

[REDACTED]

**From:** McDonald J (John)

**Sent:** 02 November 2017 10:40

**To:** Lennon G (Grainne); Wood HB (Helen)

**Cc:** [REDACTED]

**Subject:** M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudenarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

Hi Grainne & Helen,

Since we last spoke on the above, PKC appended an additional condition to the report to the Planning Committee on 18<sup>th</sup> October which was adopted (see attached email). Since then, the developer has written further to the Council seeking the removal of the proposed condition citing that it would impose a burden that could be a 'dealbreaker'. The developer was seeking a resolution by Friday 3 November 2017 as this was when he was meeting Taylor Wimpey and this would put that partnership in jeopardy.

[REDACTED]

In the meantime, the Council are going to speak with the developer and suggest that the Friday meeting be postponed in order to allow a meeting with the Council and Transport Scotland.

We'll keep you posted on what comes from the Council's discussion with the developer. Your early comments on the application of the condition would be appreciated.

Happy to discuss by conference call at your convenience.

John


**From:** McDonald J (John)

**Sent:** 02 November 2017 16:47

**To:** Wood HB (Helen); Wilson S (Stuart); REDACTED

**Cc:** 

**Subject:** RE: M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudenarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

Can I suggest the minor variation to cover timing?

**Development at Oudenarde – strategic road network** - The following is for Cab Sec's awareness in case Cllr Campbell raises it in discussions.

- At earlier stages in the planning process for development at Oudenarde, Transport Scotland had responded that trunk road mitigation is necessary,
- The Council had not followed this through and had omitted to attach a condition relating to such mitigation in committee report for recent AMSC application for part of the site.
- PAD officials sought to facilitate discussion between TS and PKC to ensure that appropriate conditions are attached to consents for development at Oudenarde:.
- PAD, TS, and the Council held a teleconference call on 13 October, at which TS brought the omission to the planning authority's attention having previously raised the matter in January
- Following this, PKC made the developer aware of its intention to attach a condition requiring mitigation.
- TS remains in contact with the Council, helping to support them on this matter

Thanks,

John

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**From:** Wood HB (Helen)

**Sent:** 02 November 2017 16:41

**To:** Wilson S (Stuart); McDonald J (John)

**Cc:** 

**Subject:** RE: M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudenarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

Thanks Stuart

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**From:** Wilson S (Stuart)

**Sent:** 02 November 2017 16:34

**To:** Wood HB (Helen); McDonald J (John)

**Cc:** REDACTED Mackay M (Morag); REDACTED Lennon G (Grainne); REDACTED REDACTED

**Subject:** RE: M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudenarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

Hi Helen,

Would probably add as a last point that we remain in contact with the Council, helping to support them on this matter.

**REDACT**  
**REDACT**

Can you look at how best this might be reflected in a response to **REDACT** original request.

Stuart

---

**From:** Wood HB (Helen)  
**Sent:** 02 November 2017 16:29  
**To:** McDonald J (John); Wilson S (Stuart)  
**Cc:** REDACTED Mackay M (Morag); REDACTED Lennon G (Grainne); REDACTED REDACTED  
**Subject:** RE: M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudenarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

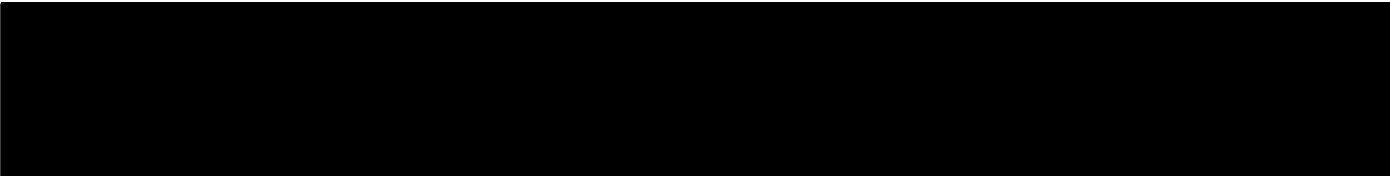
John, Stuart

I agree a short note for KB's awareness would be helpful – the following is a very quick first cut – could you amend/add to this?

**Development at Oudenarde – strategic road network** - The following is for Cab Sec's awareness in case Cllr Campbell raises it in discussions.

- At earlier stages in the planning process for development at Oudenarde, Transport Scotland had commented that trunk road mitigation is necessary,
- The Council had not followed this through and had omitted to attach a condition relating to such mitigation in committee report for recent AMSC application for part of the site.
- PAD officials sought to facilitate discussion between TS and PKC to ensure that appropriate conditions are attached to consents for development at Oudenarde:.
- PAD, TS, and the Council held a teleconference call on 13 October, at which TS brought the omission to the planning authority's attention
- Following this, PKC made the developer aware of its intention to attach a condition requiring mitigation.

Helen



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**From:** Wilson S (Stuart)  
**Sent:** 02 November 2017 16:04  
**To:** McDonald J (John); Lennon G (Grainne); REDACTEDREDACTED  
**Cc:** REDACTED Mackay M (Morag); Wood HB (Helen); REDACTED  
**Subject:** RE: M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudendarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

Folks,

For awareness, Keith Brown MSP is meeting the leading of P&K next Wednesday in Perth, principally on city deal, but worth noting other matters may come up.

Should we look at an inclusion for the brief, based around John's summary below?

Stuart

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**From:** McDonald J (John)  
**Sent:** 02 November 2017 16:01  
**To:** Lennon G (Grainne)  
**Cc:** REDACTED Mackay M (Morag); Wilson S (Stuart); Wood HB (Helen)  
**Subject:** RE: M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudendarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

Grainne,

We've had not further contact since yesterday. The planning team have, so far, heeded TS' concerns and position regarding the road safety implications of such a scale of development not being mitigated but haven't committed to how they will ultimately "go". They were to have further discussions with their legal advisors.

We'll keep you posted.

Thanks,

John


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**From:** Lennon G (Grainne)  
**Sent:** 02 November 2017 15:54  
**To:** McDonald J (John); Wood HB (Helen)  
**Cc:** REDACTED Mackay M (Morag); Wilson S (Stuart)  
**Subject:** RE: M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudendarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

Hi John,

While the condition would be a main focus, a reporter would look at the whole application again in the round.

We cannot provide the council with legal advice. Do we know what the their latest position is?



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**From:** Lennon G (Grainne)  
**Sent:** 06 November 2017 11:57  
**To:** McDonald J (John)  
**Cc:** REDACTED Mackay M (Morag); Wilson S (Stuart); Wood HB (Helen)  
**Subject:** RE: M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudenarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

Thanks John, do you have anything in writing from the Council that goes into this matter in more detail? We previously sought advice from colleagues on the principle of attaching conditions to an AMSC. Is the Councils issue that the specific conditions being requested in this case are unlawful?

Thanks  
G

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**From:** McDonald J (John)  
**Sent:** 06 November 2017 10:35  
**To:** Lennon G (Grainne)  
**Cc:** REDACTED Mackay M (Morag); Wilson S (Stuart); Wood HB (Helen)  
**Subject:** RE: M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudenarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

Hi Grainne,

Your comments are noted on advising the Council, however, we are seeking some further confirmation that the position we have taken on the condition being appended at this stage (MSC) is considered legal and appropriate by SG.

I am waiting for an update from PKC on where things are. As I understand it there have been emails and a telephone conversation between REDACTED and the developer and some admission by the developer on financial shortfalls but whether this has extended as far as the developer standing down on his position I can't comment until I hear. I'll keep you posted.

Many thanks for your and Helen's assistance to date,

John



[Redacted]

**From:** McDonald J (John)  
**Sent:** 20 November 2017 16:32  
**To:** Wilson S (Stuart); Mackay M (Morag); **REDACTED** Wood HB (Helen); Lennon G (Grainne)  
**Subject:** FW: GS Brown Letter  
**Attachments:** GS Brown Letter 10-11-17.pdf; RE: M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudenarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown

All,

I contacted Euan McLaughlin at PKC today since I was most surprised for there to have been no further correspondence whilst I was on holiday. There has been a further letter from GS Brown to the Council which is attached. **REDACTED** has not yet been in contact. **REDACTEDREDACTEDREDACTEDREDACTEDREDACTED**

[Redacted]

It would, therefore, be useful if Grainne and/or Helen could give some consideration on a more definitive response to my query from 6 November on the SG position on the competence of such a condition.

John

[Redacted]

[Redacted]

[REDACTED]

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**From:** Lennon G (Grainne)  
**Sent:** 11 January 2018 17:03  
**To:** Wilson S (Stuart); McDonald J (John)  
**Cc:** REDACTED Mackay M (Morag); Wood HB (Helen)  
**Subject:** RE: 16/01256/AMM Erection of 159 dwellinghouses Oudenarde

The short term solution is to get the Council to postpone the application going to committee on Wed. This allows some breathing room for the main parties to get together and have a proper discussion around the way forward. The Council are being pressured by the developer to reach a decision. But any intervention we have at our disposal would cause significant delays.

I'll let you know how I get on.

Thanks  
G

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**From:** Wilson S (Stuart)  
**Sent:** 11 January 2018 16:51  
**To:** McDonald J (John); Lennon G (Grainne)  
**Cc:** REDACTED Mackay M (Morag); Wood HB (Helen)  
**Subject:** RE: 16/01256/AMM Erection of 159 dwellinghouses Oudenarde

Hi Grainne,

Morag and Denise spoke with Mr Yousaf today. He has asked for an update on Monday.

Regards,

Stuart

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**From:** McDonald J (John)  
**Sent:** 11 January 2018 16:46  
**To:** Lennon G (Grainne)  
**Cc:** REDACTED Wilson S (Stuart); Mackay M (Morag); Wood HB (Helen)  
**Subject:** RE: 16/01256/AMM Erection of 159 dwellinghouses Oudenarde

Grainne,

We are meeting REDACTED of REDACTED:omorrow afternoon.

John

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**From:** Lennon G (Grainne)  
**Sent:** 11 January 2018 16:43  
**To:** McDonald J (John)  
**Cc:** REDACTED Wilson S (Stuart); Mackay M (Morag); Wood HB (Helen)  
**Subject:** RE: 16/01256/AMM Erection of 159 dwellinghouses Oudenarde

John,

Have your solicitors got back to you with legal advice? **REDACTEDREDACTEDREDACTED**

Thanks  
Grainne

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**From:** McDonald J (John)  
**Sent:** 09 January 2018 16:02  
**To:** Wood HB (Helen); Lennon G (Grainne)  
**Cc:** **REDACTED** Wilson S (Stuart); Mackay M (Morag)  
**Subject:** FW: 16/01256/AMM Erection of 159 dwellinghouses Oudenarde  
**Importance:** High

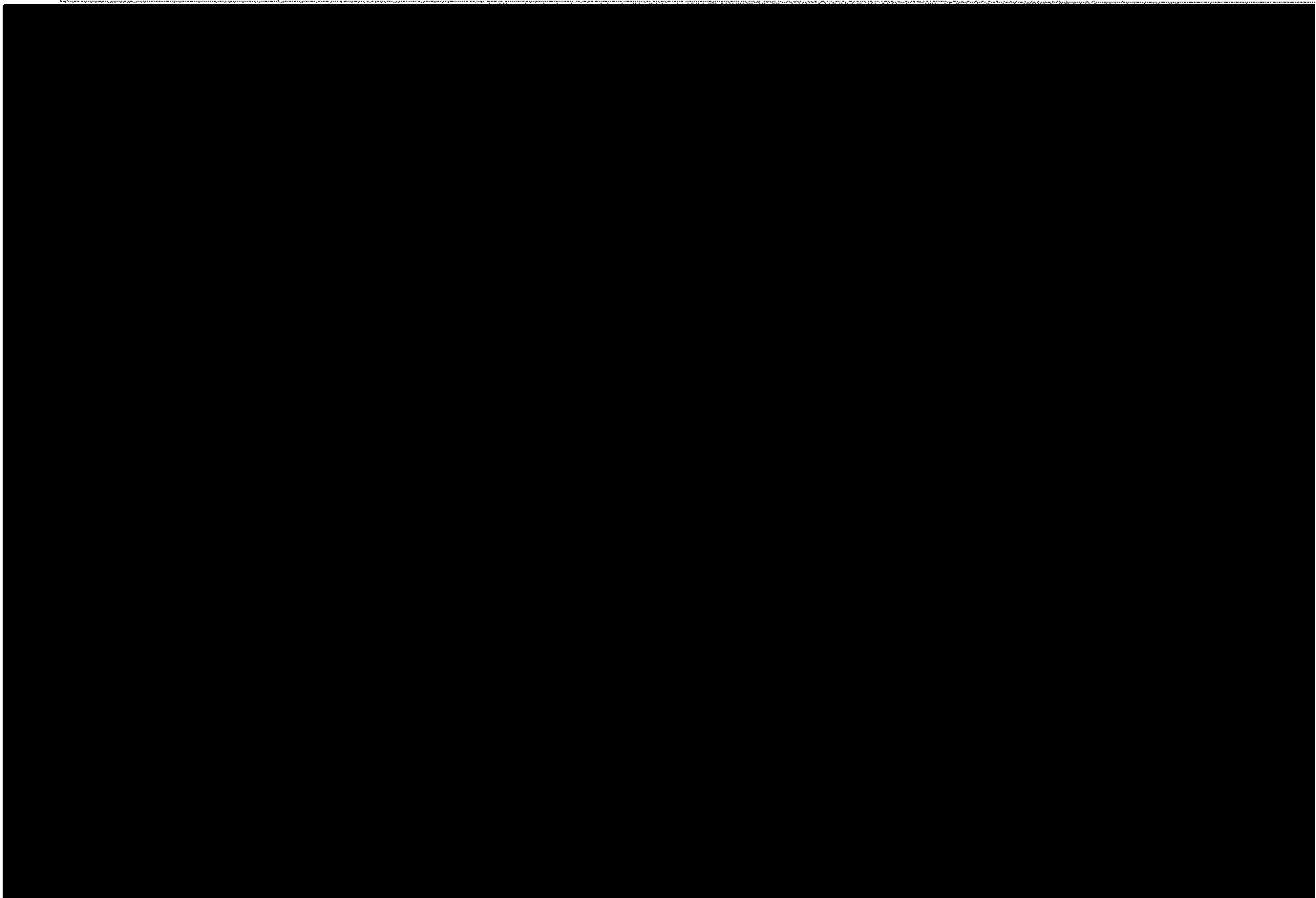
Helen / Grainne

Please find below an email from **REDACTEDREDACTEDREDACTED** and the related Committee paper for the 17 January.


We would be grateful for further advice on avenues open to Transport Scotland and what support PAD may be in a position to offer in view of the Council's position. We are also seeking legal advice on matters relating to the s75 and the Council's stance.

Many thanks,

John







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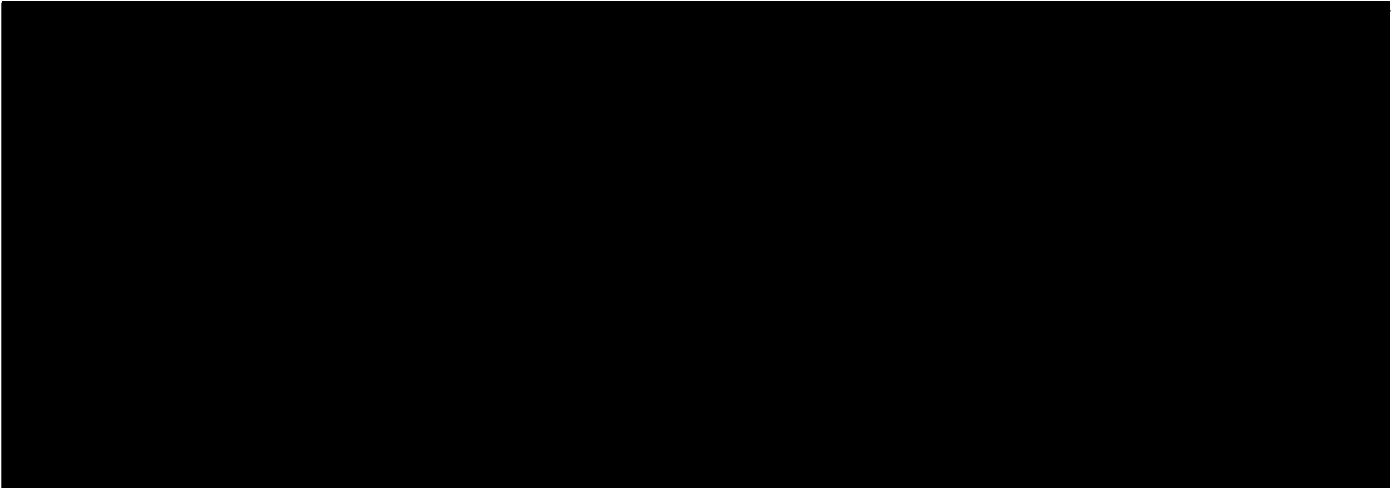
**From:** Wilson S (Stuart)  
**Sent:** 11 January 2018 10:30  
**To:** Wood HB (Helen); Lennon G (Grainne)  
**Cc:** **REDACTED** McDonald J (John); Mackay M (Morag)  
**Subject:** FW: Oudenarde Press

Folks,

For awareness. Our understanding is that the Council's input to this press statement is wrong, in so far as the required infrastructure is in the masterplan.

Regards,

Stuart



[REDACTED]

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**From:** McDonald J (John)  
**Sent:** 15 January 2018 10:16  
**To:** [REDACTED]  
**Subject:** [REDACTED]  
**Attachments:** [REDACTED]

Helen / Grainne,

For information as received from **REDACTED**

John

**From:** REDACTEDREDACTED on behalf of Minister for Local Government and Housing  
**Sent:** 16 January 2018 17:22  
**To:** Lennon G (Grainne); Minister for Local Government and Housing  
**Cc:** Minister for Transport and the Islands; McDonald J (John); Mackay M (Morag);  
REDACTED Wood HB (Helen); Chief Planner; REDACTED Wilson S  
(Stuart)  
**Subject:** RE: For action - Oudendarde

Grainne

As discussed Mr Stewart is content for you to call in the application.

Thanks

REDACTED

Assistant Private Secretary  
Office of Minister for Local Government and Housing  
The Scottish Government  
St Andrews House, Regent Road, Edinburgh, EH1 3DG  
REDACTED

All e-mails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the primary recipient. Private Offices do not keep official records of such e-mails or attachments.

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**From:** Lennon G (Grainne)  
**Sent:** 16 January 2018 14:36  
**To:** Minister for Local Government and Housing  
**Cc:** Minister for Transport and the Islands; McDonald J (John); Mackay M (Morag); REDACTED Wood HB  
(Helen); Chief Planner; REDACTED Wilson S (Stuart)  
**Subject:** For action - Oudendarde

REDACTE  
REDACTE please see the below note for Mr Stewarts consideration and action. Apologies for the short notice but I would be grateful for a response by **close of play today.**

**RE: The Erection of 159 dwelling houses with associated roads, drainage and landscaping on land to the North Of A912 At Oudendarde Bridge Of Earn (Phase 2).**

#### Issue

- Perth and Kinross Council (PKC) planning committee is due to consider the above application for approval of Matters Specified in Conditions on Wednesday 17th January, and propose to remove a condition which Transport Scotland considers essential to road safety by ensuring mitigation of impacts on trunk road infrastructure.
- Transport Scotland (TS) had recommended conditions be attached to planning permission in principle (PPP) requiring mitigation works to the trunk road in the interests of maintaining road safety. The PPP was for the formation of residential, commercial and industrial development including up to 1200 residential (02/01482/OUT).
- When PKC finalised the PPP decision notice and related s.75 in Sep 2016, conditions which had been recommended by TS were not attached. We understand that the omission was due to procedural errors by the Council.

## Background

- TS was unaware of the omission until they were consulted on the above AMSC application in Jan 2017. (AMSCs relate to conditions attached to planning permission in principle requiring the further approval of the planning authority for any detailed aspect of the development.)
- In Oct 2017 PAD facilitated discussions between TS and PKC at which TS brought the omission to the planning authority's attention having previously raised the matter in January. PKC subsequently attached TS required mitigation condition to the current AMSC order to rectify this situation which was approved at committee on 18 Oct.
- Following this the developer and Council sought legal opinion that TS condition was not valid and should be removed. This is based the legality of appending a condition that does not relate to a matter specified in the AMSC condition in the PPP.
- The applicant is aware of these mitigation obligations and has a Minute of Agreement with Transport Scotland for these works. A Minute of Agreement does not, however, have the same means of obliging the other party to implement works as is afforded by a planning condition or s75 Agreement.
- As such the AMSC is due to go to committee Wednesday 17 January at 10am to remove TS condition. PKC have offered no other solution in order resolve the developer's contribution and delivery of required mitigation works on trunk road network for this strategic site.
- Unlike for a planning application, because this is an AMSC approval, the planning authority is not required to notify Ministers if they intend to grant consent in the face of an objection from TS.


## Next Steps

- Based on TS concerns, it is recommended that **Ministers call-in this application**. This will allow Ministers time to consider the issues further in discussion with main parties to see if a resolution can be reached. Attached is the proposed call-in letter and direction.

**Copy recipients should note that planning decisions are for the Planning Minister alone; or where relevant for planning officials acting under delegated authority. It is copied to others for information only and should not be copied any further.**

Grainne Lennon | Planning Decisions | Planning & Architecture | Scottish Government

 | [gov.scot](http://gov.scot)      Development.scot



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**From:** Wilson S (Stuart)  
**Sent:** 16 January 2018 14:59  
**To:** Lennon G (Grainne); Wood HB (Helen)  
**Cc:** Mackay M (Morag); **REDACTED** McDonald J (John)  
**Subject:** FW: TS Letter to PKC re Oudenarde 160118

Hi Grainne, Helen,

Thanks for the heads up on the briefing to Mr Stewart.

Attached is the latter and e-mail I sent earlier today to P&K. Hugh spoke with Jim Valentine, which underpins his being copied.

Regards,

Stuart





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**From:** Lennon G (Grainne)  
**Sent:** 10 October 2017 17:08  
**To:** McDonald J (John); **REDACTED**  
**Subject:** Oudendarde meeting

John, **REDACTED**

We've have had a chat with PKC and hope to set up a meeting at the end of the week. Maybe Friday morning. I think they will be dialling in. Hopefully you will be available then. Given the amount of people on the phone it would be good if you could come here if possible...when we lock a date down.

**REDACTED** appeared to be confused about TS requirements being left out of the S.75 for the 2002 application which I thought was the whole basis for this mess in the first place?

Thanks  
G

Grainne Lennon | Senior Planner | Planning Decisions | Planning & Architecture | Scottish Government | **REDACTED**





-----Original Message-----

From: Lennon G (Grainne)

Sent: 09 October 2017 14:53

To: McDonald J (John)

Subject: FW: MACCS: New case 2017/0036310 allocated.

John - maccs case from **REDACTED**

Thanks

G

**From:** Mackay M (Morag)  
**Sent:** 18 January 2018 09:36  
**To:** Lennon G (Grainne); REDACTED McDonald J (John)  
**Cc:** Wilson S (Stuart); REDACTED REDACTED Chief Planner; Wood HB (Helen); REDACTED  
**Subject:** RE: URGENT: FMQ: New commission - Oudenarde project - Deadline 9.45am

Grainne

Please find enclosed a summary paragraph re our concerns. A lot of what we provided in our other points you have covered within the text already.

Regards

Morag



Oudenarde FMQ  
(3).docx



**Morag Mackay**  
Development Management and Strategic Road Safety Manager  
Trunk Road and Bus Operations

REDACTED  
REDACTED

F: 0141 272 7373

Transport Scotland  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF

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**From:** Mackay M (Morag)

**Sent:** 18 January 2018 09:28

**To:** REDACTEDREDACTED

**Cc:** Wilson S (Stuart); REDACTEDREDACTEDREDACTEDREDACTED Chief Planner; Lennon G (Grainne); Wood HB (Helen)

**Subject:** RE: URGENT: FMQ: New commission - Oudenarde project - Deadline 9.45am

REDACTED

Please find enclosed some bullet points for your consideration. We have highlighted sections in red which you may wish to consider where/if you want to include. If you require further input, let me know. Would ask for sight of draft to allow us to comment.

#### **When did Transport Scotland raise their concerns**

- Transport Scotland (TS) had recommended conditions be attached to planning permission in principle (PPP) requiring mitigation works to the trunk road in the interests of maintaining road safety in 2002. The PPP was for the formation of residential, commercial and industrial development including up to 1200 residential (02/01482/OUT).
- When PKC finalised the PPP decision notice and related s.75 in Sep 2016, conditions which had been recommended by TS were not attached to either document. PKC, contrary to requirements, did not inform the Scottish Ministers or Transport Scotland of the omission of the recommended conditions when granting permission.
- TS was unaware of the omission until they were consulted on the above AMSC application in Jan 2017 which triggered the requirement for works to the M90 due to numbers of dwellings
- TS did not object to the AMSC application but sought discussion on the reinstatement of the previously agreed conditions. REDACTEDREDACTEDREDACTEDREDACTEDREDACTED  
REDACTEDREDACTEDREDACTEDREDACTEDREDACTEDREDACTEDREDACTEDREDACTEDREDACTED

REDACTED

#### **Will people's jobs be affected?**

There is no reason that jobs should be affected. Although the conditions were omitted from the PPP by Perth and Kinross Council, there has always been an understanding between parties that these works were required and indeed there is a signed Minute of Agreement in place between the Developer and Transport Scotland to carry out the mitigation measures as required under by the conditions.



**Morag Mackay**  
Development Management and Strategic Road Safety Manager  
Trunk Road and Bus Operations

**REDACTED**  
**REDACTED**

F: 0141 272 7373

Transport Scotland  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF

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**From:** Murray LMA (Lyndsey)  
**Sent:** 18 January 2018 08:27  
**To:** Mackay M (Morag)  
**Cc:** Wilson S (Stuart); Angus D (Denise); Lyall A (Amy); McNairney J (John); Chief Planner; Lennon G (Grainne); Wood HB (Helen)  
**Subject:** RE: URGENT: FMQ: New commission - Oudenarde project - Deadline 9.45am

Morag

I will pick this up just now.

Grateful for your lines as soon as possible and then we can circulate the draft FMQ when prepared.

Thanks

Lyndsey

Lyndsey Murray | Planning Decisions | Planning & Architecture | Scottish Government

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**From:** Mackay M (Morag)  
**Sent:** 18 January 2018 08:21  
**To:** Murray LMA (Lyndsey)  
**Cc:** Wilson S (Stuart); Angus D (Denise); Lyall A (Amy)

REDACTEDREDACTED  
REDACTEDREDACTED

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**From:** McDonald J (John)  
**Sent:** 30 January 2018 15:48  
**To:** Wood HB (Helen)  
**Cc:** Wilson S (Stuart); Mackay M (Morag); REDACTED  
**Subject:** M90 - NE/10/2017 - Perth and Kinross - 16/02156/AMM - Residential - Oudenarde, Bridge of Earn - Taylor Wimpey East Scotland And GS Brown  
**Attachments:** A17942281.obr; A19305327.obr

Hi Helen,

The s75 as supplied by PKC can be found at objective ref A17942281 as attached. A copy of the Minute of Agreement for the mitigation works can be found at objective ref A19305327 also as attached. I will also seek to obtain the original signed copy from storage.

Regards,

John

**John McDonald**

Development Management  
Network Operations  
Trunk Road and Bus Operations

REDACTED  
REDACTED  
REDACTED  
F: 0141 272 7350

Transport Scotland  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF

[transport.gov.scot](http://transport.gov.scot)



Transport Scotland, the national transport agency  
*Còmh dhail Alba, buidheann nàiseanta na còmh dhail*

REDACTEDREDACTED

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**From:** McDonald J (John)  
**Sent:** 01 February 2018 11:19  
**To:** Wood HB (Helen)  
**Cc:** Wilson S (Stuart); REDACTED Mackay M (Morag); REDACTED Murray  
REDACTEDREDACTED  
**Subject:** RE: For action - Oudenarde  
**Attachments:** Oudenarde Timeline 010218.docx

Hi Helen,

Please find attached a fairly comprehensive timeline where we have been inclusive of detail at this moment.

Happy to discuss.

John

**John McDonald**

Development Management  
Network Operations  
Trunk Road and Bus Operations

REDACTED  
REDACTED  
REDACTED

F: 0141 272 7350

Transport Scotland  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF

[transport.gov.scot](http://transport.gov.scot)



Transport Scotland, the national transport agency  
*Còmhdaill Alba, buidheann nàiseanta na còmhdaill*

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**From:** Wood HB (Helen)  
**Sent:** 30 January 2018 17:04  
**To:** McDonald J (John); Mackay M (Morag); REDACTEDREDACTEDREDACTED Smith J (Jane)  
**Cc:** Wilson S (Stuart); McNairney J (John); REDACTEDREDACTEDREDACTED  
**Subject:** FW: For action - Oudenarde

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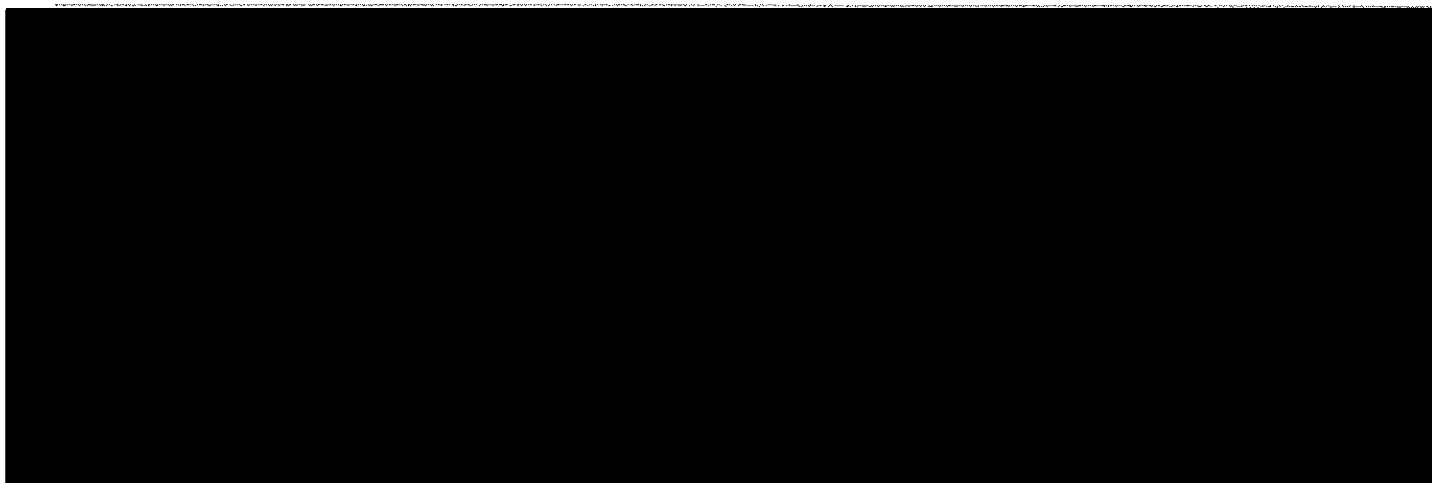
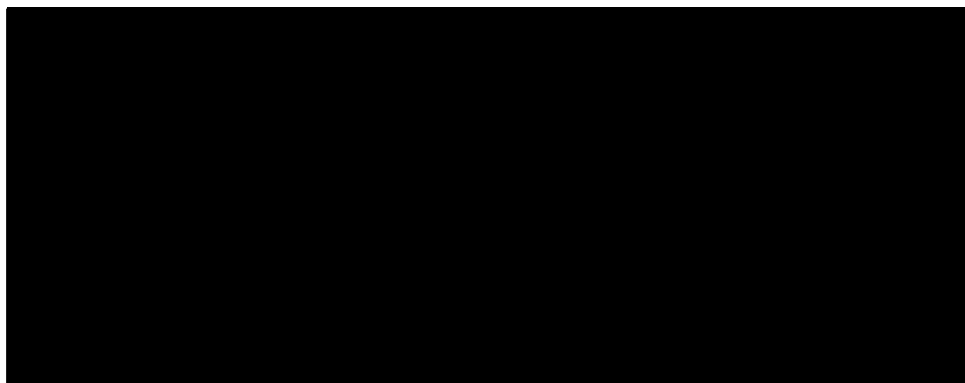
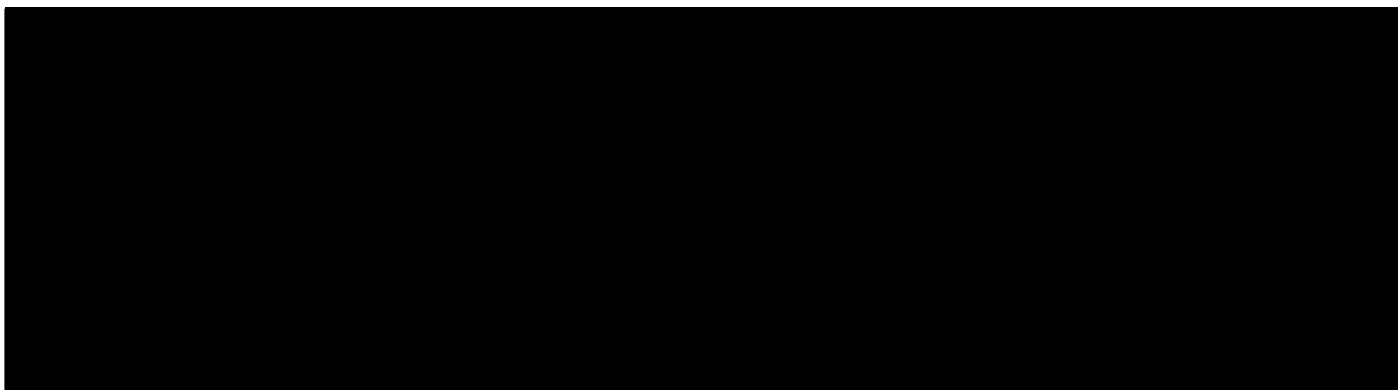
You'll have seen the request from private office. I'm out of the office tomorrow, but could I ask you and colleagues to assist in getting the ball rolling on setting out information on the Oudenarde development in the form of a timeline of key dates? Ideally we can then liaise on Thursday to add details on more recent involvement of PAD, SG engagement with the council etc.

I hope that sounds ok - if you could include for example when the PPIp was under consideration and TS was consulted, issue of PPIp and related s75, when TS became aware of the omission of their requested condition, when TS were consulted on AMSC, date of minute of agreement, etc

Many thanks

Helen

| Date (e.g. month and year) | Action |
|----------------------------|--------|
|                            |        |
|                            |        |
|                            |        |
|                            |        |
|                            |        |
|                            |        |



|                |  |
|----------------|--|
|                | unsure of any recourse available to address their omission of these mitigation obligations.  |
| August 2017    | TS seek meeting with PKC and developer to discuss opportunities to resolve TS' concerns.   |
| August 2017    | PKC confirms that, whilst it's regrettable that some requested conditions were not imposed previously, they are of the view that they cannot retrospectively seek to impose them on a 'Matters Specified by Condition' application for a particular phase and on this basis they will be moving forward with a recommendation of approval and with an objection by Transport Scotland. |
| September 2017 | TS seeks PKC's assistance to broker meeting with the developer and advises that as the matter involves safety, Transport Scotland is obligated to pursue available avenues.  |
| September 2017 | PKC advises that the issue has been discussed with the applicant and they are not willing to alter things as they have their In Principle permission and a signed S75 legal agreement in place.  |
| October 2017   | PAD brokered conference call with PKC.   |
| October 2017   | PKC advise that it would the intention to update the Planning & Development Management Committee of additional condition when it considers the application at its meeting on 18 October 2017.  |
| October 2017   | MACCS case received from G S Brown. Response issued 30 October.  |
| November 2017  | PKC advises TS of letter from GS Brown. <b>REDACTEDREDACTED REDACTEDREDACTEDREDACTEDREDACTEDREDACTEDREDACTED REDACTEDREDACTEDREDACTED</b>  |
| January 2018   | PKC advises TS of recommendation to go to Committee on 17 January 2018 to withdraw AMSC condition.   |
| January 2018   | TS issue letter to PKC stressing concerns regarding the road safety implications of not implementing the agreed mitigation works and the potential precedent these circumstances may set for future applications with impacts on the strategic transport network. TS ask that Committee be known of content of letter.   |
| January 2018   | TS advised by PAD that application <b>16/02156/AMM</b> has been called in by the Scottish Ministers for determination.   |