



## Transportation Service

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Our Ref: DA/RJG/CEA - 789614

Your Ref: RR/LRB Case 011



HAPPY TO TRANSLATE

1 June 2010

Chief Legal Officer  
Per Mr R Ritchie  
Committee Services  
The Moray Council  
Council Office  
High Street  
ELGIN  
IV30 1BX

Dear Sir

**TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL  
REVIEW PROCEDURE)  
REQUEST FOR REVIEW : PLANNING APPLICATION 09/01618/PPP – PLANNING  
PERMISSION IN PRINCIPLE TO ERECT A HOUSE AT UPPER THORN, DRYBRIDGE,  
BUCKIE  
PROCEDURE NOTICE RELATIVE TO NEW EVIDENCE**

I refer to your letter dated 24 May 2010.

I respond on behalf of the Transportation Manager to the two questions raised in the letter relating to the Statutory test for the consideration of new evidence and our views on the content of the new information:-



ISO 9001 : 2008  
FS 33734

1 June 2010

Chief Legal Officer

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(1) **Circumstances which would preclude the applicant from meeting the statutory test**

The applicant has submitted a revised drawing showing access arrangements for the proposed development. This revised drawing is based on a survey which is more accurate than the information supplied in the original planning application. It is our view that this information could and should have been made available at the time of the planning application. Furthermore, it is our view that the circumstances which have led to the submission of the revised drawing showing the access arrangements for the proposed development are not exceptional.

(2) **Views on the substance of the new information**

The survey undertaken for drawings No Future Plans 01 and Future Plans 02 is more accurate than that submitted for planning application 09/01618/PPP. There is now a single point of access where the visibility splay to the north of the access can be provided without crossing third party land. The applicant has cleared obstructions to visibility from the access which were present when the planning application was assessed. Transportation have recently visited the site and we can confirm that the required visibility splay can be provided, albeit only at the point shown on the drawing submitted to the Local Review Body.

In accordance with regulation 15(3) we will send a copy of this response to the applicant and interested parties.

Yours faithfully

**Richard J Gerring**  
**SENIOR ENGINEER TRANSPORT DEVELOPMENT**

Copy to Applicant and Interested Parties 09/00963/OUT



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