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Dear Jack,

**Proposed Development Site – Linkwood East, East Road, Elgin  
Planning References: 09/01477/OUT and 10/00524/APP**

Many thanks for asking WSP to carry out an access review of your proposals for development at the Linkwood East site, East Road, Elgin. We have considered the comments from the local roads authority, and their stated requirement for a second vehicular access to the Linkwood East site, and offer the following comments.

**Background**

We understand that Mr Jack Brown has applied for planning consent for an commercial/industrial development (Ref: 09/01477/OUT and 10/00524/APP), at East Road, Elgin.

A Transport Assessment (TA) has been submitted, which demonstrates that the proposed development can be accommodated in terms of capacity and safety on the application site, via a single point of vehicular access. The TA has been accepted by both Transport Scotland and Moray Council.

In addition, Road Construction Consent (RCC) has been granted for the proposed access, which took into account comments following a safety audit. The granting of RCC effectively confirms that the proposed access arrangement satisfies the vehicle, pedestrian and cyclist access capacity and safety requirements as a result of the proposed development.

During the initial stages of communication with Moray Council in relation to the RCC process, a provisional layout was requested, and subsequently submitted to Moray Council, which demonstrated that a vehicular link with Linkwood Place was technically achievable.

As noted above, the output of the TA demonstrated that a single point of vehicular access was sufficient i.e. a second vehicular access was unnecessary. The RCC was then processed and approved with no second vehicular access shown on the approved drawings.

It is understood that, despite this history, Moray Roads is still requesting that a second vehicular access is provided.

## Policy

There are a number of policy matters to be reviewed when considering the proposed access arrangements, a number of which Moray Council have cited as justification for their stated requirement for a second point of vehicular access. We have considered the relevant policies, and comment as follows:

### Scottish Government Planning Circular 1, 2010

The above policy states:

Paragraph 17 - *'Planning agreements should not be used to extract advantages, benefits or payments from landowners or developers which are not directly related to the proposed development.'*

Paragraph 18 - *'Attempts to extract excessive contributions from developers towards the costs of infrastructure or to obtain extraneous benefits are unacceptable.'*

Paragraph 19 - *'Planning agreements should not be used to resolve existing deficiencies in infrastructure provision or to secure contributions to the achievement of wider planning objectives which are not strictly necessary to allow permission to be granted for the particular development.'*

The above extracts from Circular 1/2010 precludes the provision of excessive contributions or unnecessary infrastructure improvements not directly required as a consequence of development. It is considered that any infrastructure improvements, over-and-above those identified in the Transport Assessment, would serve to resolve existing deficiencies in the transport network, and would serve to achieve wider objectives of Moray Council – both of which are unacceptable in terms of Circular 1/2010 highlighted above.

### Designing Streets

We understand Moray Council has made reference to the Designing Streets document in justifying its requirement for a second vehicular access point.

Designing Streets makes a clear distinction between roads and streets with the new policy applying to streets. Roads are defined as having the main function to “facilitate the movement of motor traffic”, whilst streets have “public realm functions beyond those related to motor traffic”. Although there is no rigid dividing line between these definitions, and a move to create more truly mixed use developments with the characteristics of streets, the thoroughfares under consideration within this commercial/industrial development exhibit few, if any, of the wider place related functions of streets.

Designing Streets document is also primarily aimed at residential and mixed use developments, to ensure neighbourhoods, villages and towns have a sense of 'place', with good accessibility and permeability for residents, with particular emphasis on sustainable modes of travel such as walking and cycling. As the proposed development is commercial/industrial in nature, with no residential element, we would thus question the applicability of a several aspects of Designing Streets, particularly with the HGV access requirement for commercial/industrial type developments, to which Designing Street does not generally apply. Notwithstanding this the policy aim of encouraging improved permeability for cyclists and pedestrians is being catered for within the plans for the development.

### Planning Advice note (PAN) 75

We understand Moray Council has made reference to PAN 75 document in justifying its requirement for a second vehicular access point. Whilst we are unsure as to the precise part of

PAN 75 which Moray Council are referring, as stated previously the provision of a second vehicular access point would serve to encourage journeys by the private car, which PAN 75 also aims to discourage.

## **Other Considerations**

### Road Safety

In terms of road safety, the provision of a second vehicular point of access in this specific context could potentially encourage inappropriate rat-running, increasing vehicular through-movements at the expense of pedestrian/cycle safety.

### Moray Council Standards

Moray Council currently use Aberdeenshire Council Standards for development roads, and it is considered that the proposed layout, as shown within the application, satisfies these design standards for Industrial Access Roads.

### Transport Assessment

A TA has already been submitted and approved by both Transport Scotland and Moray Council, which demonstrates the proposed access arrangements are suitable for the commercial/industrial development on the application site.

## **Summary**

In summary, having reviewed the proposals for development at the Linkwood East site, East Road, Elgin, we can see no reason or justification in terms of policy or road safety which would necessitate a second vehicular access to the application site for a development which is commercial/industrial in nature.

We trust the above information is useful, however should you have any further queries in the meantime, please do not hesitate to contact me.

Yours sincerely,

A solid black rectangular box used to redact the signature of Paul White.

**Paul White**  
**Associate Director**