The Highland Council
Comhairle na Gàidhealtachd

Roads and Transport Guidelines for New Developments
Stiùiridhean Rathaidean is Còmhdhalach airson Leasachaidhean Ùra

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Introduction / Ro-ràdh

Aim of the document

This document sets out the guidance and standards for the provision of transport infrastructure, including the design and construction of all new roads, associated with development proposals, within The Highland Council area.

These guidelines aim to ensure new roads are safe whilst, at the same time, ensuring new developments also provide transport facilities that are convenient for all types of road user as well as creating a high-quality environment.

The guidelines also apply to a developer who proposes alterations to an existing public road.

The guidelines also sets out the procedures to be followed in order to ensure that new roads achieve acceptable standards so that the Council can subsequently adopt them as suitable public roads.

In addition, there is an associated requirement to measure and assess the transportation impact of any development proposal, so the design fully meets the needs of pedestrians, cyclists, persons with mobility difficulties and public transport passengers. The document also highlights the important requirement to assess drainage and flood risk, where appropriate, and some associated guidance is provided.

These Guidelines will be used by the Council for assessing the transportation aspects of development and proposals for construction of new transport infrastructure. This document replaces the Council's previous "Road Guidelines for New Developments".

General requirements

Transportation matters for new developments should satisfy the relevant Roads Authority, being either The Highland Council for local roads or the Scottish Government's Transport Scotland Agency for Trunk Roads and, in certain situations, both.

These guidelines are mainly concerned with those new roads that are prospectively adoptable by the Council as public roads. While the guidelines are written for new developments on green field sites, the principles will also apply to the redevelopment of existing sites and for infill development in both rural and urban areas.

In acting for the Highland Council, the Assistant Chief Executive, Place, reserves the right to vary requirements to suit particular local conditions, since the Council area is diverse in nature and character and the guidelines cannot cover every situation.

Developers should note that as well as providing new roads or altering existing public roads, which comply with these guidelines, they may be required to undertake additional measures or provide a financial contribution to a project Such requirements, which could include provision of or contributions to items, such as play areas, Safer Routes to Schools measures, bus service enhancements and grit bins, would be clarified during the planning application stage and set out as conditions of consent.

As well as providing guidance on roads issues, this document also highlights drainage and flooding issues, as they are becoming increasingly problematic, as a result of climate change, and can have a significant impact on a development.

Access to single houses and small housing developments

For small developments involving four houses or less or where a private access is envisaged instead of a public road, the range of issues to be addressed is reduced. In order to facilitate the preparation and processing of applications for this type of small development, it is considered helpful to incorporate the relevant requirements in an "Access to Single Houses and Small Developments" Booklet, which is attached as an appendix to this document but also available as a separate publication.

In certain circumstances, such as the provision of holiday accommodation, the Council may permit more than four residential units to be served by a private access. Advice should be sought from both the Local Planning Authority and Local Roads Authority to agree the status of any proposed vehicular access and relevant design standards, which should be included. In addition, especially within the urban area, the Council may require an existing public road to be extended even if the extension is only to serve up to four new houses.

It should be noted that accesses serving small developments of four or less houses would not generally be deemed prospectively adoptable. Owners of the premises served by the accesses that remain private should be aware that they would be responsible for future maintenance requirements.

However, the section of a private access formed within the boundary of an existing public road will be adopted by the Local Roads Authority and, therefore, must be subject to Council approval.

Glossary / Beag-Fhaclair

Adoption	Of a road or footway means its addition to the list of publicly maintained roads in terms of Section 16 and 18 of the Roads (Scotland) Act 1984.
Allocated parking spaces	Are parking spaces or driveways which are for the exclusive use of the residents of the individual dwelling and their visitors.
Boarder	Is the narrowing of the carriageway constructed on only one side as an extension of or widening of the footway, for the specific intention of provision of a bus stop and associated facilities.
Build out	Is the narrowing of the carriageway constructed on only one side as an extension of or adjacent to the verge, footway or cycle track.
Building	Includes any erection; however and with whatever material it is constructed from.
Carriageway	The part of a road constructed for use by vehicular traffic. Auxiliary traffic lanes, passing places lay-bys and bus bays are included.
Cattle grid	"Cattle grid" has the meaning given by section 41(6) of the Roads (Scotland) Action 1984.
Chicane	Is a series of build-outs on alternate sides of the carriageway.
Classified road	Shall be construed in accordance with section 11 of the Roads (Scotland) Act 1984.
Commercial access	Is any access to commercial premises or otherwise where the vehicle weight may exceed 1500kg.
Common	Has the same meaning as in the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.

Construction consent	Is approval given by the local roads authority in terms of Section 21 of the Roads (Scotland) Act 1984 for construction of a new, or extension of an existing road.
Cycle lane	Is a lane marked on a carriageway which can be either Advisory or Mandatory. Mandatory cycle lanes cannot be used by motor vehicles.
Cycle route	Is a recommended route available for use by cyclists. It may be shared with other traffic and segregated or un-segregated.
Cycle track	Is a right of way by pedal cycle only or by pedal cycle and foot.
Days	Means clear working days.
Driveway	Means private vehicular access serving a single house.
Dropped kerb	Is a reduction in carriageway edge kerb height.
Enactment	Includes an enactment in this act or in a local or private act and a provision of an order, a scheme, regulations or any other instrument made under or confirmed by a public general local or private act.
Developer	Is the planning applicant principal.
Footpath	Is a way or means of passage for pedestrians only, generally across open spaces and not associated with a carriageway.
Footway	Is that portion of a road reserved exclusively for pedestrians and associated with a carriageway.
Formation	Is a sub-grade prepared for road construction.
Footway crossing	Is a crossing of footway, via a dropped kerb to give vehicular access to premises or parking area.

Frontage access	Is vehicular access to premises taken directly from the road which they front.
Frontager	Related to a road or proposed road, means the owner of any land fronting or abutting it.
Improvement	Related to a road, means the doing of anything for the benefit of road users, or any class of road users, beyond that which is essential to placing the road in a proper state of repair and includes the improvement of the amenity: (d) of the road; and (e) of land abutting on, or adjacent to, the road
Local Authority	Means one of the 32 unitary authorities established in Scotland on 1 April 1996.
Local Roads Authority	Has the meaning given by paragraph (a) of the definition of "Roads Authority".
Maintenance	Includes repair, and watering to allay dust but, without prejudice to subsection (1) of section 25 of the Local Government and Planning (Scotland) Action 1982 (restriction 1982 c. 43 of powers of local authorities as regards street cleansing) not such cleansing as a unitary authority is required by subsections (1) and (3) of section 25 to undertake.
Notice	Means notice in writing.
Obstruction	Includes obstruction of view of a driver of a vehicle.
Occupier	Means the person in occupation or having charge, management of control of land, either on his own account or as the agent of another person.
Open space	Has the same meaning as in the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 c. 42. 1947.

Owner	(a) In relation to land means, subject to paragraph (b) below, the person for the time being entitled to receive, or who would, if the same were let, be entitled to receive, the rents of the land, and includes a trustee, factor, tutor or curator, and in the case of public or municipal property applies to the persons who whom the management thereof is entrusted; and; (b) In relation to special roads (whether existing or proposed) includes any person who under the Lands Clauses Consolidation (Scotland) Act 1845 would be entitled to sell and covey the land to promoters of an undertaking and also includes a lessee under a lease the unexpired portion of which exceeds three years.
Pedal cycle	Means a cycle whose motive power is provided solely by the legs of its rider or riders or which complies with the requirements specified in Regulation 4 of the Electrically Assisted Pedal Cycles Regulations 1983
Private access	Provides no right of passage for the public and entry can be restricted by the owner. Private accesses will not require Construction Consent.
Private road	Means a new road in the course of construction or proposed to be constructed, by or on behalf of a roads authority; or an existing road which is a prospective public road within the meaning of the Public Utilities Street Works Action 1950. a road which the Roads Authority has NO duty to maintain. Refer also to the definition in this subsection of "proposed public road"
Public road	Means a road which a Roads Authority has a duty to maintain.

Roads	As in Section 151 of the Roads (Scotland) Act 1984, is any way (other than waterway) over which there is a public right of passage (by whatever means) and includes the road's verge, and any bridge (whether permanent or temporary) over which, or tunnel through which, the road passes; and any reference to a road includes a part thereof. Such traffic may be limited to prescribed classes. In appropriate circumstances the term "road" also applies to "streets" in urban areas.
Road bond	Is a deposit lodged as a security with the Local Roads Authority before work commences on construction within a development.
Road structure	Means bridge, culvert, retaining wall and other features as covered by the Management of Highway Structures" Code of Practice.
Road hump	Is any vertical change between 50 and 100mm, in the level of the carriageway which can take the form of either a curved arc or a flat top within ramps and can be constructed of any material. (It should be noted that a number of Local Authorities specify a maximum height of 75mm for road humps, as recommended by the Department of Transport.)
Roads Authority	"Roads Authority"
(a)	(a) In relation to a road or proposed road other than any such as is mentioned in paragraph (b) of this definition, the local council within whose area the road is (such council being in the Roads (Scotland) Act 1984 referred to as a "local roads authority") and
(b)	(b) In relation to a Trunk Road (whether existing or in course of construction) or, without prejudice to section 4 of the Roads (Scotland) Act 1984, to a special road provided by him under section 7(5) (or to be provided by him under section 7(5) (a) or (b) or to any other road constructed (or to be constructed) by him under section 19(1) of the Roads (Scotland) Act 1984, the Secretary of State; and references to
They	"they" in relation to a roads authority shall be taken to related also to the Secretary of State.

Safety audit	Is a systematic procedure to ensure road networks function as safely as possible.
Service area	Provides a loading/unloading area for delivery vehicles.
Service road	Is a road providing or giving access to servicing facilities.
Service strip	Is a reservation for statutory undertaker services (gas, water, etc) normally located within the confines of footway or verge.
Shared surface	Is a paved area for un-segregated use by both pedestrians and vehicles.
Special road	Means a road provided or to be provided in accordance with a scheme under section 7 of the Roads (Scotland) Act 1984.
Special road authority	Has the meaning given in section 7(4) of the Roads (Scotland) Act 1984.
Statutory undertakers	Has the same meaning as in section 214 of the Town and Country Planning (Scotland) Act 1997 including the Royal Mail Post Office Service and, except in in and section 140(4) of the Roads (Scotland) Act, the operator of any telecommunications code system.
Sub-grade	Is a material on top of which a carriageway, footway footpath or parking area is constructed.
Telecommunications apparatus	Is "the telecommunications code" and "telecommunications code system" have the same meanings as paragraph 1 of Schedule 4 to the Telecommunications Act 1984.
Tidal waters	Has the same meanings as in section 35(1) of the Rivers (Prevention of Pollution) (Scotland) Act 1951.
Traffic	Includes pedestrians and animals, as well as vehicles.

Traffic calming	Means designing a road, using physical measures, to alter road user behaviour creating driving speed more in keeping with the character of the area.
Traffic sign	Means any object or device (permanent or temporary) for conveying to road users, or any specified class of traffic on roads, warnings, information, requirements or prohibitions of any description, as specified in the Road Traffic Regulation Act 1984.
Transport assessment	Is an assessment of the accessibility of a development site by different modes of travel and consideration of the impact of traffic to and from a new development on the road and transportation network.
Travel plan	Is a document setting out a package of measures, incentives and targets to reduce reliance on private car use.
Truck road	Means a road which is a trunk road by virtue of section 5 of the Roads (Scotland) Act 1984 or of an order or direction under that section or section 202 of the Town and Country Planning (Scotland) Act 1997.
Unallocated parking	Is parking spaces which do not relate directly to any particular dwellings and are considered to be for the use of either residents or visitors on a "first come first served basis.
Use	Is in relation to a road, and includes crossing.
Vehicle	Means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads (whether or not by mechanical power).
Verge	Is the landscaped part of a road adjacent to the carriageway and generally at substantially the same level. It may abut footways, cycle tracks and ditches.

Visibility	Is the intervisibility between vehicles or between vehicles and pedestrians. Where this crosses land beside the road the area must be kept clear of obstructions.
Water Authority	Is Scottish Water as set out in terms of The Water Industry Act 2002.
Works	As regards any road include: (a) Making an alteration to it; (b) Breaking up or opening it; (c) Constructing or laying anything under it; (d) Building anything into it; and (e) Carrying out any other operations of a like nature. and similar expressions shall be construed accordingly.

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