were requested to provide for their early thinking on RSSs to help to inform the preparation of NPF4. An “Indicative Regional Spatial Strategies Summary of emerging work” was prepared in 2020 to inform the now approved NPF4, and provides a video link <https://youtu.be/PchWQ2CEfiE> to the future objectives of the area.

6.29 The video identifies that the Tayside RSS aims to inter alia, “*co-ordinate and prioritise projects delivered through the Regional Economic Strategy and Tay Cities Deal.*” The video also identifies the intention to also focus on the delivery of 13 no. Strategic Developments, one of which includes the James Hutton Institute Innovation Hub. The emerging RSS therefore recognises the significance of the success and continued success of the JHI on a regional basis, noting the priority of delivering such projects delivered through the Regional Economic Strategy and Tay Cities Deal, both of which seek to support the JHI.

Economic Impact

6.30 Paragraphs 2.10-16 identify JHI’s financial need for the variation proposed to Condition (9) and the associated economic impact. The following is also considered relevant to the support for this Application, based on the economic impacts of this proposal.

6.31 The Tay Cities Region Economic Strategy 2019-2039 covers Angus, Dundee and Perth & Kinross and the north-east part of Fife. The report confirms of relevance to JHI that the joint strategy will:

- *Support investment in the James Hutton Institute International Barley Hub in Invergowrie to create a focal point for translational development and innovation for all barley development in Scotland, the UK and internationally.*
- *Support investment in the James Hutton Institute Advanced Plant Growth Centre in order to develop innovative technologies for vertical growth systems, the potential cultivation of crops which currently cannot be grown in Scotland, and accelerated development of new crop varieties.*

6.32 The Tay Cities Region Deal (TCRD) Annual Report for October 2022 - September 2023 was published on 28 March 2024, highlighting the key achievements for the year. The Report made reference to this year’s milestones including the official opening of the International Barley Hub Field Centre and Mylnfield Farm Hub



Buildings at The James Hutton Institute. The TCRD report highlights the significance of JHI to the economy and its underlying objectives for such support.

- 6.33 However, there is currently no known further investment forthcoming from the TCRD for further projects or assisting in facilitating the delivery of this Proposal. It is a fact therefore, that the JHI cannot afford to contribute towards the upgrade of the A85/Main Street junction, as required by Condition (9), albeit that the Systra report concludes that these requirements are not justified, anyway in planning terms.
- 6.34 The above economic background is considered to be material to the consideration of this Application, since the Scottish Government within the context of the Tay Cities Deal, has already invested circa. £60m of government funding towards the International Barley Hub and the Advanced Plant Growth Centre. In addition, the JHI delivers the above strategic objectives of the Tay Cities Region Economic Strategy 2019–2039.
- 6.35 PKC’s Report of Handling (RoH) on Planning Application 21/02137/AMM also supports the economic contribution of the proposal in terms of the development, as approved “... *encouraging, supporting and investing in research, innovation and collaboration to improve efficiency, productivity, sustainability, business growth, new opportunities and higher paid jobs.*” Concluding that “*The development will enable the Institute to put in place the necessary facilities and infrastructure so that it can fulfil the ambitions of both the Institute itself and the wider economic aims of Perth & Kinross and the Tay Cities Region.*” As such, the economic impact of the proposal is both significant and positive.
- 6.36 The delivery of the proposal is a significant material planning consideration, in terms of its economic contribution, both to the local and wider economy and is a further reason to support the proposed variation to Condition (9), since the financial requirements associated with the Condition could also result in the failure to deliver the proposed development, the principle of which is supported by PKC.



7.0 SUMMARY + CONCLUSION

- 7.1 The Applicant respectfully requests the following proposed variation to Condition (9). The proposed change in wording is highlighted in bold green, with suggested deleted text scored through:

~~Prior to the bringing into use of any part of the development hereby approved, the proposed junction modifications shown on drawing number 40 for the signalisation and improvements to the A85 Riverside Avenue/Main Street junction shall be implemented in full and fully operational, to the satisfaction of Perth & Kinross Council as Planning Authority. Prior to the implementation of the scheme, the relevant written agreements must be sought from Perth & Kinross Council and Dundee City Council as Roads Authorities. Evidence must be provided to Perth & Kinross Council that the relevant agreements from Dundee City Council are in place prior to the works being undertaken. For the avoidance of doubt, the active travel provision at the junction shall be subject to further discussion and written agreement from Perth & Kinross Council in consultation with Dundee City Council. The applicant shall also provide specifications of the provision of Close Circuit Television (CCTV) pole(s), camera(s) and hard line connection to Dundee City Council Urban Traffic Control System (UTC) for written agreement prior to any works being undertaken.~~

Reason - In the interests of road safety and to provide active travel routes to the development site."

- 7.2 In effect, the Applicant is requesting the removal of the requirement to upgrade and improve the A85 Riverside Avenue/Main Street junction as original specified under Condition (9) of Planning Permission 21/02137/AMM.
- 7.3 The principle of development on this site has been established through the grant of Planning Permission in Principle Ref: 20/01103/IPM (approved 19th November 2020), with PKC approving the details of the development through approval of Planning Permission Ref: 21/02137/AMM on 10th August 2022.
- 7.4 The implications of Condition (9) of Planning Permission Ref: 21/02137/AMM has subsequently been investigated by the Applicant, since its terms results in significant construction costs to the JHI of circa. £1 million. This is well in excess of budgeted costs of circa £100,000 +VAT.
- 7.5 As a result, of the above financial implications, JHI sought to investigate further the validity of Condition (9) and initiated discussions with PKC on this matter, in 2023, as detailed above. The discussions, identified JHI's initial concerns that (a) such costs should reasonable be shared between JHI, PKC & DCC, since the works required by Condition (9) could be viewed as prevalent, before the development



was proposed by JHI, and (b) as a result the costs of the improvements were not proportionate to the development proposed.

7.6 During these pre-application discussions, PKC confirmed that there were no funds available from the Council, to contribute to the costs of the upgrade. The discussions also noted that the TA was published in 2020, prior to Covid-19 and that since then working from home/traffic flows would have changed. PKC therefore suggested to the JHI that they may wish to commission an up to date assessment, based on current traffic conditions. As a result of this recommendation by PKC, JHI commissioned a new study by Systra, which reviewed the original TA and undertook new traffic surveys and collated up to date information from JHI on current working practices at the Institute.

7.7 Systra's (2023) A85/Main Street Junction Assessment concludes:

"Traffic levels both on the network, and to / from JHI, have reduced since the original TA, creating headroom for development traffic.

- *The absolute changes in traffic flow as a result of the development will be low, and not particularly noticeable above day-to-day variations.*
- *Given the expected low traffic demand generated by the additional employees, the future performance of the A85 / Main Street junction is likely to be determined by other, wider, factors that will affect traffic flows in the area, such as the continued and expanded effects of home and flexible working, investment in public transport, walking and cycling, and changes to the cost of motoring.*
- *The first additional employees (out of the predicted 86-strong workforce) are not predicted to arrive on site until 2028.*
- *The junction model used in the assessment assumed a very punitive intercept adjustment on the Main Street left-turn movements, and even a small reduction in this figure means the junction is predicted to operate within capacity.*
- *If deemed helpful by PKC, JHI can introduce new access arrangements to the site, requiring all traffic arriving at the site to use the new entrance from the A90. This arrangement would transfer 276 existing inbound vehicle movements throughout the day from Main Street onto the new access road. This arrangement would reduce some pressure on the A85 / Main St junction, and reduce traffic flows on Main Street itself.*
- *JHI has an established and comprehensive Travel Plan in place. Through this initiative, JHI is actively trying to reduce the number of single-occupancy*



vehicle trips, meaning that the modal split may be further improved in the future.”

- 7.8 On the basis of the above conclusions Systra advised that JHI ““that upgrading of the A85 / Main Street junction is not required to accommodate the proposed development.””
- 7.9 The Systra report fundamentally justifies the variation of Condition (9) as proposed.
- 7.10 As a result of the above, it is considered that Condition (9) does not comply with the Scottish Government’s advice on imposing planning conditions, contained in paragraph 2 of Scottish Government Circular 4/1998 on the grounds that it is not necessary, relevant to the development permitted, or reasonable in all other respects.
- 7.11 Notwithstanding the above, this PSS also considers that Condition (9) already failed to meet the above policy tests when applied originally under Planning Permission Ref: 21/02137/AMM on 10th August 2022.
- 7.12 This PSS has also identified that the proposed variation to Condition (9) does not undermine the objectives of the Development Plan and is therefore in accordance with it.
- 7.13 There are significant material considerations in support of the proposal in addition, to Systra’s A85/Main Street Junction Appraisal, undertaken in March 2024, which include the significance of the success of the JHI to the economy, food growth and research, and job retention creation, all of which are identified in PKC’s Report of Handling on Planning Application 21/02137/AMM, the Emerging Regional Spatial Strategy, all of which are related to the economic impact considerations identified.
- 7.14 The financial context is relevant also to this Application, which instigated a review of Condition (9) as advised by PKC, noting the originally reserved budget of circa £100,000 + VAT for potential upgrades to the A85/Main Street junction are now anticipated to be in the region of £1 million plus VAT.
- 7.15 Even if the Systra report has not demonstrated that Condition (9) is no longer a valid planning condition, the JHI (or its funding partners) do not have the funds or budget to pay for the upgrades required. Clearly pre-application discussions undertaken, prior to the Systra report confirming the upgrades are not required in association with this proposal, confirmed that PKC do not either have available funds.
- 7.16 It is considered that the proposal accords with the provisions of the Development Plan and that there are material considerations in support of the proposal.

7.17 It is, therefore, respectfully requested that this Planning Application is granted, having regard to the requirements of Section 25 of The Town and Country Planning (Scotland) Act 1997 as amended.



APPENDIX 1





The James Hutton Institute
DM Hall
Duncan Clow
The Mill
Station Road
Bridge Of Allan
Stirling
FK9 4JS

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **10th August 2022**

Town and Country Planning (Scotland) Acts.

Application Reference **21/02137/AMM**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 16th March 2022 for approval of matters specified in conditions for Erection of a linked building for agricultural research and development, industry engagement and skills development and formation of roads, parking areas, landscaping, infrastructure and associated works (approval of matters specified by conditions 20/01103/IPM) at The James Hutton Institute Errol Road Invergowrie Dundee DD2 5DA subject to the undernoted conditions.

David Littlejohn
Head of Planning and Development

Conditions referred to above

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

- 2 Prior to the use of any lifting equipment including cranes etc the applicant must receive written confirmation from Dundee Airport that aircraft departing and arriving on runway 09/27 will be safeguarded. Furthermore, the applicant must receive written confirmation from Dundee that the use of lights, during construction, shall not dazzle nor distract aircraft preparing to land at Dundee Airport, all to the satisfaction of the Council as Planning Authority.

Reason - To not impact on the operations of Dundee City Airport.

- 3 All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Reason - In order to safeguard the residential amenity of the area.

- 4 All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

Reason - In order to safeguard the residential amenity of the area.

- 5 No part of the development shall be occupied or brought into use, whichever is the earlier, until the applicant has provided the minimum parking provision as shown on drawing number 39 hereby approved, to the satisfaction of the Council as Planning Authority. Once provided, the parking shall thereafter be permanently retained as such for the life of the development.

Reason: To provide a suitable parking provision for the development.

- 6 Prior to the occupation of any of the development hereby approved, the proposed modifications to the A90/Main Street Roundabout, generally as illustrated on Drawing No. 135585/sk7001 - page 86 of Transport Assessment (PKC Ref: 20/01103/16) by Fairhurst dated April 2020, shall be implemented and available for use for any vehicles travelling to the site, subject to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To ensure that the standard of access layout complies with the current standards, and that the safety and free flow of traffic on the trunk road is not diminished.

- 7 No part of the development hereby approved shall be occupied until the Staff Travel Plan (STP) has been updated to reflect the operational situation within the development area identified on drawing number 1, all aimed to encourage more sustainable means of travel. The updated STP shall be submitted to and agreed in writing by the Council as Planning Authority in consultation with Transport Planning. The STP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan.

Reason - To promote sustainable transport options and to meet advice within Scottish Planning Policy on transport.

- 8 Prior to the commencement of the development hereby approved, the applicant shall submit for the further written agreement of the Council as Planning Authority, in consultation with the Roads Authority (Structures), a Construction Traffic Management Scheme (TMS) which shall include the following:

(a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;

(b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;

(c) a code of conduct for HGV drivers to allow for queuing traffic to pass;

(d) arrangements for liaison with the Roads Authority regarding winter maintenance;

(e) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;

(f) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;

(g) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;

- (h) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
- (i) details of information signs to inform other road users of construction traffic;
- (j) arrangements to ensure that access for emergency service vehicles are not impeded;
- (k) co-ordination with other significant developments known to use roads affected by construction traffic;
- (l) traffic arrangements in the immediate vicinity of temporary construction compounds;
- (m) the provision and installation of traffic counters at the applicant's expense at locations to be agreed prior to the commencement of construction;
- (n) monitoring, reporting and implementation arrangements;
- (o) arrangements for dealing with non-compliance; and
- (p) details of HGV movements to and from the site.

The TMS as approved shall be strictly adhered to during the entire site construction programme.

Reason - In the interest of proper site management.

- 9 Prior to the bringing into use of any part of the development hereby approved, the proposed junction modifications shown on drawing number 40 for the signalisation and improvements to the A85 Riverside Avenue/Main Street junction shall be implemented in full and fully operational, to the satisfaction of Perth & Kinross Council as Planning Authority. Prior to the implementation of the scheme, the relevant written agreements must be sought from Perth & Kinross Council and Dundee City Council as Roads Authorities. Evidence must be provided to Perth & Kinross Council that the relevant agreements from Dundee City Council are in place prior to the works being undertaken. For the avoidance of doubt, the active travel provision at the junction shall be subject to further discussion and written agreement from Perth & Kinross Council in consultation with Dundee City Council. The applicant shall also provide specifications of the provision of Close Circuit Television (CCTV) pole(s), camera(s) and hard line connection to Dundee City Council Urban Traffic Control System (UTC) for written agreement prior to any works being undertaken.

Reason - In the interests of road safety and to provide active travel routes to the development site.

- 10 Access along core path INGI/8 and Right of Way 52/8, or along the short diversion as specified in drawing number 38 should remain open for responsible access throughout the construction phase. On completion the diversion must be removed and access along the original core path/Right of Way restored.

Reason - To ensure a satisfactory standard of local environmental quality; to safeguard the core paths.

- 11 Development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;
- I. the nature, extent and type(s) of contamination on the site
 - II. measures to treat/remove contamination to ensure the site is fit for the use proposed
 - III. measures to deal with contamination during construction works

IV. condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the measures to decontaminate the site shall be fully implemented in accordance with the scheme subsequently agreed by the Council as Planning Authority. Verification that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Reason - to ensure a satisfactory standard of local environmental quality.

- 12 The conclusions and recommended action points within the supporting Ecological Surveys, Bird Mitigation Plan and Biodiversity Action Plan submitted and hereby approved (drawing numbers 26, 27 and 37) shall be fully adhered to, respected and undertaken as part of the construction phase of development.

Reason - To ensure a satisfactory standard of local environmental quality; to safeguard the welfare of any protected wildlife.

- 13 Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day

Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

- 14 The detailed landscaping and planting scheme (drawing numbers 16, 23 and 31) which is hereby approved shall be completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier. The approved scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority, with any planting which fails to become established within five years being replaced in the following planting season with others of a size and species as previously approved.

Reason - In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.

- 15 Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Notes

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.
- 5 Existing buildings or structures may contain nesting birds between 1st March and 31st August inclusive. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
- 6 The findings and recommendations contained with the Bat Survey remain valid for a period of 24 months. If the approved planning permission is not implemented within 24 months of the date of the survey it is strongly recommended that an updated Bat Survey is undertaken prior to any works commencing. Failure to do so could potentially leave you open to prosecution should any bats be harmed as a result of the works. Please note that bats are protected by law, and it is a criminal offence to deliberately harm, capture, kill or disturb a bat or its resting place.
- 7 The applicant is advised that, in terms of Sections 56 of the Roads (Scotland) Act 1984, he/she/they must obtain from the Perth & Kinross Council and Dundee City Council, as Roads Authorities, consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
- 8 The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Dundee City Council, in collaboration with Perth & Kinross Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency. Please note that a fee is chargeable for the processing of RCC applications.
- 9 The applicant is advised that if there is any proposal to alter a route of an existing core path or right of way a further legal procedure is required.

The granting of planning permission does not stop the continued right of public access along the existing core path or right of way. An order under the Town and Country Planning (Scotland) Act 1997, Section 208 or an amendment of the Core Path Plan under the Land Reform (Scotland) Act 2003 should be sought.

- 10 The applicant is advised to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2021 as it contains advice relevant to your development.
https://www.pkc.gov.uk/media/48541/Flood-Risk-Flood-Risk-Assessment/pdf/Flood_Risk___Flood_Risk_Assessments_adopted_March21.pdf?m=637647

027940470000

- 11 The applicant should take note of the information and advice contained within the consultation response from Scottish Water.
- 12 This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. The required information must be submitted via the ePlanning portal if your original application was lodged that way, otherwise send it to us at developmentmanagement@pkc.gov.uk. Please be aware that a fee is payable in respect of each request made, though there is no limit to the number of conditions that can be discharged in a single request. The Fees Charter is available on our website www.pkc.gov.uk.

The Council has two months to consider the information. You should therefore submit the required information more than two months before your permission expires. We cannot guarantee that submissions made within two months of the expiry date of your permission will be able to be dealt with before your permission lapses.

- 13 The applicant is advised that any proposed signage will require a further application to be submitted for advertisement consent unless it benefits from express consent as per the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
- 14 The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
- 15 Further information on the need for and level of provision of Changing Places Toilet Facilities can be found in section 41B of the Town and Country Planning (Scotland) Act 1997, the Town and Country Planning (Changing Places Toilet Facilities) (Scotland) Regulations 2020 and the associated Circular 1/2020: Changing Places Toilets Regulations.
- 16 This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:

Displayed in a prominent place at or in the vicinity of the site of the development
Readily visible to the public
Printed on durable material.

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan and Document Reference

- 01
- 02
- 03
- 04
- 05

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Perth and Kinross Council

NOTICE OF INITIATION OF DEVELOPMENT

**The Town and Country Planning (Scotland) Act 1997 as amended
The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013**

A person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable and, in any case, before the development commences. This ensures that the planning authority is aware that development is underway, and can follow up on any suspensive conditions attached to a planning permission. Failure to do so will be a breach of planning control under section 123(1) of above Act.

Before any work starts on site please complete the form below and return it to:

**Development Management
Communities Service
Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth PH1 5GD**

Application Reference Number	21/02137/AMM
Date of issue of consent	11 August 2022
Date works are to commence	
Proposal	Erection of a linked building for agricultural research and development, industry engagement and skills development and formation of roads, parking areas, landscaping, infrastructure and associated works (approval of matters specified by conditions 20/01103/IPM)
Name & address of developer	.
Email address	
Name & address of landowner (if a different person)	
Email address	

Name & address of site agent	
Email address	

Perth and Kinross Council

NOTICE OF COMPLETION OF DEVELOPMENT

**The Town and Country Planning (Scotland) Act 1997 as amended
The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013**

A person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority. If the planning consent is for a phased development, notice of the completion of each phase must be notified to the planning authority.

As soon as the development (or phase of development) is completed please therefore complete the form below and return it to:

**Development Management
Communities Service
Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth PH1 5GD**

Application Reference Number	21/02137/AMM
Date of issue of consent	11 August 2022
Date works were completed	
Proposal	Erection of a linked building for agricultural research and development, industry engagement and skills development and formation of roads, parking areas, landscaping, infrastructure and associated works (approval of matters specified by conditions 20/01103/IPM)
Name & address of developer	.
Name & address of landowner (if a different person)	
Name & address of site agent	

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NOTICE

Under Regulation 38 of The Town and Country Planning
(Development Management Procedure) (Scotland) Regulations
2008

**Development at The James Hutton Institute Errol Road
Invergowrie Dundee DD2 5DA**

**Notice is hereby given that planning permission has been
granted subject to conditions.**

**The development comprises Erection of a linked building
for agricultural research and development, industry
engagement and skills development and formation of
roads, parking areas, landscaping, infrastructure and
associated works (approval of matters specified by
conditions 20/01103/IPM).**

**Further information regarding the planning permission
including the conditions, if any, on which it has been
granted can be obtained during office hours at Pullar
House, 35 Kinnoull Street, Perth, PH1 5GD; by
telephoning the Council's Customer Service Centre on
01738 475300; or at any time by emailing
DevelopmentManagement@pkc.gov.uk or viewing the
planning application details online at
<http://www.pkc.gov.uk>**

NOTES

If the applicant is aggrieved by the decision of the Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Scottish Ministers in accordance with Section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The appeal should be addressed to:

Planning and Environmental Appeals Division
The Scottish Government
Ground Floor
Hadrian House
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR

Appeals may also be submitted online and forms and guidance for doing so are available online at www.eplanning.scotland.gov.uk

Please note that when submitting an appeal to the Scottish Ministers, a copy of the appeal and supporting documents should be sent to the Development and Planning Service Manager, Communities Service, Perth & Kinross Council, Pullar House, 25 Kinnoull Street, Perth, PH1 5GD.

If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

The foregoing notes are explanatory only and reference must be made to the Town and Country Planning (Scotland) Acts and the appropriate Regulations or Orders for their full context.

APPENDIX 2



A85 / MAIN ST JUNCTION ASSESSMENT



SYSTRA

JHI BARLEY HUB

A85 / MAIN ST JUNCTION ASSESSMENT

IDENTIFICATION TABLE

Client/Project owner	James Hutton Institute
Project	JHI Barley Hub
Study	A85 / Main St Junction Assessment
Type of document	Technical Note
Date	13/03/2024
Reference number	GB01T24A68
Number of pages	37

APPROVAL

Version	Name		Position	Date	Modifications
3	Author	G Moon	Principal	08/03/2024	PKC Draft Issue
	Checked by	G Moon	Principal	12/03/2024	
	Approved by	K McGillivray	Associate	15/03/2024	

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1. INTRODUCTION

1.1 Overview

- 1.1.1 SYSTRA has been commissioned by the James Hutton Institute (JHI) to provide transport planning advice in relation to Planning Condition 9 of a consented Planning Permission in Principle (PPiP) (21/01103/IPM). The Condition relates to the requirement to upgrade the A85 / Main Street junction in Invergowrie to accommodate the proposed International Barley Hub (IHB) development.
- 1.1.2 The site, and local road network, is shown in **Figure 1**. Access to the site is currently taken from Errol Road. All traffic leaving the site, with the exception of traffic heading west on the A90, must pass through the A85 / Main Street priority junction.

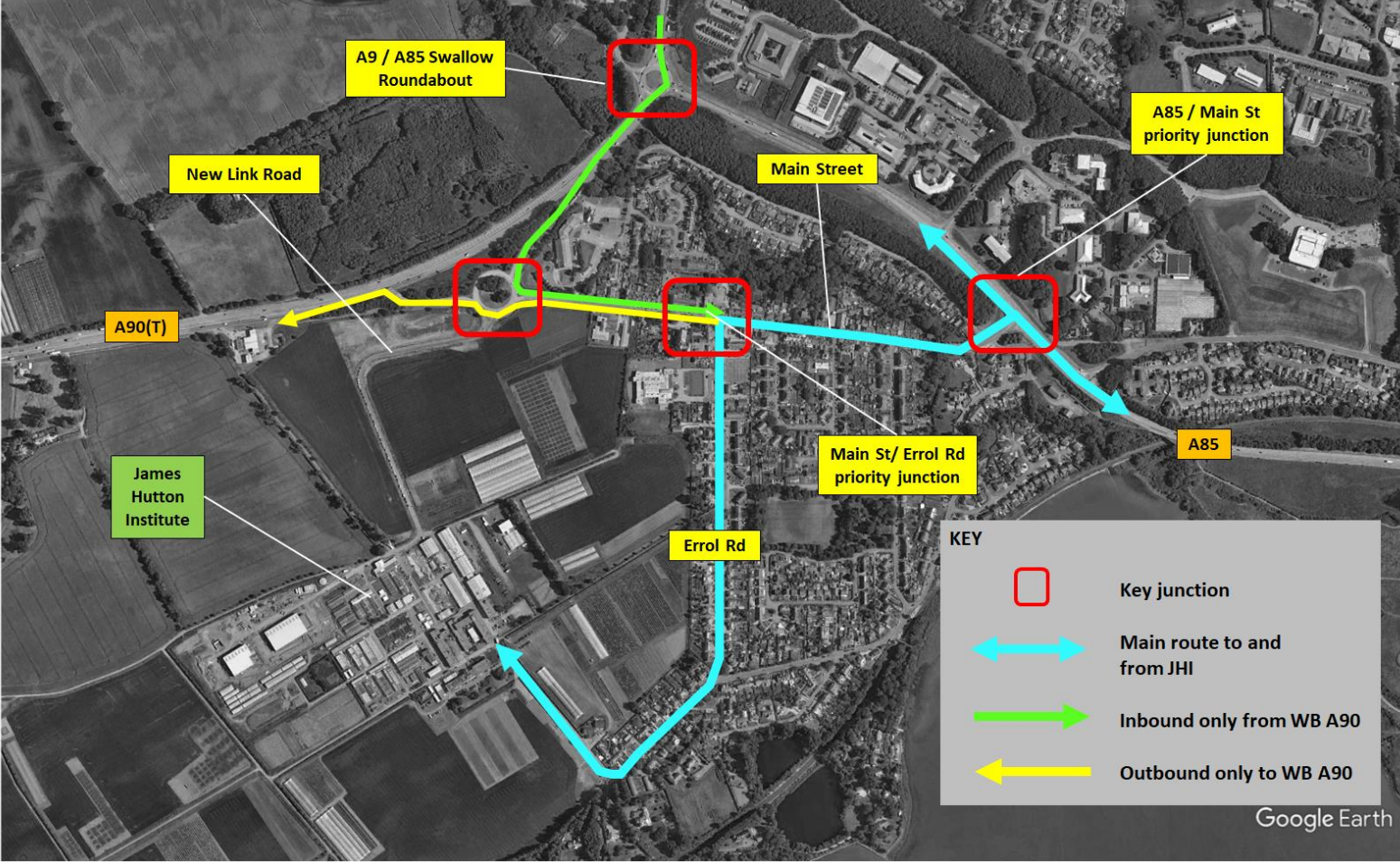


Figure 1. JHI Site and Road Network Access

JHI Barley Hub	
A85 / Main St Junction Assessment	GB01T24A68
PKC Draft Issue	15/03/24

1.2 The Proposed Development

- 1.2.1 The development proposals comprise the establishment of the International Barley Hub (IBH) and Advanced Plant Growth Centre (APGC). The masterplan for the development foresees the co-location of all scientific and non-scientific staff within a new James Hutton Institute; a single integrated building that will also incorporate the proposed IBH and APGC. There will also be a new Integrated Field Facilities Hub (IFFH) that will replace older farm buildings that currently occupy the east of the site.
- 1.2.2 The JHI Invergowrie site currently employs 277 people. When complete, the development will house **an additional 86 employees on site**. JHI has provided information which indicates that **the first additional employees may not arrive until four years after opening (2028)**, and from this point the number of new employees will grow steadily, until the full additional complement is on-site around 10 years from opening.
- 1.2.3 Under the proposals, the majority of site traffic will arrive and leave via the new Link Road to the north. This new arrangement will remove inbound traffic from the A85 / Main Street junction, and from Errol Road. However, most outbound traffic (with the exception of vehicles heading west on the A90) will still need to use the A85 / Main Street junction, as shown in **Figure 2**.

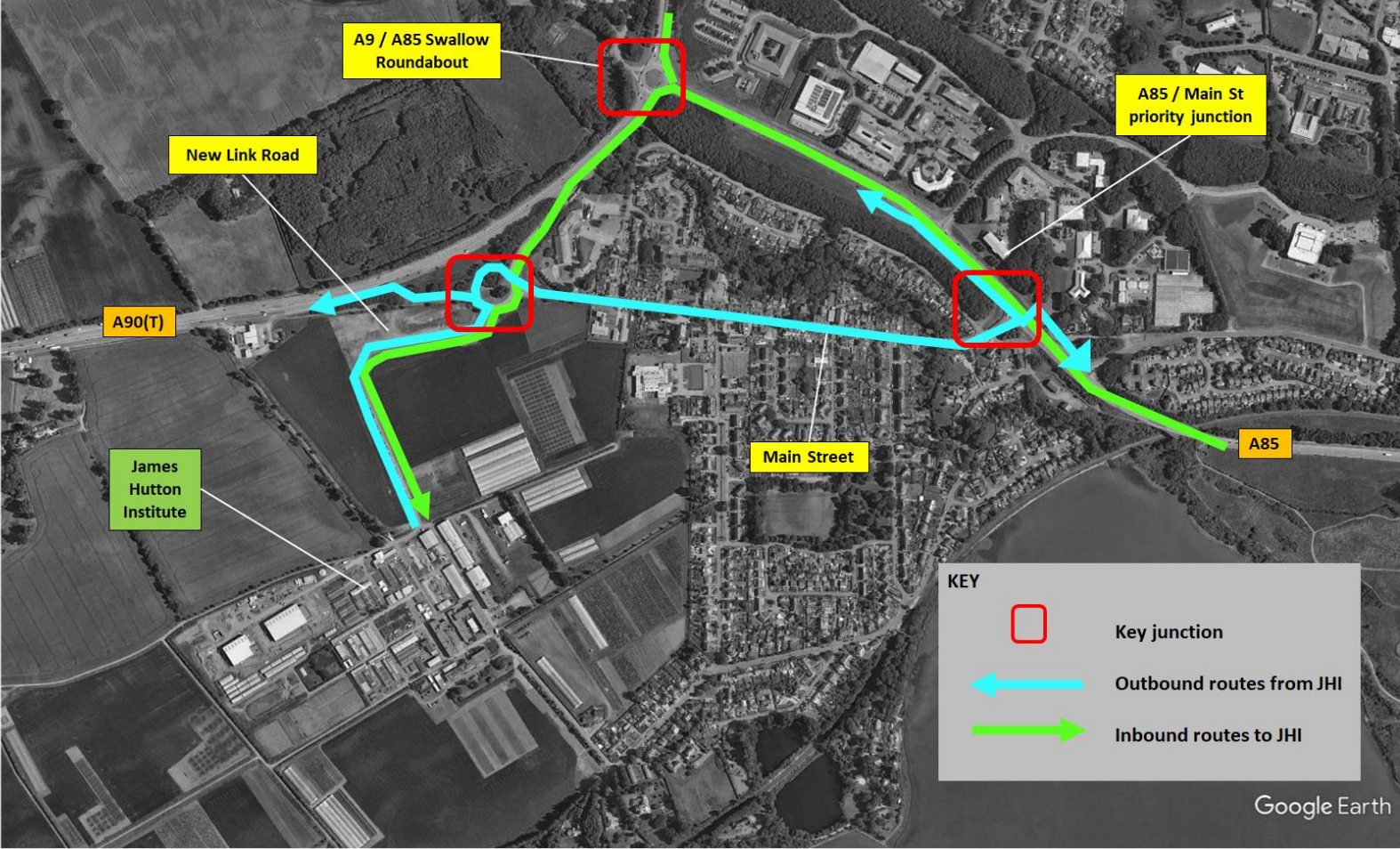


Figure 2. Future Road Access to JHI

1.3 Planning Condition 9

- 1.3.1 A Transport Assessment (TA) supporting the proposals was produced by Fairhurst in 2020, following a scoping exercise with PKC, DCC and Transport Scotland (TS). The modelling in the TA was based upon pre-COVID 2020 traffic surveys, and assumed that the new link road to the A90 was in place.
- 1.3.2 The TA found that the A85 / Main Street junction was operating over capacity in 2020, and modelling showed that this was expected to worsen when development traffic was added. The TA identified that an upgraded junction would mitigate these impacts, and suggested that it might be appropriate that JHI agree a contribution towards the upgrade. It continues that, *“As significant capacity issues are predicted to arise before JHI expansion traffic is added, it is not considered appropriate for the proposed development to bear the full cost of this mitigation”*.
- 1.3.3 The Decision Notice (21/02137/AMM) included Condition 9 relating to the proposed A85 / Main Street junction improvements. This states that:

“9 Prior to the bringing into use of any part of the development hereby approved, the proposed junction modifications shown on drawing number 40 for the signalisation and improvements to the A85 Riverside Avenue/Main Street junction shall be implemented in full and fully operational, to the satisfaction of Perth & Kinross Council as Planning Authority.

Prior to the implementation of the scheme, the relevant written agreements must be sought from Perth & Kinross Council and Dundee City Council as Roads Authorities. Evidence must be provided to Perth & Kinross Council that the relevant agreements from Dundee City Council are in place prior to the works being undertaken.

For the avoidance of doubt, the active travel provision at the junction shall be subject to further discussion and written agreement from Perth & Kinross Council in consultation with Dundee City Council. The applicant shall also provide specifications of the provision of Close Circuit Television (CCTV) pole(s), camera(s) and hard line connection to Dundee City Council Urban Traffic Control System (UTC) for written agreement prior to any works being undertaken.

Reason - In the interests of road safety and to provide active travel routes to the development site.”

- 1.3.4 The Condition, therefore, places the onus on the developer to deliver the junction, and does not mention a financial contribution.

1.4 Purpose of this Report

- 1.4.1 Construction of the development is well underway, and it is expected to be first occupied in October 2024. It will initially house existing staff members, with new employees not expecting to start until around 2028.
- 1.4.2 SYSTRA understands that JHI has held discussions with PKC regarding Condition 9. This report provides a refreshed evidence base to inform this process.
- 1.4.3 The report:
- Presents the results of refreshed traffic surveys, undertaken in February 2024.
 - Compares these results with the pre-COVID 2020 surveys, and recent trends in ATC data on the A85 and A90(T).
 - Analyses accident data at the junction.
 - Updates the junction modelling analysis used in the 2020 TA; and
 - Assesses whether the junction upgrade is required to support the development.

2. TRAFFIC SURVEYS

2.1.1 SYSTRA commissioned MHC Traffic to undertake traffic surveys in February 2024. This chapter presents a summary of the results.

2.2 Junction Turning Counts (JTC)

2.2.1 Classified JTC surveys were undertaken at the following junctions:

- A90 / Dukes of Gray Rd / A85 signalised roundabout.
- A85 Riverside Avenue / Main Street priority junction.
- A90 on/off ramp / Main Street / JHI access road roundabout.

2.2.2 The surveys were undertaken on Thursday 1st February, for the following periods:

- AM Peak: 07:00 – 10:00
- PM Peak: 16:00 – 19:00

2.2.3 The recorded peak hours were:

- AM Peak: 07:45 – 08:45
- PM Peak: 16:30 – 17:30

2.2.4 Turning counts for the AM and PM peak hours are presented in **Figure 3** and **Figure 4**. A full set of turn count diagrams is included in **Appendix A**.

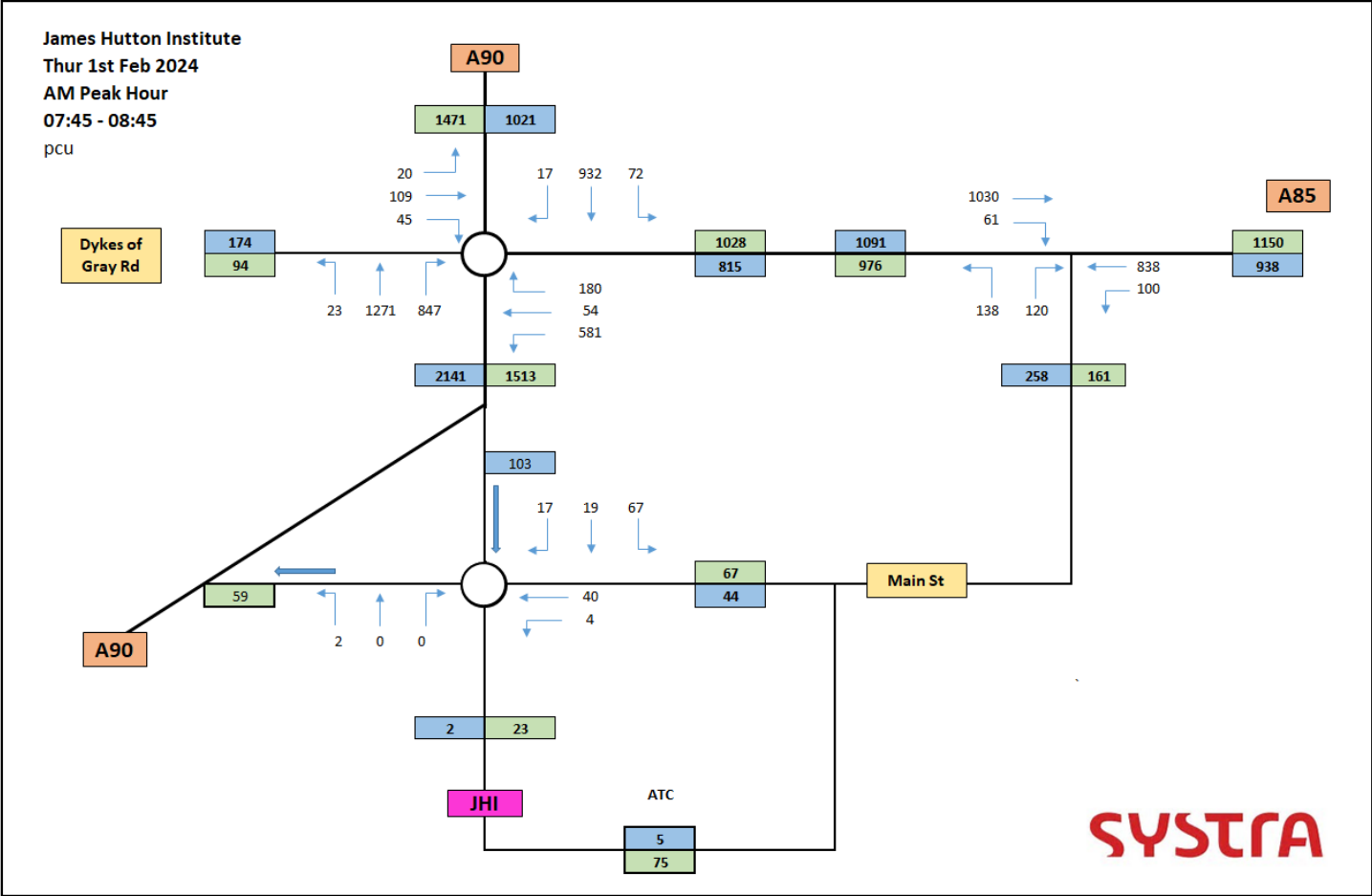


Figure 3. Base 2024 AM Peak Hour Traffic Flows (07:45 – 08:45)

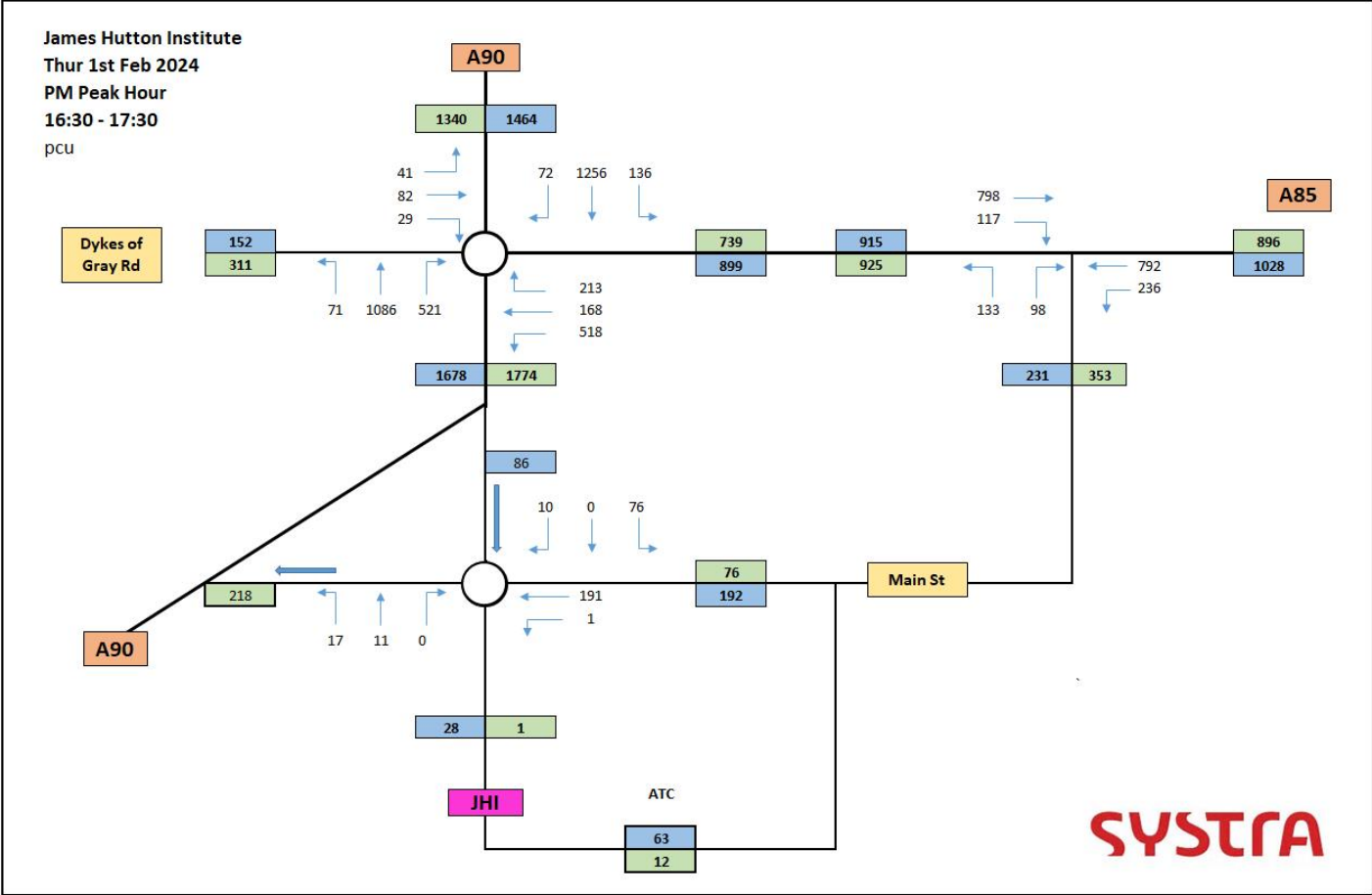


Figure 4. Base 2022 PM Peak Hour Traffic Flows (16:30 – 17:30)

2.2.5 **Table 1** provides a comparison between Observed 2020 flows (as used in the TA), and Observed 2024 flows, for inbound movements into each junction. Both sets of surveys were undertaken in February of each year, so the tables below present a fair comparison. A full set of turning diagrams for the 2020 surveys is provided in **Appendix A**.

AM Peak Hour (07:45 - 08:45)

Junction	Arm	2020 inbound (pcu / hr)	2024 inbound (pcu / hr)	Change		Total change at junction
				Abs	%	
A90 / A85 / Dukes of Gray Roundabout	A90 (N)	1023	1021	-2	-0.2%	-1.6%
	A85	853	815	-38	-4.5%	
	A90 (S)	2211	2141	-70	-3.2%	
	Dukes of Gray Rd	133	174	41	30.8%	
A85 / Main Street	A85 (E)	1037	938	-99	-9.5%	-11.8%
	Main Street	355	258	-97	-27.3%	
	A85 (W)	1202	1091	-111	-9.2%	
A90 slips / Main Street/ JHI	A90 WB off	71	103	32	45.1%	13.0%
	Main Street	50	44	-6	-12.0%	
	JHI	0	2	2	-	
	A90 WB on (OB)	63	59	-4	-6.3%	

PM Peak Hour (16:30 - 17:30)

Junction	Arm	2020 inbound (pcu / hr)	2024 inbound (pcu / hr)	Change		Total change at junction
				Abs	%	
A90 / A85 / Dukes of Gray Roundabout	A90 (N)	1567	1464	-103	-6.6%	-2.4%
	A85	866	899	33	3.8%	
	A90 (S)	1773	1678	-95	-5.4%	
	Dukes of Gray Rd	89	152	63	70.8%	
A85 / Main Street	A85 (E)	1105	1028	-77	-7.0%	-7.6%
	Main Street	208	231	23	11.1%	
	A85 (W)	1039	915	-124	-11.9%	
A90 slips / Main Street/ JHI	A90 WB off	90	86	-4	-4.4%	-20.1%
	Main Street	279	192	-87	-31.2%	
	JHI	0	28	28	-	
	A90 WB on (OB)	287	218	-69	-24.0%	

Table 1. Comparison of 2020 and 2024 traffic count results

2.2.6 **Table 1** shows that in both the AM and PM peak hours, there has been a significant reduction in traffic at the A85 / Main Street junction. In the AM peak hour, total traffic flows have reduced by ~12%, and in the PM peak hour by ~8%.

2.2.7 This reduction is likely to be attributable to significant changes in travel patterns brought about by the COVID pandemic, primarily:

- More people working from home, reducing the overall amount of travel; and
- Peak hour ‘smoothing’, as more people work flexible hours, resulting in lower peak travel.

2.3 Automatic Traffic Count comparison

- 2.3.1** SYSTRA has also analysed available long-term Automatic Traffic Count (ATC) data, to determine if nearby traffic counts on the A85 and A9 display a similar pattern. SYSTRA has interrogated Transport Scotland’s online ‘Drakewell’ system¹, which provides nationwide traffic data from each of TS’ permanent ATC sites. The results for the three sites closest to the study junction are presented in **Figure 5**.

¹ [Drakewell C2-Cloud Traffic Data](#). Accessed 08/03/24



Figure 5. ATC Results on A9 and A85 between 2014 and 2023

2.3.2 The trendlines for each site shown on **Figure 5** are tabulated in **Table 2**.

Site	Location	AADT (veh)							
		2016	2017	2018	2019	2020	2021	2022	2023
JTC0001	A90 west of Dundee, near BP garage	28,722	41,007	39,560	39,745	18,723			25,709
JTC00562	A90 Kingsway, west of Myrekirk Rd	33,942			33,636	7,651	32,627	31,728	
JTC25475	A85 Riverside, Dundee	17,034	17,627	16,585	17,088	12,678	14,890	16,029	16,051

Table 2. Comparison of 2020 and 2024 traffic count results

2.3.3 **Table 2** shows that at each of the three sites, recorded AADT fell between 2019 (the last full pre-COVID year) and the latest year for which AADT figures are available.

2.3.4 The long-term AADT data therefore supports the results from the 2024 traffic survey at the A85 / Main Street junction, which shows that traffic levels are still below pre-COVID levels.

2.4 Queue Length Surveys

2.4.1 Queue length surveys were undertaken at the same time as the JTC surveys. A comparison of maximum observed queue lengths during each 5-minute period in the peak hours at the A85 / Main Street junction shown in **Figure 4**.

2.4.2 **Figure 1** shows that observed queue lengths in the AM peak hour were lower in 2024 than in 2020. This is consistent with the JTC survey results, which show reduced traffic flows on all arms of the junction. In the PM peak hour, observed queues in 2024 were similar to those recorded in 2020, with overall queues in the PM lower than in the AM peak.

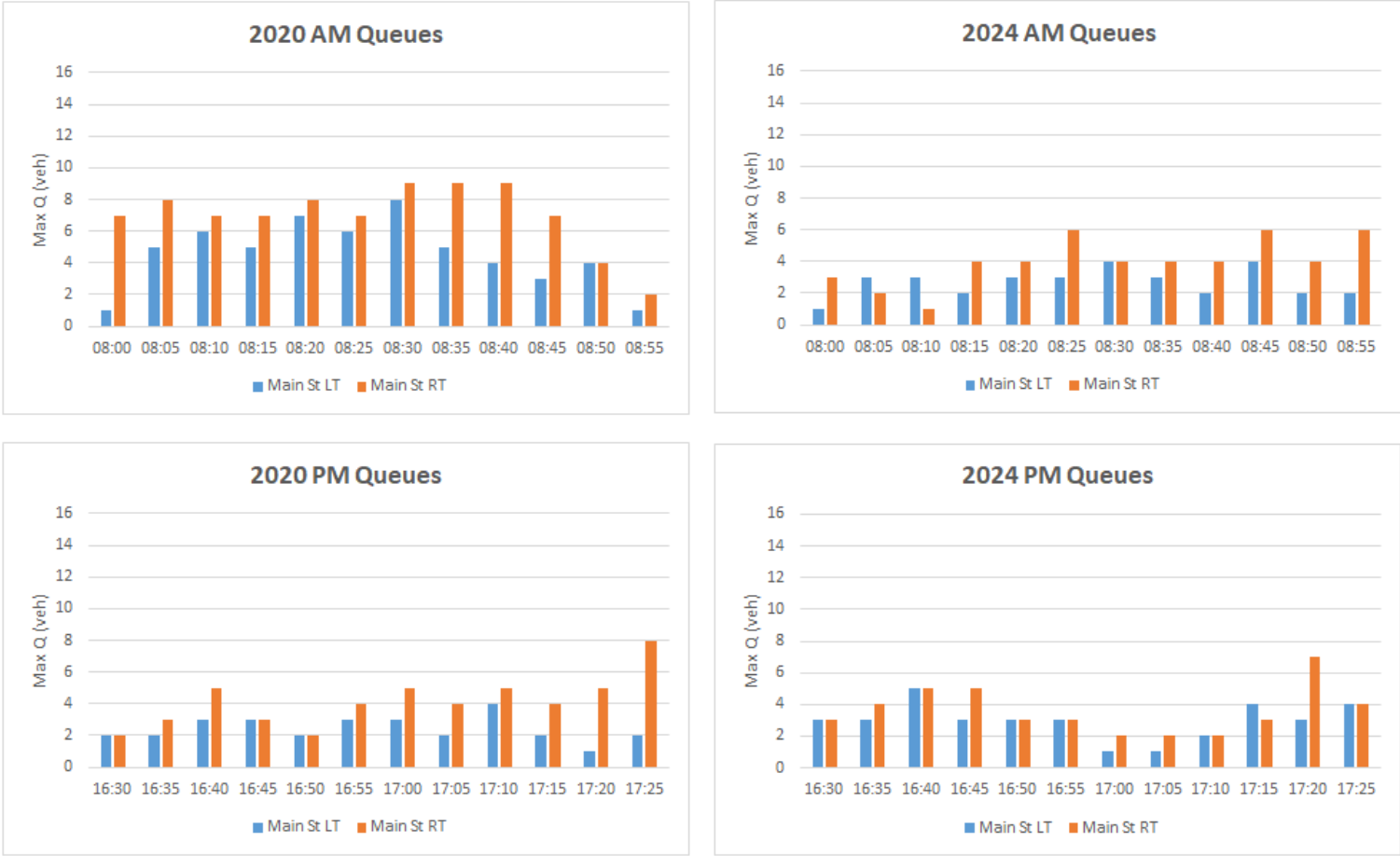


Figure 6. Observed Max Queue Lengths – 2020 vs 2024

2.5 Accident Analysis

- 2.5.1 SYSTRA has consulted the 'Crashmap' website² to examine the accident history in the vicinity of the A85 / Main Street junction. The results for the period 2015 -2022 (the last year for which results are currently available) are shown in **Figure 7**.

² <https://www.crashmap.co.uk>

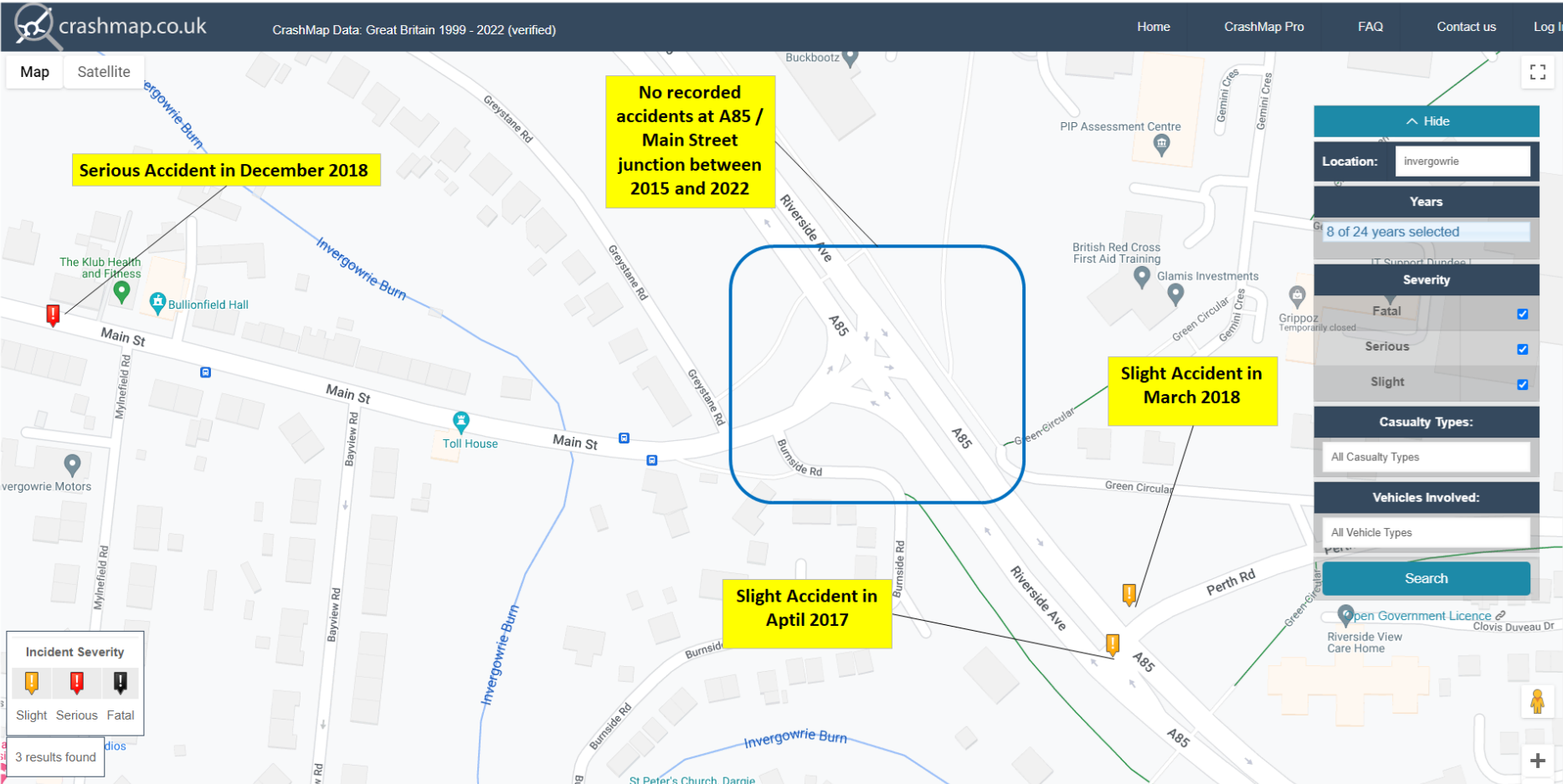


Figure 7. Accident History

JHI Barley Hub	
A85 / Main St Junction Assessment	GB01T24A68
PKC Draft Issue	15/03/24

2.5.2 The results show that between 2015 and 2022 there were no recorded accidents at the A85 / Main Street junction. Three slight, and two slight accidents, were recorded at other locations during this period.

2.5.3 The last recorded accident at the junction was a Serious accident, which occurred in 2014 and involved two vehicles. This was a collision between a right-turning car and a motorcycle going straight on, as reported in the original TA.

2.5.4 The accident analysis suggests that there is not an endemic accident problem at the junction.

2.6 JHI Current Traffic Demand

2.6.1 An Automatic Traffic Counter (ATC) was installed on Errol Road, close to the JHI entrance. This was in place for a full week, from Thursday 1st February until Wednesday 8th February.

2.6.2 **Table 3** summarises the total inbound and outbound movements recorded each day.

Table 3. ATC Results – JTC Access on Errol Road

Day	In to JHI	Out of JHI	Total	No. Cars	Lorries	Bikes	Total
Mon	307	310	617	564	44	9	617
Tue	309	301	610	537	64	9	610
Wed	276	263	539	476	52	11	539
Thur	295	279	574	512	55	7	574
Fri	243	232	475	432	37	6	475
Sat	16	18	34	29	3	2	34
Sun	21	25	46	46	0	0	46

2.6.3 The ATC results show that total JHI two-way traffic flows ranged from 475 to 617 movements during the week, with Monday and Tuesday being the busiest days, and Friday being the quietest. Flows during the weekend were very low.

2.6.4 The vast majority of this traffic is cars / vans, which make up 88% - 91% of the weekday total. There were typically 20-30 goods vehicle movements each day, equating to 10 – 15 deliveries.

2.6.5 **Figure 8** shows the traffic profiles for the average weekday.

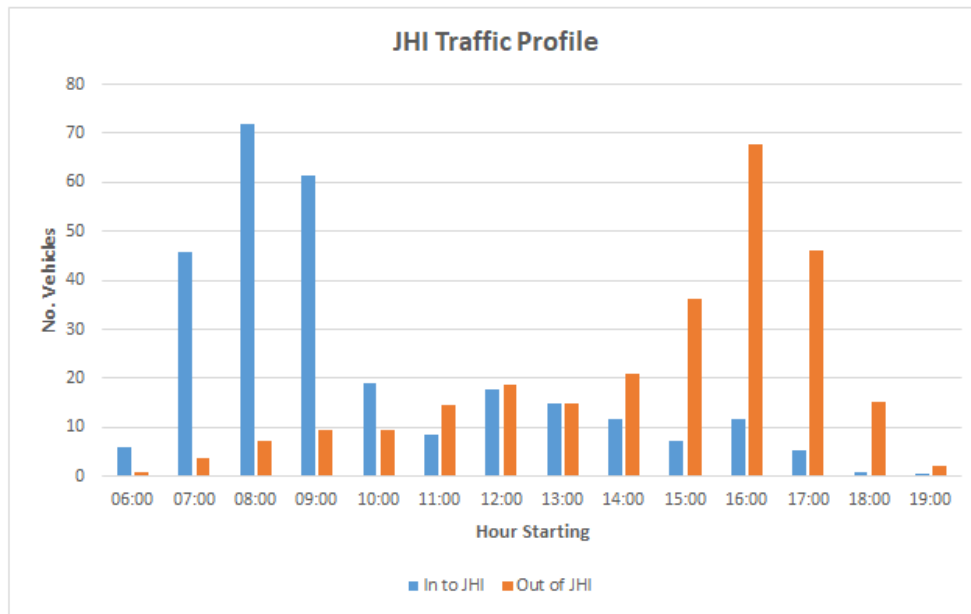


Figure 8. Observed JHI Weekday Traffic Profiles

- 2.6.6 **Figure 8** shows that the peak hour for inbound movement is 08:00 – 09:00, when 25% of all vehicles arrive. However, 16% of all vehicles arrive between 07:00 and 08:00, and a further 21% between 09:00, meaning that the traffic impact is widely spread over a three-hour period.
- 2.6.7 A similarly broad peak is observed in the PM peak period, with most vehicles departing between 15:00 and 18:00, with the peak hour being 16:00 – 17:00.
- 2.6.8 It should be noted that the traffic counts show a small number of vehicles travelling along the new link road towards the site. JHI has advised that this is all construction traffic related to the development, and that all employees and service vehicles access the site via the Errol Road entrance.

Comparison with 2020 data

Table 4 compares the Observed 2024 JHI demands with those recorded during the 2020 surveys. There are currently 277 people employed on site, compared to 242 in 2020 when the original surveys took place.

Table 4. JHI Demands: 2020 vs 2024

Period	2020 Survey			2024 Survey		
	In to JHI	Out of JHI	Total	In to JHI	Out of JHI	Total
AM Peak Hour	107	13	120	72	7	79
AM Peak Period (3hr)	223	33	256	179	20	199
PM Peak Hour	12	85	97	12	68	79
PM Peak Period (3hr)	37	194	231	24	150	174
Daily	375	369	744	286	277	563

- 2.6.9 **Table 4** shows that the total number of daily traffic movements into and out of the JHI fell from 744 in 2020 to 563 in 2024. This is reflected in reductions in traffic flows in both the AM and PM peak hours and periods.
- 2.6.10 Even though there are now slightly more people employed on site than in 2020, traffic flows have noticeably reduced. This is likely to be due to an increase in home and flexible working, which was initially triggered by the COVID pandemic, and which now seems likely to be adopted in the long-term.

2.7 Door Entry Data

- 2.7.1 JHI provided data from the building's entry system, which shows the times at which people first enter, and finally leave, the site. The data was provided for Tuesday 9th January, and so doesn't exactly correspond with the ATC data, however it does provide a useful indicator for comparison. The profile of this data closely matches the ATC data.

3. JUNCTION CAPACITY ASSESSMENTS

3.1 Introduction

- 3.1.1 SYSTRA has reproduced the junction model of the A85 / Main Street priority junction, as presented in the 2020 TA. The new model retains the geometric parameters of the old model, but uses updated traffic flows taken from the 2024 surveys.
- 3.1.2 This model has been tested with the recorded 2024 survey flows, and again when development traffic is added. The results have been compared with those presented in the TA.

3.2 Junction Assessment Software

- 3.2.1 Junctions v10 (PICADY module), an industry-standard software package, has been used to model the junction.
- 3.2.2 The modelling outputs for each give way arms of the junction are:
- The maximum queue. This is given in Passenger Car Units (pcu), with each pcu assumed to be 5.75m in length.
 - The average delay per pcu, in seconds.
 - The Ratio of Flow to Capacity (RFC)
- 3.2.3 The 'give-way' movements in this instance are:
- The left and right turns from Main Street onto the A85, reported separately; and
 - The right-turn from the A85 onto Main Street.
- 3.2.4 The RFC of an arm of a junction is one of the principal factors in influencing queues and delays. General engineering design principles, as set out in DMRB, suggest that when assessing a priority junction or roundabout, **RFC levels on a given arm of a junction should not exceed 0.85 in order for that arm to operate within its 'practical' capacity.** Should the RFC level exceed 1.0 then the junction is considered to be operating above its 'theoretical' capacity.
- 3.2.5 When the performance of an arm exceeds 1.0 RFC, the subsequent queue and delay information increases exponentially. In these instances, queue and delay values should not be compared between scenarios, it is enough to identify that the junction is performing operating significantly over capacity.

3.3 Modelled Time Periods

3.3.1 The following peak hours have been assessed, based upon the observed survey results.

- AM Peak: 07:45 – 08:45; and
- PM Peak: 16:30 – 17:30.

3.4 Traffic Distribution

3.4.1 Development traffic has been calculated as per the methodology employed in the 2020 TA. This is based upon:

- The recorded 2024 traffic demand for the current (Feb 2024) headcount of 277 employees.
- The planned increase in headcount of 86 employees, an increase of 31%

3.4.2 SYSTRA has therefore assumed that traffic to the JHI will increase by 31% as a result of the development, adopting the same approach used in the TA.

3.4.3 This results in the additional traffic demands shown in **Table 5**.

Table 5. Current and additional JHI traffic demand

Time	Existing 2024			Additional Dev Traffic			Total Increase
	In to JHI	Out of JHI	Total	In to JHI	Out of JHI	Total	
07:00	46	4	49	14	1	15	31%
08:00	72	7	79	22	2	24	31%
09:00	61	10	71	19	3	22	31%
10:00	19	9	28	6	3	9	31%
11:00	9	15	23	3	5	7	31%
12:00	18	19	36	5	6	11	31%
13:00	15	15	30	5	5	9	31%
14:00	12	21	33	4	7	10	31%
15:00	7	36	43	2	11	13	31%
16:00	12	68	79	4	21	25	31%
17:00	5	46	52	2	14	16	31%
18:00	1	15	16	0	5	5	31%
TOTAL	276	264	541	86	82	168	31%

3.4.4 **Table 5** shows that the increase in traffic as a result of the additional 86 employees will be:

- AM network peak – 22 inbound, 2 outbound vehicles
- PM network peak – 2 inbound, 14 outbound vehicles

3.4.5 SYSTRA would note that this is a small absolute increase, meaning an additional vehicle will arrive at the site roughly every three minutes in the AM peak hour, and an additional vehicle will leave the site roughly every 5 minutes in the PM peak hour.

- 3.4.6 In SYSTRA’s opinion, these increases would not be particularly noticeable above day-to-day variations in traffic flow, and will not significantly affect the operation of the A85 / Main St junction. SYSTRA would also note that until any additional employees arrive on site (estimated to be ~2028), junction performance will not change from the existing situation as a result of JHI operations.
- 3.4.1 The above figures take into account the current modal split on the site, and the fact that JHI demand is dispersed across the peak period, rather than concentrated in a smaller peak hour.

3.5 Traffic Distribution

- 3.5.1 It has been assumed that all traffic accessing the site will continue to do so as at present (i.e. to arrive and leave via the A85 / Main Street junction). The adopted approach therefore provides a robust assessment at this stage.
- 3.5.2 Once the new access road from the A90 to the south is open, the amount of traffic travelling to JHI via Main Street will fall, as some employees and visitors switch to the new access.
- 3.5.3 JHI can formalise this arrangement if required, requiring **all** traffic arriving at the site to use the new entrance. This arrangement would transfer 276 existing inbound vehicle movements throughout the day from Main Street onto the new access road. It would not affect most outbound traffic from the site (other than that heading west on the A90), which would need to continue to exit via Main Street onto the A85.

3.6 Traffic Scenarios

- 3.6.1 Traffic flows have been calculated for the following scenarios:
- **Base 2024** – Surveyed 2024 flows. This is also the opening year of the development.
 - **Base 2024 + Development** – The Base scenario, with development traffic added.
- 3.6.2 Turn count diagrams for each of the scenarios is provided in **Appendix A**.
- 3.6.3 No third-party Committed Development traffic has been included in the above scenario. The TA included traffic from three consented residential developments, which are now likely to be mostly completed. As the development is scheduled to open later this year, it has been assumed that all Committed Development traffic has been captured in the survey.
- 3.6.4 SYSTRA has undertaken a review of active applications in the vicinity of the site, and has not identified any obvious developments that might need to be included.

3.7 Model Results

3.7.1 This section provides a summary of the junction modelling results. SYSTRA has reproduced the model exactly as used in the 2020 TA. Model input and output files are included as **Appendix B**.

3.7.2 Model results are presented for:

- The Base 2020 models presented in the 2020 TA.
- The Base 2022 + Development models as presented in the 2020 TA.
- The Base 2024 model developed by SYSTRA based on the new traffic surveys.
- The Base 2024 + Development model developed by SYSTRA.

3.7.3 The model assumes that all of the additional 86 employees start on site in 2024, which models the worst case scenario.

3.7.4 **Table 6** presents the modelled results for the scenarios modelled in the 2020 TA.

Table 6. A85 / Main St model results – as presented in 2020 TA

Arm	AM			PM		
	Queue (pcu)	Delay (s)	RFC	Queue (pcu)	Delay (s)	RFC
<i>Base 2020</i>						
Main St (LT)	4.3	75	0.85	2.5	84	0.75
Main St (RT)	6.8	158	0.95	4.3	150	0.88
A85 RT to Main St	0.2	9	0.15	0.6	13	0.36
<i>Base 2022 + Development</i>						
Main St (LT)	6.4	106	0.92	5.1	151	0.91
Main St (RT)	12.3	258	1.08	14.5	366	1.18
A85 RT to Main St	0.2	10	0.15	0.6	13	0.37

3.7.5 The 2020 Fairhurst TA model results show that:

- The Main Street right-turn was modelled as operating over-capacity in both the AM and PM peaks in 2020.
- When development traffic was added, this exacerbates the modelled problem, with the RT movement predicted to operate well over-capacity in both peak hours.

3.7.6 **Table 7** presents the modelled results using the results of the new 2024 traffic surveys. Cells shaded in green show where there is reduced queuing and delay compared to the 2020 model.

Table 7. A85 / Main St model results – based on 2024 surveys

Arm	AM			PM		
	Queue (pcu)	Delay (s)	RFC	Queue (pcu)	Delay (s)	RFC
<i>Base 2024</i>						
Main St (LT)	0.9	23	0.48	4.6	124	0.87
Main St (RT)	1.5	43	0.61	1.8	65	0.67
A85 RT to Main St	0.2	9	0.13	0.4	11	0.27
<i>Base 2024 + Development</i>						
Main St (LT)	1	23	0.49	6.8	164	0.95
Main St (RT)	1.6	46	0.63	2.4	78	0.73
A85 RT to Main St	0.2	9	0.15	0.4	11	0.27

3.7.7 The updated model results show that:

- Modelled queuing and delay is lower in the 2024 model in the AM peak (all movements), and for the Main St RT and A85 RT in the PM peak.
- Modelled queues and delays for traffic turning left out of Main Street are higher in 2024 than in 2020.
- The junction is operating within capacity in the AM peak, and is predicted to operate under capacity when development traffic is added.
- In the PM peak hour, the Main Street left-turn is shown to be operating just over capacity.
- When development traffic is added, delays and queues on the Main Street left-turn movement are predicted to increase slightly.

3.7.8 So therefore, whilst surveyed 2024 traffic flows were lower than in 2020, they have not quite reduced sufficiently to allow the junction model to operate under capacity either in the Base 2024 or Base + Development scenarios in 2024.

3.7.9 However, the results seem somewhat counter-intuitive. Traffic flows for the Main Street LT and Main St RT movements in the PM peak hour are similar, and SYSTRA would expect that the RT queues would be higher than the LT queues, given that right-turning traffic needs to give way to an additional stream of vehicles.

3.7.10 Closer inspection of the model showed that Fairhurst have applied ‘Intercept adjustments’ to each give way movement in the Base Models. This is a legitimate and recognised adjustment that is used in order to make the modelled queues better match the observed queues (i.e. without these the modelled queues were higher than those captured by the 2020 surveys).

3.7.11 The intercept adjustment factors shown in **Table 8** have been applied to the AM and PM models, respectively.

Table 8. Intercept adjustments

Movement	Intercept adjustment (pcu/hr)	
	AM	PM
Main St LT	-130	-300
Main St RT	-66	-135

- 3.7.12 Although the TA states what intercept adjustments have been used, it is not clear how these have been calculated.
- 3.7.13 SYSTRA would note that the intercept adjustments (particularly on the LT movement in the PM period) are very large, meaning that the capacity of this movement has been manually reduced quite significantly (by 300 cars per hour). This is the reason why the model is reporting longer queues on the Main Street LT movement compared to the RT movement, despite similar flows.
- 3.7.14 Some adjustment is justified, however, it is the level of this adjustment which is the critical issue.
- 3.7.15 SYSTRA has conducted a sensitivity test, in which the intercept adjustment for the Main Street LT in the PM model has been reduced slightly from -300pcu/hr per hour to -260 pcu/hr. The change just affects the cells shown in yellow.
- 3.7.16 The results are shown in **Table 9**.

Table 9. A85 / Main St model results – with PM Intercept amended

Arm	AM			PM		
	Queue (pcu)	Delay (s)	RFC	Queue (pcu)	Delay (s)	RFC
<i>Base 2024</i>						
Main St (LT)	0.9	23	0.48	2.3	61	0.72
Main St (RT)	1.5	43	0.61	1.8	65	0.67
A85 RT to Main St	0.2	9	0.13	0.4	11	0.27
<i>Base 2024 + Development</i>						
Main St (LT)	1	23	0.49	3.1	76	0.78
Main St (RT)	1.7	49	0.65	2.4	78	0.73
A85 RT to Main St	0.2	9	0.17	0.4	11	0.27

- 3.7.17 As shown in **Table 9**, amending the intercept correction slightly downwards means that the **junction would be predicted to operate within capacity in the PM peak both with and without the development.**
- 3.7.18 The TRL website notes that,

*“These (intercept adjustments) adjust the capacity predicted by the model up or down by an amount you specify – e.g. -75 PCU/hr to reduce the predicated capacity by 75 PCU/hr. **If you have measurements of the throughput on the arm, under saturated conditions (i.e. whilst***

there is queueing) then you can use these to directly calculate a correction, using the Calibration screen. This is considered the best method you can employ.

Alternatively you can find intercept corrections by a process of trial and error. Corrections are intended to account for factors at the junction which make the junction different to the 'average' junction with the same geometries, such as poor visibility, gradient, driver hesitation, unusual layout, and so on. Usually these factors apply at all times of day and in current and future years.

- 3.7.19 SYSTRA has studied video footage of the A85 / Main Street junction in the PM peak hour. Queues do form on Main Street, and there are sometimes delays of a couple of minutes before a vehicle can exit onto the A85. However, these queues regularly clear, and there is not a constant queue throughout even the busiest period. This means that it has not been possible to calculate an intercept correction based upon the saturated arm method.
- 3.7.20 Based on our observations, SYSTRA would assess that the intercept adjustment is broadly correct, but as demonstrated in **Table 9**, even a small change in the value that has been used would result in the junction being modelled as operating under capacity both at present, and in future years.

4. SUMMARY AND CONCLUSIONS

4.1 Main Findings

4.1.1 The main findings of the study are as follows:

- Compared to the 2020 traffic surveys on which the Transport Assessment was based, **there has been a reduction in observed traffic flow** at the A85 / Main Street junction. In the AM peak hour, total traffic flows have reduced by ~12%, and in the PM peak hour by ~8%. This reduction in demand results in improvements in the performance of the junction, with reduced queuing and delay.
- This reduction is likely to be attributable to **post-COVID reductions in traffic flow**, with more people working from home on a full or part-time basis. This is consistent with the empirical ATC data gathered from Transport Scotland, which shows that traffic flows at the closest count sites on both the A85 and A90 are still lower than recorded 2019 levels.
- SYSTRA has assessed available accident data at the A85 / Main Street junction. This shows that there has not been a recorded traffic accident since 2014, which suggests that **there is not an endemic accident problem at the junction**.
- **Current travel demand to the JHI site (staff and deliveries) is typically around 560 two-way vehicle movements per day, down from 740 in 2020.** This is despite there being a slight increase in employees, from 242 to 277, since 2020. Arrivals in the AM peak period are well-spread between 07:00 and 10:00, and departures in the PM peak period between 15:00 and 18:00.
- The expected level of new traffic demand generated by the development's additional 86 employees in the AM and PM peak hours is not considered by SYSTRA to be significant, having been calculated as:
 - AM network peak – 22 inbound, 2 outbound vehicles
 - PM network peak – 2 inbound, 14 outbound vehicles
- In SYSTRA's opinion, **these increases would not be particularly noticeable above day-to-day variations in traffic flow**.
- The performance of the A85 / Main St junction is much improved using the updated 2024 traffic flows, but traffic flows have not quite fallen sufficiently to allow the junction to operate under capacity either in the Base 2024 or Base + Development scenarios in 2024.
- Closer inspection of the model has identified that 'intercept adjustments' have been (legitimately) applied which have reduced the traffic capacity of the give way movements from Main Street onto the A85. Some level of adjustment is justified, in order to make modelled queues more closely match observed queues, but it is the level of adjustment which is critical.

- SYSTRA has conducted a sensitivity test, in which the intercept adjustment for the Main Street LT in the PM model has been reduced slightly from -300pcu/hr per hour to -260 pcu/hr.
- This small change results in the junction operating within capacity in all peak hours, both with and without the development.

4.2 Conclusions

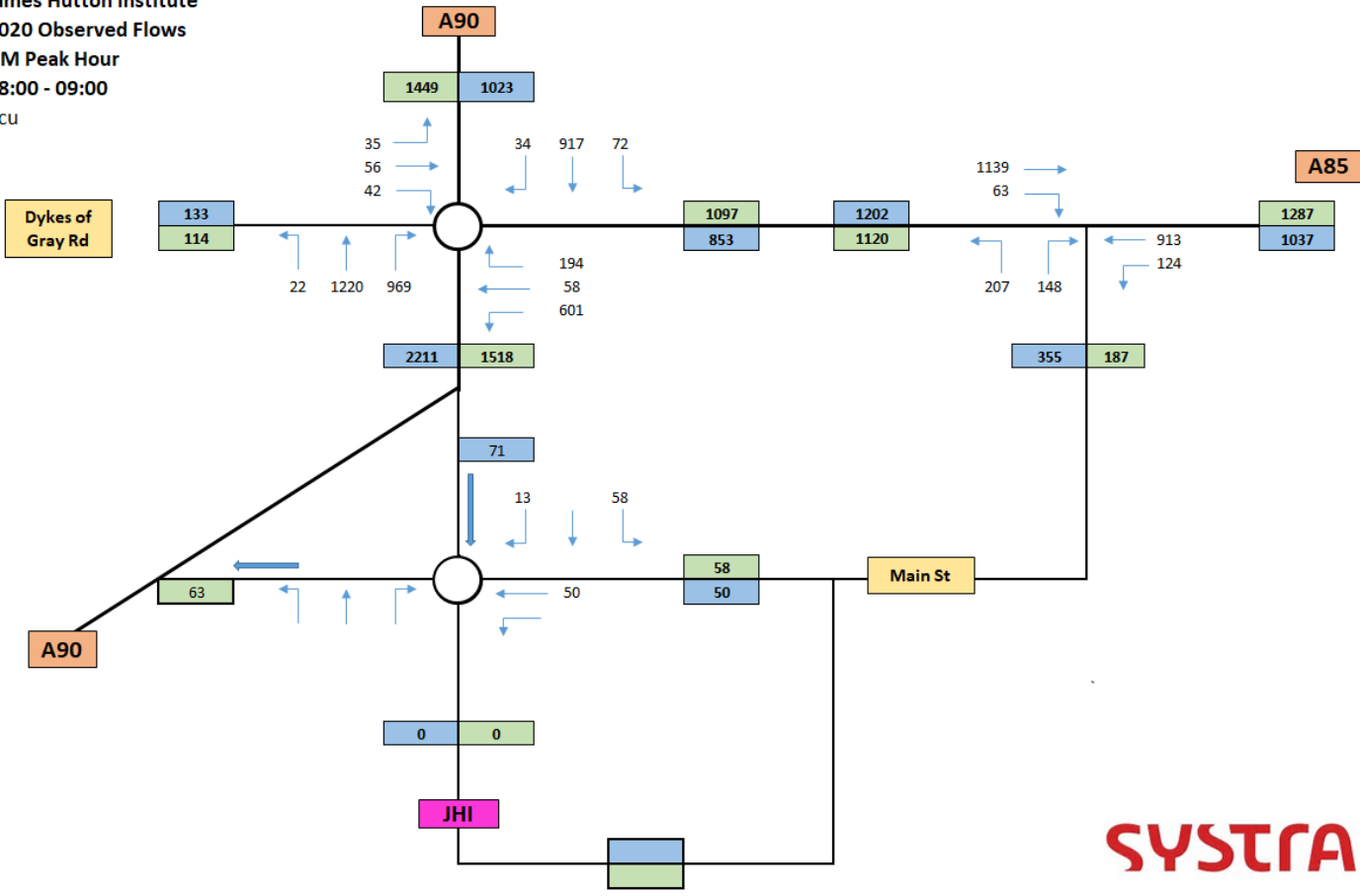
4.2.1 SYSTRA’s analysis suggests that upgrading of the A85 / Main Street junction is not required to accommodate the proposed development:

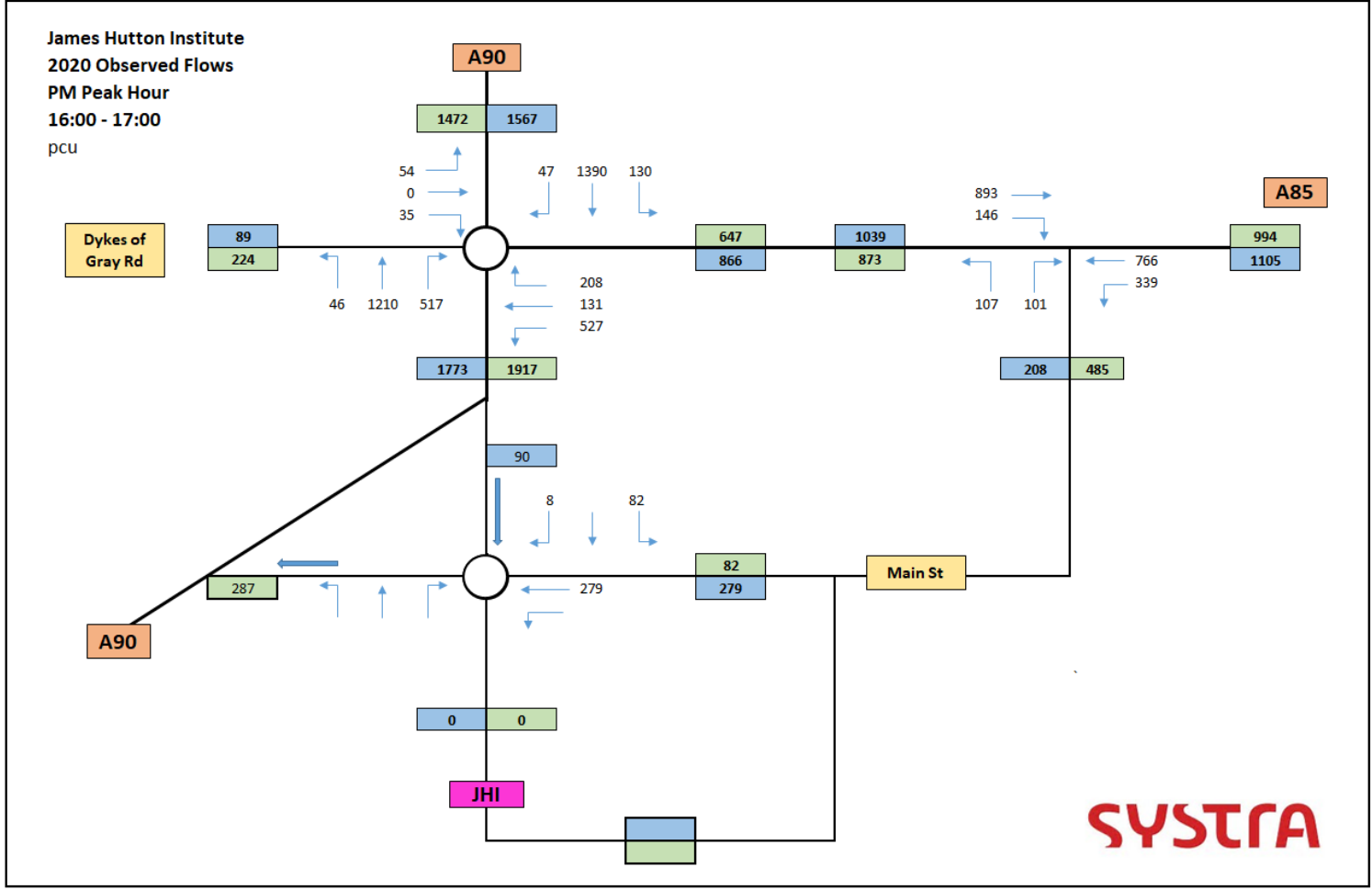
- Traffic levels both on the network, and to / from JHI, have reduced since the original TA, creating headroom for development traffic.
- The absolute changes in traffic flow as a result of the development will be low, and not particularly noticeable above day-to-day variations.
- Given the expected low traffic demand generated by the additional employees, the future performance of the A85 / Main Street junction is likely to be determined by other, wider, factors that will affect traffic flows in the area, such as the continued and expanded effects of home and flexible working, investment in public transport, walking and cycling, and changes to the cost of motoring.
- The first additional employees (out of the predicted 86-strong workforce) are not predicted to arrive on site until 2028.
- The junction model used in the assessment assumed a very punitive intercept adjustment on the Main Street left-turn movements, and even a small reduction in this figure means the junction is predicted to operate within capacity.
- If deemed helpful by PKC, JHI can introduce new access arrangements to the site, requiring **all** traffic arriving at the site to use the new entrance from the A90. This arrangement would transfer 276 existing inbound vehicle movements throughout the day from Main Street onto the new access road. This arrangement would reduce some pressure on the A85 / Main St junction, and reduce traffic flows on Main Street itself.
- JHI has an established and comprehensive Travel Plan in place. Through this initiative, JHI is actively trying to reduce the number of single-occupancy vehicle trips, meaning that the modal split may be further improved in the future.

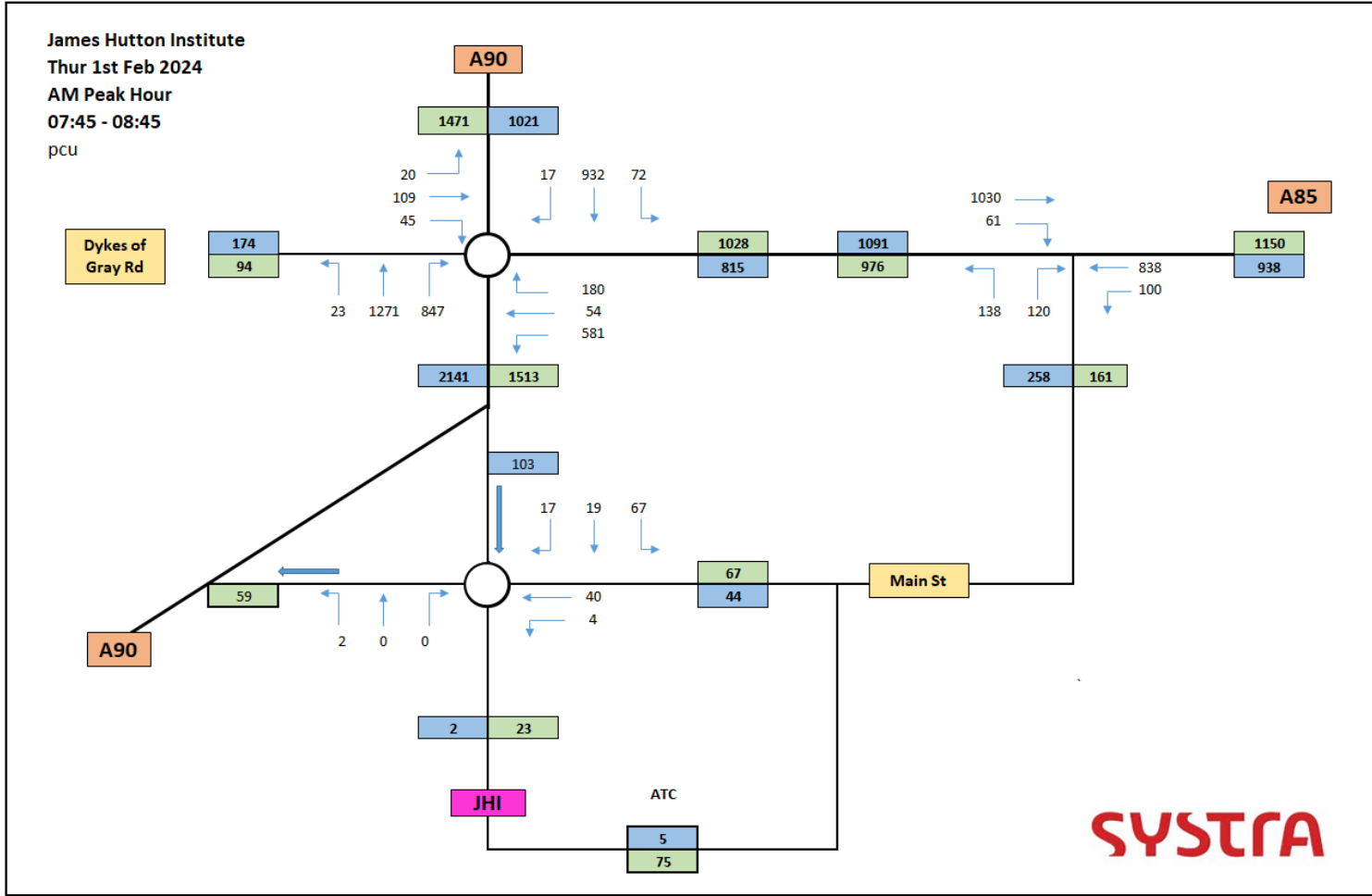
4.2.2 Based on the above, JHI may wish to consider amendment or removal of the relevant planning conditions through the planning process.

APPENDIX A – TRAFFIC FLOW DIAGRAMS

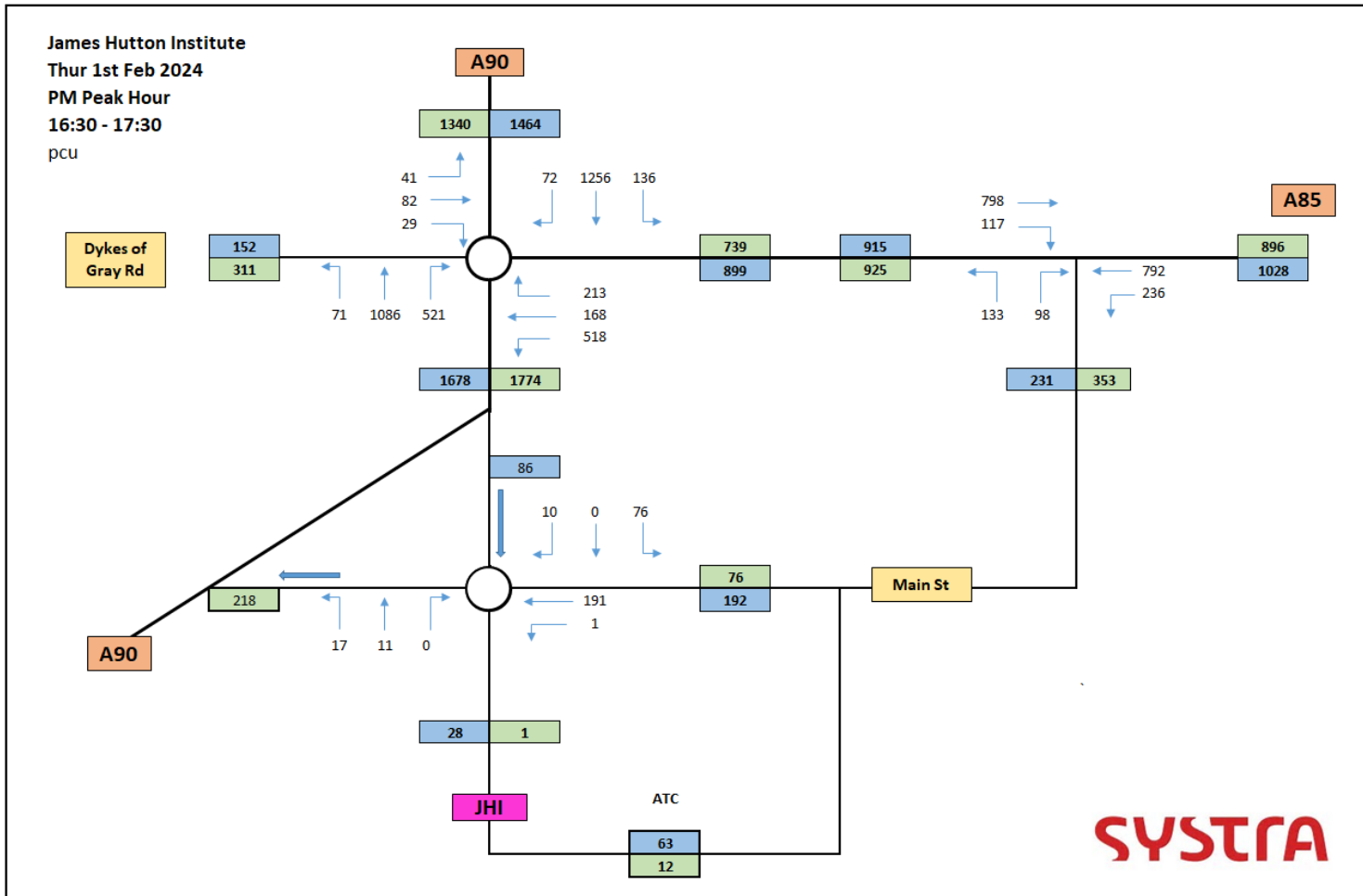
James Hutton Institute
 2020 Observed Flows
 AM Peak Hour
 08:00 - 09:00
 pcu

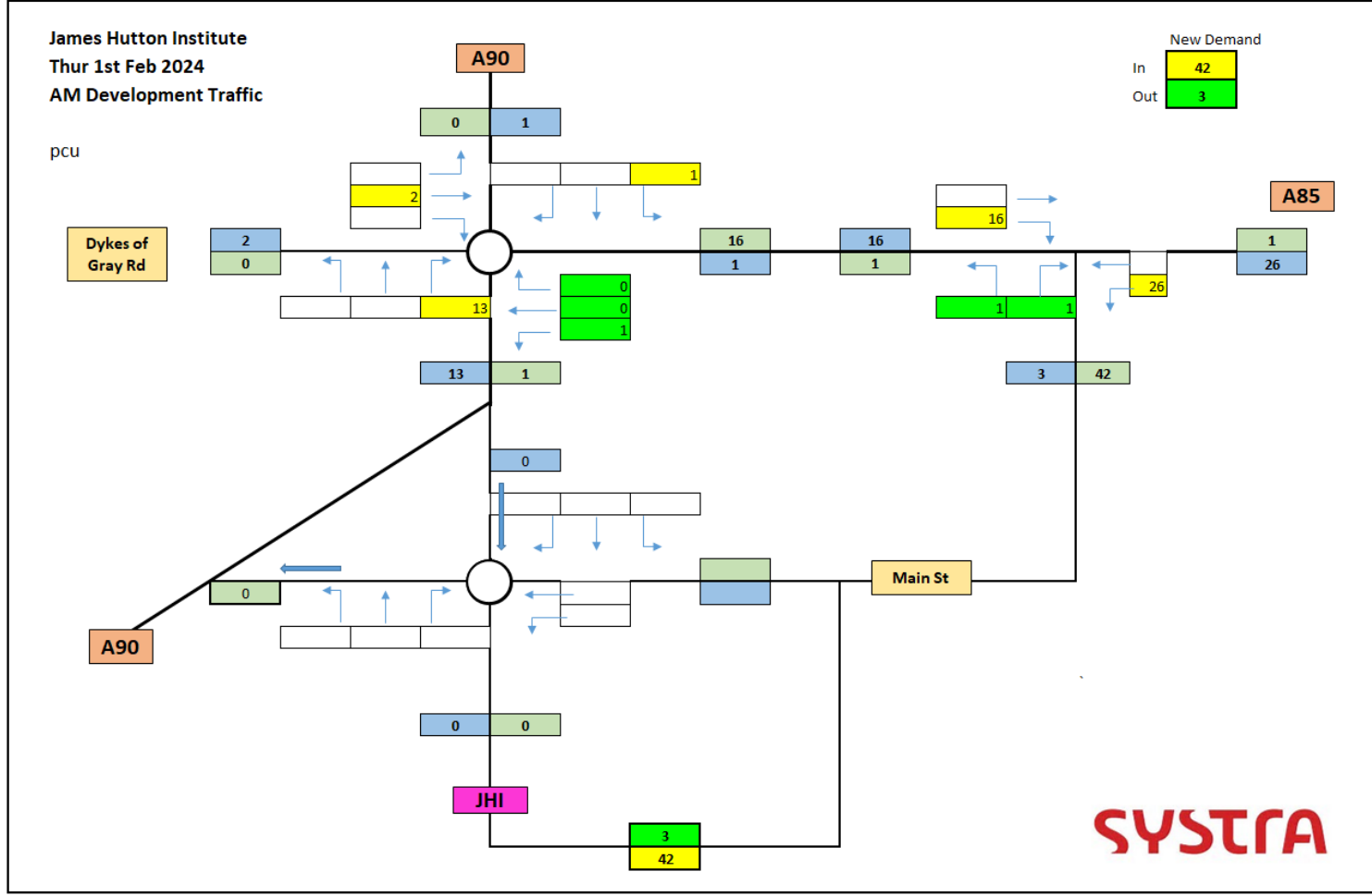


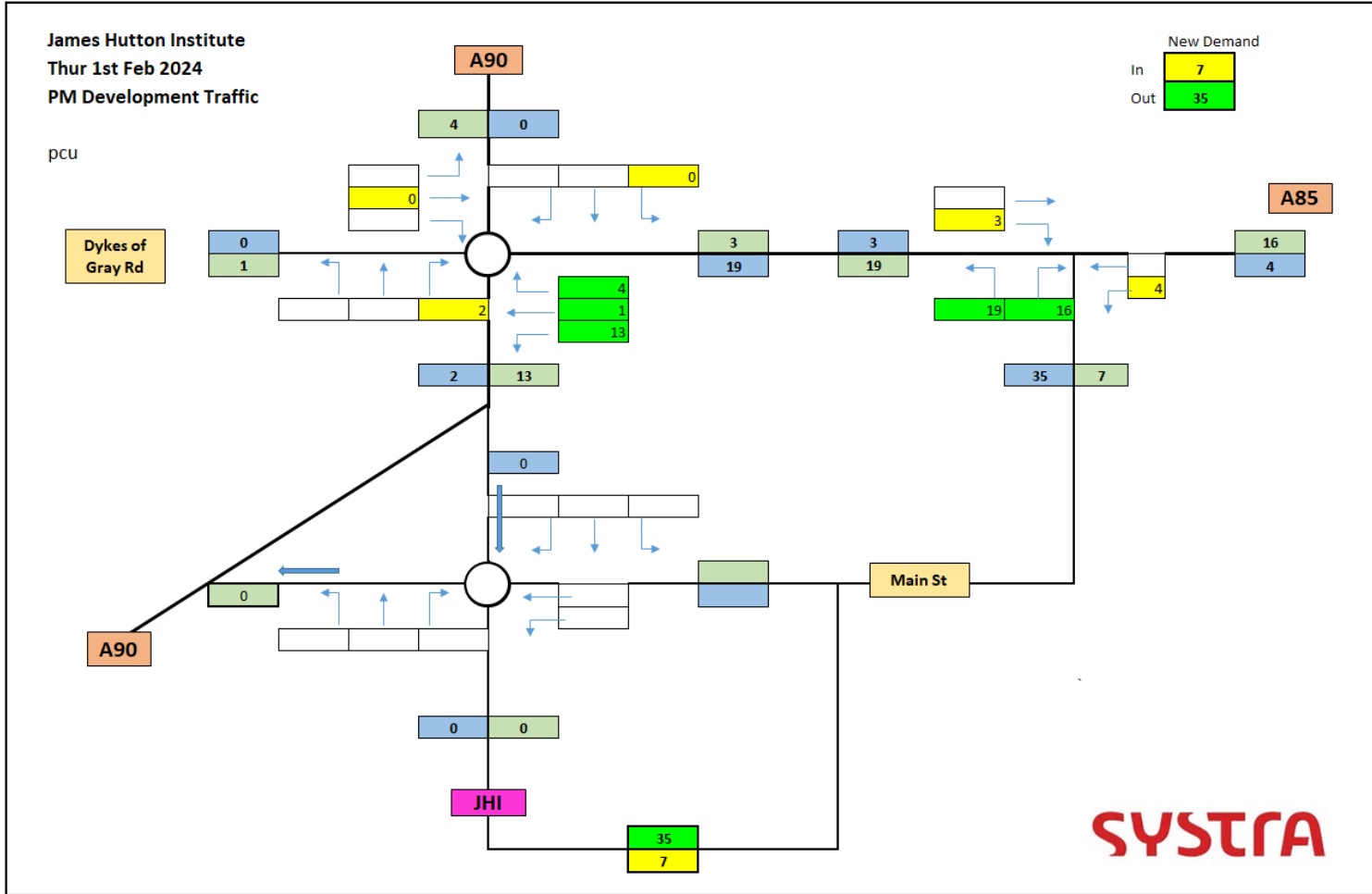


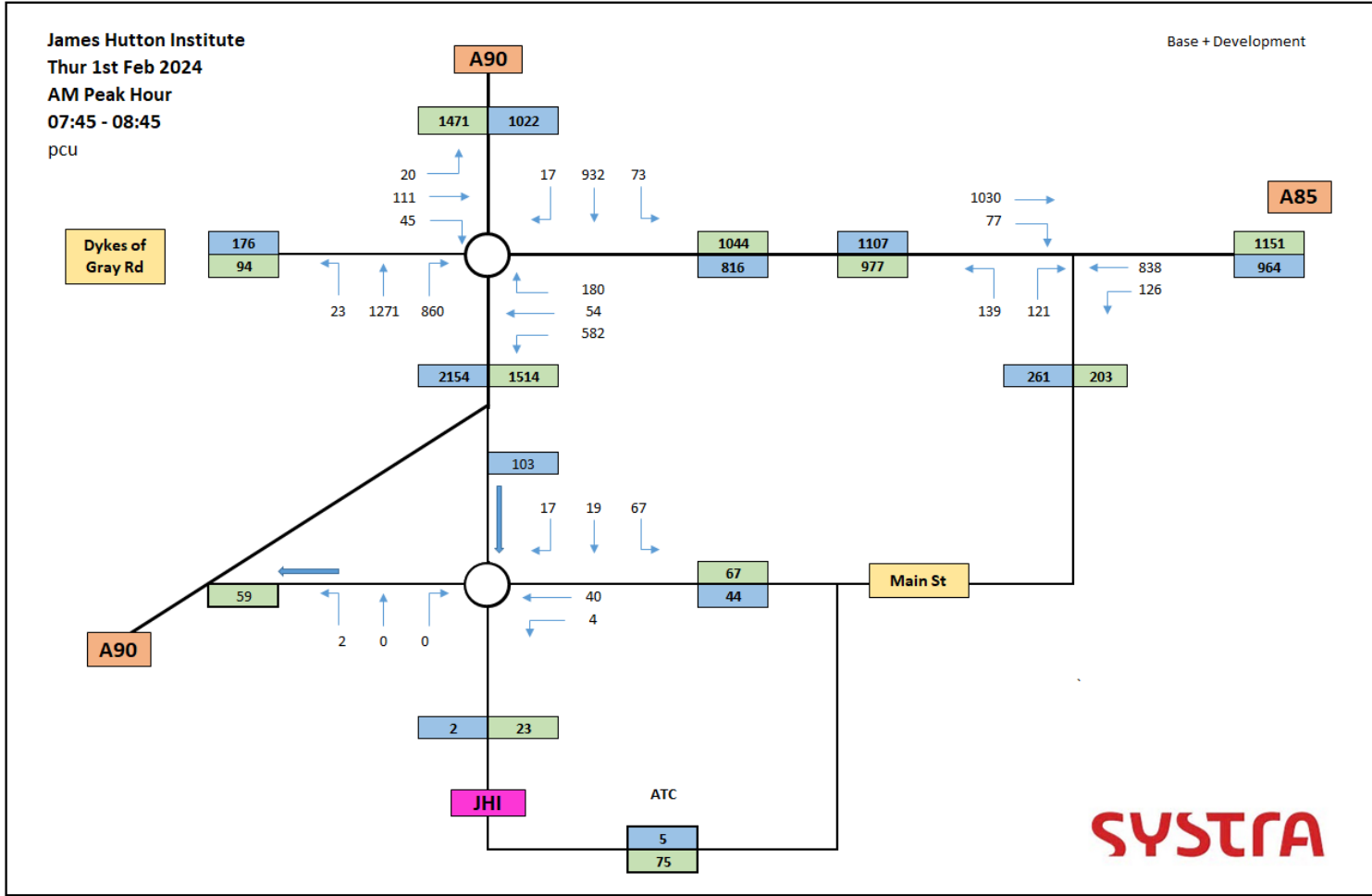


James Hutton Institute
 Thur 1st Feb 2024
 PM Peak Hour
 16:30 - 17:30
 pcu



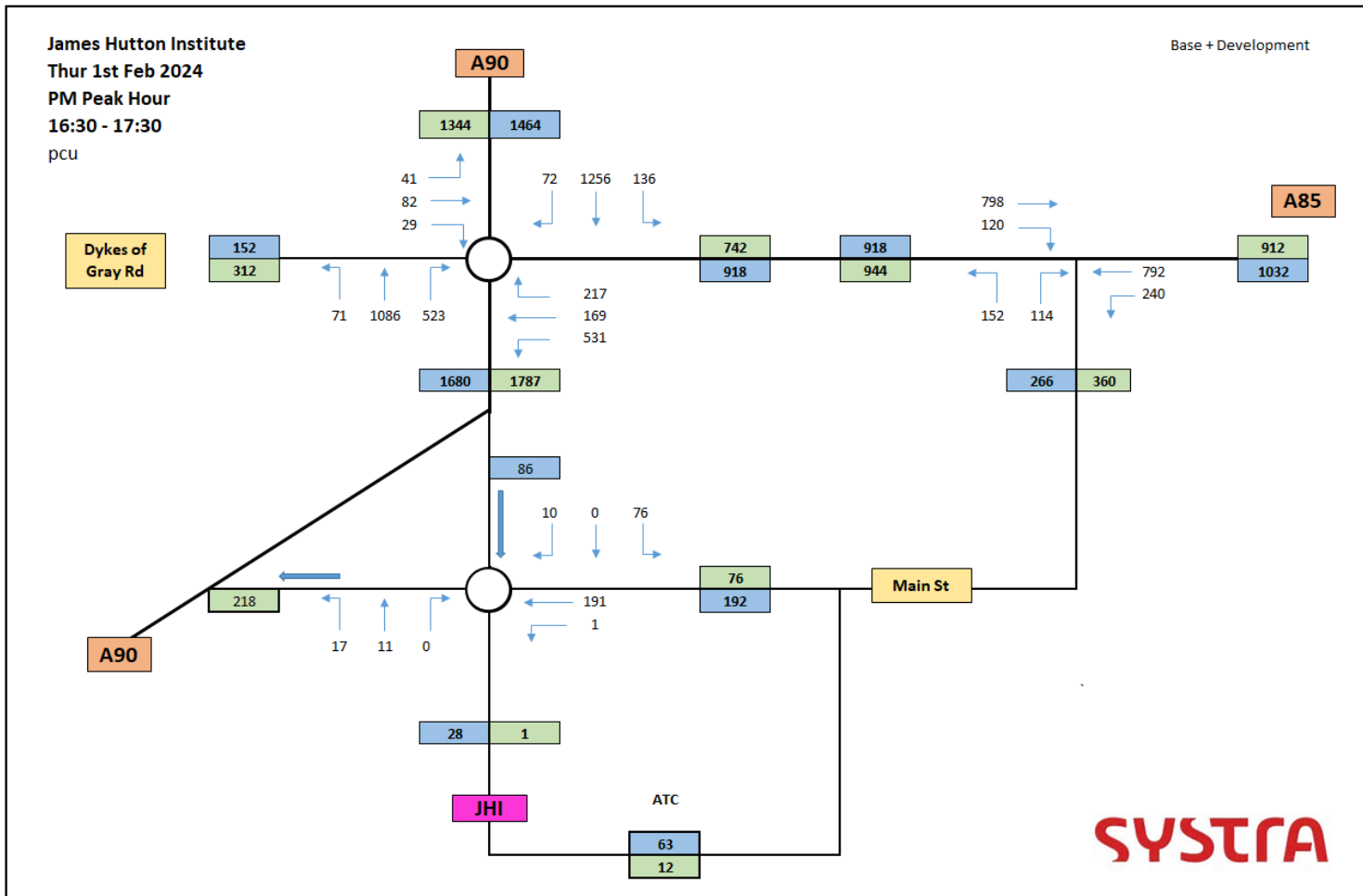


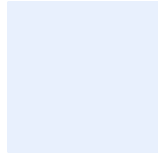
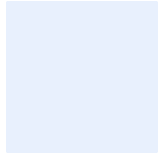
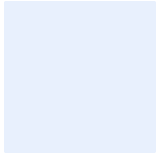




James Hutton Institute
 Thur 1st Feb 2024
 PM Peak Hour
 16:30 - 17:30
 pcu

Base + Development





APPENDIX B – JUNCTIONS10 REPORTS

Provided electronically on request

SYSTRA provides advice on transport, to central, regional and local government, agencies, developers, operators and financiers.

A diverse group of results-oriented people, we are part of a strong team of professionals worldwide. Through client business planning, customer research and strategy development we create solutions that work for real people in the real world.

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Washington

The SYSTRA logo is displayed in a bold, red, sans-serif font. The letters are thick and blocky, with a slight shadow effect. The 'S' and 'Y' are particularly prominent, with the 'S' having a unique shape where the top and bottom curves meet at the ends.

APPENDIX 3





The James Hutton Institute
DM Hall
Paul Houghton
Gowrie House
52 Tay Street
Perth
PH1 5TR

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **19th November 2020**

Town and Country Planning (Scotland) Acts.

Application Reference: **20/01103/IPM**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 9th September 2020 for planning permission in principle for Mixed use development including alterations and erection of buildings for agricultural research and development, industry engagement, skills development and formation of parking areas, landscaping, infrastructure and associated works (in principle) at The James Hutton Institute Errol Road Invergowrie Dundee DD2 5DA subject to any undernoted conditions.

Conditions referred to above

- 1 Application for the approval required by a condition imposed on this Planning Permission in Principle shall conform with the requirements of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 and of Section 59 (2) and (3) of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006 and, in particular, must be made before whichever is the latest of the following:
 - (i) the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, or
 - (ii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed

Reason - In accordance with the terms of Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.

- 2 No works in connection with the development hereby approved shall take place until full details of the siting, design, external appearance and landscaping of the development and the means of access serving the development (hereinafter referred to as the 'matters specified by condition') have been submitted to and approved in writing by the Planning Authority. The specified matters include:
- (i) a construction (including demolition) phasing plan for the whole site;
 - (ii) a detailed levels survey (existing and proposed) and cross sections showing proposed finished ground and floor levels of all buildings forming part of the development phase, relative to existing ground levels and a fixed datum point.
 - (iii) the siting, design, height and external materials of all buildings or structures;
 - (iv) the details of all roads, footpaths/cycleways and structures throughout the development;
 - (v) details of any screen walls/fencing including any retaining walls to be provided;
 - (vi) measures to maximise environmental sustainability through design, orientation and planting or any other means;
 - (vii) details of any landscaping, structure planting and screening associated with the development;
 - (viii) full details of the proposed means of disposal of foul and surface water from the development;
 - (ix) details of protection of scheduled monuments;
 - (x) lighting details;
 - (xi) bin storage, collection location and recycling facilities provision;
 - (xii) air quality assessment;
 - (xiii) updated ecology assessment including protected species survey, a breeding bird survey of buildings and potential bat roost features in any buildings proposed to be demolished;
 - (xiv) biodiversity action plan (to specifically include biodiversity enhancement and opportunities to support protected species);
 - (xv) contaminated land assessment;
 - (xvi) a Green Travel Plan (GTP); and,
 - (xvii) archaeological working scheme of investigation.

Reason - This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.

- 3 No building submitted within an application for the Approval of Matters Specified in Conditions as part of Condition 2 shall exceed 15 metres in height.

Reason - To not impact on the operations of Dundee City Airport.

- 4 As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed applications, details of the proposed boundary treatments for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - To ensure a satisfactory standard of local environmental quality.

- 5 All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Reason - To ensure a satisfactory standard of local environmental quality.

- 6 All external lighting shall be sufficiently screened and aligned to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

Reason - To ensure a satisfactory standard of local environmental quality.

- 7 As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application, an Air Quality Assessment shall be submitted to the Council as Planning Authority. The assessment should assess the air quality impacts from traffic and heating systems associated with the development also cumulative effects from other development sites and consideration should be given to impacts on the Dundee AQMA.

Reason - To ensure a satisfactory standard of local environmental quality.

- 8 Core paths and right of way must not be obstructed during construction or on completion. All public paths created as part of any layout or design submitted within an application for the Approval of Matters Specified in Conditions as part of Condition 2 must be suitable for all non-motorised user groups (minimum 2m width with suitable surface in wider corridor).

Reason - To ensure a satisfactory standard of local environmental quality; to safeguard the core paths.

- 9 As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application, details of the location and measures proposed for the safeguarding and continued operation of any Scottish Water supply pipes sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The subsequently agreed protective measures shall be put in place prior to the development being brought into use and shall thereafter be so maintained insofar as it relates to the development hereby approved.

Reason - To safeguard Scottish Water infrastructure.

- 10 Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust.

Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

Reason - To safeguard archaeology in the area.

- 11 As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the preliminary risk assessment identifies the need for further assessment, an intrusive investigation should be undertaken to identify;

- I. the nature, extent and type(s) of contamination on the site
- II. measures to treat/remove contamination to ensure the site is fit for the use proposed
- III. measures to deal with contamination during construction works
- IV. condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Reason - To ensure a satisfactory standard of local environmental quality.

12 As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application a hard and soft landscaping scheme shall be submitted to and approved in writing by the Council as Planning Authority. The scheme shall include the following specification:

- (i) existing and proposed finished ground levels relative to a fixed datum point;
- (ii) existing landscape features and vegetation to be retained;
- (iii) existing and proposed services including cables, pipelines and substations;
- (iv) the location of new trees, shrubs, hedges, grassed areas and water features;
- (v) a schedule of plants to comprise species, plant sizes and proposed numbers and density;
- (vi) the location, design and materials of all hard-landscaping works including walls, fences, gates, any other means of enclosure, street furniture and equipment;
- (vii) an indication of existing trees, shrubs and hedges to be removed;
- (viii) a programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development on that part of the site, or such other date as may be agreed in writing with the Planning Authority.

Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason - To ensure the implementation of satisfactory schemes of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

13 As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application an updated Ecology Survey including; a Protected Species Survey, a Breeding Bird Survey of Buildings, a Survey of potential Bat Roost Features in buildings to be demolished shall be submitted to and approved in writing by the Council as Planning Authority.

Reason - To ensure a satisfactory standard of local environmental quality; to safeguard the welfare of any protected wildlife.

14 As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application a Biodiversity Action Plan shall be submitted to and approved in writing by the Council as Planning Authority.

Reason - To ensure a satisfactory standard of local environmental quality; to safeguard the welfare of any protected wildlife.

15 As part of any application for the Approval of Matters Specified by Condition (AMSC) or

detailed application the mitigation measures identified for Junction 4 - A85 Riverside Avenue / Main Street for its signalisation to reduce the queueing impact from the development, a detailed design shall be undertaken, along with a date for their implementation shall be submitted and agreed in writing by the Council as Planning Authority.

Reason - In the interests of road safety

- 16 As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application a Stage 1 Road Safety Audit shall be submitted to and approved in writing by the Council as Planning Authority.

Reason - In the interests of road safety

- 17 As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application, the applicant shall provide the following parking provision numbers on site:

- Car Parking - 334 spaces
- Secure Covered Cycle Parking - 100 spaces
- Powered Two Wheelers - 19 spaces
- Disabled Allocation - 17 spaces

Coach parking provision on site shall also be included as part of any detailed application.

Reason: To provide a suitable parking provision for the development.

- 18 Prior to the occupation of any of the development hereby approved, the proposed modifications to the A90/Main Street Roundabout, generally as illustrated on Drawing No. 135585/sk7001 - page 86 of Transport Assessment (PKC Ref: 20/01103/16) by Fairhurst dated April 2020, shall be implemented to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To ensure that the standard of access layout complies with the current standards, and that the safety and free flow of traffic on the trunk road is not diminished.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

- 1 Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.

- 2 The developer is advised to contact Sophie Nicol, Historic Environment Manager (tel 01738 477027) Perth and Kinross Heritage Trust, to discuss terms of reference for work required.
- 3 Due to the nature of the proposed work it is important to keep in mind the possibility Of finding bats when doing any demolition work. If bats are found during works, the work should stop immediately, and you should contact SNH at Battleby immediately for advice. Building works should avoid the times of year when bats are most vulnerable to disturbance. The summer months, when bats are in maternity roosts, and the winter months when bats are hibernating, should be avoided. Typically, early spring and autumn months are the best times to do work that may affect bats. If you suspect that bats are present, you should consult SNH for advice. For further information visit the Bat Conservation Trust website <http://www.bats.org.uk/>. Please note that bats are protected by law, and it is a criminal offence to deliberately harm, capture, kill or disturb a bat or its resting place.
- 4 Existing buildings or structures may contain nesting birds between 1st March and 31st August inclusive. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
- 5 The presence of protected species, and the extent to which they could be affected by the proposed development, should be established before works commence. Should protected species be identified within the site the developer should ensure that all appropriate measures required to comply with the relevant legislation are carried out.
- 6 Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
- 7 This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. Please send the required information to us at developmentmanagement@pkc.gov.uk. Please be aware that the Council has two months to consider the information (or four months in the case of a Major planning permission). You should therefore submit the required information more than two months (or four months) before your permission expires. We cannot guarantee that submissions made within two months (or four months) of the expiry date of your permission will be able to be dealt with before your permission lapses.
- 8 The granting of planning permission does not stop the continued right of public access along the existing core paths INGI/8 and 52/8. An order under the Town and Country Planning (Scotland) Act 1997, Section 208 or an amendment of the Core Path Plan under the Land Reform (Scotland) Act 2003 should be sought in advance of any works authorised by this planning permission being commenced. All relevant approvals should be in place prior to any stopping up and diversion of the core path taking place.

- 9 The applicant is advised to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development. https://www.pkc.gov.uk/media/24772/Flood-Risk-and-FRA/pdf/Flood_Risk_and_FRA_-_June_2014.pdf?m=635379146904000000
- 10 For information, foul flows only will be allowed to discharge to the public system. The Developer should arrange to dispose of surface water privately, to the satisfaction of the statutory drainage Authority.
- 11 The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
- 12 Please be aware that your Planning Permission in Principle may be invalidated by the felling of trees which are required to be retained, prior to gaining Approval of Matters Specified by Condition.
- 13 The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
- 14 The applicant should take note of the information and advice contained within the consultation response from Scottish Water.
- 15 The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for consent to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan and Document Reference

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NOTES

- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission or an application for approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may appeal to The Scottish Ministers in accordance with Section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The appeal should be addressed to:

**Directorate for Planning and Environmental Appeals
The Scottish Government
4 The Courtyard
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR**

Appeals may also be submitted online and forms and guidance for doing so are available online at www.eplanning.scotland.gov.uk

Please note that when submitting an appeal to The Scottish Ministers, a copy of the appeal and supporting documents should be sent to **The Development Quality Manager, Development Management, Corporate and Democratic Services, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.**

2. If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by The Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

The foregoing notes are explanatory only and reference must be made to the Town and Country Planning (Scotland) Acts and the appropriate Regulations or Orders for their full context.

APPENDIX 4





The James Hutton Institute
c/o DM Hall
Paul Houghton
Gowrie House
52 Tay Street
Perth
PH1 5TR

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **24th November 2020**

Town and Country Planning (Scotland) Acts.

Application Number **20/01104/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 25th September 2020 for planning permission for Formation of vehicular access, access road, SUDS pond and associated works at The James Hutton Institute Errol Road Invergowrie Dundee DD2 5DA subject to the undernoted conditions.

David Littlejohn
Head of Planning and Development

Conditions referred to above

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

- 2 Prior to the development hereby approved being completed or brought into use, all matters regarding access, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.

Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

- 3 Prior to commencement of any development hereby consented, detailed proposals for the removal and management of vehicular parking on the circulating carriageway of the Invergowrie Roundabout and the A90(T) on and off slip road connections between the roundabout and the A 90(T) shall be submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland. The submitted proposals shall include, inter alia, the extents of any parking restrictions that will be required and details of any additional parking bays, signing, road markings and street lighting required.

Reason - In the interest of road safety and to ensure that the existing road layout is brought up to an appropriate standard to accommodate the proposed development access road.

- 4 Prior to the proposed access road becoming operational the agreed scheme detailed in Condition 3 shall be implemented to the satisfaction of the Planning Authority in consultation with Transport Scotland

Reason - In the interest of road safety and to ensure that the existing road layout is brought up to an appropriate standard to accommodate the proposed development access road.

- 5 Core paths and right of way must not be obstructed during construction or on completion.

Reason - To ensure a satisfactory standard of local environmental quality; to safeguard the core paths.

- 6 Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

Reason - To safeguard archaeology in the area.

Justification

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 The developer is advised to contact Sophie Nicol, Historic Environment Manager (tel 01738 477027) Perth and Kinross Heritage Trust, to discuss terms of reference for work required.
- 5 The presence of protected species, and the extent to which they could be affected by the proposed development, should be established before works commence. Should protected species be identified within the site the developer should ensure that all appropriate measures required to comply with the relevant legislation are carried out.
- 6 Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
- 7 This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. Please send the required information to us at developmentmanagement@pkc.gov.uk . Please be aware that the Council has two months to consider the information (or four months in the case of a Major planning permission). You should therefore submit the required information more than two months (or four months) before your permission expires. We cannot guarantee that submissions made within two months (or four months) of the expiry date of your permission will be able to be dealt with before your permission lapses.
- 8 The granting of planning permission does not stop the continued right of public access along the existing core paths INGI/8 and 52/8. An order under the Town and Country Planning (Scotland) Act 1997, Section 208 or an amendment of the Core Path Plan under the Land Reform (Scotland) Act 2003 should be sought in advance of any works authorised by this planning permission being commenced. All relevant approvals should be in place prior to any stopping up and diversion of the core path taking place.
- 9 The applicant is advised to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development. https://www.pkc.gov.uk/media/24772/Flood-Risk-and-FRA/pdf/Flood_Risk_and_FRA_-_June_2014.pdf?m=63537914690400000

- 10 The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority Road Construction Consent (RCC) to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency. Please note that a fee is chargeable for the processing of RCC applications.
- 11 The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
- 12 The applicant should take note of the information and advice contained within the consultation response from Scottish Water for application 20/01103/IPM.

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan and Document Reference

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02	14
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NOTES

If the applicant is aggrieved by the decision to refuse planning permission or an application for approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the Planning Authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to:

The Secretary
Local Review Body
Perth and Kinross Council
Committee Services
Council Building
2 High Street
Perth
PH1 5PH
Email planninglrbpkc.gov.uk

The 'Notice of Review' form together with guidance notes for completion can be obtained from Perth & Kinross Council website www.pkc.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

The foregoing notes are explanatory only and reference must be made to the Town and Country Planning (Scotland) Acts and the appropriate Regulations or Orders for their full context.

Notice of Initiation of Development



**PERTH &
KINROSS
COUNCIL**

Town and Country Planning (Scotland) Act 1997 (as amended)

A person who has been granted planning permission and intends to start development is required to inform the planning authority of the onsite start date before the development commences. This ensures that the planning authority is aware that development is underway, and can follow up on any suspensive conditions attached to a planning permission. Failure to do so will be a breach of planning control under section 123(1) of the above Act and enforcement action could be taken. Please complete the form below and return to Development Management.

Application reference number	20/01104/FLL				
Date works are to commence					
Have you submitted information in relation to suspensive conditions?	Yes		No		N/A
Name & address of applicant, site agent or developer					
Email					
Telephone number					

HOW WE USE YOUR PERSONAL INFORMATION

The information provided by you will be used by Perth & Kinross Council to process the application. The information will be published on the internet as part of the Council's Planning Portal.

The Council may check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties or share your information with them in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law.

For further information, please look at our website www.pkc.gov.uk/dataprotection; email dataprotection@pkc.gov.uk or phone 01738 477933.

Send to:

DevelopmentManagement@pkc.gov.uk

**Development Management
Corporate and Democratic Services
Perth & Kinross Council
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD**

Notice of Completion of Development



**PERTH &
KINROSS
COUNCIL**

Town and Country Planning (Scotland) Act 1997 (as amended)

A person who completes a development for which planning permission has been given must give notice of completion to the planning authority. If the planning permission is for a phased development, notice of the completion of each phase must be submitted. Please complete the form below and return to Development Management.

Application reference number	20/01104/FLL
Date works were completed	
Name & address of applicant, site agent or developer	
Email	
Telephone number	

Send to:

DevelopmentManagement@pkc.gov.uk

**Development Management
Corporate and Democratic Services
Perth & Kinross Council
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD**

HOW WE USE YOUR PERSONAL INFORMATION

The information provided by you will be used by Perth & Kinross Council to process the application. The information will be published on the internet as part of the Council's Planning Portal.

The Council may check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties or share your information with them in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law.

Reviewed April 2018

For further information, please look at our website www.pkc.gov.uk/dataprotection; email dataprotection@pkc.gov.uk or phone **01738 477933**.