

Perth and Kinross Council
Planning & Development Management Committee – 18 November 2020
Report of Handling by Head of Planning & Development (Report No. 20/216)

PROPOSAL: 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)

LOCATION: The James Hutton Institute, Errol Road, Invergowrie

Ref. No: [20/01103/IPM](#)

Ward No: P1 - Carse Of Gowrie

Summary

This report recommends approval of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The James Hutton Institute (formerly known as the Scottish Crop Research Institute) is an internationally renowned organisation that conducts scientific research into agricultural and environmental issues, including research into crop and food science.
- 2 The proposed site is a 94-hectare area of relatively flat agricultural land situated just west of Invergowrie village and immediately south of the A90 Trunk Road. It accommodates a number of Institute activities and contains an extensive grouping of centrally located buildings, greenhouses and other facilities, surrounded by extensive agricultural land that is used for cropping and research activities. Currently, the site's main access is from Errol Road to the south, extending from the western end of Invergowrie.
- 3 The site is identified in TAYplan as a Strategic Development Area and is allocated in the Perth and Kinross Local Development 2 (2019) (LDP2) as E37, allocated for core employment uses – Class 4 Food.
- 4 The proposal seeks Planning Permission in Principle (PPP) to redevelop the Institute, via a mixed-use development, involving agricultural research, industry engagement, skills development, training and education, and related business and ancillary uses. The proposal incorporates the following:
 - development of a new International Barley Hub (IBH);
 - development of a new Advanced Plant Growth Centre (APGC);

- development of new farm buildings;
 - demolition of existing buildings;
 - redevelopment and refurbishment of other existing buildings;
 - ground works;
 - new roads and footpaths;
 - car parking;
 - drainage and utilities infrastructure; and
 - hard and soft landscaping.
- 5 A separate detailed planning application ([20/01104/FLL](#)) has been submitted for a new road from the Invergowrie roundabout, to serve the expanded campus.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 6 The proposal has been screened (20/00348/SCRN) for an EIA and found that an EIA Report was not required to be submitted with the proposal, as the development does not trigger any EIA thresholds.

PRE-APPLICATION CONSULTATION

- 7 The proposed development is classed as a 'Major' development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Therefore, the applicant undertook formal pre-application consultation with the local community.

NATIONAL POLICY AND GUIDANCE

- 8 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework

- 9 NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc. (Scotland) Act 2006 this is now a statutory document and material consideration in any planning application. The document provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

Scottish Planning Policy 2014

- 10 The Scottish Planning Policy (SPP) was published in June 2014 and sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- The preparation of development plans;
 - The design of development, from initial concept through to delivery; and
 - The determination of planning applications and appeals.
- 11 The following paragraphs of the SPP will be of particular importance in the assessment of this proposal:
- Sustainability: 24 - 35
 - Placemaking: 36 – 57
 - Valuing the Natural Environment: 193 – 218
 - Maximising the Benefits of Green Infrastructure: 219 – 233
 - Managing Flood Risk and Drainage: 254 – 268
 - Promoting Sustainable Transport and Active Travel: 269 – 291

Planning Advice Notes

- 12 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 1/2011 Planning and Noise
 - PAN 40 Development Management
 - PAN 51 Planning, Environmental Protection and Regulation
 - PAN 60 Planning for Natural Heritage
 - PAN 61 Planning and Sustainable Urban Drainage Systems
 - PAN 68 Design Statements
 - PAN 69 Planning & Building Standards Advice on Flooding
 - PAN 75 Planning for Transport
 - PAN 77 Designing Safer Places
 - PAN 79 Water and Drainage
 - PAN 83 Masterplanning

Designing Streets 2010

- 13 Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda, alongside Creating Places, which sets out Government aspirations for design and the role of the planning system in delivering these.

Creating Places 2013

- 14 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

National Roads Development Guide 2014

- 15 This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

DEVELOPMENT PLAN

- 16 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYPlan Strategic Development Plan 2016-2036

- 17 TAYPlan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”

- 18 It specifically identifies the Institute within Policy 3 as a Strategic Development Area as 5 to 10ha of employment land for food and agricultural research.
- 19 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application.

Policy 1: Locational Priorities

Policy 2: Shaping Better Quality Places

Policy 3: A First Choice for Investment

Policy 8: Green Networks

Policy 9: Managing TAYplans Assets

Policy 10: Connecting People, Places and Markets

Perth and Kinross Local Development Plan 2019

- 20 The Local Development Plan 2 (2019) (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. The LDP2 sets out a vision statement for the area and states that, *“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”* It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

- 21 The principal relevant policies are, in summary;

Policy 1: Placemaking

Policy 2: Design Statements

Policy 5: Infrastructure Contributions

Policy 6: Settlement Boundaries

Policy 7: Employment and Mixed Used Areas
 Policy 14: Open Space Retention and Provision
 Policy 15: Public Access
 Policy 17: Residential Areas
 Policy 23: Delivery of Development Sites
 Policy 26: Scheduled Monuments and Archaeology
 Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
 Policy 34: Sustainable Heating and Cooling
 Policy 39: Landscape
 Policy 40: Forestry, Woodland and Trees
 Policy 41: Biodiversity
 Policy 42: Green Infrastructure
 Policy 50: Prime Agricultural Land
 Policy 51: Soils
 Policy 52: New Development and Flooding
 Policy 53: Water Environment and Drainage
 Policy 54: Health and Safety Consultation Zones
 Policy 55: Nuisance from Artificial Light and Light Pollution
 Policy 56: Noise Pollution
 Policy 57: Air Quality
 Policy 58: Contaminated and Unstable Land
 Policy 60: Transport Standards and Accessibility Requirements
 Policy 61: Airfield Safeguarding

LDP2 Allocation

- 22 E37 James Hutton Institute Core employment uses - Class 4 Food

Site-Specific Developer Requirements

- 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.

Other Policies

- 23 Tay Cities Region Economic Strategy 2019-2039

SITE HISTORY

- 24 The following extensive planning history is relevant:

98/01380/FUL Erection of research glasshouses and support header house. Approved November 1998.

01/01562/OUT Formation of science and technology park with shared facilities for SCRI and associated roadworks. Approved October 2003.

02/00169/PN Erection of a general building. Approved February 2002.

02/01144/FUL Erection of research glasshouse and header building. Approved September 2002.

02/02026/FUL Extension of general building. Approved February 2003.

03/00701/FUL Extension to header house building. Approved June 2003.

03/01532/FUL Extensions to header and glass houses. Approved October 2003.

07/01073/FUL Erection of research glasshouses and support header house. Approved July 2007.

[07/01985/PN](#) Erection of a general-purpose agricultural storage building. Approved October 2007.

[10/00005/FLL](#) Erection of prefabricated building. Approved February 2010.

[15/01731/IPL](#) Erection of a plant growth facility and associated works (in principle). Approved December 2015.

[16/00126/FLL](#) Erection of a plant growth research and production facility and ancillary works. Approved April 2016.

[19/00472/FLL](#) Siting of 3 hydroponic containers. Approved May 2019.

[19/00011/PAN](#) A Proposal of Application Notice (PoAN) relating to a proposed mixed-use development of Classes 4 and 8 was considered sufficient in January 2020.

20/00348/SCRN EIA Screening for mixed use development. Decision Issued April 2020.

[20/01104/FLL](#) Formation of vehicular access, access road, SUDS pond and associated works. Currently under consideration.

[20/01435/FLL](#) Erection of an energy centre building, installation of a ground source heat pump system, formation of equipment yard and associated works. Currently under consideration.

CONSULTATIONS

25 As part of the planning application process the following bodies were consulted:

External

- 26 **Scottish Environment Protection Agency (SEPA):** No objection in relation to flood risk.
- 27 **Nature Scotland:** No comments made.
- 28 **Scottish Water:** No objection. Advise of water and waste water capacity in area and that some Scottish Water pipeline infrastructure runs through the site and should not be affected by future development.
- 29 **Transport Scotland:** No objection. Verbally advised they have no concerns.
- 30 **Historic Environment Scotland (HES):** No objection. Advise that there are some Scheduled Monuments in the vicinity but any impact on their setting is not considered be of national importance.
- 31 **Scottish Forestry:** No objection. Recommend conditions regarding re-planting of any trees felled.
- 32 **Perth and Kinross Heritage Trust:** No objection. Advise that there is archaeology in the area and recommend a condition is applied to any permission.
- 33 **Invergowrie and Kingoodie Community Council:** No comments made.
- 34 **Dundee Airport Ltd:** No objection.
- 35 **Dundee City Council:** No objection. Advise of support for the proposal.

Internal

- 36 **Planning and Housing Strategy:** No objection. Advise that all the site-specific requirements included in the LDP2 allocation have been met by this submission.
- 37 **Transport Planning:** No objection. Conditions are recommended requiring further assessment at the detailed application stage and parking provision.
- 38 **Structures and Flooding:** No objection.
- 39 **Environmental Health:** No objection, on noise or air quality grounds related standard conditions recommended.
- 40 **Land Quality Officer:** No objection. Satisfied with the Phase 1 Contaminated Land Assessment submitted.
- 41 **Biodiversity/Tree Officer:** Set out concerns that development could have adverse impact on bats. Several conditions are recommended requiring further information at the detailed application stage.

- 42 **Community Greenspace:** No objection. Conditions are recommended to ensure core paths are not impacted upon during the construction period and afterwards.
- 43 **Commercial Waste:** No objection.
- 44 **Enterprise Team:** Advise they are supportive of the proposal.
- 45 **Development Negotiations Officer:** No developer contributions required, as outwith the transport infrastructure contributions area.

REPRESENTATIONS

- 46 No representations received within timescale. One late representation from Scotways, commenting on the core paths in the area but they do not object.

ADDITIONAL STATEMENTS

47	Screening Opinion	Screened (20/00348/SCRN). EIA Not Required
	Environmental Impact Assessment (EIA): Environmental Report	Not Required
	Appropriate Assessment	Not Required
	Design and Access Statement	Submitted
	Report on Impact or Potential Impact	Flood Risk Assessment; Heritage Impact Assessment; Transport Assessment; Planning Statement; Geo-Environmental & Geo-Technical Assessment Submitted

APPRAISAL

- 48 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The adopted Development Plan comprises the TAYplan Strategic Development Plan 2016–2036 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below.

Principle

- 49 The proposed site is within the settlement boundary of Invergowrie and is identified in TAYplan under Policy 3 as a Strategic Development Area (SDA) providing 5 to 10 hectares of employment land for food and agricultural research. It is allocated in LDP2 as E37 for Class 4 Employment Uses. The allocation in LDP2 is intended to support the growth of the James Hutton Institute and *“allow for a range of potential businesses that supports the Institute’s research into agriculture and food production”*.

- 50 Because of the site's location, the existing uses and the identification as an SDA in TAYplan and allocation in LDP2, the principle of the proposed range of uses are considered acceptable. They are compatible with existing facilities and will allow the Institute to continue to expand and evolve as an internationally renowned organisation that conducts vital scientific research into agricultural and environmental issues.

Design and Layout

- 51 As a PPP application, there is no detailed proposed design. However, an indicative proposed layout was submitted showing new buildings to be located within and close to the existing group of buildings and facilities. The development will contribute positively to the quality of the surrounding built and natural environment.
- 52 In addition, the applicant has confirmed that all development has been planned and will be designed with reference to climate change, mitigation and adaptation. This will ensure compliance with LDP2 Policy 32 – Embedding Low and Zero Carbon Generating Technologies in New Development. Condition 2 (vi) also reinforces this requirement. The design, density and siting of development is considered to respect the character and amenity of the existing campus and surrounding area. It also proposes improved links within and beyond the site to the local community.
- 53 Overall, the indicative design and layout is an acceptable approach to ensure compliance with LDP 2 Policy 1 – Placemaking

Landscape

- 54 The proposed uses are largely contained within the existing campus area and will not cause any adverse landscape impact. The landscape will generally be improved by the demolition of some out of date buildings and the introduction of new planting and resultant habitats. Overall the proposal complies with LDP2 Policy 39 – Landscape and Conditions 2 (vii) and 12 will safeguard this requirement.

Residential Amenity

- 55 There are residential properties approximately 200 metres to the south and south east of the site and 400 metres to the east, within the village of Invergowrie.

Noise

- 56 Environmental Health advise that there is the potential for noise from the daily operations of the existing research centre to have an adverse effect on residential amenity. To date, however, they have not received any complaint with regards to noise from the existing operations at the site.
- 57 The assessment of subsequent applications for the Approval of Matters in Conditions under will consider appropriate siting and design to respect amenity (Condition 2). It is also recommend that a condition be included with any

permission to specifically protect residential amenity from noise associated with any new proposed plant to be installed at the site (Condition 5).

- 58 Because of the site's location and the proposed area of future development will be within or immediately adjacent to the existing central hub, there will be minimal impact on the residential amenity of residents at the western end of Invergowrie.

Air Quality

- 59 The site is within close proximity to the Dundee Air Quality Management Area (AQMA). Therefore any increase in traffic associated with this proposal and other approved developments such as a new heat recovery or district heating system could have an adverse effect on the Dundee AQMA. Environmental Health therefore recommends that the applicant should submit an air quality assessment prior to the commencement of the development to determine the exact impact on air quality and on the Dundee AQMA (Conditions Condition 2 (xii) and 7).

Lighting

- 60 Any external lighting associated with the development of the site could have an effect on residential amenity of neighbouring dwellinghouses. Environmental Health therefore recommend to address this (conditions 2 (x) and 6).

Visual Amenity

- 61 As it is PPP application without any detailed design or layout to comment it is difficult to ascertain fully at this stage the visual impact. However, the indicative proposed layout shows any new buildings to be located within the existing group of buildings and facilities and any visual impact will be minimised through integration with the existing building stock. Again, as referred to above, siting, design and landscaping will be fully addressed as part of subsequent applications.

Roads and Access

Roads

- 62 A Transport Assessment (TA) was submitted in support of the application, addressing the Site-Specific Requirement of the LDP2 allocation. It has been reviewed by the Council's Transport Planning team and informally accepted by Transport Scotland, with neither raising any issue with regards to the traffic volume or impact of the proposed uses. As a PPP application, some further assessment will be required at the Approval of Matters Specified by Condition (AMSC) stage; relating to off-site work, a road safety audit and ensuring suitable parking provision (Conditions 15, 16 and 17). The construction phasing of the development will also be considered at this stage and the ongoing use of the site will be subject to a Green Travel Plan (Conditions 2(i) and 2(xvi)).

- 63 A new vehicular access is proposed under a separate detailed planning application (20/01104/FLL) to serve the expanded facilities from the Invergowrie roundabout, and the technical requirements of the road itself will be assessed therein. Overall, subject to the above noted conditions, the proposal does not raise any transport issues and complies with LDP2 Policy 60 - Transport Standards and Accessibility Requirements.

Paths

- 64 Community Greenspace have reviewed the proposal, as there are several core paths and rights of way through the grounds of the Institute and in the vicinity.
- 65 The application acknowledges these routes, albeit they are referred to as pedestrian paths. The applicant is aware of the right of responsible access, particularly on core paths, includes non-motorised users, including cyclists and horse riders.
- 66 Community Greenspace have assessed the proposal to reroute the core path and right of way between the A90 and Errol Road via the JHI main drive (INGI/8 and 52/8) to pass in front of the new building. They agree that the new route is acceptable and should be made suitable for all non-motorised public use.
- 67 Community Greenspace also advise that 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. All relevant approvals should be in place prior to any stopping up and diversion of the core path taking place (Condition 8 and Informative 8). With this in place the proposal complies with LDP2 Policy 15 – Public Access.

Drainage and Flooding

- 68 As per the LDP2 Site-Specific Requirement, a Flood Risk Assessment (FRA) has been submitted with the application. It has been reviewed by SEPA, Scottish Water and the Council's Structures and Flooding team.
- 69 The FRA identifies that parts of the overall site may be subject to some surface water flooding and SEPA advise assessment of surface water flood risk should be undertaken by the Council's Structures and Flooding team at the detailed stage. Structures and Flooding have confirmed their agreement with SEPA and have not raised any issue at this stage and are content for the matter to be addressed as part of any AMSC application(s) (Condition 2 viii).
- 70 SEPA also recommend that consultation with Scottish Water may also be necessary to clarify surface water drainage and flooding constraints from the sewerage system. Surface water drainage and exceedance of surface water drainage systems are matters for the local authority to consider in conjunction with Scottish Water.
- 71 Scottish Water have no objections to the proposal in relation to the water and waste water capacity. They do advise that their records show that there is

Scottish Water Infrastructure running through the site and any development should not impact upon it (Condition 9 and Informative 14).

- 72 Overall, the proposal complies with LDP2 Policies 52 - New Development and Flooding and Policy 53 - Water Environment and Drainage.

Conservation Considerations

- 73 The applicant submitted a Heritage Impact Assessment (HIA), addressing the Site-Specific Requirement of the site's allocation in LDP2, to assess the potential impacts of development on three Scheduled Monuments within close proximity and recorded archaeology. The Scheduled Monuments are as follows:
- SM6519 East Pilmore, unenclosed settlement 1,000m East of Invergowrie
 - SM6517 Mylnfield enclosure 150m South West of TA Centre
 - SM6469 Ring ditch and souterrain 595m East South East
- 74 The HIA has been reviewed by both Historic Environment Scotland (HES) and Perth and Kinross Heritage Trust (PKHT).
- 75 HES advise that the proposed development would largely lie within the footprint of the existing facilities, with some extension to the west. Although there may be some impacts on the setting of the scheduled monuments in the vicinity, they do not consider these impacts to be of national significance and therefore do not object.
- 76 PKHT confirm that the proposed development site lies within an area that is considered to have high archaeological potential. In addition to the Scheduled Monuments, the wider archaeological context comprises of extensive cropmark evidence in the vicinity. Archaeological evaluation relating to previous development on this site was undertaken to the north, during which no archaeological remains were identified. However, records may vary across the site and as such its likely this development area will also need evaluating. Given the evidence, PKHT recommend that a programme of archaeological works will be required to ensure the development and its impact on known and potentially unknown archaeological remains is appropriately dealt with.
- 77 The details of this programme should be agreed in advance of works in a Written Scheme of Investigation. In the first instance it is recommended that an archaeological evaluation consisting of trial trenching takes place prior to any development to assess the presence /absence, significance and condition of any archaeological deposits within the development site. Following this evaluation, if necessary, a mitigation strategy for either the preservation of significant archaeological deposits in situ or by record can be agreed.
- 78 PKHT therefore recommend a standard archaeology condition is applied to any permission (Conditions 2 (xvii) and 10). Overall, the proposal is considered to comply with LDP 2 Policy 26 – Scheduled Monuments and Archaeology in terms of impact on the Scheduled Monuments and any mitigation required for any archaeology findings.

Natural Heritage and Biodiversity

- 79 The LDP2 Site Specific Requirements include: enhancement to biodiversity and protection of habitats, including integrity of a European designated site(s); and providing new native woodland landscape edge at the western boundary.
- 80 A Phase 1 Habitat Survey has been completed as part of the submitted Ecological Appraisal, which has been reviewed by the Council's Biodiversity/Tree Officer. Whilst these officers agreed with the initial findings of the survey, concern was expressed regarding possible impacts of physical works on buildings with Potential Roost Features (PRFs) for bats. However, the Habitat Survey notes, in Section 3.3.2, that there is low to negligible potential for the buildings that would ultimately be subject of demolition to host roosting bats and no PRFs in these buildings were found (as noted on the Habitat Plan in Section E). Two other buildings and trees/hedges not subject of development provide moderate potential and PRFs were found only in those locations. Section 4.2 of the survey identifies suggested mitigation measures, both for buildings being demolished and general construction activity. Section 4.3 recommends that a further inspection for bat PRFs of buildings being demolished should be undertaken and, if PRFs are found, then activity surveys should be completed.
- 81 The PPP application is seeking to establish the principle of development through an indicative masterplan and would not directly result in the demolition of any buildings at this stage. However, subsequent AMSC applications would seek demolition of these buildings and their replacement with new development. It is therefore necessary to consider here if there would be any adverse impact on bats, as a protected species, as required by both the law protecting bats and of LDP2 Policy 41 – Biodiversity. The habitat surveys completed demonstrate that the buildings that will be subject of demolition offer a low prospect for bat roosting and that no PRFs were identified. It is considered that it has been satisfactorily demonstrated at this stage that there would be no adverse effects on bats as a result of any PPP approval. It is, however, proposed to again verify this situation at the detailed planning (AMSC) stage; requiring detailed surveys to be undertaken on the buildings identified for demolition (Conditions 2 (xiii), 13 and 14). This enables control over avoiding adverse effects on bats from demolition, using these findings to inform the masterplan and design and, if development proceeds, to also ensure that suitable mitigation is put in place. Collectively, this will ensure that the proposal complies with LDP2 Policy 41 – Biodiversity. The masterplan and detailed design of the AMSC applications also provide an opportunity to further enhance and protect species (Condition 2 xiv).
- 82 In terms of existing woodland, Scottish Forestry confirm there are some existing trees in the lawned area in front of Buildings A and B (as shown on Proposed External Works Plan). Any work in the vicinity of these trees should conform to BS 5837 (2012) - Trees in Relation to Design, Demolition and Construction, particularly if the alternative SUD location is to be utilised. They welcome the incorporation of tree planting in the proposed indicative soft landscaping areas.
- 83 Overall, the proposal at this stage of the planning process accords with LDP2 Policy 40 - Forestry, Woodland and Trees and Policy 41: Biodiversity.

Contaminated Land

- 84 A Phase 1 Contaminated Land Assessment has been completed for the proposed development site. This has identified the potential for contamination as a result of previous development on the site. The report recommends that further investigation is required in order to assess any risks from contamination. This assessment requires to be carried out prior to development commencing. The Council's Land Quality Officer has reviewed the assessment and is in agreement with its findings and recommends conditions to be applied to ensure compliance with LDP2 Policy 58 – Contaminated and Unstable Land (Conditions 2 (xv) and 11).

Developer Contributions

- 85 The Council's Developer Contributions Officer has confirmed that the site is not located within the Transport Infrastructure contributions zone. Therefore, no developer contributions are required, and proposal does not conflict with LDP2 Policy 5 – Developer Contributions.
- 86 This does not prejudice other potential site-specific mitigation which may be sought by other consultees.

Waste Collection

- 87 No issues have been identified by the Council's Commercial Waste Services team.

Health and Safety

- 88 Dundee Airport have confirmed they have no objection to the proposal in terms of impact on their operations, provided no building will exceed 15 metres in height. Condition 3 will address this advice and ensure compliance with LDP2 Policy 61 – Airfield Safeguarding.

Economic Impact

- 89 The James Hutton Institute is a global leader in crop research and development, and a provider of education and skills development. As such the Institute is a strategic partner in the development and delivery of food and drink initiatives and projects approved by UK and Scottish Governments within the Tay Cities Deal, including in excess of £60m government investment towards the International Barley Hub and the Advanced Plant Growth Centre.
- 90 PKC has worked closely with the Institute on the development of both of these projects and has been an active member of their Industry Advisory Group. These projects, along with significant others undertaken by the Institute, deliver on a number of the key, strategic ambitions set out within the Tay Cities Region Economic Strategy 2019-2039: encouraging, supporting and investing in research, innovation and collaboration to improve efficiency, productivity, sustainability, business growth, new opportunities and higher paid jobs. Dundee City Council have confirmed they are supportive of the proposal.

- 91 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.

LEGAL AGREEMENTS

- 92 None required as there are no developer contributions, core path or open space maintenance requirements.

DIRECTION BY SCOTTISH MINISTERS

- 93 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 94 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, I have taken account of the Local Development Plan and material considerations and in this case, I am content that the development proposed does not conflict with the Development Plan.
- 95 The proposed uses will be largely contained within the existing campus and will not cause any adverse amenity or landscape impact for the surrounding area. The proposed location of development is considered to be in an acceptable location.
- 96 Accordingly, the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Approve the application Conditions and Reasons for Recommendation

- 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.

B JUSTIFICATION

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

C PROCEDURAL NOTES

None.

D 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.

Background Papers: None

Contact Officer: Steve Callan 01738 475337

Date: 5 November 2020

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.
--

All Council Services can offer a telephone translation facility.
--