

THE HIGHLAND COUNCIL

**SOUTH PLANNING APPLICATIONS COMMITTEE –
11 April 2017**

Agenda Item	6.1
Report No	PLN/022/17

**16/04454/FUL : Albyn Housing Society Ltd.
Land 90m NW of 8 Balvonie Street, Inverness.**

Report by Area Planning Manager South / Major Developments

SUMMARY

Description: Erection of 49 dwellings.

Recommendation: GRANT.

Ward: 20 Inverness South.

Development category: Local Development.

Pre-determination hearing: N/A.

Reason referred to Committee: CC objection and more than 5 objections.

1. PROPOSED DEVELOPMENT

1.1 The proposal is for the development of 49 houses comprising a mixture of 2 and 3 storey units offering a mixture of detached, semi-detached and flatted accommodation. It represents the anticipated second phase of development housing at the former Scottish Housing Fair site. The units include: -

2 x Type 1	4 Bedroom / 6 person Detached Unit	(2 Storey).
6 x Type 2	3 Bedroom / 5 person Semi detached Unit	(2 Storey).
2 x Type 3	2 Bedroom / 4 person Semi detached Unit	(2 Storey).
9 x Type 4	2 Bedroom / 4 person Terraced Unit	(2 Storey).
8 x Type 5	1 Bedroom / 2 person Block of Flats	(2 Storey).
6 x Type 6	1 Bedroom / 2 person Block of Flats	(3 Storey).
8 x Type 7	3 Bedroom / 5 person Semi detached Unit	(2 Storey).
2 x Type 8	2 Bedroom / 3 person Semi detached Unit	(1 Storey).
6 x Type 9	1 Bedroom / 2 person Block of Flats	(3 Storey).

1.2 Plans of the house designs are contained within the appended booklet to the committee together with the palate of building materials to be used. The elements are drawn from materials used within the initial phase of housing at Balvonie. The materials include: -

Roofing	Standing Seam Roofing and Slate effect Roofing Tiles.
Walls	Buff Brick, White Render and Timber Effect Cladding.

Paths Whin Dust and Caithness Stone.

- 1.3 Access to the development is via Balvonie Street, from the Milton of Leys distributor road. The existing development provides a community play area, shared services corridors and house designs, which has been reflected within the current application.
- 1.4 The development is supported by a second application (16/05559/FUL) which outlines temporary arrangements that are to be provided to the east of the current application site to allow for the formation of a temporary roadway, site compound and welfare facilities. This is to assist with the construction of the proposed houses without direct construction traffic impact on the existing residents living within the first phase of housing, particularly residents on Balvonie Street. As there have been no objections to it, the application will be processed under delegated powers following the determination of this application.

Variations:

- 1.5 Since the application was lodged the applicant has revised its drawings on several occasions. These maintain the submitted design but amend details to conform to the Council's Roads and Transport Guidelines for New Development.

2. SITE DESCRIPTION

- 2.1 The site is currently a green field location to the north of the existing 61 houses at Balvonie Braes and Balvonie Street. It slopes from the south east boundary (164m AOD) to the north east boundary (153m AOD), descending some 11m in height in the process. There are no buildings on the application site. An existing electricity substation is located midway but outwith the application site along the south east boundary of the site. This facility is accessed from the existing roadway linking Balvonie Braes and Balvonie Street and will remain in situ. Both existing streets are to be extended to serve the site. A sustainable urban drainage basin (SuDS) exists beyond the north east corner of the site. This will be used by the proposed development.
- 2.2 To the north west of the site lies an area of mature commercial woodland plantation in different ownership. To the north east of the site lies a row of mixed species trees separating the site from open farmland and the A9(T) road slightly further to the east. To the south west of the site on the other side of a small burn watercourse lies the recently completed housing development on Pinewood Drive and Pinewood Place. This development is separated visually by a retained spoil-heap, roughly landscaped.

3. PLANNING HISTORY

- 3.1 **07.07.2016** – A housing layout as presented to the Inverness Design Review Panel who advocated founded on the notional house block footprint and building lines of the Housing Fair masterplan.

07.03.2008 - Service infrastructure for Phase 1 Highland Housing Fair granted planning permission.

08.02.2008 - Masterplan for phased development of Highland Housing Fair site including infrastructure granted planning permission (07/00557/REMIN).

30.05.2007 - Highland Housing Fair incorporating Residential Development (100 houses) and Temporary Exhibition Facilities granted outline planning permission (06/01135/OUTIN).

4. PUBLIC PARTICIPATION

4.1 Advertised : Unknown neighbour – 14 days.

Representation deadline : 25.11.2016

Timeous representations : 14 representations comprising 14 objectors.

Late representations : 0

4.2 Material considerations raised in objection are summarised as follows:

- Concerns over density – 33 houses expected not 49.
- Impact on Milton of Leys Primary School.
- Housing Tenure - away from private ownership in favour of affordable units.
- Home Zone Transport layout compromises road safety concerns.
- Lack of amenities – poor bus service needs resolved before more housing.
- Additional housing will increase car numbers in excess of street design parameters.
- Bridge entrance to the site is in poor state of repair.
- Adverse impact on distributor road and A9 Access slip road (too short).
- Loss of amenity to existing housing.
- Adverse impact on trees to the north of the site.

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

5.1 **Inverness South Community Council** objects to the application. It has highlighted a number of concerns including density; traffic dangers with the access bridge and links to the A9(T) road; public transport; drainage / flood risk; and lack of amenities.

5.2 **THC Archaeology Team** has no objection to the application. The development lies within an area of archaeological interest and therefore by condition site clearance work should be requested to be done under archaeological supervision.

5.3 **THC Contaminated Land Unit** has no objection to the application. It has requested that if the electricity substation is to be removed a condition must be

attached to the consent to ensure a scheme to deal with potential contamination is submitted for approval.

- 5.4 **THC Flood Team** has no objection to the application.
- 5.5 **THC Transport Planning Team** has no objection to the application. It expects a number of outstanding issues to be addressed prior to determination of the application. A request is made for developer contributions and planning conditions to addresses key requirements in line with Council's Roads and Transport standards.
- 5.6 **THC Education, Culture and Sport Service** has not objected to the application. A contribution to address capacity issues in local schools, primary and secondary, will be expected.
- 5.7 **THC Forestry Team** has not objected to the application. The applicant lacks details in respect of tree management and maintenance, together with safeguards to be put in place between development and the existing mature plantations to the north, but outwith the application site. Request made for further information to be provided.
- 5.8 **Scottish Water (SW)** has not responded to the application.
- 5.9 **Scottish Environmental Protection Agency (SEPA)** has no objection to the application.

6. DEVELOPMENT PLAN POLICY

- 6.1 The following policies are relevant to the assessment of the application: -

Highland Wide Local Development Plan 2012

- | | | |
|-----|-----------|---------------------------------------|
| 6.2 | Policy 28 | Sustainable Design. |
| | Policy 29 | Design Quality and Place Making. |
| | Policy 31 | Developer Contributions. |
| | Policy 32 | Affordable Housing. |
| | Policy 51 | Trees and Development. |
| | Policy 57 | Natural, Built and Cultural Heritage. |
| | Policy 58 | Protected Species. |
| | Policy 63 | Water Environment. |
| | Policy 64 | Flood Risk. |
| | Policy 65 | Waste Water Treatment. |
| | Policy 66 | Surface Water Drainage. |
| | Policy 74 | Green Networks. |
| | Policy 75 | Open Space. |

Inner Moray Firth Local Development Plan

- | | | |
|-----|----------|-------------------------|
| 6.3 | Policy 2 | Delivering Development. |
| | IN 49 | Housing. |

7. OTHER MATERIAL CONSIDERATIONS

Supplementary Planning Policy Guidance

- 7.1
- Open Space in New Residential Development.
 - Developer Contributions
 - Affordable Housing;
 - Education;
 - Infrastructure (including Transport, Flooding and Waste Management)
 - Green Infrastructure;
 - Community Infrastructure; and
 - Public Art.
 - Sustainable Design Guide.
 - Managing Waste in New Developments.
 - Green Networks.
 - Trees, woodlands and development.
 - Highland Historic Environment Strategy.

Scottish Government Planning Policy and Guidance

- 7.2 Scottish Planning Policy (June 2014).

8. PLANNING APPRAISAL

- 8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

- 8.3 The key considerations in this case are:
- a) Compliance with the Development Plan and other planning policy;
 - b) Design, layout and materials;
 - c) Developer contributions;
 - d) Roads and traffic;
 - e) Landscape / open space
 - f) Water and drainage;
 - g) Natural heritage;
 - h) Construction impacts
 - i) Any other material considerations.

Development Plan / other planning policy

- 8.4 The site has been allocated for development within the Inner Moray Firth Local Development Plan (IMFLDP). The designation of the larger 5.5ha site covers land

for the development of the Housing Fair project with an estimated capacity for a final phase of 40 houses. The policy highlights the need for a flood risk assessment, which may restrict development. Its design layout and density are expected to be compatible with adjoining development; woodland setback; setback from Phase 1 properties sufficient to avoid overlooking / loss of privacy.

- 8.5 The housing presented within the application is in excess of that expected in the development plan land allocation, which also is in excess of the 33 undeveloped units from the initial planning permission in principle. The Development Plan provides a guide on housing numbers. However of equal importance at this stage are matters of layout, design, amenity, privacy, sense of place, etc.
- 8.6 There are a range of policies highlighted within the HwLDP which need to be taken into account in the determination of this application. Of most significance is Policy 32 of the HwLDP that addresses affordable housing. In this regard the applicant behind this proposal is a provider of affordable housing. Such developments are usually of a higher than standard density. Representations raising concerns against this application in respect of housing tenure are not material to the planning process. The mixture of one to four bedroom units should ensure a mixture of family types ranging from single person to larger households.
- 8.7 Other policies include matters pertaining to developer contributions, sustainability, master-planning provisions, design quality and place making. These policies were highlighted to the applicant at the pre-application stage and are considered as material considerations throughout this assessment. If the Council is content that there are no significant adverse impacts arising from the proposal in respect of these policies then the application can be supported.

Developer Contributions

- 8.8 Development that is consistent with the Development Plan allocation is not without constraints, not just in respect of the physical characteristics of any site but more often in respect of improved public services, facilities and or infrastructure. The Council has a clear policy outlining how all developments need to be assessed against local service provision and what fair and reasonable contributions are required. As the application advances affordable housing units from the outset, there is no need to require such provision from the applicant.
- 8.9 The applicant has brought forward a range of developer contribution provisions in line with Council guidance. This includes:
- Primary and Secondary Education contribution.
 - Improvements to the existing adopted road / site access.
 - Open landscaping / green network / stonework features.
- 8.10 The offered specific measures of developer contributions are welcome and are consistent with expectations as set out in the Development Plan and Supplementary Guidance.
- 8.11 Representations to this application highlight short comings within local services and

amenities. In particular the capacity of local schools to accommodate children in excess of that previously anticipated for pupil numbers for this area. The Council has a policy to seek contributions from dwellings with more than 1 bedroom. This seeks, via legal agreement, the collection of money as houses are built to ensure resources are available to the Council to enhance school capacities. Contributions for both primary and secondary school needs would require to be applied to any development that is approved. In this manner resources are made available to the Council to meet pupil demands. Such contributions are set at rates as already approved by the Council and are indexed linked for inflation purposes. Service planning is already in hand to increase the provision at the local primary.

- 8.12 The density of the development does result in less ground being available for open space provision, although it anticipates the use of existing provisions in the area. The land to the east of the development is also allocated for community use – safeguarded in the Development Plan as open ground, community uses with any ancillary built development set back from the A9(T) road.
- 8.13 On a temporary basis this eastern site in part will be used for construction activities associated with the development of the present application. In this regard any restored construction area potentially offers a free draining, level area of ground that could easily be adapted for recreational use. The time between any grant of planning permission and the release of this land from construction requirements allows for the future decommissioning and the level of site restoration works to be discussed with the community in full. This can be captured within an appropriately worded condition associated with application 16/05559/FUL which seeks to set out a site construction compound.

Design, Layout and Materials.

- 8.14 Pre-application advice gave encouragement for a layout that should attempt to match in with the Housing Fair site as closely as possible albeit it was understood that given that the proposals were for affordable housing the overall density would need to be higher. The application, in its design and layout, draws upon existing houses and the masterplan that was prepared in advance of that development. The key urban design objectives at that time included: -
- the linking of frontages and elevation designs to form a coherent street environment;
 - integrating front gardens and boundaries;
 - the design of houses with front doors and openings to the street;
 - generally - a sensitive fit into the topography and the local landscape.
- 8.15 Balvonie Braes and Balvonie Street have been extended down into the site and linked at the north east end of the site to create a loop road around the development. This allows for an effective development uptake. It has also allowed the applicant to present a design that is generally consistent with the mixture of housing, developed as part of the Housing Fair.
- 8.16 The current proposal departs from the masterplan for the site as there are no proposals for a pedestrian link at the north western end of the site with the existing

Milton of Leys housing developments. However it has to be recognised that the land necessary for this provision is not wholly within the applicant's control; there are physical barriers (deep watercourse) which makes footpath provision difficult to provide. However there is already a good pedestrian / emergency access link to community facilities to the west within Phase 1 over which residents can access services (shops and school) as well as local bus services (see latter paragraphs on transport matters).

- 8.17 Houses on the north east side of the extension of Balvonie Street within the site are set-out on the same principal as the existing houses. The houses in this area are set back from Balvonie Street and incorporate a wide landscape strip to each frontage interspersed with street light standards, hedging and tree planting. The south west side of Balvonie Street contains the adopted 2m wide service. Frontages are set closer to the street with beech hedging separating the edge of front gardens from the service strip. In a continuation of the Housing Fair site a pavement extends up to a pathway leading to the central landscaped area of the scheme.
- 8.18 Houses on the south west side of the site located on the extension of Balvonie Brae are to be set closer to the roadway in a continuation of the existing building line of existing development. Houses either side of entering the development site from Balvonie Brae are set back from the edge of the roadway. This allows for the creation of a wider 'gateway' "entrance node" of landscaping marking the beginning of the development site. In order to maintain the existing building line, parking for the north east flat block is proposed from the existing roadway linking Balvonie Brae and Balvonie Street.
- 8.19 There was a concern in developing the north west boundary that there would be considerable over-shadowing caused by the existing plantation woodland. In order to minimise this, the 3 storey flat units have been arranged here. These are set forward and angled to provide setback from the existing mature woodland.
- 8.20 A key aspect in the site layout has been the creation of a communal landscaped 'spine' running through the scheme. This feature helps to reduce rear gardens in the middle of the site to a size more easily maintained by the applicant and or residents. A pathway meanders down the centre of this 'spine' area and has surface play areas, seating and feature planting at key locations along its length. The central pathway is accessed by routes leading from both Balvonie Street and Balvonie Brae and culminates in the communal landscape area leading to flats located at the lower level of the site.
- 8.21 To tie in with existing innovative housing designs a range of house types have been developed for the site. These re-interpret vernacular forms in a contemporary manner. Simple forms have been adopted where pitched roofs are used throughout with minimal eaves and verge overhangs. Houses have been laid out to take optimum advantage of orientation for both solar heat gains / day-lighting and in order that living areas overlook both private and public landscape areas. The design of these units are respectful of the amenities of existing housing.
- 8.22 A palette of materials is proposed with the emphasis on their selection based on

longevity, ease of maintenance and aesthetics. Roofs are to be finished in either black flat concrete interlocking roof tiles or powder coated steel standing seam cladding in two different shades of grey. External walls are finished in either white silicone render, fibre cement weatherboard effect cladding planks or facing brick in a weathered buff colour. On selected blocks sections of upper walls are finished in powder coated steel standing seam to match relevant roof cladding. Windows are to be high performance uPVC framed in a dark grey colour. Doors are to be high performance factory stained timber in a dark grey colour.

- 8.23 Proposed roadways are to be finished in the same materials as existing with tarmac roadways and stone / stone effect sett pavements to edgings and feature areas. Generally individual and shared driveways are finished in block pavements with parking bays finished in tarmac. Pathways are to be finished in Whin dust. Selected pavements are finished with Caithness stone paving.
- 8.24 In overall terms the development as a layout, design and choice of materials is both interesting and welcome.

Water and Drainage

- 8.25 The servicing of the site from a waste water and surface water drainage perspective has already been taken into account, given the history of applications and planning designations. Water and waste water services have been provided to existing housing and surface water channel is accommodated using a Sustainable Urban Drainage (SuDs) facility that lies immediately to the north east of the application site. No objections have been raised from consultees.
- 8.26 It is intended that the SuDS basin will vest with Scottish Water on completion of the development. It is important that all storm events up to the 1:200 year will be managed and attenuated on site. The drainage network shall retain a 1:30 year event without flooding and exceedance events beyond this should be managed within the site.

Roads and Traffic

- 8.27 The development will utilise Balvonie Street, which connects with the Milton of Leys distributor road. This has raised no objection from Transport Planning, which has recognised the expected increase in the volume of traffic using the existing adopted road network including links to the A9(T) road. Public bus services are available via the adjacent Milton of Leys Housing Scheme to the east, most accessible via the existing emergency access from Balvonie Brae.
- 8.28 There are concerns with the existing adopted road at its junction with the Milton of Leys road, where the road surface is currently formed using wooden timbers. The applicant is content to undertake works to improve this short section of adopted road to accommodate the increase in traffic arising from the development and to allow for construction vehicles, who will then be directed around the east side of the existing Housing Fair development. This can be addressed by condition attached to both this application (and the sister application 16/05559/FUL for the construction access, compound and welfare facilities).

- 8.29 The layout has been designed with reference to Scottish Government guidance 'Designing Streets' and generally in alignment with the Council's Standards for 'Roads and Transport Guidelines for New Developments'. Transport Planning has raised no objection to the principle of the development and is content with the proposed limit of adoption. It has raised a number of questions during the processing of this application and requires the submission of additional details for approval. Parking is now provided in accordance with Council standards involving a number of with-in plot parking (36) and on-street parking (52) arrangements. Furthermore provision has been made for secure cycle parking and visitor cycle stands.
- 8.30 The application does present a range of surface materials within the road network to be adopted by the Council. There are two large areas of buff concrete block paving, and areas that link with private driveways from the road also use this material. Transport Planning has raised concerns over the durability of these materials and their potential to result in greater maintenance and reinstatement works by the Council post adoption. The applicant however has highlighted its efforts towards seeking entrances into the scheme as attractive as possible. The intention is to define each entrance on Balvonie Street and Balvonie Brae as a gateway. The different paved road surface at these 2 locations helps to define the entrance and create a bit of interest there. It seeks to set the tone for the development site; to reduce vehicle speeds; and to create a more pedestrian friendly area linking in to newly formed footpaths which link in to the central landscaped space.
- 8.31 The above issue highlights the tension in the delivery of concepts presented within Scottish Government policy Designing Streets. The Council as Roads Authority needs to be able to adopt a road that is fit for purpose and certainly robust enough to accommodate traffic. This will mean that the investment in each road, which departs from the standards set out in the Council Road and Transport Guidelines are not easily transferable and will require a level of investment by the applicant in engineering design and product choice to achieve an acceptable outcome. The Planning Authority can clearly support the applicant's intentions here, but the final choice of finish / materials has to be agreed in full collaboration with the Roads Authority's Road Construction Consent process. It may for example require the proposed concrete pavements to be replaced with more robust insets. It is recommended that the matter be confirmed through a suspensive planning condition.
- 8.32 The layout has also been improved to ensure that arrangements are in place for waste and recycling collections. This ensures that properties can place their bins "kerb-side" without conflict with on-street parking arrangements. For the flattened accommodation secure communal facilities are to be provided.

Landscape / open space

- 8.33 In addition to within plot garden ground, the applicant has provided as part of the core design elements of the submission a landscape spine through the central part of the layout. This will provide for easy accessibility across the site but also attractive areas for social interaction, seating and timber benches. Tree, hedging and bulbs across landscape area will add to the character of the layout, providing entrance features and screening of car parks. The development will provide general consistency with the existing Housing Fair, with ongoing maintenance being supported by the applicant. Of particular note is the hedging provided across the plot frontages, continuing the design adopted in the Housing Fair.
- 8.34 The layout will also benefit from being set between a number of landscape features including an area of rough landscaping associated with Scretan Burn to the west, Balvonie Wood to the north and open land, with plantings to the east. The Development Plan and the Council's Forestry officer have highlighted the need for development set back to minimise the dangers arising from tree felling. The plantation is relatively mature and may be felled in the coming years. For now it is a solid block of planting on lower ground and development must respect the risks of tree fall. The angling of the flatted blocks in this area will assist in this regard, but conditions will be necessary to ensure effective construction management to minimise impact on the neighbouring woodland.

Archaeology & Cultural Heritage

- 8.35 The application lies within an area of archaeological interest. The results of evaluative excavation carried out in 2007 indicated that further monitoring would be required in advance of development in this area. While the risk of encountering buried archaeological features and deposits is not such as to warrant a full excavation, it is important that the nature and extent of any features is identified and recorded before destruction. Site clearance work should be done under archaeological supervision so that if necessary any recording can be done without causing undue delay or inconvenience for the development. This can be controlled by condition.

Construction Impacts

- 8.36 The development during the construction stage has the potential to create nuisance be that noise, vibration, dust and light. It is expected that the developer / contractor will employ the best practicable means to reduce adverse impacts from construction activities. These can also in part be addressed through appropriately worded planning conditions or provided as informatives attached to any consent. This should include a neighbourhood liaison scheme, set as a condition.
- 8.37 The site is not designated for any nature conservation interest; however a number of protected species will be present in the surrounding area and accordingly may enter this development site. Accordingly it will be important that the contractors involved with works on this site adopt best practices in the management of any excavations etc. to minimise the risks to local found wildlife on site.

- 8.38 As with all developments there can sometimes be a gap in time between the occupation of the first house and completion of the last. Whilst some delay in providing the planned landscape areas and finishing of the adopted road surfaces is normal, it is important that elements of these works are finished off within a reasonable timescale to ensure that the early occupants are not left without these services for an extended period. It would be reasonable therefore to require the submission of a phasing plan highlighting the provision of communal services in tandem with house occupation. This can be addressed through planning conditions.

Other material considerations

- 8.39 The details within the application do not provide information on street lighting. The landscape plan however highlights that low level lighting will be available through the central landscaped area. It will be important to ensure that an appropriate level of street lighting is provided as part of the site to secure public safety and that such lighting is designed in a manner to reduce impact on adjoining ground and sky glow. Such details can be addressed through conditions. There is expectation that lighting will be of a design consistent with that deployed across the existing Housing Fair development.
- 8.40 There are no other material considerations.

Non-material considerations

- 8.41 None.

Matters to be secured by Section 75 Agreement

- 8.42 The applicant has agreed to a number of developer contributions. These elements need to be confirmed within a legal agreement to ensure their provision as development is progressed. The applicant will have four months from the date that the Council's solicitor writes to the Applicant/Applicant's solicitor indicating the terms of the legal agreement, to deliver to the Council a signed legal agreement. Should an agreement not be delivered within four months the application will be refused under delegated powers.

9. CONCLUSION

- 9.1 The application brings forward proposals on land that has been allocated for housing use in the Development Plan. However it has raised a number of concerns as highlighted by objections from the Community Council and from public representations. Of most concern with the application is the issue over house numbers, which are in excess of expectations. More particularly how future residents will impact on community services, particularly schools.
- 9.2 The proposal offers housing in excess of that anticipated by the Development Plan. However of the 49 houses proposed, 20 units are single bedroom units that are not expected to accommodate school children. The Council addresses service shortcomings through developer contributions ensuring that resources are provided

from developers to assist with additional provision within the local community. For this development the applicant has agreed to payments to the Council through arrangements set out in a legal agreement to provide contributions for both primary and secondary needs in line with adopted guidance.

- 9.3 The higher density of development proposed however respects the amenity of existing houses and neighbouring land. It presents a layout and house designs that are acceptable. Negotiations with the applicant have refined key elements to ensure adequate car parking, accessible community bins and secure cycle parking facilities. The applicant has also agreed to address the current shortcomings with the adopted road leading into the development, in addition to providing an alternative access for all construction traffic. In this manner impact upon the existing residents will be minimised.
- 9.4 Development impacts can also be addressed through the use of planning conditions to ensure best practice construction and environmental management methods and community liaison undertaken through the construction period. There are a small number of matters to be confirmed with the delivery of the development, which can be addressed through conditions. In this manner the Council can ensure that: -
- Finalised materials to be used within the adopted road network are sufficiently robust / fit for purpose.
 - Existing trees north of the development are protected.
 - Street Lighting is delivered in accordance with Council design standards.
- 9.5 In amenity terms the design allows for a central landscape area, which is to be laid out to a high standard to offer an amenity feature / public space for residents. This will provide a real sense of place and help define a key feature of the overall scheme in line with the old masterplan. However the secondary pedestrian link to the north west highlighted in the masterplan has not been achieved. The existing link through to Milton of Leys from Balvonie Brae will nevertheless ensure good access to local services and public transport.
- 9.6 There is also a very real potential for the community to pick up on the opportunity to bring forward their plans for the use of the land to the east of the development site, as provided for within the development plan, when the proposed construction and welfare compound is decommissioned and the site restored. Such after use of the site could provide for additional play areas to be provided without significant effort.
- 9.7 The density of the housing is high but it will result in a development that chimes with its innovative Housing Fair neighbours which is a collective mix house type, design and materials. It will provide much needed housing for the Inverness housing market through a provider of affordable housing.
- 9.8 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. RECOMMENDATION

Action required before decision issued	Y
Notification to Scottish Ministers	N
Notification to Historic Scotland	N
Conclusion of Section 75 Agreement	Y
Revocation of previous permission	N

Subject to the above, it is recommended the application be **Granted** subject to the following conditions and reasons:

1. No development shall commence on site until a Phasing Plan outlining details of the expected phasing of the development has been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt the Phasing Plan shall ensure: -

- 1) Provision of open space provision concurrently with housing occupation; and
- 2) Timeous provision of road infrastructure to a standard capable of adoption concurrently with housing occupation.

Thereafter, the development shall be undertaken in accordance with the approved Phasing Plan.

Reason : To ensure the principal elements of the development are secured on an agreed timetable relative to the occupation of the approved housing units.

2. No development shall commence until a Construction Environmental Management Document (CEMD), in accordance with The Highland Council's Guidance Note on Construction Environmental Management Process for Large Scale Projects (August 2010) (as amended, revoked or re-enacted; with or without modification), has been submitted to, and approved in writing by, the Planning Authority. The CEMD shall be submitted at least two months prior to the intended start date on site and shall include the following:

- i. A Schedule of Mitigation (SM) drawing together all mitigation proposed in support of the application and other agreed mitigation (including that required by agencies and relevant planning conditions attached to this permission);

- ii. Change control procedures to manage/action changes from the approved SM, CEMD and Construction Environmental Management Plans;

- iii. Construction Environmental Management Plans (CEMPs) for the construction phase, covering: -

- a) Species Protection;

- b) Tree Protection;
- c) Pollution Prevention and Control;
- d) Dust Management;
- e) Lighting Mitigation.
- f) Noise and Vibration Mitigation;
- g) Site Waste Management;
- h) Surface and Ground Water Management;
- i) Drainage / sediment management measures from all construction areas;
- j) Community / Neighbour liaison measures including effective management of public access infrastructure adjacent to / within the site.

iv. Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

Thereafter, development shall be carried out in accordance with the finalised Schedule of Mitigation, Construction Environmental Management Document and any Construction Environmental Management Plans approved thereunder.

Reason : To control and reduce the impact of construction activity on the local environment and surround neighbours and thereby minimise risks of pollution to the air, water and land.

3. No development shall commence until full details of any external lighting to be provided within the site and / or along its boundaries and / or access have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

Reason : to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and minimises additional 'sky glow'.

4. No development or work (including site clearance) shall commence until proposals for an archaeological watching brief to be carried out during site clearance and excavation works, in accordance with the attached specification, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the watching brief shall be implemented as approved.

Reason : In order to protect the archaeological and historic interest of the site.

5. No house shall be occupied until a finalised landscape plan has been submitted for approval of the Planning Authority. Such plans shall ensure a continuation of the beech hedges on plot frontages, maintained at a height of 1.0m. Only the approved plan shall be implemented and thereafter maintained. Any tree or hedge plant failures within the first three years of the completion date of the whole development must be removed and replaced to the satisfaction of the Planning Authority.

Reason : To ensure the principle elements of the landscape plan as drawn from initial phase of housing at Balvonie is provided for within this phase of development.

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

TIME LIMITS - Three years.

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.

On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (p.198), planning permission does

not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Local Roads Authority Consent

In addition to planning permission, you will require one or more separate consents (such as dropped kerb consent, a road openings permit, road construction consent etc.) from TECS Roads prior to work commencing. These consents may require additional work and / or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

Mud & Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Signature: Nicola Drummond
Designation: Area Planning Manager – South/Major Developments.
Author: Ken McCorquodale, Principal Planner (01463 255211).
Background Papers: Documents referred to in report and in case file.
Relevant Plans:

- Site Location Plan 1610/P(Rt3)103
- Site Plan 1610/P(Rt3) 100
- GA House Type T3 P (Rt1) 100
- GA House Type T1 P (Rt5) 100
- GA House Type T2R P (Rt3) 100
- GA House Type T2L P (Rt3) 100
- GA House Type T4R P (Rt1) 100
- GA House Type T4L P (Rt1) 100
- GA House Type T5 P (Rt7) 100
- GA House Type T6 P (Rt2) 100
- GA House Type T7 P (Rt6) 100
- GA House Type T8 P (Rt4) 100
- GA House Type T9 P (Rt2)100
- Bin & Cycle Store 1610 P(RtX) 401
- Site Section/Elevation Plan1610/P(Rt3) 300
- Clifton Bench Design

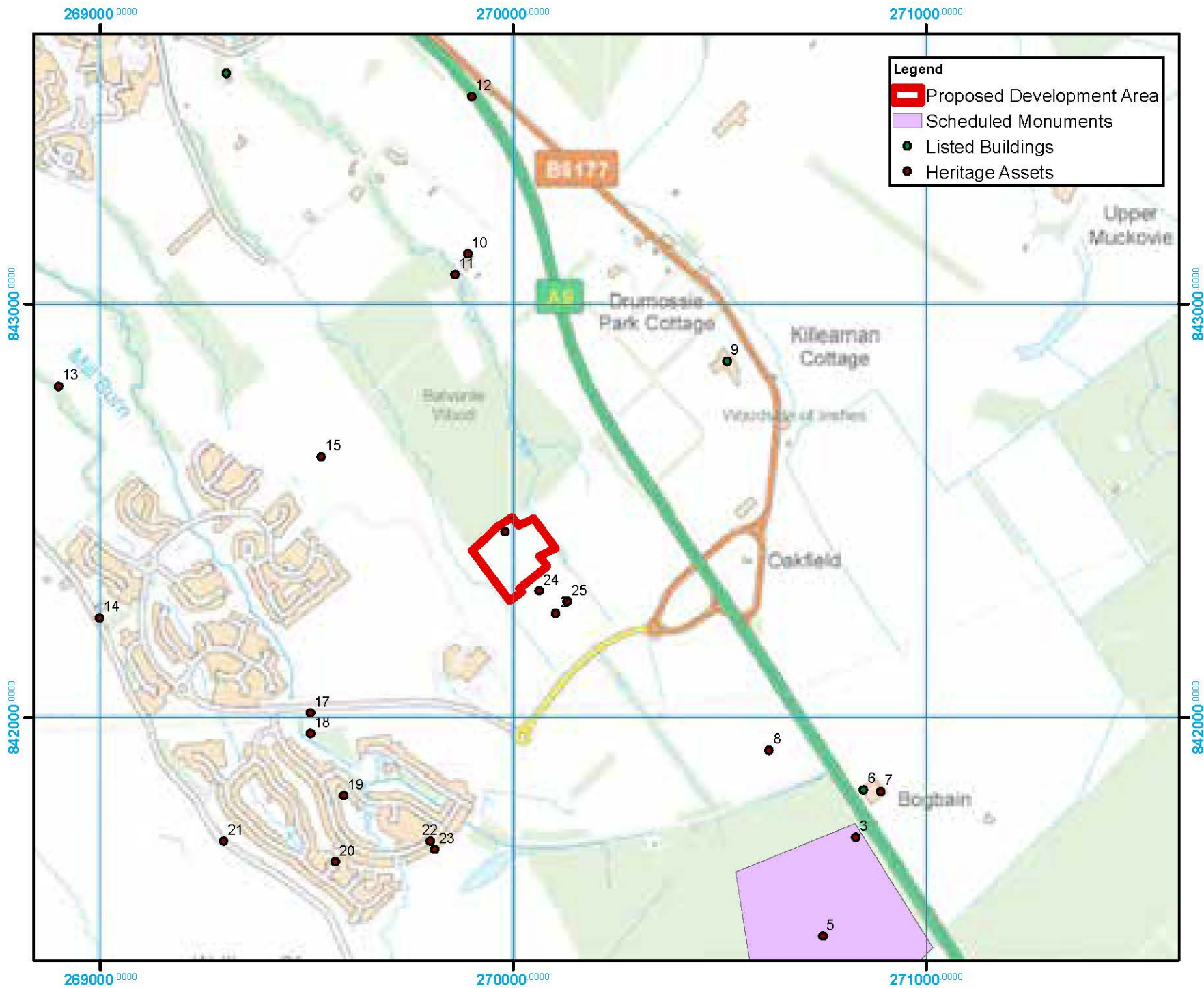
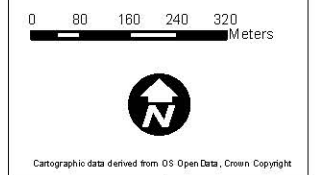
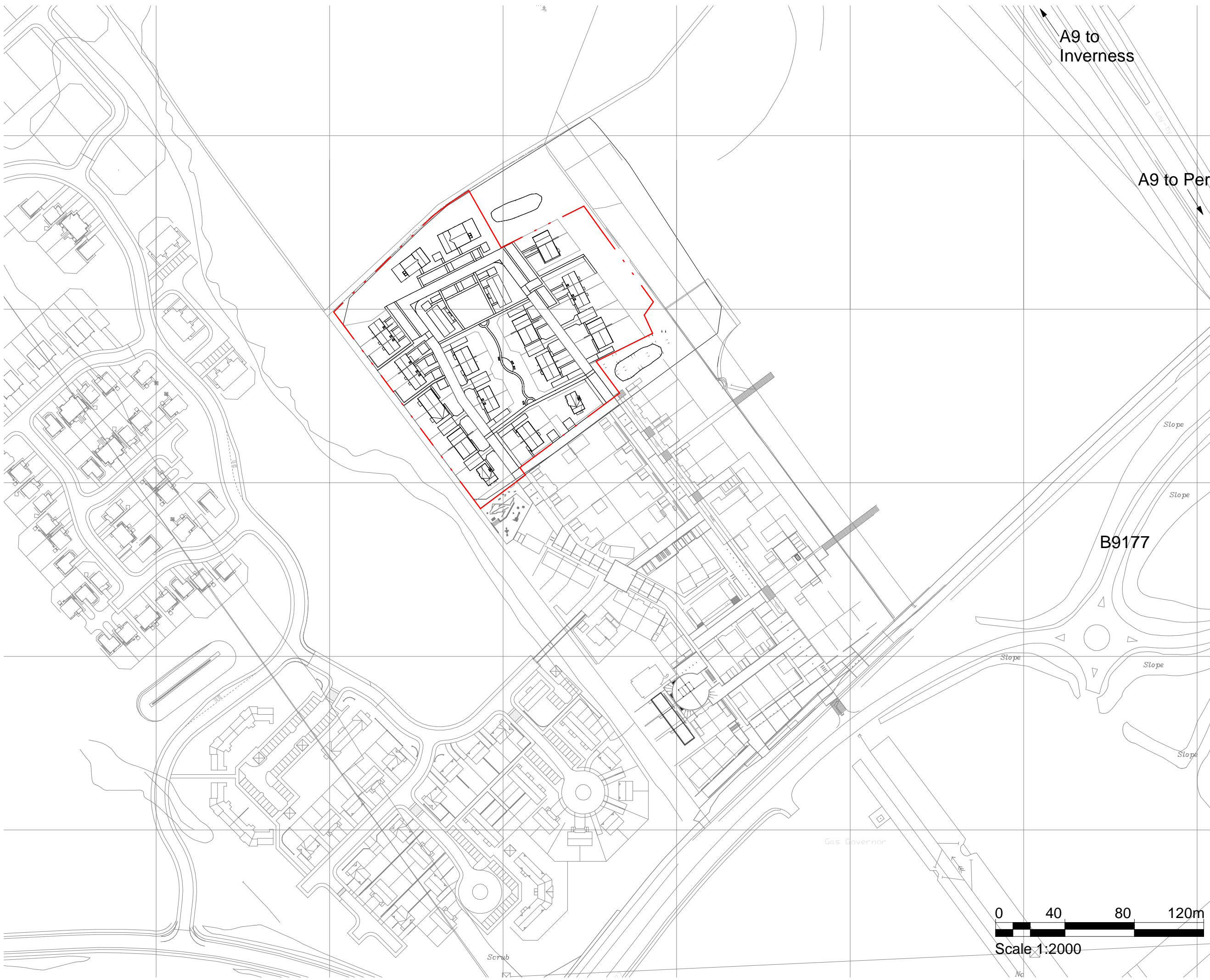


Figure 1: Location map showing proposed development and heritage assets within 1km study area

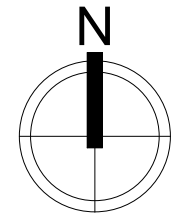


Project No.:	70004
Date:	08.06.2015
Scale at A4:	1:12,500



Figured dimensions only are to be taken from this drawing.
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CDM:
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 recorded where appropriate, in accordance with the requirements
 of "The Construction (Design and Management) Regulations 2015"
 and the associated "Industry Guidance for Designers"



Rev	Description	Date



Lyle House, Fairways Business Park,
 Inverness IV2 6AA

T : 01463 712 288
 W : www.colinarmstrong.com



Client
Albyn Housing Society

Project
**Proposed Hosuing Development
 Balvonie Braes**

Project No. 1610

Drawing No. P(RT3)103

Revision

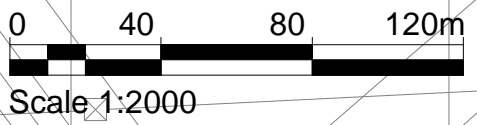
Location Plan

Status
Planning

Date Created 27/09/16 Drawn by RG

Scale 1 : 2000 Sheet A3

Printed on : 29/09/2016 12:38:55



From file : X:\Documents\1610 Balvonie Braes\Drawings\CURRENT\1610 - SK(RG) - Co-ordinated Model.rvt



- ROAD CONSTRUCTION
- FOOTPATH CONSTRUCTION
- VERGE AREA
- VISIBILITY SIGHTLINES

Drawing No.	Revision
000000	A
Revisions	Date Dwn.
A TH.C COMMENTS INCORPORATED	000000 MC

APPROVAL
DRAWING

ALBION HOUSING
SOCIETY LTD

BALCONIE PHASE
INTERNESS

ROAD ADOPTION AREAS

Drawn: M	Chk'd:	Scale: 1:1000
Date: FEB 2022	Date:	DO NOT SCALE

hga consulting engineers	HGA(UK) Ltd Darach House Stonyfield Business Park Inverness IV2 7PA T: 01463 22717 F: 01463 224275 email: hga@hgagroup.co.uk
------------------------------------	--

Drawing No.	Revision
000000	A



Existing SUDS

Existing SUDS

General Notes

1. Prior to commencement of any work on site, protective fencing must be erected around existing trees to be retained in accordance with BS 5837:(2012).
2. Prior to any deep cultivation or excavation of planting pits the landscape contractor must check with the site manager / engineer for exact locations of any underground services.
3. Some tree positions may have to be amended to accommodate any amendments to locations of services.
4. For information on levels & drainage refer to engineer's drawings.
5. Limited information with regard to levels, drainage & underground services was available to us at time of preparation of drawing.

Indicative Species List

- Trees**
- Acer platanoides 'Globosum' (Maple)
 - Carpinus betulus (Hornbeam)
 - Quercus ilex (Holm Oak)
 - Quercus coccinea (Scarlet Oak)
 - Sorbus aucuparia (Rowan)
- Hedgerow - central open space / courtyard / flats - to be maintained at a height of 1.0m**
- Fagus sylvatica (Beech)
 - Prunus lusitanica (Portuguese Laurel)
 - Quercus ilex (Holm Oak)
- Hedgerow - front gardens - to be maintained at a height of 0.5m**
- Berberis
 - Euonymus
 - Escallonia
- Ornamental Shrub Planting - a mixture of higher to low ground cover planting**
- Berberis thunbergii
 - Calluna var.
 - Cornus sericea 'Flaviramea' / stolonifera
 - Erica var.
 - Juniperus x pfitzeriana
 - Photinia 'Red Robin'
 - Picea abies 'Nidiformis'
 - Pinus mugo 'Mops'
 - Potentilla fruticosa / 'Abbotswood'
 - Physocarpus opulifolius 'Darts Gold'
 - Sambucus racemosa 'Sutherland Gold'
 - Thuja 'Sunkist'
 - Tsuga canadensis
 - Viburnum 'Eve Price'

Legend

- | | | | | | | | |
|--|--|--|--|--|---|--|---|
| | Existing trees to be retained and protected - out with Site Boundary | | Proposed bulb planting | | Marshalls Standard Block Paving - Charcoal - Herringbone laid pattern, 200 x 100 x 50 (or similar approved) | | Marshalls Conservation Paving, Heather Grey, 450 x 450 x 50 (or similar approved) |
| | Proposed focal point tree planting | | Proposed close mown grass | | Footpaths - Marshalls saxon pavioir - Charcoal, 400 x 400 x 50 (or similar approved) | | Site boundary |
| | Proposed tree planting in 1m diameter weed free circles | | Proposed long grass | | Marshalls Granite Cobble Setts, Silver Grey, 100x 100 x 100 (or similar approved) | | Site boundary |
| | Proposed tree planting in hedge | | Proposed reinforced grass | | Play surface | | Site boundary |
| | Proposed hedge planting | | Proposed 1.8m fencing | | Timber bench | | Site boundary |
| | Proposed shrub planting | | Proposed 1.4m fencing | | Timber bollard with integrated lighting | | Site boundary |
| | Proposed tree planting in shrubs | | Proposed hard landscape (e.g. gravel / paving) in areas too small for planting | | Marshalls Countryside Kerb - Charcoal, 145 x 255mm (or similar approved) | | Site boundary |
| | Proposed specimen shrub planting | | Timber edge Whin Dust Path | | Marshalls Flat Top Heel Kerb - Natural, 200 (h), 914 (face length), 50 (w) (or similar approved) | | Site boundary |



Rev B: 06/03/2017 - Drawing updated following revised layout. (LH)

Rev A: 07/12/2016 - Drawing updated following planning comment. (LH)

Project: Balvonie Braes, Inverness	Client: Albyn Housing Society Limited
Drawing Title: Landscape Layout for Planning Submission	
Scale: 1:250 @ A1	Date: 28 / 09 / 2016
Drawing No: 1047 / 07 Rev B	Status: Planning
Drawn by: L S Houghton	Checked by: R Wilkie



axwell House, East Mains Industrial Estate, Broxburn, West Lothian EH52 5AU
t: 01306 858757 w: brindleyassociates.co.uk
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 recorded where appropriate, in accordance with the requirements
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Elevation A-A
 Scale - 1 : 250



Elevation B-B
 Scale - 1 : 250



Elevation C-C
 Scale - 1 : 250



Elevation D-D
 Scale - 1 : 250



Elevation E-E
 Scale - 1 : 250



Elevation F-F
 Scale - 1 : 250

Rev	Description	Date



COLIN ARMSTRONG
 ARCHITECTS

Lyle House, Fairways Business Park,
 Inverness IV2 6AA
 T : 01463 712 288
 W : www.colinarmstrong.com



Client
 Albyn Housing Society

Project
 Proposed Housing Development
 Balvonie Braes

Project No. 1610

Drawing No. (RT3)300

Revision

Site Elevations

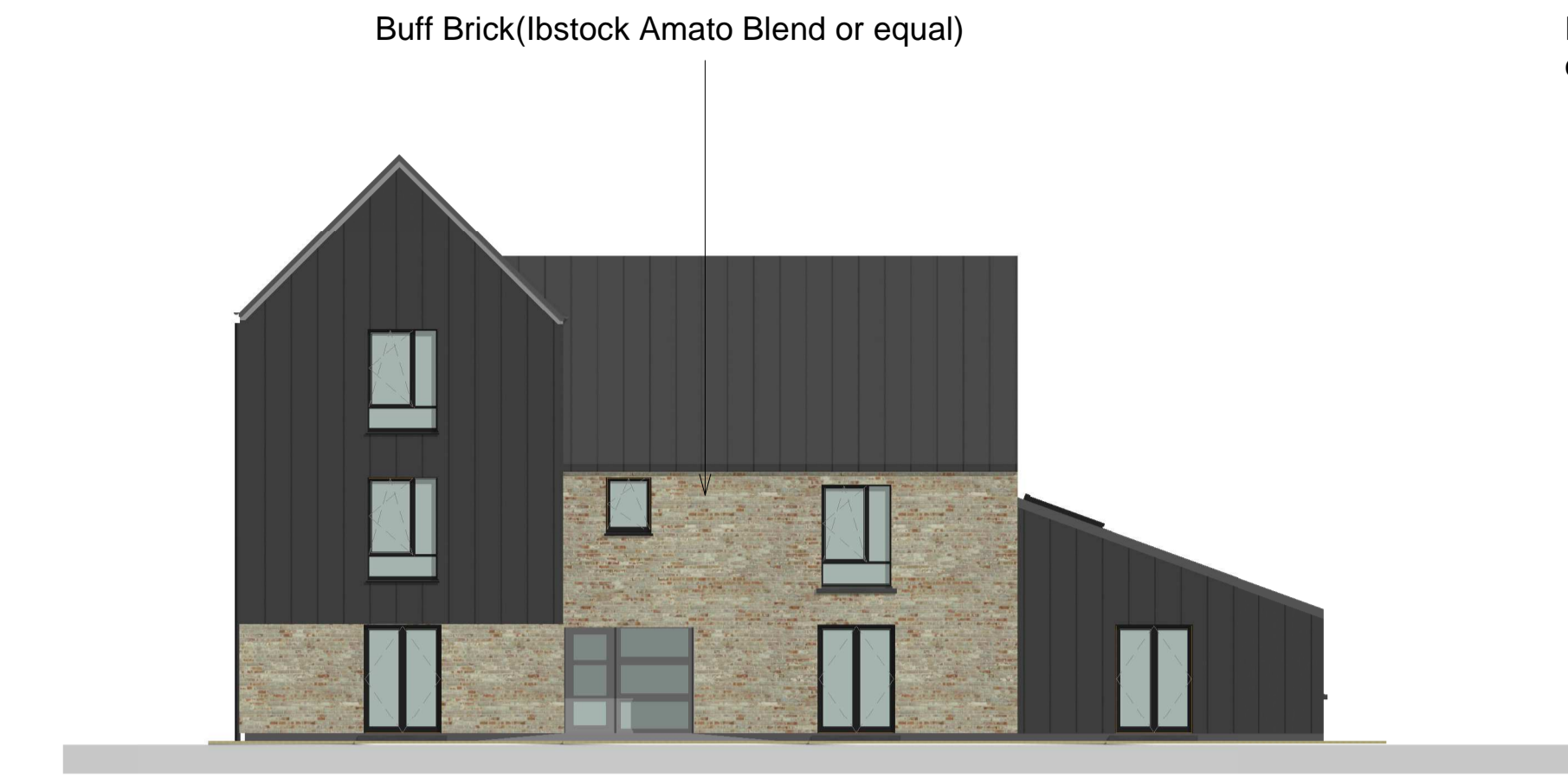
Status
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Date Created 09/12/16 Drawn by RG

Scale 1 : 250 Sheet A1

Printed on 29/09/2016 14:38:45

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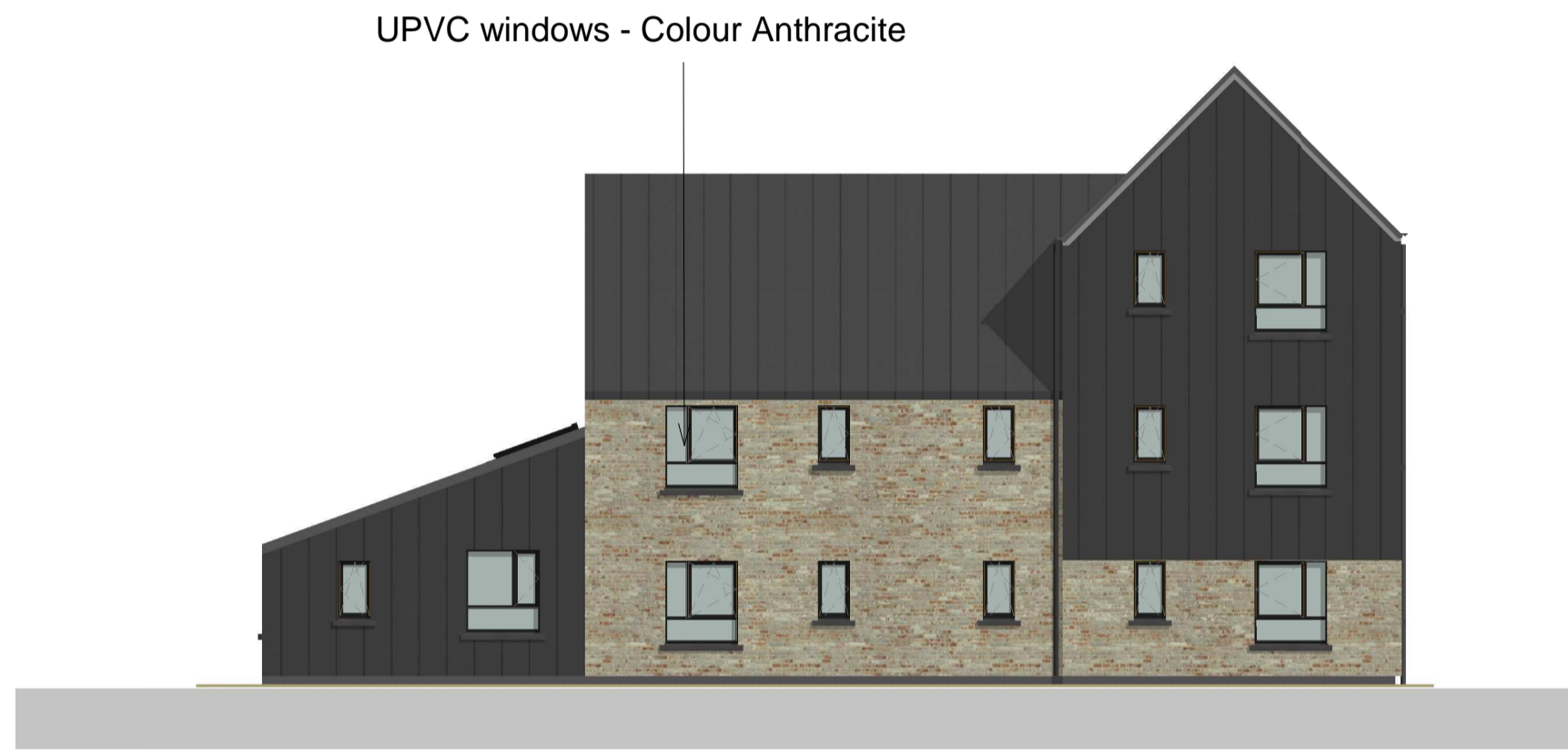
ENTRANCE ELEVATION

Scale - 1 : 125



RH SIDE ELEVATION

Scale - 1 : 125



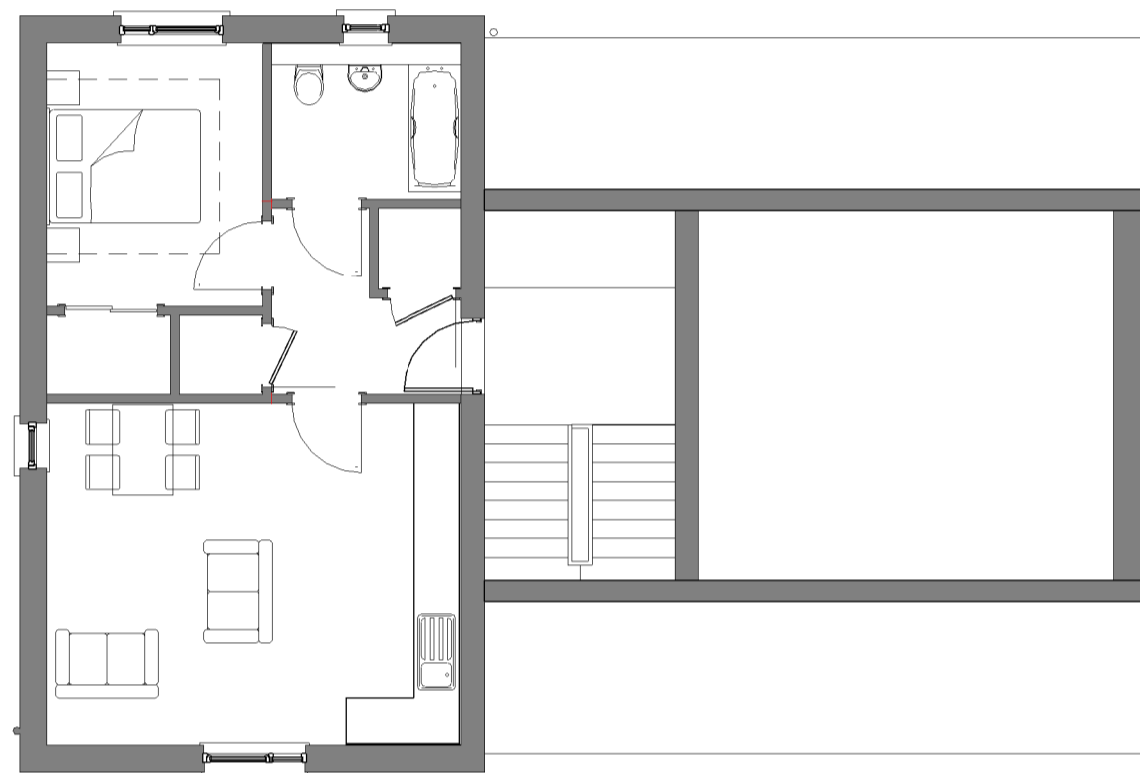
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Scale - 1 : 125



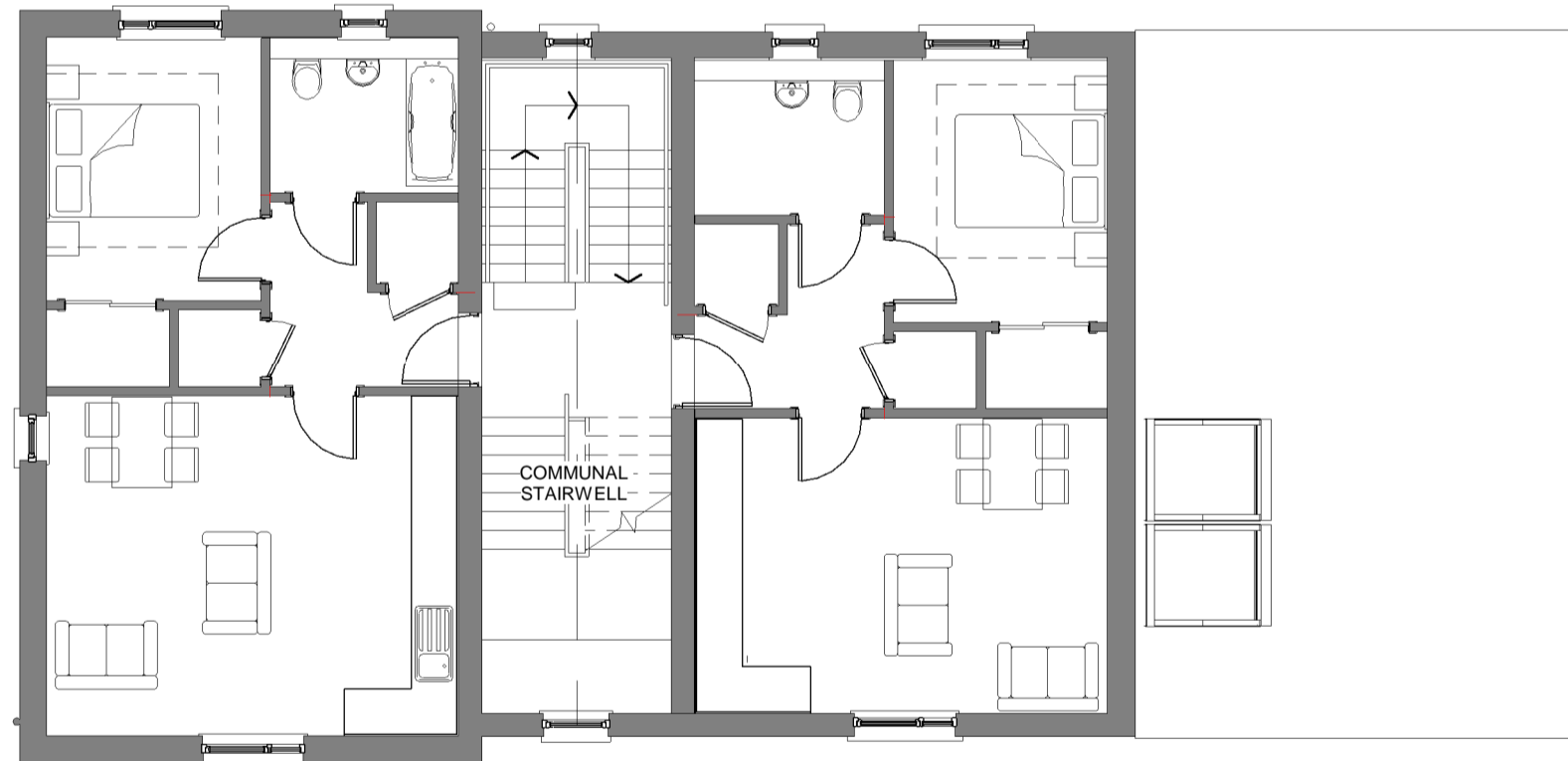
LH SIDE ELEVATION

Scale - 1 : 125



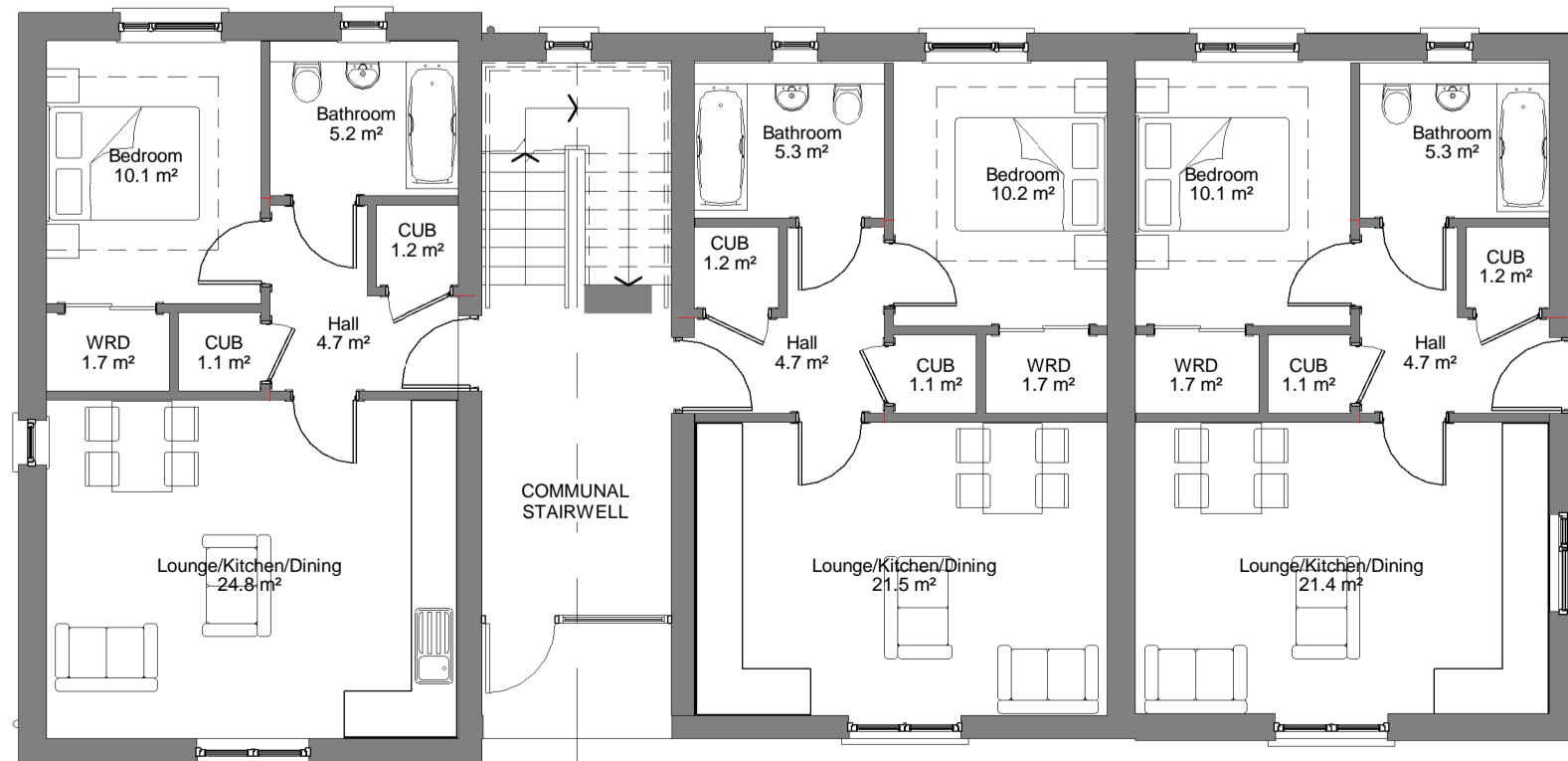
SECOND FLOOR

Scale - 1 : 100



FIRST FLOOR

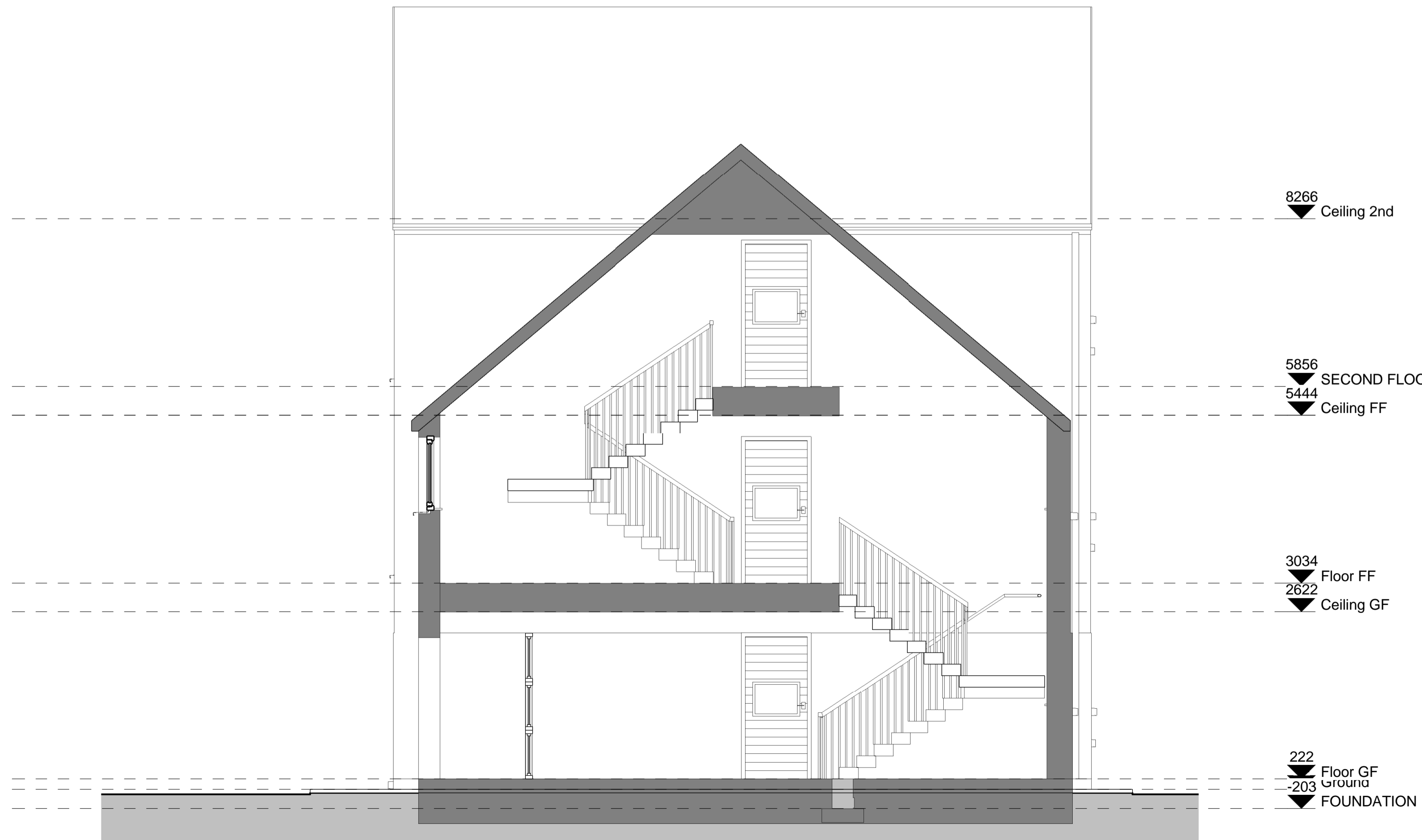
Scale - 1 : 100



GROUND FLOOR

Scale - 1 : 100

Flat Areas : 50sqm

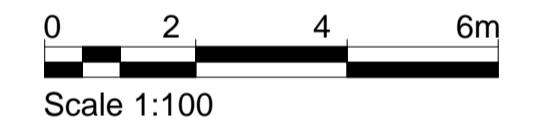


Section 3

Scale - 1 : 50

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Scale 1:100

Rev	Description	Date
1	Revision 1	Date 1



Lyle House, Fairways Business Park,
Inverness IV2 6AA
T : 01463 712 288
W : www.colinarmstrong.com



Client
ALBYN HOUSING SOCIETY LTD.

Project
**Proposed Housing Development,
Balvonie Braes,**

Project No. 1112

Drawing No. 1610 (Rt)100

Revision 1

General Arrangement
Type 6
1B2P Flats

Status
Sketch

Date Created
Jan. '16

Drawn by
RG

Scale
As indicated

Sheet
A1

From file: X:\Documents\1610 Balvonie Braes\Drawings\CURRENT\HOUSE TYPE\TYPE 6 - RG 1610 SKETCH (1B2P 3 Storey Flats)\P227 - 2B331.rvt
Printed on: 28/02/2016 08:25:14

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Timber effect cladding ("Marley Cedral Boards or equal colour: Atlas Brown)

Buff Brick (Ibstock Amato Blend or equal)

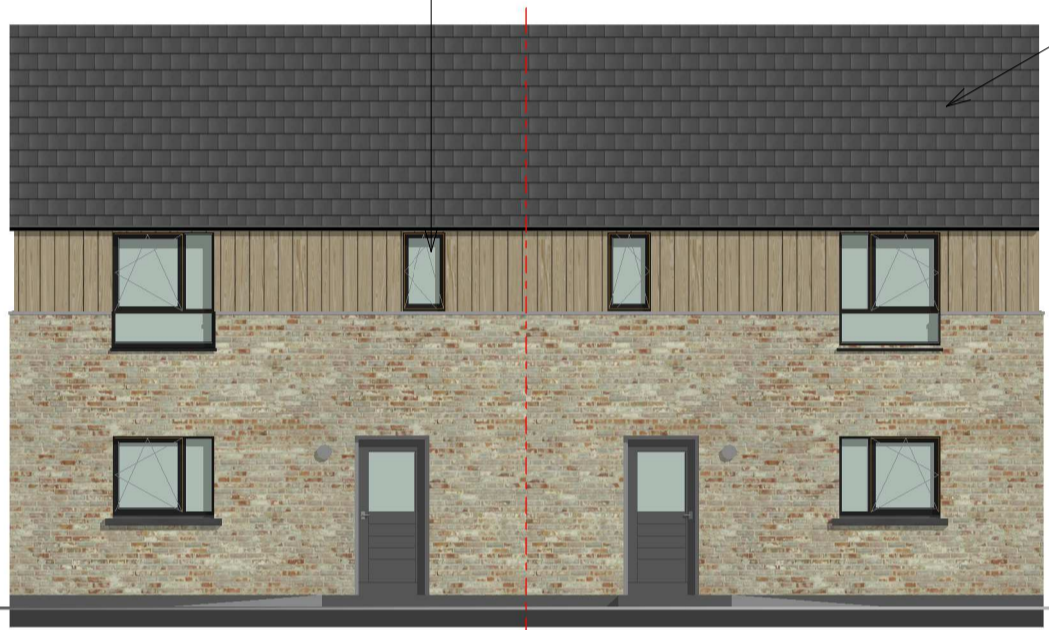


ENTRANCE ELEVATION
Scale - 1 : 100



RH SIDE ELEVATION
Scale - 1 : 100

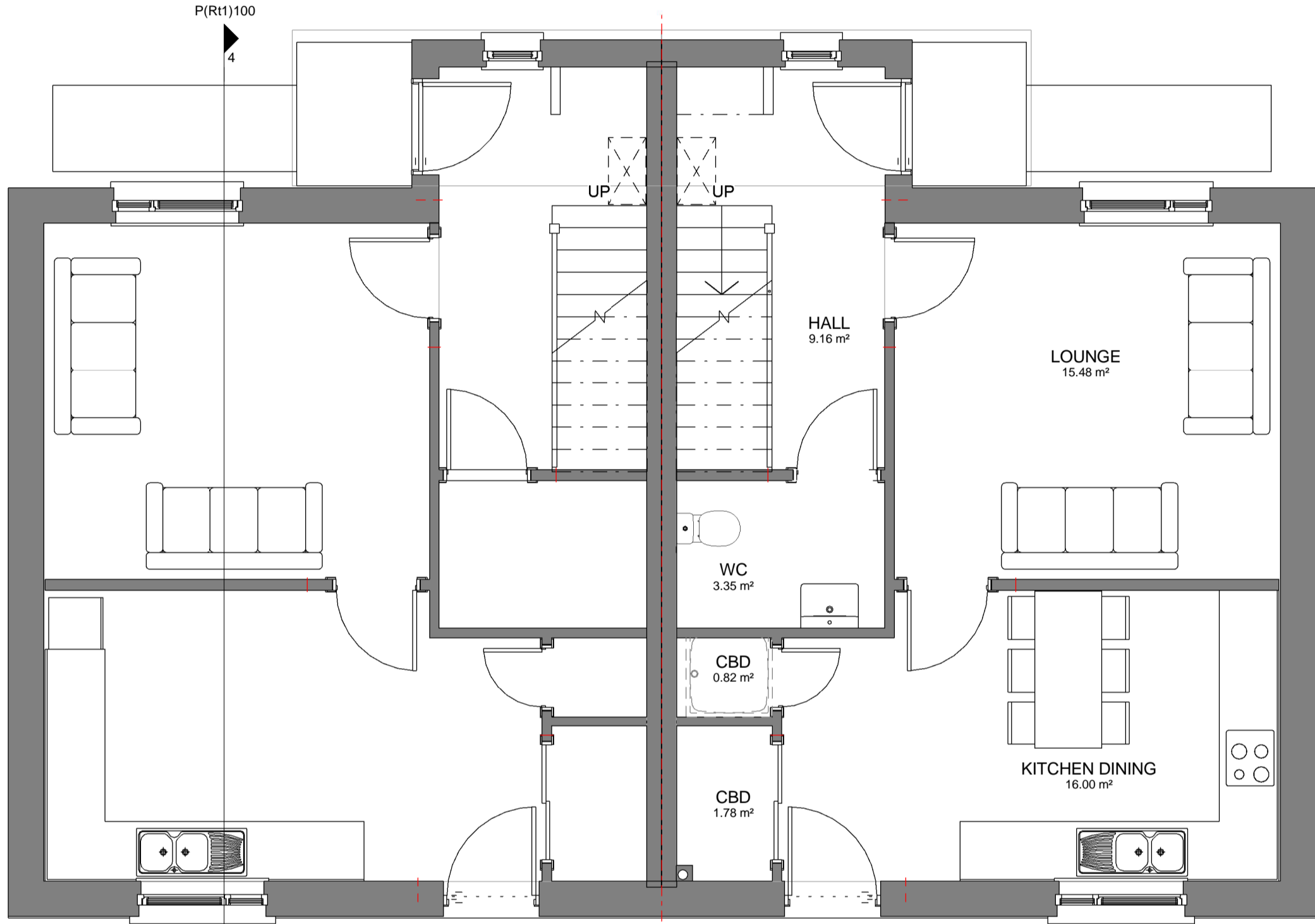
UPVC windows - Colour Anthracite Concrete Roofing tile (Redland Ministone colour Black)



REAR ELEVATION
Scale - 1 : 100

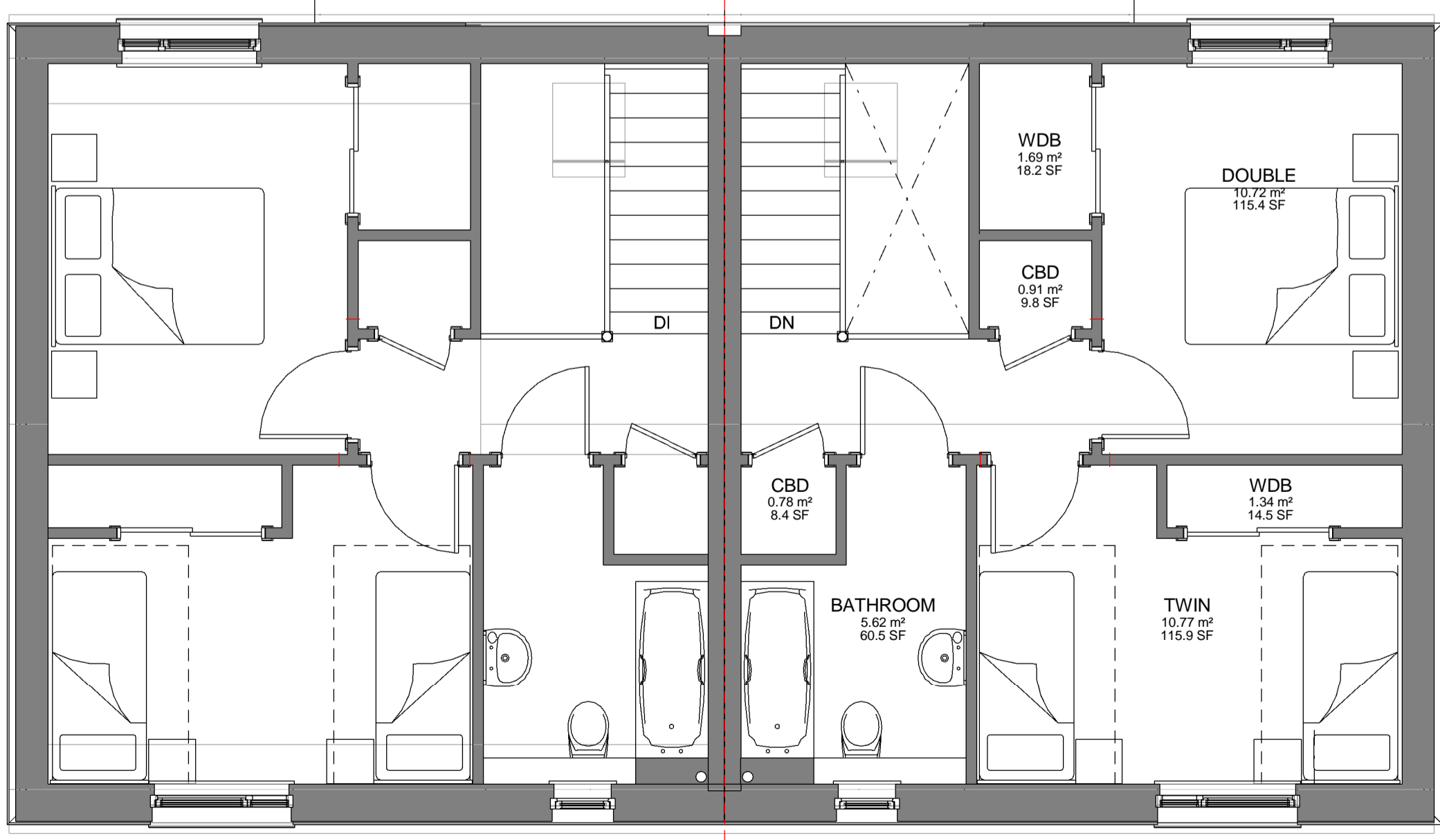


LH SIDE ELEVATION
Scale - 1 : 100



PLANNING GROUND FLOOR.

Scale - 1 : 50
FIRST FLOOR AREA: 46.9M2

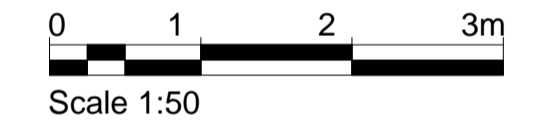


PLANNING FIRST FLOOR

Scale - 1 : 50
GROUND FLOOR AREA: 37.7M2
TOTAL FLOOR AREA: 84.2M2



Section 1
Scale - 1 : 50



Rev	Description	Date



Lyle House, Fairways Business Park,
Inverness IV2 6AA
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W : www.colinarmstrong.com



Client
Albyn Housing Society Ltd

Project
Balvonie Braes

Project No. 1610

Drawing No. P(Rt1)100

Revision

General Arrangement
T3
2B4P Semis

Status
Planning

Date Created 2016-09-23

Drawn by RG

Scale As indicated

Sheet A1

From file: X:\Documents\1610 Balvonie Braes\Drawings\CURRENT\HOUSE TYPE\TYPE 3 - 1610 SRH\1 - 2B4P Semis 10016.rvt
Printed on: 23/09/2016 09:40:43



Timber effect cladding ("Marley Cedral Boards or equal colour: Atlas Brown)



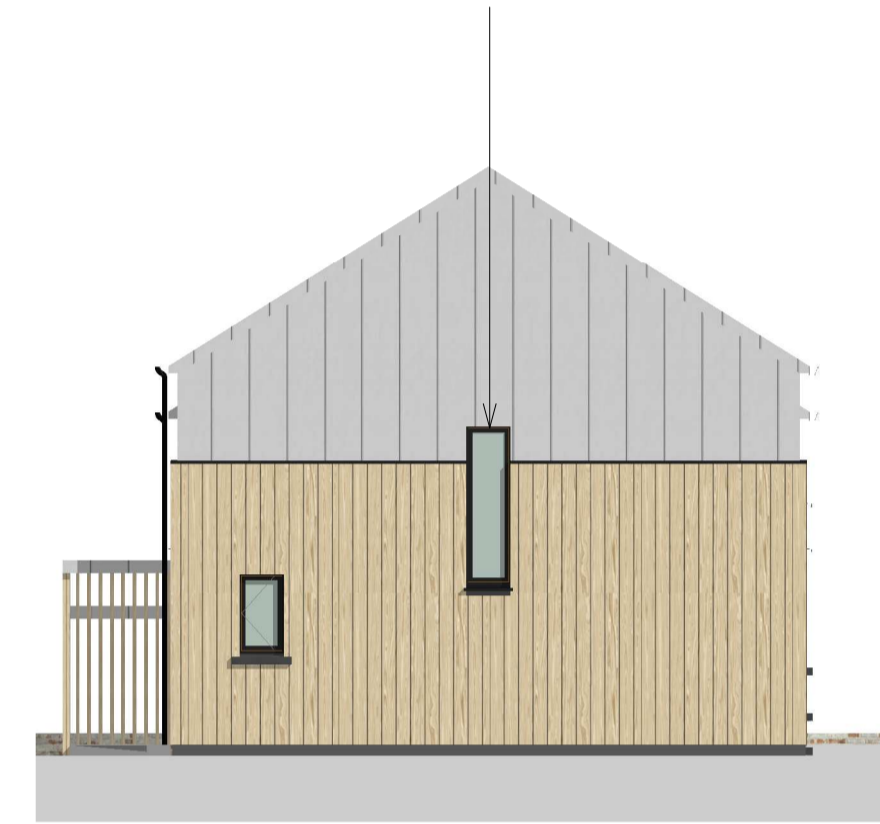
REAR ELEVATION
Scale - 1 : 100



LH ELEVATION
Scale - 1 : 100

UPVC windows - Colour Anthracite

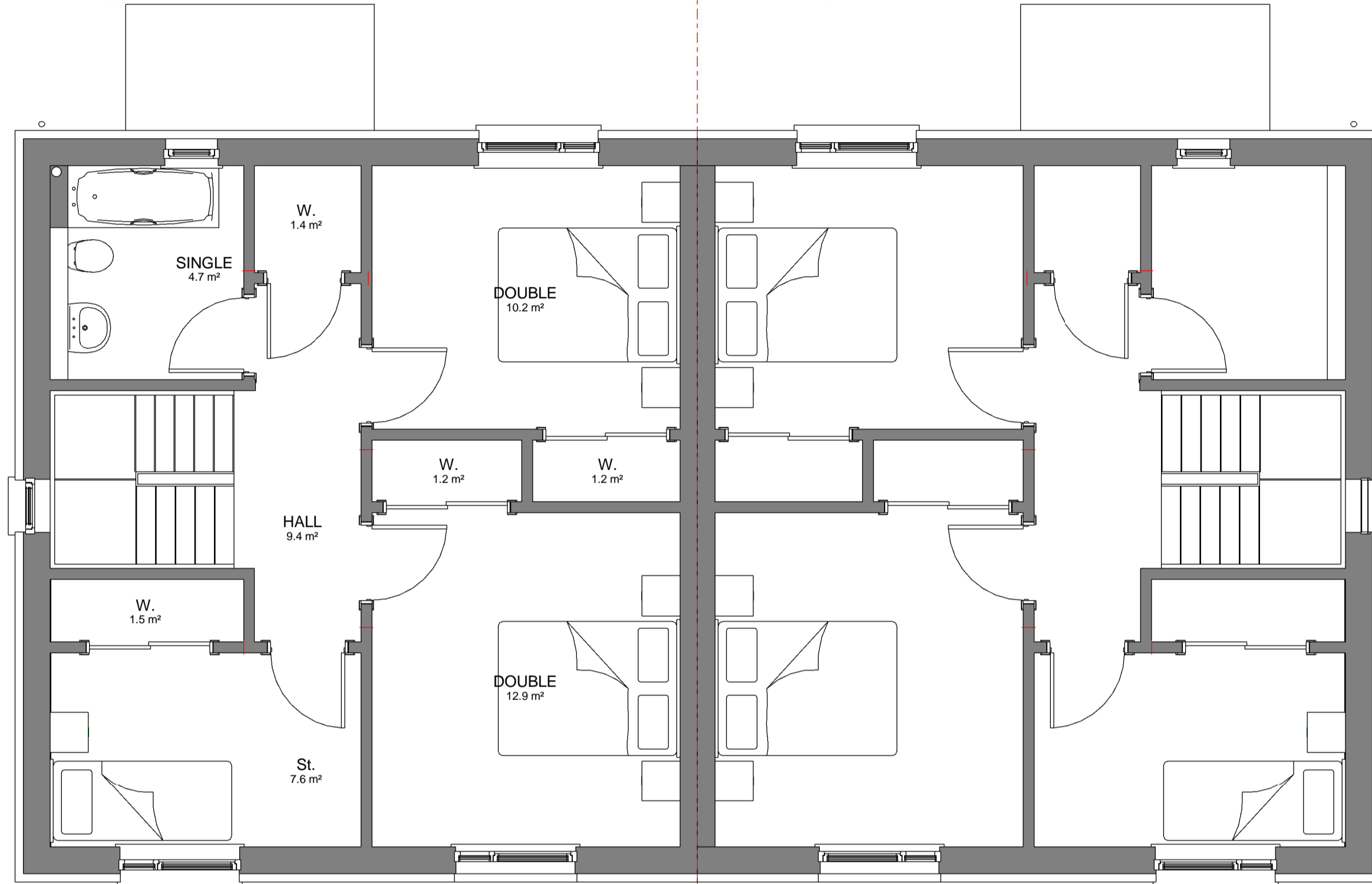
Powdercoated steel standing seam roof/wall cladding("Colourcoat Urban" or equal colour: Merlin Grey)



RH ELEVATION
Scale - 1 : 100

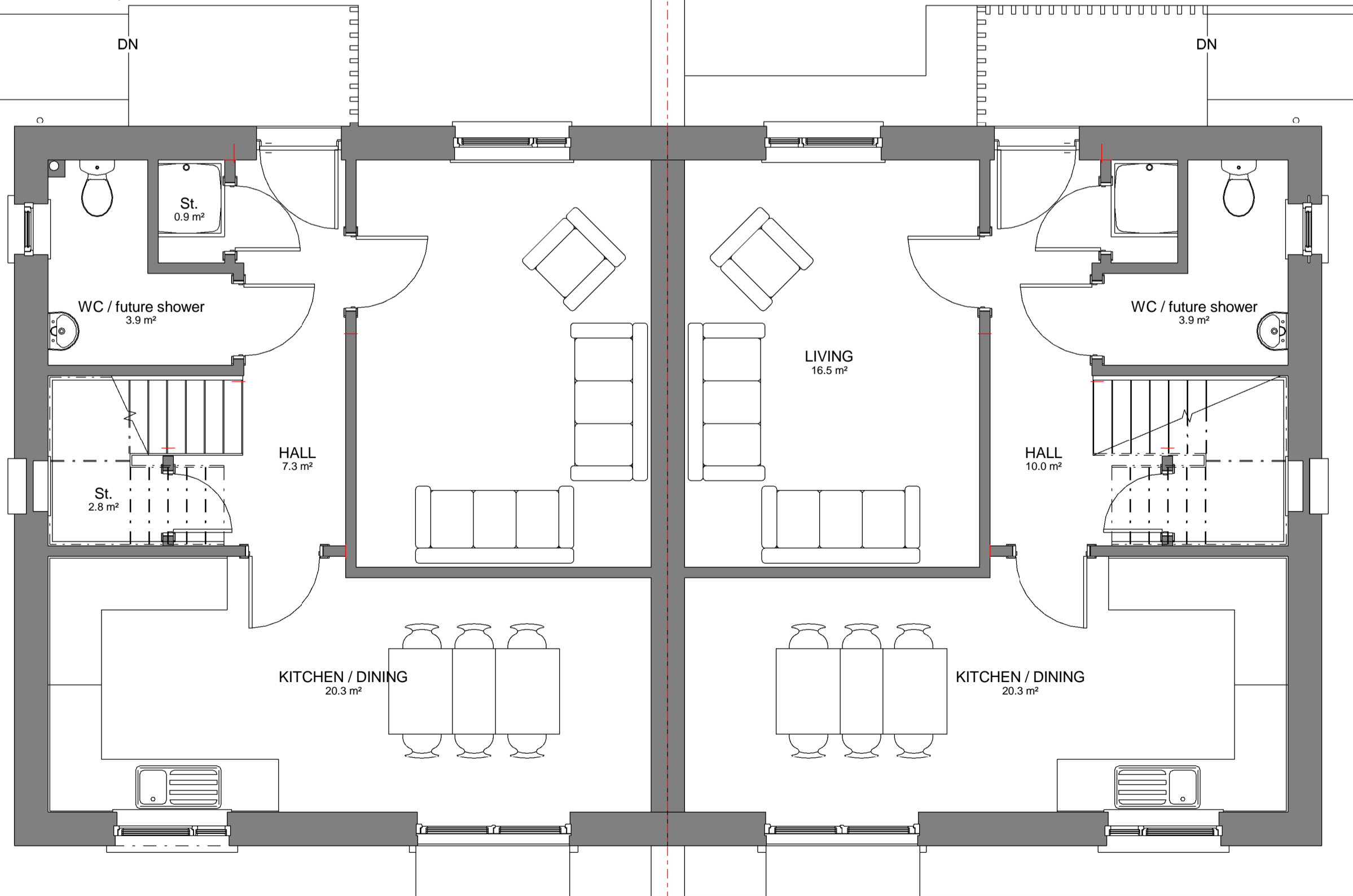


FRONT ELEVATION
Scale - 1 : 100



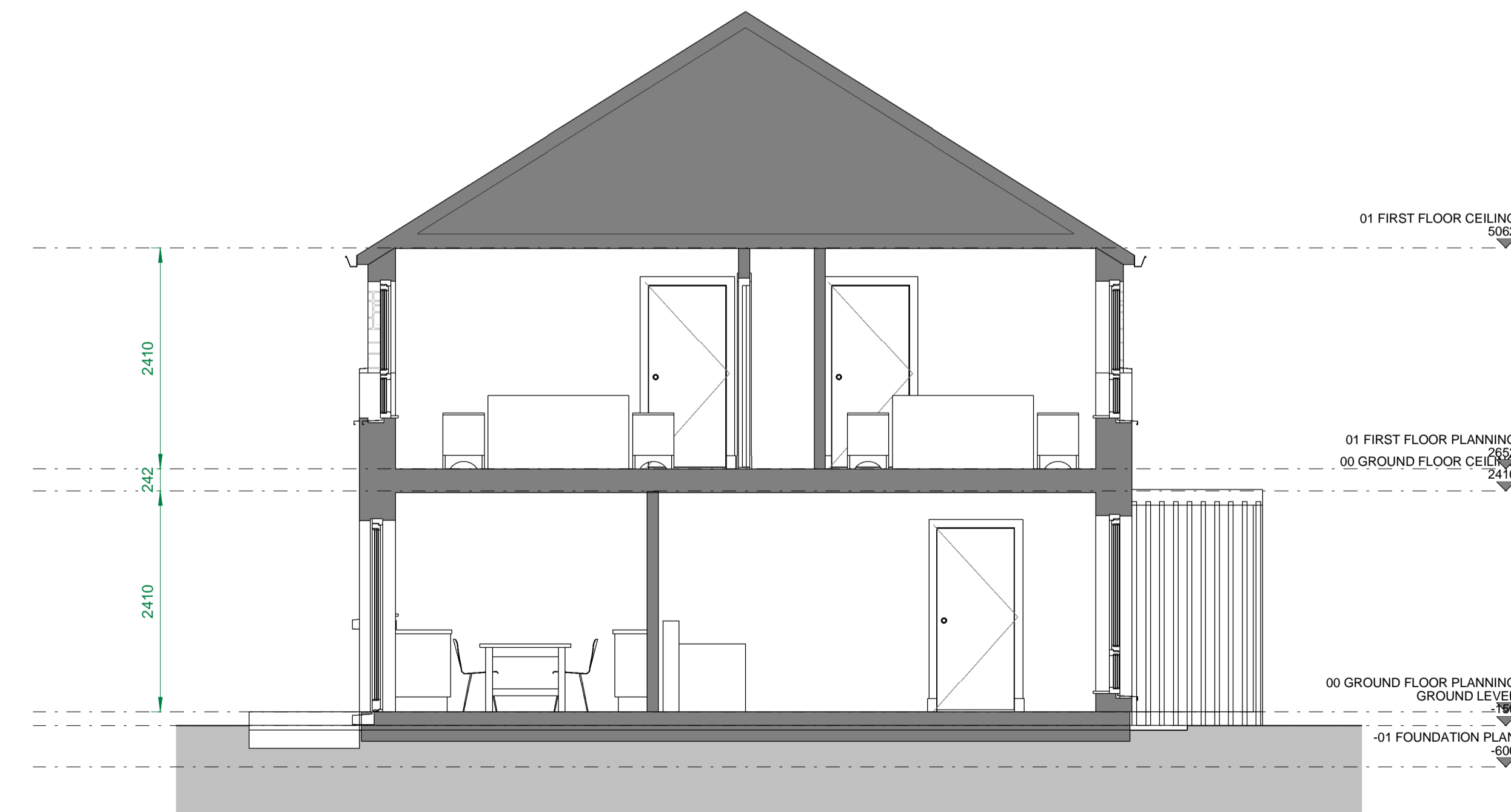
01 FIRST FLOOR BW

Scale - 1 : 50
FFL Area: 54sqm



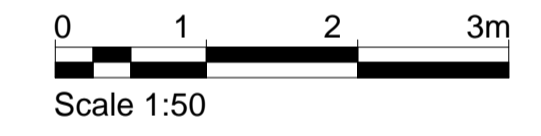
00 GROUND FLOOR BW

Scale - 1 : 50
GFL Area: 54sqm
Total Area: 108sqm



Section 1
Scale - 1 : 50

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Rev	Description	Date

COLIN ARMSTRONG ARCHITECTS
Lyle House, Fairways Business Park, Inverness IV2 6AA
T : 01463 712 288
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Client: **Ablyn Housing Society Ltd**
Project: **Balvonie Braes, Inverness**

Project No. **1610**
Drawing No. **P(Rt)100**

Revision
General Arrangement
Type 2L
3B5P Semi
Status
Planning
Date Created **2016-09-23** Drawn by **RG**
Scale **As indicated** Sheet **A1**

From file: X:\Documents\1610 Balvonie Braes\Drawings\CURRENT\HOUSE TYPE\TYPE 2L - RG(Rt)100.dwg Date: 23/09/2016 08:38:19

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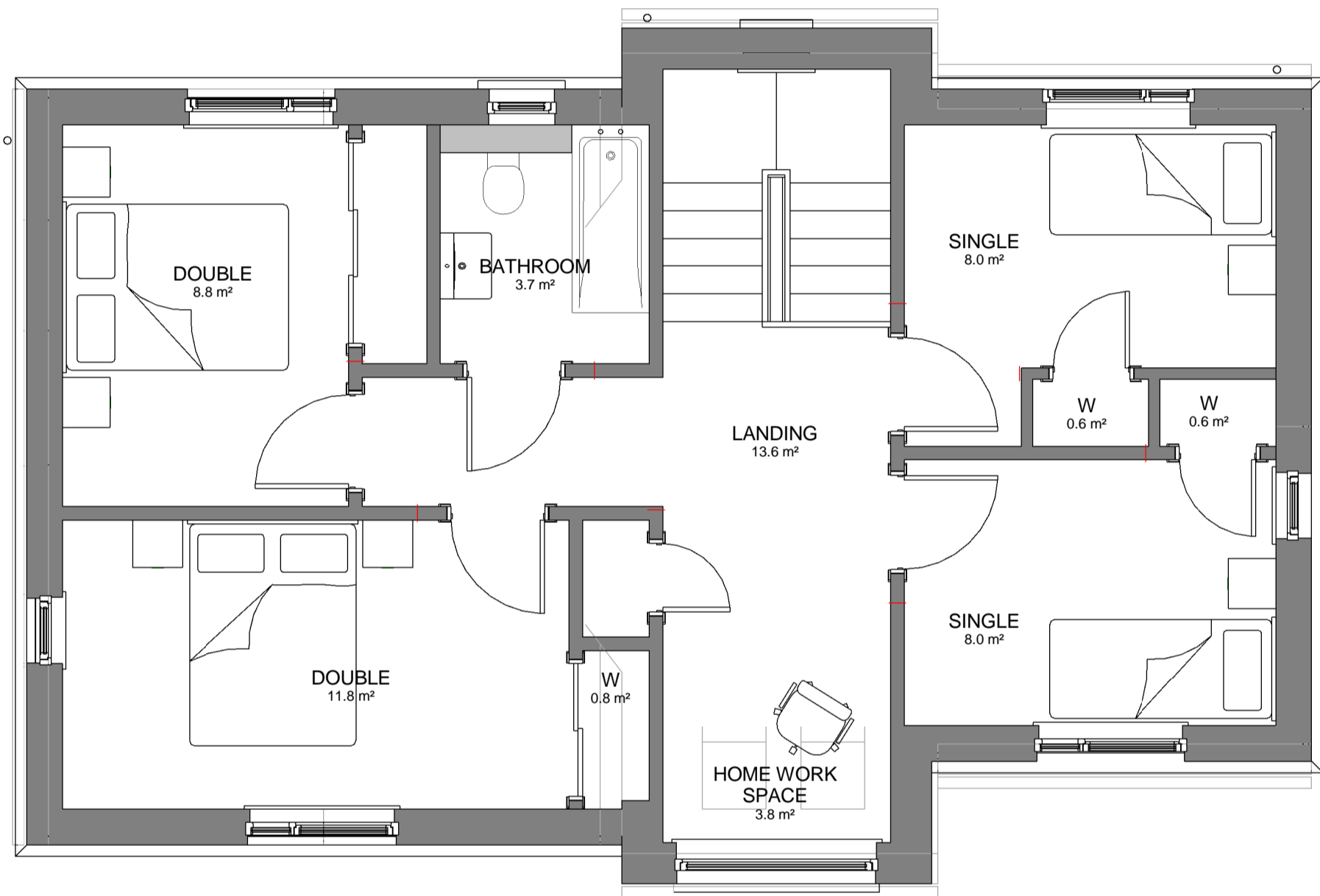
Timber effect cladding ("Marley Cedral Boards or equal colour: Atlas Brown)

Buff Brick (Ibstock Amato Blend or equal)



ENTRANCE ELEVATION
 Scale - 1 : 100

RH SIDE ELEVATION
 Scale - 1 : 100



UPVC windows - Colour Anthracite

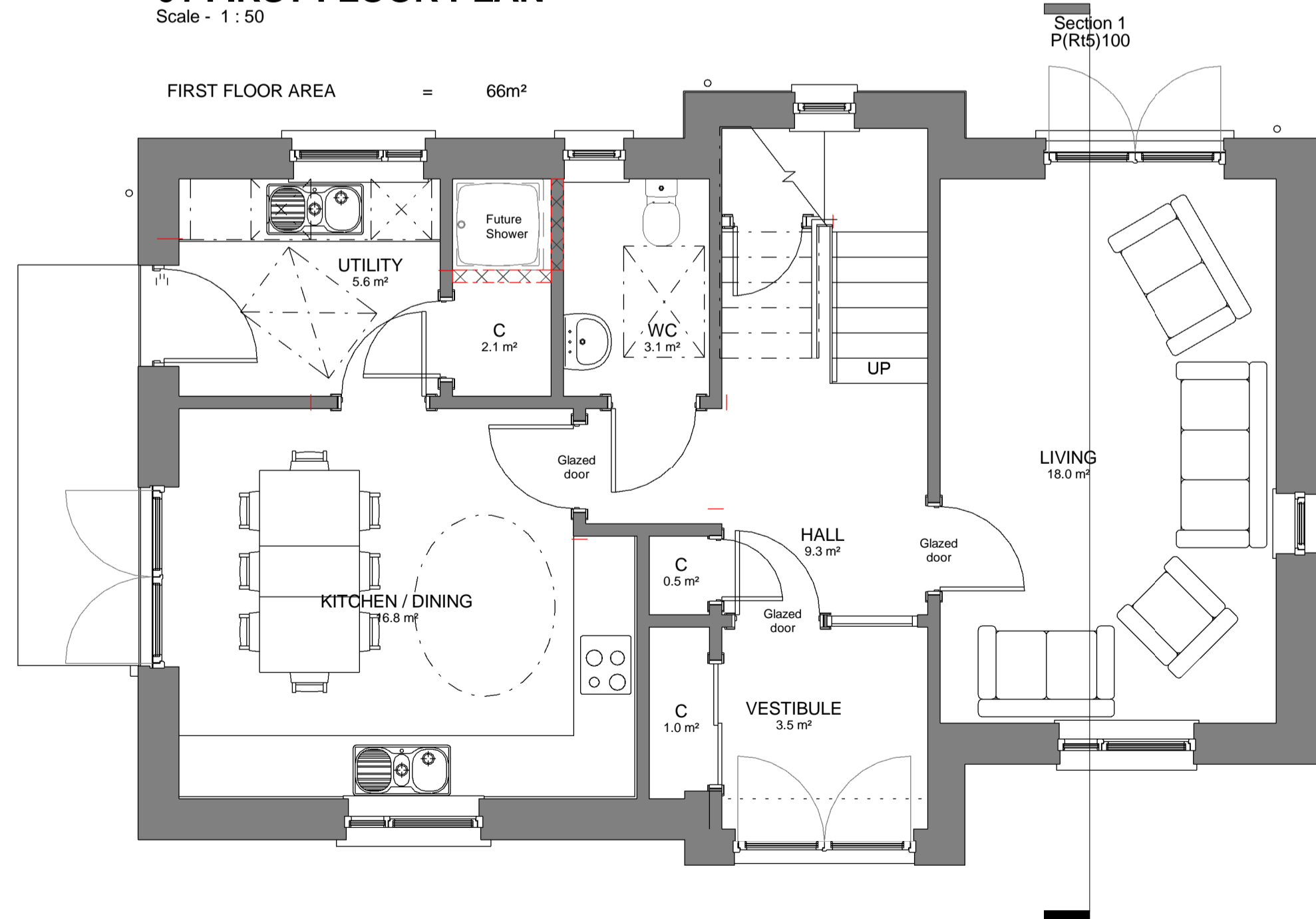
Powdercoated steel standing seam roof/wall cladding ("Colourcoat Urban" or equal colour: Anthracite)



LH SIDE ELEVATION
 Scale - 1 : 100

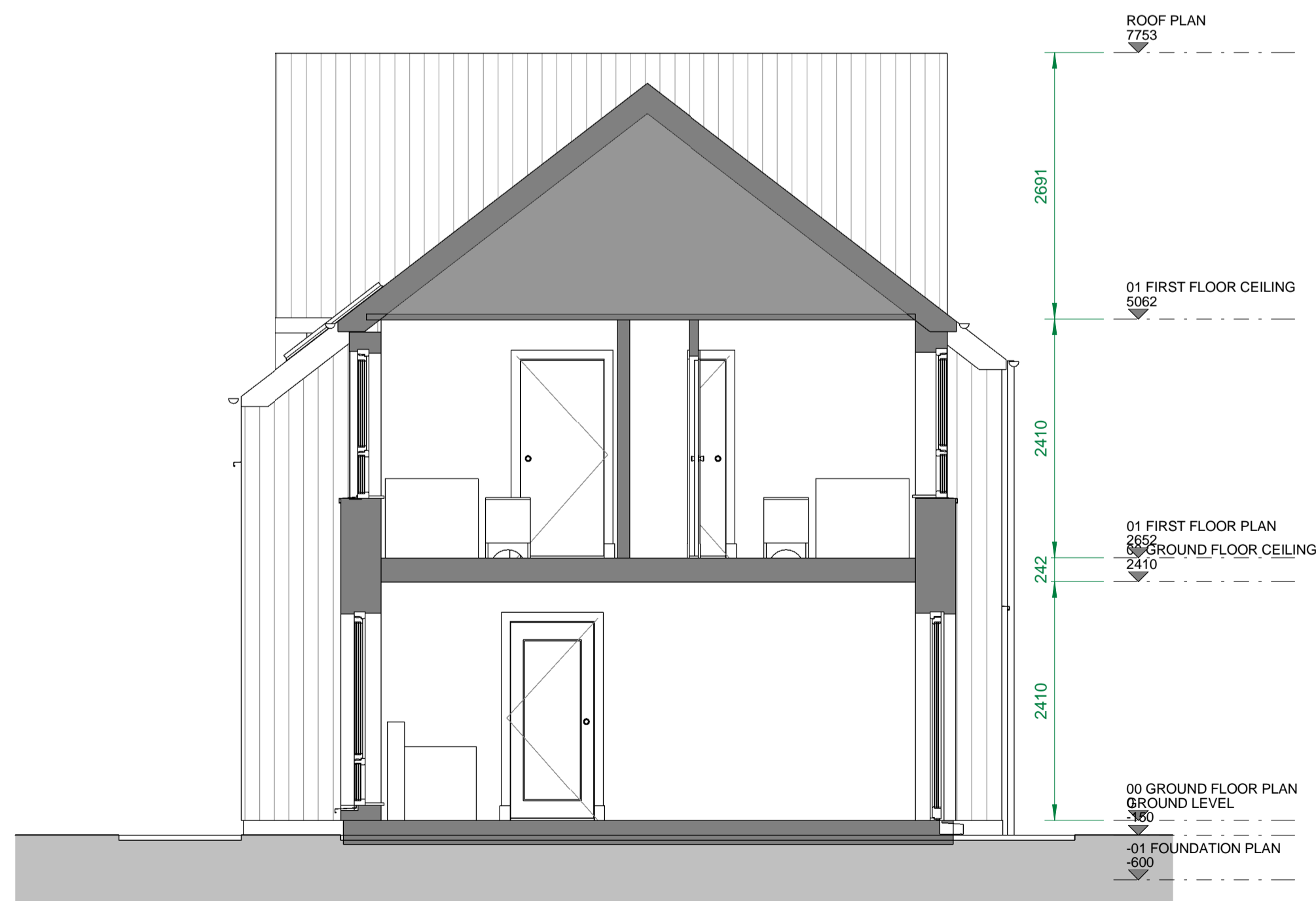
REAR ELEVATION
 Scale - 1 : 100

01 FIRST FLOOR PLAN
 Scale - 1 : 50

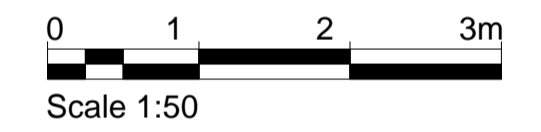


00 GROUND FLOOR PLAN
 Scale - 1 : 50

GROUND FLOOR AREA = 66m²
 TOTAL AREA = 122m²



Section 1
 Scale - 1 : 50



Scale 1:50

Rev	Description	Date

COLIN ARMSTRONG ARCHITECTS
 Lyle House, Fairways Business Park, Inverness IV2 6AA
 T : 01463 712 288
 W : www.colinarmstrong.com

DESIGNER
 CERTIFIED PASSIVE HOUSE DESIGNER

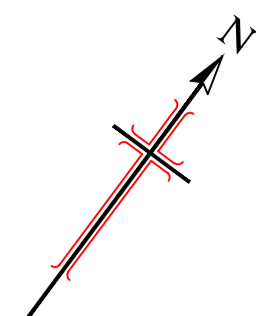
Client: Abbyn Housing Society Ltd
 Project: Balvonie Braes

Project No. 1610
 Drawing No. P(Rt5)100

Revision: T1
 4B6P Detached House

Status: Planning
 Date Created: 2016-09-23
 Drawn by: RG
 Scale: As indicated
 Sheet: A1

From file: X:\Documents\1610 Balvonie Braes\Drawings\COURTHOUSE TYPE TYPE 1 - R(15) SK(15) 4B6P Detached House (P1 - 42).rvt
 Printed on: 23/09/2016 08:48:23



- HRA MINOR ROAD CONSTRUCTION
- THICK CONCRETE BLOCK PAVING
COLOR: RED B. MARSHALLS
- THICK SILVER GREY COBBLE SETTING
B. MARSHALLS
- THICK CONCRETE BLOCK PAVING
COLOR: CHARCOAL B. MARSHALLS
- THICK CONCRETE BLOCK PAVING
COLOR: RED B. MARSHALLS
- FOOTPATH CONSTRUCTION: CLOSE GRADE ASPHALT
CONCRETE: SEE HGA DRG FOR DETAILS
- THICK HEATHER GREY CONCRETION
PAVING: RED B. MARSHALLS
- TACTILE PAVING
- ROAD EDGE
- UNRESURFACED FOOTPATH

Drawing No.	Revision
000000	A
Revisions	
A THICK COMMENTS INCORPORATED	Date 11/11/17
	Drm. MC

**APPROVAL
DRAWING**

**ALBION HOUSING
SOCIETY LTD**

**BALONIE PHASE 1
INTERNESS**

SURFACING LAYOUT

Drawn: MC	Ck'd:	Scale: 1:100
Date: FEB 17	Date:	DO NOT SCALE

consulting engineers

HGA(UK) Ltd
Darach House
Stoneyfield Business Park
Inverness IV2 7PA
T: 01463 221717
F: 01463 224275
email: hga@hgagroup.co.uk

Drawing No.	Revision
000000	A