



ENVIRONMENTAL SERVICES

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Our reference: DA/LRB144

Your reference: DW/LR144

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

13 April 2016

Dear Sir

**TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008
REQUEST FOR REVIEW: PLANNING APPLICATION 15/01656/PPP REPLACEMENT OF EXISTING BUILDING TO FORM TWO DWELLINGS ON THE SITE AT REAR OF ST ANDREWS SCHOOL LHANBRYDE - REQUEST FOR CLARIFICATION**

I refer to your letter dated 31 March 2016.

I respond on behalf of the Transportation Manager with respect to providing the clarification sought in the above letter. Transportation was consulted on the above planning application on the basis that two dwellings were to be developed. Transportation received no further consultation when the proposed development was reduced to a single dwelling.

Transportation's response to LRB 144 dated 2 February 2016 was therefore based on the visibility splay requirements for a new access onto the public road to serve multiple dwellings. I can confirm that as the number of dwellings has now been reduced to a single dwelling, the visibility splay requirements in terms of the 'x' distance can be reduced from 4.5 metres to 2.4 metres.

We have undertaken an additional site visit on this basis and our observations are set out in the attached representation and associated documents.

Yours faithfully



Diane Anderson
Senior Engineer

Enclosures : See over.

Nicola Moss – Transportation Manager



Certificate GB13/89299

LRB # 144 Transportation Response Issued 13 April 2016
TMC01 Site Photographs April 2016
TMC02 Annotated extract from Drawing 1048823/PL01RevA showing areas required
to provide 2.4 metres by 215 metres visibility splay.

Local Review**LRB Ref 144****Planning Application Reference 15/ 01656/ PPP Site at Rear of St Andrews School
Lhanbryde****Response from Transportation, Moray Council to Request for Clarification**

1. This document is in response to the request for clarification sought by the Moray Local Review Body dated 31 March 2016 and sets out observations by Transportation on the reduction of the number of proposed dwellings from two to one.
2. This review concerns outline planning application 15/01656/PPP which includes the formation of a new access onto the B9103 Lossiemouth – Sherriffston Road. Transportation has previously submitted documentation to the Local Review Body which contains the consultation responses and original site visit photographs for the above planning application. A further site visit was undertaken on 13 April 2016 which has confirmed that there had been no material changes to the road network in the intervening period. However the large mature hedge which runs along the western boundary of the land under the control of the appellant has recently been cut back.
3. The recent maintenance of the hedge has enabled measurements to be taken which confirm that the base of the hedge is located some 1.1 – 1.4 metres from the edge of the carriageway. Although the hedge has been cut back, it continues to obstruct the required visibility splay for the proposed new access. To form the required visibility splay the mature hedge would need to be removed, with any replacement planting sited at least 3 metres behind the visibility splay.
4. Beyond the site, to the north-east, the boundary fence for the adjacent property is close to the edge of the carriageway. The visibility splay here is obstructed by vegetation and mature trees within the adjacent grounds of the property. The visibility to the north-east is also restricted by vegetation out with the road verge on the inside of the bend on the opposite side of the road. Photographs taken during the site visit are attached (TMC01).
5. The required visibility splay for the proposed development is 2.4 x 215m visibility splay in both directions (based on vehicle speeds of 60mph). Drawing no. 1048823/PL01 RevA, submitted as part of the planning application, shows visibility splays of 2.4m x 215m in both directions at the proposed new access. However the drawing does not show the correct area for the visibility splay, as the splay to the north-east has not been shown tangentially to the bend in the road.
6. An annotated extract from drawing no. 1048823/PL01RevA is attached (TMC02) which provides an indication of the required 2.4 metres by 215 metres visibility splay. This drawing clearly indicates the areas of ground where the splay lies out with the site and the road verge (third party land) within which there are obstructions to the line of sight. The applicant has not provided any evidence of control over these areas to remove the obstructions and undertake future maintenance of the visibility splay.

Local Review

LRB Ref 144

**Planning Application Reference 15/ 01656/ PPP Site at Rear of St Andrews School
Lhanbryde**

7. Visibility splays for private accesses onto the public road are required to ensure that there is adequate inter-visibility between vehicles on the public road and a vehicle at the private access onto the public road. If a development involves the formation of a new vehicular access onto the public road where visibility is severely restricted by adjacent hedges/trees/walls/embankment/buildings/obstructions and would be likely to give rise to conditions detrimental to the road safety of road users, the development is contrary to Moray Local Plan policies T2 Provision of Access and IMP1 Development Requirements.
8. Transportation, respectfully, requests the MLRB to uphold the decision by the appointed officer. In particular on the grounds that Moray Local Plan Policy T2: Provision of Road Access is not satisfied.

Transportation
13 April 2016

Documents

TMC01	Site Photographs April 2016
TMC02	Annotated extract from Drawing 1048823/PL01RevA showing area required to provide 2.4 metres by 215 metres visibility splay.

TMC 01 – Site Photographs dated 13 April 2016



