

Lissa Rowan

From: Transport Develop
Sent: 02 March 2021 12:10
To: Lissa Rowan
Subject: LR253 20/01419/APP - Change of use from office workshop to kids club and fitness club at 14 Pinefield Parade, Elgin
Attachments: 20_01419_APP-LRB_-_SAFETY_STATEMENT-1330456 (1).docx

Hi Lissa,

LR253 20/01419/APP - Change of use from office workshop to kids club and fitness club at 14 Pinefield Parade, Elgin

I can confirm that Transportation included in their further representation response to the Local Review for this proposal, a statement relating to the updated 'Safety Statement' submitted by the applicant (statement re-attached for the benefit of clarity). The relevant paragraphs are highlighted below:

13. It is noted that a further supporting statement has been submitted, this time to support the Local Review. Whilst the proposals have now been amended to only include one to one sessions, and the use of a minibus to transport groups of children together, rather than by individual vehicles, Transportation considers that these measures would not be enforceable. Of particular concern would be if the unit was sold/rented to another operator in the future, that party may be unlikely to operate in a similar manner and comply with any condition. On the basis that any such condition is considered to be unenforceable, Transportation's objection still stands.
14. Transportation, respectfully, requests the MLRB to uphold the decision by the appointed officer. In particular on the grounds that policy DP1 'Development Principles' section (ii)- 'Transportation', part 'a)' (safe entry and exit) is not satisfied.

Transportation's position remains the same in that it is considered that the proposed operations (as indicated within the safety statement) would not in fact be enforceable and therefore the basis of Transportation's objection would still apply.

"Transportation considers that the proposal, if permitted, would be likely to give rise to conditions detrimental to the road safety of road users"

Kind regards
Andy

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