



## Legal and Democratic Services

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Our Reference: DW/LR122  
Your Reference:

27 August 2015

Dear Mr Aitken,

### **Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008**

#### **Notice of Review: Planning Application 14/01905/APP – Provide 17 Outdoor Stalls and 5 Indoor Stalls for Weekly (Sunday) Car Boot Sale at Transition Town Forres, Bogton Road, Forres**

At the meeting of the Moray Local Review Body (MLRB) this morning (27 August 2015), it was agreed to defer consideration of the case to seek your view on the substance of the new evidence, as per my letter dated 19 June 2015, regarding comments by the Applicant that a Left In/Left Out junction arrangement would be acceptable to Transport Scotland.

In terms of Regulation 15 of the 2008 Regs, the MLRB seeks your view on the substance of the new evidence, a copy of which is enclosed with this notice. They seek confirmation of whether discussions have taken place with the Applicant, as intimated, and whether Transport Scotland would support the application if a Left In/Left Out junction arrangement was in place. If this is indeed the case, the MLRB would be obliged if Transport Scotland would provide their preferred wording for a planning condition to deal with the junction provision.

You can access the Notice of Review and associated documents at [http://www.moray.gov.uk/moray\\_standard/page\\_98859.html](http://www.moray.gov.uk/moray_standard/page_98859.html). Copies can also be made available for inspection, on request, at the Access Point, Council Office, High Street, Elgin.

In terms of the Regulations, you have 14 days from the date of this letter to make any observations as requested by the MLRB.

If you have any queries, please do not hesitate to contact me on the above details.

Yours sincerely,

Darren Westmacott  
Committee Services Officer  
Clerk to the Moray Local Review Body

Provide 17 outdoor stalls & 5 indoor stalls for weekly ( Sunday car boot sale) at Transition Town  
Forres Bogton rd Forres

Local review ref - LR122  
LA ref - 14/01905/APP

Response to representations to the LRB

Our responses to representations remain with no alterations apart from  
LR122 - 20150507 - letter from Transport Scotland - further representation pdf

with regards to -

"This was discussed at some length with the Council's planning officers and on 22 January 2015  
Transport Scotland confirmed these points in an email.

*"Our main concern is that, while we were willing to accept the occasional disruption to trunk road  
traffic caused by a monthly market (as per 09/01722/APP (NE/176/2009)) we are more concerned  
about this occurring weekly. However, even a monthly market would have been unacceptable  
without the access being widened to minimise the delays to traffic turning into the site from the  
trunk road (hence the suggested condition in 2009).*

*With regards to the application for a weekly market, Transport Scotland is, as previously stated,  
concerned about the frequency disruption is likely to occur to traffic on the trunk road but is willing  
to work with the Applicant to find a mutually acceptable solution. This may be a one-way system as  
suggested in my early response or perhaps a "left turn in" only system whereby traffic from the  
west would pass the site, turn around at the nearby roundabout and enter the site by turning left.  
This would remove the possibility of a right turn queue forming on the trunk road and its associated  
risk to traffic"*

and

"Further discussion followed between Transport Scotland, Council planning officers and the  
applicant when it was identified that the applicant was not prepared to implement this alteration to  
the junction. This was confirmed in an email to the Council's planning officers on the 17 March  
2015.

*"Transport Scotland is of the opinion that, if a "left-in / left-out" junction arrangement cannot be  
implemented we would recommend refusal of the application.*

*If the applicant had informed us of his/her final plan when initially notified this situation would not  
have arisen as we would have asked for this arrangement at the start instead of the access  
widening originally sought."*

and

"However, Transport Scotland would advise that we would be prepared to enter into discussions  
with the applicant to try and identify a way forward with this proposed application."

I can confirm that Transition Town Forres would be willing and eager to implement a Left in / Left  
out junction arrangement with appropriate signage to improve road safety on this section of the  
A96 & avoid both any queuing on the A96 of East bound traffic turning right into the site & any  
dangerous manoeuvres by traffic crossing the Westbound lane while exiting the site to travel East.  
this would improve road safety for all events hosted by Transition Town Forres & Forresian Firs.  
Discussions have begun with Transport Scotland & they have intimated that this junction  
arrangement would be acceptable.

Transition Town Forres respectfully requests that the LRB approve this appeal with a requirement  
to implement a Left in / Left out junction arrangement on the A96 Forres bypass to meet standards  
set by Transport Scotland.

L Chas Rodger  
Community Councillor Forres  
Trustee Transition Town Forres - reg charity no - SC040314