



ENVIRONMENTAL SERVICES

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Our reference: DA/AG/LRB127

Your reference: MLRB0127/ACK

Chief Legal Officer
Per Mr D Westmacott
Committee Services
The Moray Council
High Street
ELGIN
IV30 1BX

16 November 2015

Dear Sir

TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008
REQUEST FOR REVIEW: PLANNING APPLICATION 15/00705/APP – ERECTION OF DWELLINGHOUSE AT BERRYHILLOCK, GRANGE, KEITH

I refer to your further information request letter dated 03 November 2015.

I write on behalf of the Transportation Manager with a response to the 'further information' request in relation to the status of existing passing places on the C46H Grange Crossroads – Fortry Crossroads Road and in particular the passing place 400m to the north-west of the site.

I can confirm that upgrading of the hardcore area on the C46H Grange Crossroads – Fortry Crossroads Road approximately 400m to the north-west of the site (see Appendix 1, Site C) has recently taken place and a passing place which forms part of the public road is now present at this location.

However the other two locations identified by the appellant in their submission are not formal passing places.

At Site B (see Appendix 1) there is an existing unmade private access which may be used by vehicles to allow a passing manoeuvre. However this is **not** a formal Passing Place.

It should be noted that vehicles are permitted to park within private accesses, thereby removing the opportunity for informal passing to take place. The use of unmade private accesses by passing vehicles can lead to deterioration of the edge of the public road and should therefore not be encouraged. Additionally, private accesses are not part of the public road and may be closed at anytime by the landowner.

The appellant has also suggested that the Grange Crossroads – Fortry Crossroads Road/ C6H Thornton – Fortry Road junction is available for use as a passing place (Site A).

Nicola Moss – Transportation Manager



Certificate GB13/89299

Whilst this junction may permit vehicles to pass each other, there is insufficient space to accommodate the passing of larger vehicles (agricultural vehicles, heavy good vehicles). There is a risk of collisions taking place with vehicles stopping within the junction to enable another vehicle to pass and verge overrun (damage) by vehicles is clearly visible at this location. Vehicles are using this location to pass through necessity due to the limited number of other passing opportunities and their significant distances apart.

The appellant has suggested that their development access lay-by would serve as a passing place. However access lay-bys and passing places serve different purposes. The definitions of access lay-bys and passing places are provided in the Moray Council guidance document Transportation Service Requirements for Local Developments in the Countryside, an extract from which is provided at the end of this letter.

On rural roads passing places should be inter-visible and be ideally no more than 150 meters apart. This enables vehicles to stop at the passing place when seeing an approaching vehicle and minimises the distance required for a vehicle to reverse to a passing place.

The C46H Grange Crossroads – Fortry Crossroads Road is a single carriageway rural road and is approximately 3.0 metres in width for its length. The distance between the formal passing place at Location C and the private access at location B is in excess of 300 metres. Similarly the distance between the private access at location B and the junction of the C46H and the C6H is in excess of 300 metres.

Transportation would like to re-affirm the requirement for the applicant to provide a formal Passing Place on the public road as set out in Condition 4 of planning permission 15/00705/APP (see below for copy of condition) to enable two vehicles to safely pass each other ensuring the safety and free flow of traffic on the public road.

Yours faithfully



Diane Anderson
Senior Engineer

Enclosures : .

Appendix 1 Map indicating Passing Place locations suggested by Appellant

Extract from The Moray Council Transportation Service Requirements for Local Developments in the Countryside

Definitions:

Access Lay-by

Area running parallel to the carriageway to enable vehicles servicing properties (i.e. post/delivery/refuse collection vehicles etc) to stop/wait and avoid disrupting or blocking traffic on the road. These areas are different from passing places and are not maintained by the roads authority.

Passing Place

A section of carriageway that is wide enough to enable vehicles to pass each other on a single track road. It is part of the adopted road and is marked by specified road signs.

Planning Condition 4

Prior to any development works commencing:

- i) a detailed drawing (scale 1:500) showing the location and design of a passing place on the C46H Grange Crossroads-Fortry Crossroads Road (to the Moray Council standards and specification), shall be submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority; and
- ii) thereafter the passing place shall be constructed in accordance with the approved drawing prior to any development works commencing (except for those works associated with the provision of the passing place).

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