

Our ref: 230629 Swallowtale, Inveraray

Ormonde  
10 James Street  
Avoch  
IV9 8QB

For the attention of Duncan Macleman

29 June 2023

Dear Duncan

## **20/01901/PPP: LAND NORTH OF SWALLOWTALE – ERECTION OF SINGLE DWELLING HOUSE. REVIEW OF TRANSPORT SCOTLAND COMMENTS**

Thank you for your recent call and for the information relating to Transport Scotland's comments on the above in principle application. We have reviewed the commentary and offer the following points that Argyll & Bute Council may wish to consider.

### **Transport Scotland Objection**

Transport Scotland has objected to the application stating the following reasons:

- The proposed development would result in increasing the number of vehicles 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.
- The proposed development would result in an intensification of waiting and right turning manoeuvres from the trunk road at a location where forward visibility for approaching westbound traffic on the trunk road is substandard, thus creating interference with the safety and free flow of the traffic on the trunk road.

We have reviewed these comments and other information relating to the site. Our opinion is that Transport Scotland has not been consistent in its approach and has failed to consider suitable mitigation to allow the development of a single residential property.

### **Review of Objection**

The existing junction is not of modern design, however, caters for access to five existing residential properties, a borrow pit and wider forestry / estate management activities. The borrow pit is currently not active but was recently in use.

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A review of the online resource, Crashmap.co.uk indicates that for the last 15 years, there has not been a recorded accident at the junction. The closest recorded accident, which was classified as a Slight accident, was located approximately 270 metres (m) to the east of the junction. The details provided within the detailed accident report indicate that the accident occurred between two vehicles (a car and a light goods vehicle) passing each other on a straight section of carriageway and not in the vicinity of any junctions. The accident also happened in winter, occurring in November 2017.

Despite its evolved design, the junction has operated in a safe manner without any Slight, Serious or Fatal accidents over a significant period of time whilst providing residential access, timber extraction access and borrow pit access.

In their commentary, Transport Scotland state that junction visibility should be 215m in each direction from the junction and that the junction is therefore unsafe. They have not provided any drawings to illustrate this. Furthermore, they have not provided any information in relation to accidents or near misses at the junction to demonstrate that the junction is unsafe. As detailed above the accident information provided within Crashmap.co.uk shows that no accidents have been recorded at the junction or in the immediate vicinity of the junction for over 15 years.

Transport Scotland have relied upon a video survey to estimate reaction time for the traffic turning right into the access junction. The speed noted for traffic on the road is “fairly high”, the description of which is vague and unscientific.

They state that the “*the actual reaction time and stopping sight distance available to mainline traffic, should a vehicle be waiting to enter the access or be exiting the access and heading west, is considerably less than the desirable minimum*” without stating what they consider the reaction time to be. Again, this is vague and unspecified.

Works to enhance visibility at the junction and to provide advance warning could include:

- Trimming of verge vegetation along the A83;
- Verge clearance and regrading works to improve forward visibility and visibility splays; and
- The provision of a suitable static road sign advising drivers of an access ahead.

None of these options have been considered by Transport Scotland, all of which would further assist with improving visibility and awareness of traffic at the junction.

Transport Scotland has stated in their response to an MSP letter the following: “*With regard to the other recent application referred to, this relates to the use of an existing borrow pit to extract rock (ABC Ref. 19/01422/MIN & TS Ref. NW/331/2019). In assessing this application, we noted that access to the site was to be via an existing forestry access off the A83 – the same access as proposed in the most recent application highlighted above. However, in the supporting information submitted with this application, it was anticipated that a maximum of 10 low loader trips would be needed for mobilisation and demobilisation, and that all other trips occurring would be within the forestry area (see Written Statement 12/9/19 available on the ABC planning portal). On this basis, our Operating Company and Area Manager did not raise any concerns, and we did not object to this application.*”

It is acknowledged that the borrow pit application does relate to 10 low loader trips, however it does not make any mention of the staff required to operate the equipment listed in the document, namely 2 x 20t excavators, 1 x wheeled loading shovel, 1 x mobile primary crusher, 1 x screener, 2 x 25t dump trucks, 1 x dozer, 1 x welfare office, 1 x road sweeper (if required). This would equate to approximately 8 staff per day, resulting in a further 16 movements at the junction per day. With the closest residential area being Inveraray, the likelihood is that the majority of

construction traffic would access the site from the north, making a right hand turn manoeuvre at the junction, the very movement that Transport Scotland have concerns about.

The report accepted by Transport Scotland also fails to comment on how the access junction would serve the wider electrical grid reinforcement project that would appear to require deliveries of concrete and steel to facilitate up to 10 OHL towers and all associated cable stringing activities in this section.

The movement of staff working at the borrow pit and engagement on the construction of the OHL development will have been greater than the small number of vehicle movements that one residential property can realistically generate, especially as some trips (post van, refuse collection, etc.) will be shared with the other properties that currently safely access from the junction. Transport Scotland has therefore been entirely inconsistent in its approach and has already permitted a higher intensity traffic generating use on a junction that it does not consider safe. The result, however, has been that the junction has operated safely, with no accidents recorded. As such, it is considered that the effects of one additional property at the junction have already been proven by Transport Scotland to have no detrimental effects on the safe operation of the junction.

With regards to the comment by Transport Scotland that one residential property will significantly affect the free flow of traffic on A83, which is a trunk road, is highly overstated and not proven. The closest permanent traffic count site (ATC08055) operated by Transport Scotland is located to the south of Newtown on the A83, approximately 4 kilometres north of the junction. Traffic data for the most recently available data from the counter, which is 2019, shows the Average Daily Traffic (ADT) to be 2,817 two-way vehicle movements. The theoretical capacity of the A83 in the vicinity of the junction, based on Design Manual for Roads and Bridges (DMRB), Volume 15, Part 5 "The NESMA Manual" is estimated to be 43,200 two-way vehicle movements per day, clearly demonstrating significant spare capacity. Therefore, based on this level of existing two-way traffic operating on the A83 trunk road, it is considered that the addition of the vehicle trips associated with one residential property will have no significant impact on the free flow of traffic.

Transport Scotland has made mention in their objection to a policy comment from Argyll and Bute Council, relating to adoptable road standards of the existing track leading from the A83 up to the existing dwellings and the location of the proposed development, suggesting that Transport Scotland's comments accord with those of Argyll and Bute Council. We would dispute this and advise that they relate to completely separate matters. Transport Scotland's objections relates to the operation of the junction and its potential effects on the A83, whereas the policy comment from Argyll and Bute Council relates to the standard of the existing access track and the suitability or otherwise of this to accommodate an additional residential development. We consider the inclusion of this comment is outwith the remit of Transport Scotland and its term consultant Systra and has been included solely to further gain support from the Council.

The existing junction may not accord to modern design standards, however not all junctions across the Country do as they have evolved, rather than been designed. This junction has ample capacity to accommodate the very low traffic flows associated with the addition of one house.

The junction currently operates in a safe manner and furthermore has done so during periods where there has been an intensification in use by other land uses, accommodating both types of vehicles and numbers of vehicles above what it would have originally been proposed for. With the clearance of the verge and provision of a static road sign, the junction operation can be enhanced to provide a betterment to the current situation.

Based on the above information, it is considered that the existing junction can accommodate the proposed development without any detriment to other road users or the safe operation of the

junction. We would therefore suggest that the Council consider these material points in its planning assessment of the proposed development at the Local Review Body.

Yours sincerely  
On behalf of **Pell Frischmann**



**Stephen Cochrane**  
Associate Director

cc.