
Local Review**LRB Ref 139****Planning Application Reference 15/01330/APP Proposed dwellinghouse with garage on site 600m north of Mayne Farm, Elgin****Response from Transportation, Moray Council**

1. This document is in response to the Notice of Review and Grounds for Appeal submitted on behalf of Ms Hilary Anderson and sets out observations by Transportation on the application and the grounds for seeking a review.
2. This review concerns planning application 15/01330APP for the erection of a dwelling house on land within the Elgin R12 Knockmasting Wood designated site. The development would result in the formation of a new access onto the U90E Bilbohall Road. Transportation received the consultation for planning application 15/01380/APP on 30 July 2015. A copy of the consultation response is attached (TMC01).
3. Transportation's objections to the proposed dwelling house relate to the development access onto Bilbohall Road and the constrained access onto the wider public road network.
4. At the proposed site access, Bilbohall Road is a single track road. The end of the public road is some 77 metres to the south of site access. Beyond the end of the public road, there is a private road which serves 9 dwellings along with some farm buildings. To the north, the route to access the wider public road network is via a road bridge over the Aberdeen-Inverness Railway, which leads onto U171E Wards Road.
5. The bridge over the Aberdeen-Inverness Railway is narrow, wide enough for use by a single vehicle, with restricted forward visibility due to the vertical alignment of the road and the height of the bridge parapets. The junction of Bilbohall Road with Wards Road is in close proximity to the bridge, with space for only one vehicle to wait whilst on-coming vehicles pass over the narrow bridge.
6. The Moray Local Development Plan 2015 states that the Elgin K12 Knockmasting Wood site is constrained until road improvements TSP3, 21, 22, 23 and 24 can be provided along with connectivity to adjacent development and routes to schools. A list of the relevant TSPs is attached as TMC02.
7. This constraint also applies to development on designated site R1 Bilbohall North (planning permission 04/00476/FUL), which remains partially completed until road improvements TSP3, 21, 22, 23 and 24 have been provided.
8. The appellant has indicated that there is land under their control which could enable the provision of an access onto the Bilbohall Road to meet the required standards. However significant earthworks would be required to lower ground levels to enable the provision of an acceptable visibility splay, as the level of the road falls steeply to the north and embankments are present on both sides of the road. The appellant's ability to provide a safe and suitable access remains at this time unproven and the impact of the earthworks on the surrounding landscape and environment have not been assessed.

Local Review**LRB Ref 139****Planning Application Reference 15/01330/APP Proposed dwellinghouse with garage on site 600m north of Mayne Farm, Elgin**

9. Whilst there may be scope to address the provision of a safe and suitable access onto Bilbohall Road (which would need to be the subject of a new planning application), the narrow bridge over the Aberdeen-Inverness Railway would remain a constraint.
10. The existence of this constraint on the public road access serving the site is a matter of fact. However, the intensification of use of which this proposal would engender would be detrimental to road safety. Transportation considers that development on this site is premature until alternative access arrangements are provided which would allow the closure of the narrow railway bridge and the Wards Road/Bilbohall Road junction to vehicular traffic, as set out in the Moray Local Development Plan 2015.
11. The proposed development would lead to an intensification of use of an existing public road which is constrained by a narrow bridge over the Aberdeen-Inverness Railway route. Furthermore at this time the appellant's ability to provide a safe and suitable access remains at this time unproven. 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

8 December 2015

Documents

TMC01	Transportation Consultation Response dated 03 September 2015
TMC02	List of TSPs associated with Elgin R12 Knockmasting Wood

TMC01**Consultation Request Notification**

Planning Authority Name	The Moray Council
Response Date	4th September 2015
Planning Authority Reference	15/01330/APP
Nature of Proposal (Description)	Erect dwellinghouse with garage on
Site	Site 600M North Of Mayne Farm Elgin Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133069150
Proposal Location Easting	320562
Proposal Location Northing	861732
Area of application site (Ha)	2285 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=NRKGR6BGAK000
Previous Application	
Date of Consultation	21st August 2015
Is this a re-consultation of an existing application?	No
Applicant Name	Ms Hilary Anderson
Applicant Organisation Name	
Applicant Address	Per Agent
Agent Name	Grant And Geoghegan
Agent Organisation Name	
Agent Address	Unit 4 Westerton Road Business Centre 4 Westerton Road South Keith AB55 5FH
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563021
Case Officer email address	lisa.macdonald@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 15/01330/APP

Erect dwellinghouse with garage on Site 600M North Of Mayne Farm Elgin Moray for Ms Hilary Anderson

I have the following comments to make on the application:-

- | | Please |
|---|--------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | X
X |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Reason(s) for objection

Moray Local Development Plan 2015 Policies

T2 Provision of Access

IMP1 Development Requirements

IMP2 Development Impact Assessments

The proposed site is within the designated R12 Knockmasting Wood site and as a result the proposal must include supporting information regarding the comprehensive layout of the whole R12 site along with a Transport Assessment. This allows all servicing, infrastructure and landscaping provision to be taken into consideration. The R12 site is constrained until the road improvement schemes TSP3, TSP21, TSP22, TSP23 and TSP24 (which are identified in the Moray Local Development Plan 2015) can be provided, together with connectivity to adjacent development and routes to schools.

Transportation considers the proposed development is premature until such time as the identified road improvement schemes TSP3, TSP21, TSP22, TSP23 and TSP24 can be provided, together with connectivity to adjacent development and routes to schools.

Furthermore the proposed development, if permitted, would involve the formation of a new vehicular access onto U90E Bilbohall Road where visibility is severely restricted by the adjacent embankment and vertical alignment of the road and would be likely to give rise to conditions detrimental to the road safety of road users contrary to Moray Local Development Plan policies T2 Provision of Access and IMP1 Development Requirements.

Further comment(s) to be passed to applicant

The U90E Bilbohall Road takes access off the U171E Wards Road via a single lane bridge over the Aberdeen-Inverness railway line. The number of housing units at the nearby (R1) Bilbohall housing development has been constrained until alternative access can be provided. Given the constraint on the R1 site it would be unreasonable for any other development which is also dependant on the access via the U90E over the railway to be permitted.

The applicant should note that drawing number 015/01306/11 does not demonstrate that the required visibility splay can be provided and does not take cognisance of the significant level differences to the north of the proposed development access.

Contact: DA
email address:
transport.develop@moray.gov.uk
Consultee: TRANSPORTATION

Date 3 September 2015

Return response to	consultation.planning@moray.gov.uk
---------------------------	---

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Local Review

LRB Ref 139

Planning Application Reference 15/01330/APP Proposed dwellinghouse with garage on site 600m north of Mayne Farm, Elgin

TMC02 List of TSPs associated with Elgin R12 Knockmasting Wood

TSP3* A96/Western Link Road The proposed new Western Link Road will require a new signalised junction with A96

TSP21 Wards Road Closure of bridge to vehicular traffic following completion of Western Link Road and provision of new railway line crossing, which will become the alternative route and access to site R1.

TSP22* Wittet Drive New railway crossing for Western Link Road

TSP23* Edgar Road/The Wards Route for Western Link road from Edgar Road to Wittet Drive. Will provide access into site R3

TSP24* Edgar Road New junction for Western Link Road with Edgar Road, and extension of Edgar Road to provide access to new High School and to sites R1, R3, R4, and R12