

ENVIRONMENTAL SERVICES

Richard Gerring

Senior Engineer

PO Box 6760

Elgin, Moray IV30 9BX

Telephone: 01343 563793 Fax: 01343 563990

Legal and Democratic Services
Per Mrs L Rowan
The Moray Council
Council Offices
High Street
ELGIN
IV30 1BX

email: richard.gerring@moray.gov.uk

Website: www.moray.gov.uk

Your reference: MLRB098

Our reference: RJG/LRB98

28 February 2014

Dear Madam

**TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL
REVISION PROCEDURE) (SCOTLAND) REGULATIONS 2008
NOTICE OF REVIEW: PLANNING APPLICATION REF 13/01341/APP
CREATE NEW VEHICULAR ACCESS ONTO A98 AT THE PADDOCK, ARRADOUL,
BUCKIE**

I refer to your letter dated 17 February 2014.

I respond on behalf of the Transportation Manager with respect to our observations on the applicant's grounds for seeking a review of the planning authority's decision to refuse the above planning application.

Transportation has reviewed the appellant's grounds for review and the associated documents, and submits the attached representation with associated documents in response.

Transportation, respectfully, requests the MLRB to uphold the decision by the appointed officer to ensure that the primary objective of safeguarding road safety for road users on the A98 covered by various policies is maintained.

Yours sincerely

Richard Gerring
Senior Engineer



Certificate GB13/89299

Enclosures :

LRB # 98	Transportation Response Issued 28 February 2014
TMC01	A98 Arradoul Traffic Flow Diagram
TMC02	A98 Arradoul Traffic Speed Diagram

Local Review

LRB Ref 98

Planning Application Reference 13/01341/APP Create new vehicular access onto the A98 at The Paddock, Arradoul, Buckie

Response from Transportation, Moray Council

1. This document is in response to the Notice of Review and the Statement of Case submitted by the appellant and sets out observations by Transportation on the application and the grounds for seeking a review.

Introduction

2. This review concerns planning application 13/01341/APP for the creation of a new vehicular access onto the A98 at The Paddock, Arradoul. The application was for a new access to serve an existing property, which currently utilises an access shared with four other properties located just to the west of the property named The Lodge. The appellant has submitted a copy of the Transportation Response as part of their documentation (Appendix 4).
3. The proposed new vehicular access would be sited some 69 metres to the east of the existing shared access on a 215 metres section of the A98 which is currently free from accesses. There are no properties fronting onto the road at this location. There is a band of trees and vegetation screening views of The Paddock from the road.

New Material Proposed Plan (Moray Local Development Plan 2015)

4. The appellant has introduced new material to the review regarding the Arradoul settlement statement in the Proposed Plan Moray Local Development Plan (2015).
5. The Proposed Plan (Moray Local Development Plan 2015) has not yet reached a point where it has received formal approval by the Local Planning Authority as material consideration when deciding new development proposals.
6. Transportation respectfully requests the LRB not to accept this new material for this review. Should the LRB decide to accept the new material Transportation requests the opportunity to provide detailed comments.

Policies and Settlement Statement

7. The relevant Moray Local Plan (2008) policies and rural settlement text considered at the time of the application were Policy T2: Provision of Road Access, in particular the provision of a suitable and safe access with the A98 strategic local road. The Arradoul Settlement Statement states that *'The introduction of a 50 mph limit may have improved road safety, but additional accesses onto the A98 will not be permitted.'*
8. Following receipt of the Notice of Review two other policy items have been considered to be relevant to this review. These are Moray Structure Plan 2007 where the Transport and Accessibility section identifies the A98 as a strategic local road. Policy T6: Traffic Management states that *'The road hierarchy will be used to assist the assessment of planning applications'*.

Local Review

LRB Ref 98

Planning Application Reference 13/01341/APP Create new vehicular access onto the A98 at The Paddock, Arradoul, Buckie

9. The principle of not permitting new accesses onto the A98 within Arradoul is clearly set out in the Settlement Statement and it is this principle which is the focus of this review.

Strategic Local Road and Traffic Data

10. The A98 is part of the strategic road network in Moray. The Moray Structure Plan (2007) states that *'The A98, which was previously classed as a Trunk Road, provides an important strategic link along the coast of Moray into North Aberdeenshire.'* The A98 has 12 Hour two-way 5-Day Annual Average Traffic Flows of some 7,000 vehicles (2013 data collected from a permanent traffic counter located some 40 metres to the west of the proposed access). These flows were split fairly evenly between the eastbound and westbound directions. A Traffic Flow Diagram is attached as **TMC01** which shows the daily profile of traffic flows.
11. The A98 is a key route for the movement of goods both within Moray and to locations beyond. In 2013 goods vehicles made up almost 9% of the traffic passing through Arradoul.
12. The A98 is a North East Safety Camera Partnership (NESCAMP) Route (Route 6). The aim of NESCAMP is to significantly reduce the number of people that are killed or seriously injured on roads in the North East, in particular where traffic speed is a contributory factor.
13. The section of the A98 through Arradoul is subject to a 50 mph speed limit which was implemented in 2001. Vehicular speeds recorded during 2013 at the permanent traffic count site in Arradoul show the 85th percentile vehicle speeds of 52.2 mph eastbound and 53.7 mph westbound. The percentage of vehicles exceeding the speed limit was 21.5%. A Traffic Speed Diagram is attached as **TMC02** shows the profile of traffic speeds exceeding the 50mph speed limit. During the one week period 1680 vehicles were recorded with speeds exceeding 50 mph.

New Vehicular Access

14. New vehicular accesses created on the road network introduce turning movements where previously traffic was free flowing, which in turn increases the risk of accidents on that section of road. Once a new access is introduced this risk of accidents cannot be fully removed.
15. Whilst the proposed new vehicular access would not be serving a new development, and the appellant has stated that there is no intention to apply for new development in the future, it should be noted that additional movements for service vehicles

Local Review

LRB Ref 98

Planning Application Reference 13/01341/APP Create new vehicular access onto the A98 at The Paddock, Arradoul, Buckie

(refuse collection, postal deliveries etc.) would occur at this location which previously accessed The Paddock via the existing access adjacent to The Lodge. The proposed new access would increase the number of junctions and introduce a significant change to the conditions on the A98.

Accident Data and Road Safety

16. The accident data submitted by the appellant is from accident data provided by Police Scotland. This represents only those accidents reported to and recorded by the Police.
17. A substantial number of accidents reported on the A98 involve turning movements. Any increase in the number of junctions on the strategic local road creates an increased likelihood of conflict and risk of accidents.
18. The appellant argues that as there is only one accident within this data which is associated with turning movements at a private access it is acceptable to introduce a new vehicular access. However it is the view of Transportation that one accident is one too many on this strategic route and that the introduction of a new access does present an unacceptable increase in the risk of accidents within Arradoul.
19. The Moray Road Safety Plan 2011 – 2015 (which is a joint Road Safety Plan with Aberdeen City and Aberdeenshire Councils) states its vision as:

‘To improve road safety within Aberdeen City, Aberdeenshire and Moray in order to significantly reduce the levels of people being killed and seriously injured, and the associated pain and suffering.’

Existing Access

20. The appellant indicates that road safety at the existing shared access adjacent to The Lodge is the reason for seeking a new access onto the A98 to serve The Paddock. However the new access is to serve only one property. The opportunity to pursue improvements at the existing private access appears not to have been fully explored by the appellant.
21. If residents of the properties using the existing shared access adjacent to The Lodge have road safety concerns regarding their current access arrangements, then an approach should be made to Transportation in terms of the Roads (Scotland) Act.

Local Review

LRB Ref 98

Planning Application Reference 13/01341/APP Create new vehicular access onto the A98 at The Paddock, Arradoul, Buckie

Conclusion

22. Transportation, respectfully, requests the MLRB to uphold the decision by the appointed officer to ensure that the primary objective of safeguarding road safety for road users on the A98 covered by various policies is maintained.

Transportation
28 February 2014

Documents

TMC01 A98 Arradoul Traffic Flow Diagram

TMC02 A98 Arradoul Traffic Speed Diagram

References:

Structure Plan (2007)

Transport and Accessibility

The Moray Council is responsible for routes other than trunk roads.

The A98, which was previously classed as a trunk road, provides an important strategic link along the coast of Moray into North Aberdeenshire.

Strategic Local Roads	A941	Improved standard and alignment	Local Authority to review Road Hierarchy and prepare transport model. Carry out studies and prepare funding bids to external funding sources. Prepare specific improvement schemes
	A98	Lossiemouth and Craigellachie Fochabers and Cullen	

Moray Local Plan (2008)

Policy T2: Provision of Road Access

The Council will require that a suitable and safe road access from the public highway is provided to serve new development and where appropriate any necessary modifications to the existing road network to mitigate the impact of development traffic, and the provision of appropriate facilities for public transport, cycling, and pedestrians. Access proposals that have a significant adverse impact on the surrounding landscape and environment that cannot be mitigated will be refused.

Local Review

LRB Ref 98

Planning Application Reference 13/01341/APP Create new vehicular access onto the A98 at The Paddock, Arradoul, Buckie

SPP17 details that there will be a presumption against new accesses onto a trunk road, and that the Scottish Executive will consider the case for such junctions where nationally significant economic growth or regeneration benefits can be demonstrated.

Justification:

It is important to ensure that new development is served by appropriate infrastructure. The road access arrangements should be suitable to the proposed development and ensure that there are adequate safety provisions and provision for public transport, cycling and pedestrians.

Road access design should be carefully designed to fit in with the surrounding landscape and environment. Where the access to a site is unmade or a private track it may require to be surfaced to a suitable standard and require the provision of passing places or be widened accordingly.

Conforms to:

The policy conforms to the Council's guidance on technical standards for the provision of roads infrastructure.

Policy T6: Traffic Management

The road hierarchy will be used to assist the assessment of planning applications, in particular for the consideration of the appropriate road design and traffic management requirements. The road hierarchy will be used when considering appropriate traffic management options/schemes to optimise the performance of specific roads.

Justification:

A strategic road hierarchy (Trunk Road; Principal Local Roads; and Non-Principal Local Roads) already exists that enable efficient management of the road network within Moray. There are road hierarchy categories in the Road Guidelines for new developments. The road hierarchy categories will be reviewed and extended to cover roads within Elgin.

Conforms to:

The policy conforms to guidance set out in SPP17 on 'Transport and Planning'.

2. Arradoul Settlement Statement

The site identified in the previous plan has now been developed. Main road access and poor ground conditions for drainage restrict the scope for further development. Opportunities are essentially restricted to replacement of houses on a one to one basis, using an existing septic tank and soakaway, and an existing access. The introduction of a 50mph limit may have improved road safety, but additional accesses onto the A98 will not be permitted.

The wooded area around Arradoul House provides visual amenity to the village and proposals which involve felling of trees to provide development sites will not be permitted.

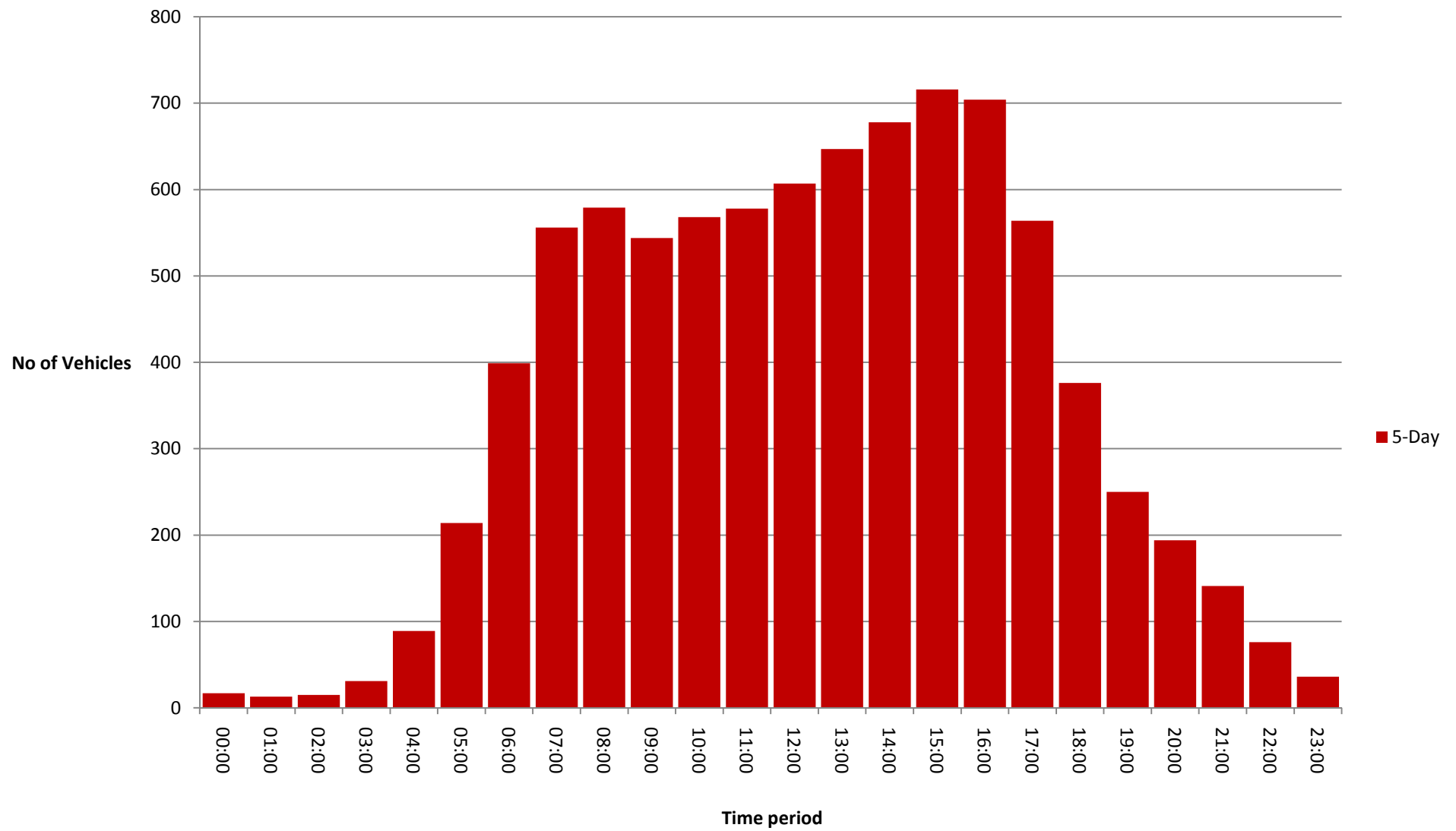
Character Description: *3 Hamlet/Clachan*

Specific Character Features:

- Group 'A' buildings dominate.
- Elongated plots averaging a quarter of an acre or less.

TMC 01

A98 Arradoul : 5-Day Average 2 way vehicle flows 2013



TMC 02

A98 Arradoul : Week from 25th January to 1st February 2014 - Vehicle Speeds (combined directions)

