



Legal and Democratic Services

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Mr Ken Aitken
Transport Scotland
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Our Reference: DW/LR122
Your Reference:

19 June 2015

Dear Mr Aitken,

Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008

Notice of Review: Planning Application 14/01905/APP – Provide 17 Outdoor Stalls and 5 Indoor Stalls for Weekly (Sunday) Car Boot Sale at Transition Town Forres, Bogton Road, Forres

At the meeting of the Moray Local Review Body (MLRB) this morning (19 June 2015), it was agreed that the Applicant's intimation, within their response to Further Representations received, that discussions had been held with Transport Scotland and a Left In/Left Out junction arrangement would be acceptable was not before the Appointed Officer at the time of the determination and therefore deemed as new evidence.

In terms of Regulation 15 of the 2008 Regs, the MLRB seeks your view on the substance of the new evidence, a copy of which is enclosed with this notice. They seek confirmation of whether discussions have taken place with the Applicant, as intimated, and whether Transport Scotland would support the application if a Left In/Left Out junction arrangement was in place. If this is indeed the case, the MLRB would be obliged if Transport Scotland would provide their preferred wording for a planning condition to deal with the junction provision.

You can access the Notice of Review and associated documents at http://www.moray.gov.uk/moray_standard/page_98859.html. Copies can also be made available for inspection, on request, at the Access Point, Council Office, High Street, Elgin.

In terms of the Regulations, you have 14 days from the date of this letter to make any observations as requested by the MLRB.

If you have any queries, please do not hesitate to contact me on the above details.

Yours sincerely,

Darren Westmacott
Committee Services Officer
Clerk to the Moray Local Review Body

Provide 17 outdoor stalls & 5 indoor stalls for weekly (Sunday car boot sale) at Transition Town
Forres Bogton rd Forres

Local review ref - LR122
LA ref - 14/01905/APP

Response to representations to the LRB

Our responses to representations remain with no alterations apart from
LR122 - 20150507 - letter from Transport Scotland - further representation pdf

with regards to -

"This was discussed at some length with the Council's planning officers and on 22 January 2015
Transport Scotland confirmed these points in an email.

*"Our main concern is that, while we were willing to accept the occasional disruption to trunk road
traffic caused by a monthly market (as per 09/01722/APP (NE/176/2009)) we are more concerned
about this occurring weekly. However, even a monthly market would have been unacceptable
without the access being widened to minimise the delays to traffic turning into the site from the
trunk road (hence the suggested condition in 2009).*

*With regards to the application for a weekly market, Transport Scotland is, as previously stated,
concerned about the frequency disruption is likely to occur to traffic on the trunk road but is willing
to work with the Applicant to find a mutually acceptable solution. This may be a one-way system as
suggested in my early response or perhaps a "left turn in" only system whereby traffic from the
west would pass the site, turn around at the nearby roundabout and enter the site by turning left.
This would remove the possibility of a right turn queue forming on the trunk road and its associated
risk to traffic"*

and

"Further discussion followed between Transport Scotland, Council planning officers and the
applicant when it was identified that the applicant was not prepared to implement this alteration to
the junction. This was confirmed in an email to the Council's planning officers on the 17 March
2015.

*"Transport Scotland is of the opinion that, if a "left-in / left-out" junction arrangement cannot be
implemented we would recommend refusal of the application.*

*If the applicant had informed us of his/her final plan when initially notified this situation would not
have arisen as we would have asked for this arrangement at the start instead of the access
widening originally sought."*

and

"However, Transport Scotland would advise that we would be prepared to enter into discussions
with the applicant to try and identify a way forward with this proposed application."

I can confirm that Transition Town Forres would be willing and eager to implement a Left in / Left
out junction arrangement with appropriate signage to improve road safety on this section of the
A96 & avoid both any queuing on the A96 of East bound traffic turning right into the site & any
dangerous manoeuvres by traffic crossing the Westbound lane while exiting the site to travel East.
this would improve road safety for all events hosted by Transition Town Forres & Forresian Firs.
Discussions have begun with Transport Scotland & they have intimated that this junction
arrangement would be acceptable.

Transition Town Forres respectfully requests that the LRB approve this appeal with a requirement
to implement a Left in / Left out junction arrangement on the A96 Forres bypass to meet standards
set by Transport Scotland.

L Chas Rodger
Community Councillor Forres
Trustee Transition Town Forres - reg charity no - SC040314