

grant and geoghegan

planning · development and architectural consultants

The Legal & Democratic Services Department
Moray Council
Council Offices
High Street
ELGIN
IV30 1BX

For the attention of Darren Westmacott

18 March 2015

Dear Sir,

Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2008

Notice of Review: Planning Application 14/01971/APP – Erect house and garage at Spey View, Dundurcas, Orton

We refer to your letter of 16 March 2015 regarding the above Notice for Review and have the following comments on the representations submitted by:

- Moray Council Transportation Manager
- Stephen Bowie
- Ann Wardlaw

Transportation Manager – The Moray Council

For the most part the comments of the Transportation Manager refer to the background to the application, policies and related supplementary guidance which have already been dealt with in the Grounds for Review.

The Grounds for Review make it clear that the proposal relates to a gap site within a long established group of 9 houses, 2 of which are located to the North East of the plot with the remaining 7 to the South West. With the exception of the property at the South West end of the group all of the remaining houses have vehicular accesses onto the public road. Information submitted with the Grounds for Review (Appendix 8) demonstrates that the standard of visibility achievable from the plot under review is consistent with that achievable at a number of the other existing properties in the group of houses containing the site.

There is nothing to suggest that the access arrangements of the existing properties are fundamentally flawed or hazardous requiring any mitigation, for example there is no reduced speed limit, solid white lines down the centre of the road or evidence of difficulties for residents such as mirrors opposite the accesses to assist entrance and exit. There are also street lights running along the entire length of the existing group of properties.

Although the Transportation Manager has referred to polices and standards he has not provided any evidence to refute the position advanced in the Grounds for Review; that there is nothing to suggest that the access arrangements for the existing group of properties is fundamentally flawed or hazardous. Indeed this is underlined by the comments of the Transportation Manager in paragraph 11 where he states that a review of speed limits undertaken by the Council, and reported to the Economic Development and Infrastructure Committee on 1 November 2011, did not identify the need for a reduction in the speed limit on the B9015 at this location. The Transportation Manager has also acknowledged in paragraph 18 that the accesses serving the existing properties are all longstanding.

It should also be noted that the first two photographs (A & B) provided by the Transportation Manager in his latest comments relate to a point at the North East end of the site, this is not the location of the proposed access. The third photograph (C) provided by the Transportation Manager shows the proposed location of the access at the South West end of the site and shows two strainer posts interfering with visibility. These are on ground controlled by the applicant and can be removed which can be ensured by planning conditions.

Comments by Stephen Bowie and Ann Wardlaw

Ann Wardlaw confirms that she does not oppose a house on the site but is concerned about the impact of having any large vehicles parked in front of her house whilst the proposed house is under construction. Construction management practices would ensure that this is not the case and this is a common issue requiring management on any site beside properties with existing accesses.

A similar point is made by Stephen Bowie.

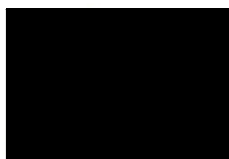
It should also be noted that unlike the existing properties referred to by Ann Wardlaw and Stephen Bowie the proposed site can accommodate a turning area within the plot so that vehicles can enter and leave the site in a forward gear.

Conclusions

The consistency of the access arrangements for the proposed plot with those of the existing group of houses within which the site is located, and the lack of any evidence by the Transportation Manager to show that these accesses are fundamentally flawed or hazardous are material planning considerations.

It is requested that the Review be allowed on the basis of the Grounds previously submitted and the above comments and that planning permission be granted subject to conditions as appropriate.

Yours faithfully,

A solid black rectangular box used to redact the signature of Neil Grant.

Neil Grant