Agenda Item	8.4
Report No	PLS-99-22

HIGHLAND COUNCIL

Committee: South Planning Applications Cor
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Date: 13 December 2022

Report Title: 22/04645/FUL: NHS Highland

Raigmore Hospital, Old Perth Road, Inverness, IV2 3UJ

Report By: Area Planning Manager – South

Purpose/Executive Summary

- **Description:** Erection of barrier-controlled bus and emergency service vehicle-only connection from Raigmore Hospital to the public road network at Churchill Road / Ashton Road
- Ward: 16 Inverness Millburn

Development category: Local

Reason referred to Committee: Manager's Discretion

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.

Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in section 11 of the report

1. PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for the construction of a barrier-controlled bus and emergency service vehicle-only link road ('bus gate') from Raigmore Hospital to the public road network at Churchill Road/Ashton Road, Inverness. It is essentially an alternative, and much improved, route to that which was the subject of a previous planning application (21/03844/FUL) that was unanimously refused planning permission at the meeting of the South Planning Applications Committee on 14 December 2021.
- 1.2 The development will involve the construction of a new access bellmouth onto Churchill Road/Ashton Road and the redevelopment of a length of existing access road and car parking area adjacent to the Birnie Centre and helipad at Raigmore Hospital.
- 1.3 The new bus gate will be approximately 146 metres in length with the initial 47 metre length from Churchill Road/Ashton Road being double lane, and the remaining section single lane, with barrier controls at each end. It has been designed to be elevated along its length with a ramp connecting with the existing private road at Woodside Terrace within Raigmore Hospital. At Churchill Road/Ashton Road, the junction has been designed as a footway crossing arrangement, meaning that it retains the linear integrity of the existing roadside footway whilst providing a stronger visual gateway to deter general traffic from trying to use the link.
- 1.4 A single storey building and shed located to the west of the northern access point will be demolished to facilitate construction of the link. No trees are affected by the proposed works.
- 1.5 Members will be aware that the Council declared a climate and ecological emergency in 2019. This project provides a tangible action that the Council can support to address the emergency by prioritising more sustainable travel modes on the network. Scottish Government's initial award from the Bus Partnership Fund (a collaboration between the Council, NHS Highland, Hitrans, Stagecoach, and Shiel Buses) of £2.71M to the Highland region provides the full funding for this proposal, which will deliver local solutions to relieve congestion, reduce pollution and reduce dependency on private car use.
- 1.6 It should also be noted that delivery of the bus gate will also address one of the mitigation measures required by planning conditions imposed on the planning permission for the new National Treatment Centre at Inverness Campus which is due to open in early 2023. This is expanded upon in Section 8.18 of this report.
- 1.7 Pre Application Consultation: Not applicable.
- 1.8 Supporting Information: The following information has been submitted in support of the application:
 - Planning Statement
- 1.9 Variations: Minor alterations to construction design of bus gate.

2. SITE DESCRIPTION

- 2.1 The site is located on the northern part of the Raigmore Hospital campus and adjoins Churchill Road/Ashton Road at a point south east of Stratton Road. The site is bound to the east and south east by the car park serving the Centre for Health Science building, and the hospital helipad respectively. Immediately to the north west is the Birnie Centre; one of a number of satellite buildings providing community healthcare facilities within the hospital complex.
- 2.2 The existing site consists primarily of an existing access road serving the Birnie Centre, with car parking spaces on the south west side, perpendicular to the helipad area.

3. PLANNING HISTORY (RELEVENT TO THIS APPLICATION)

- 3.1 08.02.2011 09/00887/PIPIN: Education Campus Planning comprising: non-residential institution, Permission business, residential institutions, assembly and leisure and associated landscaping, open space, parking and infrastructure services and means of access at Inverness Campus, Inverness
- 3.2 26.05.2014 13/00618/S42: Application for non-compliance Planning with Condition 20 of 09/00887/PIPIN relating to Permission Raigmore Bus Gate Granted
- 3.3 04.02.2019 18/04829/FUL: Construction of new Centre for Planning Health Science 2 including an Elective Care Permission Centre (NHSH), Life Science Business Granted Incubator (HIE) and Health Innovation Facility (UHI) at Inverness Campus
- 3.4 24.08.2020 20/02469/FUL: Construction of Elective Care Planning Centre at Inverness Campus Permission Granted
- 3.5 20.12.2021 21/03844/FUL: Construction of Bus and Planning Emergency Service Gate at Raigmore Permission Hospital, Inverness Refused

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour/Schedule 3 Development
Date Advertised: 21.10.2022
Representation deadline: 04.11.2022

Timeous representations: 3 representations from 3 parties (including 2 from 2 households) 2 For; 1 Against

Late representations: 2 representations from 2 parties

4.2 Material considerations raised are summarised as follows:

For:

- a) some residents of Raigmore Estate rely entirely on public transport;
- b) existing bus services are poor; enhanced services resulting from the bus gate will substantially improve these services;
- c) use of electric buses will benefit the environment;
- d) existing services are routinely delayed when accessing or departing from Raigmore Hospital. The bus gate will significantly improve this;
- e) the proposed route offers the best option for bus users, local residents and bus operators; and
- f) Stagecoach, with support from Transport Scotland, has invested £10.8M to introduce a fully electric bus fleet to the Inverness city network. Delivery of this crucial project is needed to both realise the significant benefits to public transport that this will bring as well as sending a strong signal that local partners are serious about delivering against commitments to reduce congestion and achieve carbon reduction targets.

Against:

- a) the existing roads within Raigmore Estate, coupled with significant on street parking means they are not suitable for the amount of buses proposed and will raise safety issues; and
- b) there will be little benefit for existing residents.
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet <u>www.wam.highland.gov.uk/wam</u>.

5. CONSULTATIONS

- 5.1 **Raigmore Community Council:** Strongly supports this application. The community council is pleased that discussions between parties has resulted in a revised route which avoids the need for any longstanding trees to be cut down. We welcome Stagecoach's intention to use electric buses and therefore concerns about pollution are considerably reduced. The comments raised by Transport Planning and the Council's Flood Team are supported. It is requested that in the event of a severe flood closing the Millburn Road entrance to the Estate, that on a temporary basis the bus gate be opened to all traffic, or that some other suitable route is agreed.
- 5.2 **Transport Planning Team:** No objection. We welcome the provision of this link as it will create opportunities to improve bus services through this area and should generate journey time savings connecting to and from the city centre. The revised design of the junction with Churchill Road, as a footway crossing arrangement, retains the linear integrity of the roadside footway along Churchill Road, providing a stronger visual gateway to deter traffic from trying to use the

link, is welcomed. Similarly, the elevation of the carriageway throughout the length of the link, along with changes to form a ramp down connection with Woodside Road are also welcomed. In combination with alterations to the positioning of the 'Bus Gate' road markings, these revisions should again strengthen the visual appearance of this gateway route as a route not to be used by general traffic. Conditions are recommended relating to maintenance, traffic signs, Traffic Regulations Orders, and barriers to be in place and operational prior to the route being opened; and full details of measures to deal with surface water drainage to be agreed and implemented prior to the route being operational.

- 5.3 **Flood Risk Management Team:** No objection subject to a condition requiring approval of the final drainage design.
- 5.4 **Access Officer:** No objection but clarification is sought on a number of points relating to public access.
- 5.5 **NATS:** No objection.
- 5.6 **CAA:** No response received.
- 5.7 **HIAL:** No objection.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 7 Inshes and Raigmore
- 10 Beechwood Campus
- 28 Sustainable Design
- 29 Design Quality & Place-making
- 31 Developer Contributions
- 34 Settlement Development Areas
- 56 Travel
- 64 Flood Risk
- 65 Waste Water Treatment
- 66 Surface Water Drainage
- 77 Public Access

6.2 Inner Moray Firth Local Development Plan 2015

2 – Delivering Development

6.3 Inner Moray Firth Proposed Local Development Plan 2022

- 8 Placemaking
- 9 Delivering Development and Infrastructure
- 14 Transport

6.4 Highland Council Supplementary Planning Policy Guidance

Inshes and Raigmore Development Brief (2015)

Developer Contributions (March 2018) Flood Risk and Drainage Impact Assessment (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 **Scottish Government Planning Policy and Guidance** Scottish Planning Policy (Revised December 2020) National Transport Strategy 2 (2020) Revised Draft National Planning Framework 4 (2022)

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.

Determining Issues

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) impact on natural environment
 - c) impact on individual and community residential amenity
 - d) benefits of the bus gate
 - e) any other material considerations.

Development plan/other planning policy

- 8.4 The site lies within the grounds of Raigmore Hospital where the Development Plan supports the reconfiguration of the Raigmore Medical Campus to allow better public transport and active travel connectivity and where appropriate and necessary, will make provision for mitigation measures in relation to any identified environmental issues. In principle, the proposal complies with the Development Plan.
- 8.5 The Raigmore and Inshes Development Brief was produced in response to the requirements of Policy 7 (Inshes and Raigmore) of the Highland-wide Local Development Plan 2012 which identified, amongst other matters, the public transport and active travel improvements referred to above. The Brief acknowledges that a key factor constraining future development at Raigmore Hospital, including walking, cycling, and public transport routes, is the helipad where there is a strict exclusion zone.

- 8.6 The Brief recognises that within the area there are several attractive and valuable green networks comprising water courses, open space, trees, planting and paths. This includes the existing tree buffer between the Hospital Campus and Raigmore Housing Estate.
- 8.7 Subject to the proposal having no significant detrimental impact on the natural environment or on community and residential amenity, the proposal would comply with the Development Plan.

Impact on natural environment

- 8.8 The earlier 2021 planning application (21/03844/FUL) proposed that the access would be created on the outside bend of Churchill Road/Ashton Road, on land to the rear of the Shenevall Centre and to the east of 80 Ashton Crescent. It would have necessitated the removal of 8 trees from a narrow woodland belt that runs along part of the northern boundary of the hospital.
- 8.9 This revised proposal has the access point approximately 79.5 metres further to the east where there is an existing pedestrian footway connecting to the hospital grounds. By contrast, no trees are affected by this current proposal. Consequently, there is no impact on the natural environment arising from the proposal.

Impact on individual and community residential amenity

- 8.10 As mentioned above, the earlier 2021 planning application routed the bus gate through a narrow strip of woodland. At its closest point, it would have brought the carriageway edge to within 10 metres of the nearest residential property on Ashton Crescent and would route the bus gate within 20 metres of the rear curtilage of other residential properties in Ashton Road. It would also have been routed approximately 2 metres from the hospital staff accommodation flats at Fraser Noble Court.
- 8.11 The nearest residential property to this revised route is on Stratton Road, with its gable elevation directly opposite the access bellmouth onto Churchill Road, and located approximately 15.6 metres from its curtilage boundary. The revised route does not pass by any residential properties; instead, it runs adjacent to the Birnie Centre, a community healthcare building within the hospital campus. Consequently, it is considered that there will be no adverse impact on community or residential amenity arising from this proposal.
- 8.12 The Council's Access Officer has sought clarification on what measures can be put in place to accommodate walkers and cyclists. It is important to state that it is intended that the bus gate will operate only for buses and emergency service vehicles. This is to ensure that there is effective control over its use, especially given the close proximity of the helipad, and the need to manage the use of the route in the interests of public safety. It should however be emphasised that part of the mitigation measures imposed by planning conditions for the construction of the National Treatment Centre at Inverness Campus require improvements to active travel at Raigmore Hospital, and this is the subject of separate discussions

with NHS Highland in relation to that separate planning permission.

Benefits of the bus gate

- 8.13 The supporting Planning Statement accompanying this application advises that Inverness is the fastest growing part of the Highland region, and sustained pressure remains on the transport network. It is widely acknowledged that private vehicles are the leading cause of greenhouse gas emissions from the transport sector.
- 8.14 As well as causing climate change-inducing pollution, private car usage pollutes the environment for people, and with a high-level of single occupancy trips (66% on average in Scotland), the transport network is burdened by an inefficient use of available space, leading to congestion.
- 8.15 The Supporting Statement indicates that it is widely accepted amongst transport professionals that the solution to congestion is to make better use of available space. This means making other travel options more attractive than private car, such as active travel and public transport, wherever possible. By taking such an approach, these more efficient modes become more attractive to the travelling public and therefore become more widely used, leading to reduced private car use, and therefore reduced congestion, pollution, and delay, for those people that do need to travel by private vehicle, such as disabled people and people who need to drive as part of their job.
- 8.16 Further work is underway through Strategic Transport Appraisals in Inverness to investigate priority bus corridors through the Inshes Corridor; Millburn Road; and Rose Street to the Kessock Bridge, as well as a strategic appraisal of the potential for park and ride / mobility hubs for the city. These reports will contribute to the strategic plan to support people to make different travel choices and will prioritise public transport across the network.
- 8.17 This proposal would deliver an essential connection linking into the wider bus priority network that comprises Inverness Campus 'Bus Only' North Bridge; the Inverness Campus bus lane to Culloden Road; and Millburn Road to Raigmore Housing Estate bus gate. It represents the first in a series of significant opportunities for the Highland region to dramatically improve the transport network by improving the journey time and reliability of buses and therefore providing an advantage to this sustainable mode on the network.
- 8.18 Whilst the requirement for a bus gate at Raigmore dates back to the original planning permission in principle for the construction of the Inverness Campus in 2011 (with a subsequently amended permission granted in 2013 to delay delivery of the bus gate until completion of 50,000 square metres of floor space a figure not reached at this time), it was also one of a series of mitigation measures imposed on the planning permission for the new National Treatment Centre currently under construction at Inverness Campus. Consequently, this proposal, if granted, will have the added benefit of securing compliance with this outstanding requirement.

Other material considerations

- 8.19 The Scottish Government's National Transport Strategy 2 (2020) contains specific support for prioritising sustainable transport modes as a way of reducing carbon emissions from travel. This proposal complies with that priority.
- 8.20 In addition, the revised draft National Planning Framework 4, which was laid before the Scottish Parliament on 8 November 2022 for approval, places a strong overarching policy objective on tackling the climate emergency through a variety of measures which are underpinned by other policy objectives in the Framework. This proposal complies with those objectives.

Non-material considerations

8.21 Whilst not a direct material planning consideration to the determination of this application, members will wish to note that, subject to further funding, this project could help the Council and its partners to secure up to £50M of investment for buses in Highland to tackle the impacts of congestion on public transport.

Matters to be secured by Section 75 Agreement

8.22 This proposal, in itself, would result in delivery of an important infrastructure asset and therefore there are no infrastructure mitigation requirements arising from this proposal that would otherwise require to be secured by a Section 75 Agreement.

9. CONCLUSION

- 9.1 Planning permission is sought for the construction of a barrier-controlled bus and emergency service vehicle-only link road ('bus gate') from Raigmore Hospital to the public road network at Churchill Road/Ashton Road, Inverness. It is essentially an alternative, and much improved, route to that which was the subject of a previous planning application (21/03844/FUL) that was unanimously refused planning permission at the meeting of the South Planning Applications Committee on 14 December 2021.
- 9.2 This project provides a tangible action that the Council can support to address the climate emergency at a local level by prioritising more sustainable travel modes on the existing road network. Scottish Government's initial award from the Bus Partnership Fund (a collaboration between the Council, NHS Highland, Hitrans, Stagecoach, and Shiel Buses) of £2.71M to the Highland region provides the full funding for this proposal, which will deliver local solutions to relieve congestion, reduce pollution, and reduce dependency on private car use.
- 9.3 The proposed bus gate is undoubtedly the optimum, most direct route between the Raigmore Hospital site and Raigmore Housing Estate and unlike the previously refused proposal, will not result in any detrimental impact on the natural environmental or community and/or residential amenity. Furthermore, Stagecoach's confirmation of the delivery of a new fleet of electric buses that

will serve the Inverness City network, and include services that will use the bus gate, will have a positive environmental impact by significantly reducing pollution, meaning that a large proportion of the vehicles using the bus gate will not produce vehicle emissions.

9.4 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. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. **RECOMMENDATION**

Action required before decision issued

Notification to Scottish Ministers N

Conclusion of Section 75 N Obligation

Revocation of previous N permission

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

1. The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. No development shall commence until full details of the final drainage design for collecting, treating and discharging of surface water run-off, have been submitted to, and approved in writing by, the Planning Authority. The final drainage design shall include infiltration testing results carried out at the location of the infiltration trenches. Following approval, the final drainage design shall be constructed in full prior to the bus gate being opened for use.

Reason: To ensure that adequate drainage arrangements are in place in order to protect the environment.

3. Prior to the bus gate being opened for use, details for the future maintenance and inspection regimes for the link road shall be submitted to, and approved in writing by, the Planning Authority. Following approval, the link road and all associated infrastructure, including lighting, road markings, and the barrier controls, shall be maintained in accordance with the approved maintenance and inspection regime in perpetuity, unless otherwise agreed in writing by the Planning Authority.

Reason: In recognition that the link road will not be adopted by the Local Authority and to ensure that it is maintained in good condition at all times in the interests of public safety.

4. All traffic signs, road markings, control barriers, and any Traffic Regulation Order(s) required to manage the operation of the route, shall be in place prior to the bus gate being opened for use.

Reason: In the interests of public safety and to ensure that the operation of the route can be adequately enforced.

REASON FOR DECISION

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.

INFORMATIVES

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.

- 1. 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.
- 2. 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.

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 (paragraph 259), 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.

Septic Tanks & Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area 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: <u>http://www.highland.gov.uk/yourenvironment/roadsandtransport</u>

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

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for working_on_public_roads/2

Mud & Debris on Road

Please note that it 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.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact <u>env.health@highland.gov.uk</u> for more information.

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from NatureScot: https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species

Signature:	David Mudie	
Designation:	Area Planning Manager – South	
Author:	John Kelly	
Background Papers:	Documents referred to in report and in case file.	
Relevant Plans:	Plan 1 – Location Plan (LOC_01 Rev B) Plan 2 – Site Layout Plan (PD_002 Rev C) Plan 3 – Section Plan (PD_003 Rev C)	









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Revision Details

Topsoil to tie-in with existing ground

Carriageway Surfacing <u>(CW1)</u> Scale 1:20

Standard Details & Sections					
Scale					
As Shown (@ A1)					
Drawn	JNC	Date	08/09/2022		
Checked	AS	Date	22/09/22		
Project No.					
YEHAS6122					
Drawing N		003	Rev.		

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Drawn Check Check By By Date Suf'x

Council

The Highland

Comhairle na

Gàidhealtachd

INFRASTRUCTURE

& ENVIRONMENT

PROJECT DESIGN UNIT

Drummuie

Golspie

KW10 6TA

Bus Priority Fund

Raigmore Bus Gate

E-mail : garry.smith@highland.gov.uk

Phone : 01408 635313

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