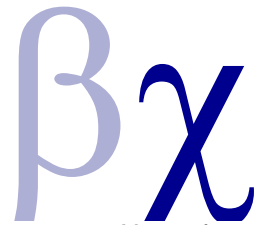


Network Operations

**Trunk Roads: Network Management
Concessionary Travel and Integrated Ticketing**

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Your ref:
RR/LRB/Case 019

Our ref:
NE/79/2010

Date:
26 August 2010

Clerk of the Local Review Body
The Moray Council
Council Office
High Street
Elgin
IV30 1BX

Dear Sir

**LOCAL REVIEW BODY REFERENCE: RR/LRB/Case 019
PLANNING APPLICATION REFERENCE: 08/01369/FUL
DEMOLISH THE REMAINS OF AN EXISTING COTTAGE AND REPLACE WITH A
TRADITIONALLY DESIGNED ONE AND A HALF STOREY DWELLINGHOUSE AT
TOMNAGLIEN COTTAGE, BALLINDALLOCH**

I refer to your letter of the 13 August 2010 regarding the above appeal.

I enclose a Statement of Observation in respect to the above application outlining the reasoning for Transport Scotland recommending refusal on the grounds of road safety.

Please do not hesitate to contact me if you have any further questions regarding Transport Scotland's position.

Yours faithfully

Andrew Donaldson
Transport Scotland

TOWN & COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW
PROCEDURE) (SCOTLAND) REGULATION 2008

DEMOLISH THE REMAINS OF AN EXISTING COTTAGE AND REPLACE WITH A
TRADITIONALLY DESIGNED ONE AND A HALF STOREY DWELLINGHOUSE AT
TOMNAGLIEN COTTAGE, BALLINDALLOCH

STATEMENT OF OBSERVATIONS BY ANDREW DONALDSON
DEVELOPMENT MANAGEMENT
TRANSPORT SCOTLAND - TRUNK ROAD NETWORK MANAGEMENT

Review Ref : RR/LRB/Case 019
LA Ref: 08/01389/FUL
TRNMD Ref: NE/79/2010

1 Details of Application

- 1.1 The application for planning permission by the Trustees of Ballindalloch to Moray Council on 26th June 2008.
- 1.2 The application refers to planning permission to demolish the remains of an existing cottage and replace with a traditionally designed one and half storey dwellinghouse located at Tomnaglien Cottage, Ballindalloch

2 Response

- 2.1 This planning application was referred to the Transport Scotland - Trunk Road Network Management (TRNM) by Moray Council, on the 24th April 2010, on the basis the proposed development having a material impact on turning movements at the junctions on the A95 Trunk Road.
- 2.2 Transport Scotland -TRNM responded to Moray Council in the form of a TR/NPA/2, dated 30th April 2010, recommending refusal of permission.

‘The proposed development would result in increasing the number and type of vehicles using the southerly access entering and leaving the traffic stream at a point where visibility is restricted thus creating interference with the safety and free flow of the traffic on the trunk road.’

3 Key Issues

- 3.1 The proposal was checked against the requirements of PAN 66 (Best Practice in Handling Planning Applications Affecting Trunk Roads) and in particular Annex A (Advice on Minor Developments Affecting Trunk Roads).
- 3.2 Pan 66 Annex A: Advice on minor Application affecting Trunk Roads, details in paragraph 8.

“Traffic generation is the main impact a development has on the trunk road. Increased traffic can affect the capacity and more importantly, in the case of minor developments, the safety of the trunk road. Even a small increase in traffic using a substandard access can have a significant impact.”
- 3.3 The existing accesses onto the Trunk Road were checked against the appropriate design standards defined by the Design Manual for Roads and Bridges (DMRB) Chapter 2, Volume 6, Section 2, Part 7 TD 41/95 (Vehicular Access to All Purpose Trunk Roads).
- 3.4 The site is accessed from an unclassified road which forms a loop road and connects to the Trunk Road at two priority junctions, the southern junction is to the south of Balleheiglash and the northern junction serves Glenfarclas Distillery.
- 3.5 The junction visibility as defined in DMRB (TD 41/95) requires a setback from the trunk road along the side road of 4.5m and the requirement is to see a distance of 215m along the trunk road.
- 3.6 The visibility at the northern junction meets the appropriate standards. However, at the southern access measured from the 4.5m set back from the edge of the trunk road carriageway also meets the 215m to the south but is only 88m to the north.
- 3.7 The options to improve the junction visibility at the southern access would require significant alterations to the horizontal and vertical alignment of the A95 Trunk Road and would be beyond the scope of the applicant to carry out this work.
- 3.8 This deficiency in the visibility is critical as traffic approaching the southern access from the right are not slowed down by the alignment but they cannot be seen by exiting vehicles and consequently make the exiting manoeuvre difficult and potentially dangerous.
- 3.9 On examination of trip generation from the proposed development there is no way of determining the routing which is likely to be taken. Additionally, there is no way in which any traffic from the development could be forced to utilise the safer north access.
- 3.10 As a consequence of this, Transport Scotland cannot support a proposal which potentially could increase traffic movements at a junction where there are difficult and dangerous manoeuvre.

4 Background / Planning History

- 4.1 There has been one recent application for a dwelling located adjacent to a this application, Moray Council planning reference 09/02173/APP, TRNM Ref NE/224/2009. TS's recommendation to Moray Council was refusal on the same grounds, restricted visibility at the southern access.
- 4.2 In February 2010, TS received a pre application enquiry for a proposed gallery located at Peterfair accessed from the same unclassified road, TS advised they would not be supportive of a development that would intensify turning movements at the southern access with the Trunk Road.

5 Recommendations

- 5.1 Transport Scotland requires to ensure that the efficient and safe operation of the Trunk Road Network is maintained. Consequently, the effect of any development should not compromise the operational efficiency or future network management of the Trunk Road Network or the safety of drivers, pedestrians or other Trunk Road users
- 5.2 Therefore Transport Scotland position is such that in order to meet the primary objectives outlined in paragraph 5.1 and in accordance with PAN 66, Annex A, paragraph 3.2 above, have no alternative than to maintain the objection on the grounds of road safety.

Andrew Donaldson
Transport Scotland - TRNM
Buchanan House
26 August 2010